



Thursday, May 28, 2020, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

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*B. CONSENT AGENDA

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- F.4 - Proclamation - National AccessAbility Week
- F.5 - Proclamation - World Refugee Day

C. READING OF MINUTES

*C.1 Minutes from the meeting held May 7, 2020

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Addendum: New Item

D. UNFINISHED BUSINESS

E. LAND USE MATTERS

*E.1 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

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Addendum: Additional Correspondence, Presentation

A report presenting Council with an application to construct a four-storey residential rental building with multiple buildings on an existing panhandle lot. The report recommends proceeding to an opportunity for public comment.

F. STAFF REPORTS

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F.2 Festival Investment Grant Report

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Committee of the Whole on May 14, 2020 directing staff to report back on options supporting the recovery of the arts and culture sector.

***F.3 Tree Preservation Bylaw Update 178**

Addendum: Presentation

A report presenting Council with the outcome of the second phase of review of the Tree Preservation Bylaw, and to seek Council approval to prepare a new tree protection bylaw and implementation plan to implement these changes.

***F.4 Proclamation - National AccessAbility Week 194**

Addendum: New Item

A report regarding the proclamation for National AccessAbility Week, May 31st to June 6th 2020.

***F.5 Proclamation - World Refugee Day 197**

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A report regarding the proclamation for World Refugee Day, June 20, 2020.

G. NOTICE OF MOTIONS

H. NEW BUSINESS

***H.1 Council Member Motion - Housing and Supports during Covid Phase 2 200**

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A Council Member Motion regarding the proposed housing and supports initiatives during COVID-19 Phase 2.

***H.2 Council Member Motion - Advocacy for Paid Sick Leave for All 201**

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A Council Member requesting Council support for advocacy efforts to implement paid sick leave nationally or provincially.

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE



MINUTES - COMMITTEE OF THE WHOLE

May 7, 2020, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, A. Johnston - Planner, L. Taylor - Senior Planner, M. Heiser - Committee Secretary, A. James - Head of Strategic Operations, P. Bellefontaine - Acting Director of Engineering & Public Works, L. Westinghouse - Manager of Accounting, J. O'Reilly - Heritage Planner, P. Rantucci - Head of Strategic Real Estate, A. Mcstravick - Planning Assistant, L. Milburn - Senior Planner

GUESTS: B. Szabo - BDO, B. Cox - BDO, J. Bray - DVBA

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda be approved.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda of the May 7, 2020 Committee of the Whole meeting be amended as follows:

Consent Agenda:

C.1 Minutes from the meeting held April 9, 2020

C.2 Minutes from the meeting held April 16, 2020

J.2 Proclamation - National Missing Children's Month and Missing Children's Day

J.3 Proclamation - Do Something Good For Your Neighbour Day

J.4 Proclamation - Falun Dafa Day

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held April 9, 2020

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the minutes from the Committee of the Whole meeting held April 9, 2020 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held April 16, 2020

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the minutes from the Committee of the Whole meeting held April 16, 2020 be adopted.

CARRIED UNANIMOUSLY

J.2 Proclamation - National Missing Children's Month and Missing Children's Day

Committee received a report dated May 1, 2020 from the City Clerk regarding the proclamation for National Missing Children's Month and Missing Children's Day, May 2020.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the National Missing Children's Month and Missing Children's Day Proclamation be forwarded to the May 14, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

J.3 Proclamation - Do Something Good For Your Neighbour Day

Committee received a report dated May 1, 2020 from the City Clerk regarding the proclamation for Do Something Good For Your Neighbour Day, May 16, 2020.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Do Something Good For Your Neighbour Day Proclamation be forwarded to the May 14, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

J.4 Proclamation - Falun Dafa Day

Committee received a report dated May 1, 2020 from the City Clerk regarding the proclamation for Falun Dafa Day, May 13, 2020.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Falun Dafa Day Proclamation be forwarded to the May 14, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

D. CLOSED MEETING

Motion to go into a closed Committee of the Whole meeting at 9:02 a.m.

Moved By Councillor Isitt

Seconded By Councillor Dubow

MOTION TO CLOSE THE MAY 7, 2020 COMMITTEE OF THE WHOLE MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- Section 90(1)(c) labour relations or other employee relations

CARRIED UNANIMOUSLY

All staff withdrew from the meeting at 9:02 a.m.

B. Szabo, BDO, and B. Cox, BDO, joined the meeting at 9:02 a.m.

E. APPROVAL OF CLOSED AGENDA

F. CLOSED - STAFF REPORT

F.1 Employee Relations - Community Charter Section 90(1)(c)

Committee discussed an employee relations matter.

The open Committee of the Whole meeting reconvened at 9:11 a.m.

G. Presentation

G.1 2019 Financial Statements

Council received a report dated April 22, 2020 from the Deputy City Manager and Chief Financial Officer providing Council with an overview of the City's 2019 audited Financial Statements and a request for Council's acceptance of the Financial Statements as required by Section 167 of the Community Charter. In addition, B. Szabo, BDO, and B. Cox, BDO, also provided a financial update.

Committee discussed the following:

- *Parking revenue*
- *Economic recovery*
- *Budgeting for capital projects*

Moved By Mayor Helps
Seconded By Councillor Potts

That Council approve the 2019 Financial Statements.

CARRIED UNANIMOUSLY

G.2 Downtown Victoria Business Association 2020 Budget

Committee received a presentation from Jeff Bray, Executive Director - Downtown Victoria Business Association, seeking approval for their 2020 Budget and highlighting several initiatives as follows:

- Recent events and accomplishments
- Clean Team focus areas
- Marketing of the DVBA businesses and events

- Collaboration with organizations within the business community
- Current focus and operations amid the COVID-19 Pandemic

Committee discussed the following:

- *Clean Team presence in the Downtown and expanding of services*
- *Graffiti removal*
- *Concerns of downtown businesses due to increase of crime*
- *Provincial Health Officer guidance as it relates to the Clean Team*
- *Tracking measures for current COVID-19 impacts on the Downtown area*

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council receive the presentation for information and approve the 2020 DVBA Budget.

CARRIED UNANIMOUSLY

H. UNFINISHED BUSINESS

H.1 Council Member Motion - 2020 Financial Plan Review - COVID-19

Committee received a Council Member Motion dated April 21, 2020 from Mayor Helps regarding a proposed amendment to the Financial Plan motion approved April 9, 2020.

Moved By Mayor Helps

Seconded By Councillor Alto

That Council amend the April 9, 2020 Financial Plan motion item (g) to:

That Council review and consider amendments to the 2020 budget at the August 6, 2020 Committee of the Whole meeting with specific attention to the tables on pages 7 and 9 of this report.

CARRIED UNANIMOUSLY

I. LAND USE MATTERS

Mayor Helps withdrew from the meeting at 10:30 a.m. due to a pecuniary conflict of interest with the following item, as she lives nearby the subject properties.

Councillor Isitt assumed the Chair.

Committee recessed at 10:30 a.m. and reconvened at 10:37 a.m.

I.1 1230 Grant Street, 1209, 1218, 1219, 1220, 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Rezoning Application No. 00715, Development Permit Application No. 00567 and Associated OCP Amendment (Fernwood)

Committee received a report dated April 9, 2020 from the Director of Sustainable Planning and Community Development presenting Council with applications to increase on-site density to provide for a multi-unit residential development consisting of approximately 158 affordable and below-market rental dwelling units. Staff are recommending that the proposal proceed to a Public Hearing.

Committee discussed the following:

- *Proposed outdoor amenities*
- *Proposed accessible dwellings*
- *Accessible visitor parking spaces*
- *Percentage of open space remaining on the site*
- *Clarity on student numbers and long term planning from SD61*
- *Traffic calming measures*
- *Request for further detail on the accessible units*

Moved By Councillor Alto

Seconded By Councillor Dubow

Rezoning Application No. 00715 for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue and associated Official Community Plan Amendment

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00715 for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, and change the OCP designation from Public Facilities, Institutions, Parks and Open Space and Traditional Residential to Urban Residential
2. That first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
 - i. a housing agreement to ensure the residential rental units remain affordable or below market in perpetuity in accordance with the City's definition of affordability and below market in the *Victoria Housing Strategy 2016-2025* (Phase Two: 2019-2022)
 - ii. that the applicant provides a minimum of 14 three-bedroom, eight four-bedroom dwelling units, 15 accessible dwelling units in accordance with in accordance with CAN/CSA-B651-95, the National Standard of Canada for barrier-free design, and private amenity space with a minimum floor area of 139m²
 - iii. a Statutory Right-of-Way of 3.928m on Grant Street and 1.90m on Vining Street be registered on title to the satisfaction of the Director of Engineering and Public Works

- iv. a Statutory Right-of-Way of 10.85m along the proposed driveway at Grant Street be registered on title to the satisfaction of the Director of Engineering and Public Works
 - v. construction of a vehicle turnaround on Grant Street adjacent to the subject properties to the satisfaction of the Director of Engineering and Public Works
 - vi. construction of community gardens or contribution of cash in lieu equivalent to the installation of such gardens within the 145m² road closure area on the north side of North Park Street in consultation with the Fernwood Community Association and the Compost Education Centre and to the satisfaction of the Director of Sustainable Planning and Community Development and Director of Engineering and Public Works
 - vii. construction of an 8m wide greenway on the Victoria High lands adjacent to the development site in accordance with the plans dated April 6, 2020 to the satisfaction of the Director of Parks, Recreation and Facilities and the Director of Sustainable Planning and Community Development
3. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered
 4. That the applicant provide a revised site plan and civil drawing showing a Grant Street turnaround to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities
 5. That Council consider who is affected by the proposed changes to the Official Community Plan and determine, pursuant to Section 475(1) of the *Local Government Act* that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties.
 6. That Council provide an opportunity for consultation pursuant to section 475 of the *Local Government Act* and direct the Director of Sustainable Planning and Community Development to:
 - i. mail a notice of the proposed OCP Amendment to the affected persons; and
 - ii. post a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration
 7. That Council specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, and the provincial and federal governments and their agencies because the proposed OCP amendment does not affect them
 8. That Council direct the Director of Engineering and Public Works to bring forward for Council's consideration, a report and bylaws for road closures and necessary restructuring on Vining St and North Park St to accommodate the project
 9. That Recommendations 1 to 8 be adopted on the condition that they create no legal rights for the applicant or any other person, no obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit Application No. 000567 for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue

That, subject to:

1. the preparation and execution of legal agreements to secure housing affordability, unit types, accessible dwelling units, and amenity space, Statutory Right-of-Ways, and the construction of a greenway, to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works.
2. revisions to the driveway and underground parkade entrance of the four-storey, multi-unit residential building on Grant Street to accommodate the Grant Street turnaround, to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works.

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 Development Permit Application No. 000567 for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. The Development Permit lapsing two years from the date of this resolution.”

FOR (6): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

Mayor Helps assumed the chair at 11:32 a.m.

I.2 601 Trutch Street: Rezoning Application No. 00678 and Heritage Alteration Permit with Variances Application No. 00012 (Fairfield)

Committee received a report dated May 1, 2020 from the Director of Sustainable Planning and Community Development presenting Council with applications to allow for additional units within the heritage building and three additional rental units on the property. Staff recommend the application be denied.

Committee discussed the following:

- *Heritage Advisory Design Panel comments and support*
- *Potential supportable variances*
- *Staff expertise and recommendations*
- *Current visual of lane-way*

Moved By Councillor Isitt

Seconded By Mayor Helps

Rezoning Application No. 00678 for 601 Trutch Street:

That Council decline Rezoning Application No. 00678 for the property located at 601 Trutch Street.

Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street

That Council decline the issuance of Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street.

FOR (2): Mayor Helps, Councillor Isitt

OPPOSED (6): Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

DEFEATED (2 to 6)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council refer back to staff to discuss with applicant staff concerns, comments made by Council and the CALUC.

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Committee recessed at 12:17 p.m. and reconvened at 11:35 p.m.

Councillor Isitt joined the meeting at 12:36 p.m.

J. STAFF REPORTS

J.1 COVID-19 Update (Verbal)

Committee received an update from the City Manager with regards to recent events and initiatives relating to the City's response to the Covid-19 pandemic highlighting several items:

- Changes and reopening of economy as advised by health officials
- Conversations about the "new normal"
- Staff operations on site at City Hall to achieve social distancing
- Provincial advice on Public Hearing proceedings

Committee discussed the following:

- *Task force developing guidelines for safe park use*
- *Road conditions allowing for improvements*
- *Remaining alert to opportunities due to decreases car and pedestrian traffic*
- *Phased opening opportunities of park and recreation facilities*

L. NEW BUSINESS

L.1 Council Member Motion - Ensuring Housing Options with Supports for Everyone

Committee received a report dated May 1, 2020 from Councillor Loveday, Councillor Potts, Councillor Dubow, and Councillor Isitt requesting Council publicly appreciate Provincial Government actions in mobilizing housing and supports for people currently residing in Topaz Park and Pandora Green, while also requesting that the Province extend the availability of housing supports to all unhoused in the Capital Region to address homelessness, mental health, addictions, overdoses, and COVID-19.

Moved By Councillor Loveday

Seconded By Councillor Potts

That Council request that the Mayor write, on behalf of Council, to the Premier of British Columbia, the Solicitor General and the Ministers of Housing, Health, and Mental Health and Addictions, copying Members of the Legislative Assembly representing constituencies in the Capital Region and the executive leadership of BC Housing and Island Health, as follows:

1. Thanking the Provincial Government for their decisive action to provide indoor sheltering with support services for people currently sheltering at Topaz Park and Pandora Green.
2. Requesting that the Provincial Government offer the provision of temporary housing options with supports of all unhoused people in the Capital Region, with no one to be evicted back to the street, as a step towards ending chronic homelessness and providing safe, secure, adequate, and affordable homes for all.
3. Requesting that safer supply services be instituted without delay including ensuring appropriate staffing levels, 24-hour supports and that support services staff are trained in the provision of harm reduction. Further, requesting that BC Housing and other agencies utilize the expertise of local peer-run and peer-informed harm reduction services while providing supports.

Amendment:

Moved By Councillor Potts

Seconded By Councillor Isitt

2. Requesting that the Provincial Government offer the provision of temporary housing options with supports of all unhoused people in the Capital Region, with no one to be evicted back to the street, as a step towards ending chronic homelessness and providing safe, secure, adequate, and affordable homes for all, **while ensuring that there is an equitable distribution of housing across the region and equitably across neighbourhoods.**

Committee discussed the following:

- *Correspondence received by neighbourhood liaisons*
- *Ensuring the necessary supports*
- *Leadership in crisis for housing*

- *Prevention initiatives*

**On the amendment:
CARRIED UNANIMOUSLY**

Amendment:

Moved By Mayor Helps
Seconded By Councillor Alto

That this item be considered at today's Council meeting.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council request that the Mayor write, on behalf of Council, to the Premier of British Columbia, the Solicitor General and the Ministers of Housing, Health, and Mental Health and Addictions, copying Members of the Legislative Assembly representing constituencies in the Capital Region and the executive leadership of BC Housing and Island Health, as follows:

1. Thanking the Provincial Government for their decisive action to provide indoor sheltering with support services for people currently sheltering at Topaz Park and Pandora Green.
2. Requesting that the Provincial Government offer the provision of temporary housing options with supports of all unhoused people in the Capital Region, with no one to be evicted back to the street, as a step towards ending chronic homelessness and providing safe, secure, adequate, and affordable homes for all, while ensuring that there is an equitable distribution of housing across the region and equitably across neighbourhoods.
3. Requesting that safer supply services be instituted without delay including ensuring appropriate staffing levels, 24-hour supports and that support services staff are trained in the provision of harm reduction. Further, requesting that BC Housing and other agencies utilize the expertise of local peer-run and peer-informed harm reduction services while providing supports.

That this item be considered at today's Council meeting.

CARRIED UNANIMOUSLY

L.2 Council Member Motion - Development Permit with Variances Application No. 00106 for 1700 Blanshard Street

Committee received a report dated May 7, 2020 from the Mayor requesting Council waive the Opportunity for Public Comment for the application while continuing other notification practices to allow for correspondence and other communication.

Moved By Mayor Helps
Seconded By Councillor Alto

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
2. That Council, subject to the preparation and execution of legal agreements to the satisfaction of the City Staff, and subject to the required notification and advertising that Council authorize the issuance of Development Permit with Variance Application No.000106 for 1700 Blanshard Street, in accordance with:
 - a. Plans date stamped November 7, 2019.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the building setback above 10m from 12.35 to 4.8 metres, measured at the highest building elevation on Blanshard Street
 - ii. Reduce the building setback above 10m from 2.26 to 0.5 metres, measured at the highest building elevation on Figgard Street
 - iii. Reduce the number of on-site short term bicycle stalls from thirty-one to sixteen.
 - c. Registration of a statutory right-of-way on Blanshard Street to secure passage over the fronting sidewalk.
 - d. Registration of an encroachment agreement for building canopies.
 - e. The development permit lapsing two years from the date of this resolution.

Committee discussed the following:

- *Specific wording in the proposed motion requiring further clarity from staff*
- *CMHC funding to be secured upon approval*

Motion to postpone:

Moved By Mayor Helps

Seconded By Councillor Alto

That consideration of this item be postponed for staff to confer.

CARRIED UNANIMOUSLY

L.3 Council Member Motion - Request for Clarity on Rent Relief Measures and Businesses Falling Through the Cracks

Committee received a Council Member Motion dated May 6, 2020 from Mayor Helps and Councillor Loveday requesting the Mayor to write to the Federal Government to request clarity on details as to how the Canada Emergency Commercial Rent Assistance (CECRA) program will work and the consideration of financial relief for small businesses who are unable to reach an agreement with their landlord or are ineligible for CECRA.

Moved By Mayor Helps

Seconded By Councillor Loveday

1. That Council request the mayor to write to the federal government to request clarity on a priority basis on details as to how the Canada Emergency Commercial Rent Assistance (CECRA) program will work, so that tenants and landlords can work together to make plans to take advantage of this important program.
2. That Council request that the mayor write to the federal government to request consideration of financial relief for small businesses who are unable to reach agreement with their landlord or are ineligible for CECRA and for small businesses in the hospitality sector – such as event and wedding planners – who have fallen through the cracks of existing programs and whose services will be required once larger gatherings are permitted in the future.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Dubow

That this item be added to the Daytime Council agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council request the mayor to write to the federal government to request clarity on a priority basis on details as to how the Canada Emergency Commercial Rent Assistance (CECRA) program will work, so that tenants and landlords can work together to make plans to take advantage of this important program.
2. That Council request that the mayor write to the federal government to request consideration of financial relief for small businesses who are unable to reach agreement with their landlord or are ineligible for CECRA and for small businesses in the hospitality sector – such as event and wedding planners – who have fallen through the cracks of existing programs and whose services will be required once larger gatherings are permitted in the future.

That this item be added to the Daytime Council agenda.

CARRIED UNANIMOUSLY

Motion to recess:

Moved By Councillor Alto

Seconded By Councillor Dubow

That Committee recess the meeting.

CARRIED UNANIMOUSLY

Committee recessed at 1:29 p.m. and reconvened at 2:02 p.m.

L.2 Council Member Motion - Development Permit with Variances Application No. 00106 for 1700 Blanshard Street

Moved By Councillor Alto
Seconded By Councillor Young

That the motion be lifted from the table.

CARRIED UNANIMOUSLY

Moved By Mayor Helps
Seconded By Councillor Alto

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
2. That Council, subject to the preparation and execution of legal agreements to the satisfaction of the City Staff, and subject to the required notification and advertising that Council authorize the issuance of Development Permit with Variance Application No.000106 for 1700 Blanshard Street, in accordance with:
 - a. Plans date stamped November 7, 2019.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the building setback above 10m from 12.35 to 4.8 metres, measured at the highest building elevation on Blanshard Street
 - ii. Reduce the building setback above 10m from 2.26 to 0.5 metres, measured at the highest building elevation on Fisgard Street
 - iii. Reduce the number of on-site short term bicycle stalls from thirty-one to sixteen.
 - c. Registration of a statutory right-of-way on Blanshard Street to secure passage over the fronting sidewalk.
 - d. Registration of an encroachment agreement for building canopies.
 - e. The development permit lapsing two years from the date of this resolution.

Amendment:

Moved By Mayor Helps
Seconded By Councillor Alto

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.

- ~~2. That Council, subject to the preparation and execution of legal agreements to the satisfaction of the City Staff, and subject to the required notification and advertising that Council authorize the issuance of Development Permit with Variance Application No.000106 for 1700 Blanshard Street, in accordance with:~~
- ~~a. Plans date stamped November 7, 2019.~~
 - ~~b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:~~
 - ~~i. Reduce the building setback above 10m from 12.35 to 4.8 metres, measured at the highest building elevation on Blanshard Street~~
 - ~~ii. Reduce the building setback above 10m from 2.26 to 0.5 metres, measured at the highest building elevation on Fisgard Street~~
 - ~~iii. Reduce the number of on-site short term bicycle stalls from thirty-one to sixteen.~~
 - ~~c. Registration of a statutory right-of-way on Blanshard Street to secure passage over the fronting sidewalk.~~
 - ~~d. Registration of an encroachment agreement for building canopies.~~
 - ~~e. The development permit lapsing two years from the date of this resolution.~~

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.

CARRIED UNANIMOUSLY

Motion arising:

Moved By Mayor Helps

Seconded By Councillor Alto

That this item be forwarded to today's Council meeting.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Dubow

That the meeting be extended to 2:10 p.m.

CARRIED UNANIMOUSLY

M. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Committee of the Whole Meeting be adjourned at 2:06 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



Committee of the Whole Report

For the Meeting of May 28, 2020

To: Committee of the Whole **Date:** May 14, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: **Development Permit with Variances Application No. 00120 for 1475 Fort Street**

RECOMMENDATION

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development
- b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
- c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

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 Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 14.39 metres;
 - iv. reduce the front setback from 10.5 metres to 1.81 metres
 - v. reduce the rear setback from 7.2 metres to 3.96 metres
 - vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
 - vii. reduce the west side yard setback from 7.2 metres to 3.86 metres
 - viii. increase the site coverage from 40 percent to 47 percent

- ix. allow for an accessory structure to be located in the front yard rather than the rear yard
3. The Development Permit lapsing two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1475 Fort Street. The proposal is to construct a four-storey residential rental building with multiple units on an existing panhandle lot. The variances are related to increased site coverage and height, reduced parking and setbacks, and siting of an accessory structure.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Design Guidelines for Development Permit Area 7B(HC) – Corridors Heritage, which encourage human-scaled development that enhances the heritage character of the area
- the proposal is generally consistent with the Rockland Neighbourhood Plan which identifies the site for multi-unit development and encourages high quality architecture that reflects the character of the neighbourhood and relates to the lower-scale residential buildings to the south
- all trees on the subject lot and the one tree with shared ownership would be removed, including three bylaw protected trees, and replaced with ten new trees, including six bylaw replacement trees
- the applicant is willing to provide a 0.72m statutory Right-of-Way along Fort Street to help achieve a standard secondary arterial roadway width
- a housing agreement and a covenant are proposed to secure the rental tenure of the dwelling units in perpetuity
- the variances related to reduced setbacks and height are considered supportable as the proposed development would have minimal impacts on the adjacent properties in terms of privacy impacts and shading and there would be no impact on the public realm along Fort Street
- the proposed parking variance is considered sufficient to meet the parking demand for this development given the rental tenure, the provision of additional bicycle parking, and the site location in close proximity to a large urban village and frequent transit along Fort Street

- the variance to allow an accessory structure in the front yard is considered supportable as the proposed location would have minimal impact on adjacent properties
- the variance to allow for increased site coverage is considered supportable as the remaining open site space will be extensively landscaped to provide outdoor amenity space for the residents and add privacy screening between adjacent properties.

BACKGROUND

Description of Proposal

The proposal is to construct a four-storey residential rental building with approximately 32 rental units on an existing panhandle lot.

The proposal includes the following major design components:

- a contemporary four-storey building with underground parking
- a mix of one and two bedroom units
- bicycle storage rooms located in the underground parking level and on the ground floor, close to the main entrance.

Exterior materials include:

- tumbled and smooth brick
- metal panels
- vertical seam metal siding
- cedar soffits
- perforated aluminium screens and aluminium pickets
- metal fascia and flashing
- architectural concrete.

Landscape elements include:

- raised metal planters with a mix of shrubs and ornamental trees
- six stall bike rack located near the main entrance
- 1.8m high wood panel perimeter fence
- private patios for the ground floor units
- a common outdoor amenity area located at the north side of the building with a pergola.

The proposed variances are related to:

- reducing the vehicle parking from 45 stalls to 26 stalls;
- reducing the visitor parking from 3 stalls to 2 stalls;
- increasing the building height from 12 metres to 14.39 metres;
- reducing the front setback from 10.5 metres to 1.81 metres

- reducing the rear setback from 7.2 metres to 3.96 metres
- reducing the east side yard setback from 7.2 metres to 3.05 metres
- reducing the west side yard setback from 7.2 metres to 3.86 metres
- increasing the site coverage from 40 percent to 47 percent
- allowing for an accessory structure to be located in the front yard rather than the rear yard.

Affordable Housing

The applicant proposes the creation of 32 new residential rental units which would increase the overall supply of market rental housing in the area. A Housing Agreement and a Section 219 Covenant are also being proposed to secure the rental tenure of the building in perpetuity.

Tenant Assistance Policy

The proposal is to demolish an existing multi-unit building which had been leased to the Vancouver Island Health Authority (VIHA). The lease has now expired, however, VIHA is still currently using the building to provide temporary housing to VIHA clients until they are able to find longer term accommodation. Given the current occupancy of the building is not subject to the Residential Tenancy Act, the Tenant Assistance Policy does not apply to this proposal.

Sustainability

A number of sustainability features are outlined in the Architect's letter dated June 12, 2019 (revised September 13, 2019), including the following:

- electrical installation to accommodate future solar panels and future electric vehicle and bicycle charging stations
- LED lighting throughout the building and site
- heat recovery ventilation system for the building
- high efficiency plumbing fixtures and water heating system.

Active Transportation

The Application proposes 45 long term bicycle parking stalls and six short term bicycle parking stalls, which support active transportation.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit Application.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed common outdoor amenity space is designed to be accessible.

Existing Site Development and Development Potential

The site is presently developed as a three storey building with 11 dwelling units. In addition to multiple dwellings, the R3-AM-2 Zone permits the following uses:

- single family dwellings with a garden suite or secondary suit, subject to the regulations of the R1-B Zone
- two family dwellings, churches, public buildings, hospitals or schools, subject to the regulations of the R-2 Zone
- college fraternity buildings
- Class A or Class B rest homes.

Data Table

The following data table compares the proposal with the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	R3-AM-2 Zone
Site area (m ²) – minimum	1500	920
Density (Floor Space Ratio) – maximum	1.43:1	1.6:1
Total floor area (m ²) – maximum	2139.29	N/A
Lot width (m) – minimum	31.78	N/A
Height (m) – maximum	14.39*	12.00
Storeys – maximum	4	4
Site coverage (%) – maximum	47*	40
Open site space (%) – minimum	38	30
Setbacks (m) – minimum		
Front (north)	1.81*	10.50
Rear (south)	3.96*	7.2 (1/2 building height)
Side (east)	3.05*	7.2 (1/2 building height)
Side (west)	3.86*	7.2 (1/2 building height)
Parking – minimum	26*	45 31 (Schedule C for rental building)

Zoning Criteria	Proposal	R3-AM-2 Zone
Visitor parking included in the overall units – minimum	2*	3
Bicycle parking stalls – minimums		
Short Term	6	6
Long Term	45	39

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on June 25, 2019 the Application was referred for a 30-day comment period to the Rockland CALUC. A letter dated April 22, 2020 is attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The subject site is designated as Urban Residential in the *Official Community Plan (OCP, 2012)*, which envisions low and mid-rise multi-unit buildings. The OCP also identifies the site within Development Permit Area 7B(HC) – Corridors Heritage, which supports high quality architecture, landscape and urban design that is human-scaled, responsive to its heritage context and helps to enhance the pedestrian experience along Fort Street. The design guidelines for this DPA that are applicable to this site are the *Advisory Design Guidelines for Buildings, Signs and Awnings* and the *Guidelines for Fences, Gates and Shutters*.

A number of multi-storey apartment buildings exist in the immediate vicinity that vary in design and contextual sensitivity. Consistent with the Design Guidelines, the proposed design respects the character of the established area and responds to the diversity of building types through form and massing that provides coherence and unity in relation to the adjacent properties. Without being imitative, the form and character of the design draws on the traditional character of the Rockland neighbourhood with the use of brick as a predominant building material and a design that speaks to natural, warm, and high-quality materials, strong horizontal emphasis, and a variety of texture and colour. Parking is provided underground and landscaped planting areas around the building's perimeter would enhance the residential character of the building, help with privacy screening and transition with adjacent properties.

Rockland Neighbourhood Plan

The Rockland Neighbourhood Plan supports new multi-unit residential development along the Fort Street corridor that relates in terms of scale to the residential properties to the south. Excellence in architectural design that is compatible with the historic character of Rockland is encouraged. The proposed development is considered consistent with these policies.

Regulatory Considerations

Although the proposed development complies with the R3-AM-2 Zone in terms of use and density, there are several variances required to facilitate the development:

- increase the building height from 12m to 14.39m
- increase the site coverage from 40% to 47%
- reduce the front setback from 10.5m to 1.81m
- reduce the rear yard, east side yard and west side yard setbacks from 7.2m (half the building height) to 3.96m, 3.05m and 3.86m, respectively
- reduce the vehicle parking from 45 stalls to 26 stalls. Note: the parking requirements in this zone are higher than the requirements under Schedule C (31 stalls)
- allow for an accessory structure (pergola) to be located in the front yard rather than the rear yard.

Setbacks

The variances related to reduced setbacks and height are considered supportable as the proposed development would have minimal impacts on the adjacent properties in terms of privacy impacts and shading and no impact on the public realm along Fort Street. There are no balconies on the south elevation to minimize overlook on the neighbouring townhouse development. Vertical metal screens have been added to the balconies on the east and west elevations to further reduce the potential for overlook.

Parking

The parking requirements for this site are embedded in the R3-AM-2 Zone, which requires 1.3 stalls per dwelling unit for a total of 45 parking stalls. However, Schedule C of the *Zoning Regulation Bylaw* was updated in 2018 and now correlates parking requirements to location (Core, Village/Centre or Other Area), as well as, tenure and unit size. When assessed against Schedule C, the parking requirement for this site, located in “Other Area”, would be 31 stalls.

A Parking Study, dated September 12, 2019, was provided with this Application. Given the site is within 30m of the Stadacona Large Urban Village, the study recommends assessing the proposal against the Schedule C parking requirements for “Village/Centre”. Based on the proposed unit sizes, this would result in a parking requirement of 25 stalls, one less than the proposed 26 stalls. The proposed parking is considered sufficient to meet the parking demand for this development given the proposed rental tenure and the site location in close proximity to the Stadacona Village as well as frequent transit along Fort Street.

Accessory Structure

The variance to allow an accessory structure in the front yard is considered supportable as the proposed location would have minimal impact on adjacent properties and no impact on the public realm along Fort Street.

Site Coverage

The variance to allow for increased site coverage is considered supportable as the remaining open site space will be extensively landscaped to provide outdoor amenity space for the residents and add privacy screening with adjacent properties

Advisory Design Panel Review

The application was referred to the Advisory Design Panel (ADP) on January 22, 2020. The ADP was asked to comment on the overall building and landscape design, with particular attention to the following aspects of the proposal:

- massing, setbacks and orientation
- response to context and physical characteristics of the site

The ADP voted unanimously to recommend to Council that the Application be approved as presented. The meeting minutes are attached for reference.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, and therefore falls under *Tree Preservation Bylaw No. 05-106* (consolidated June 1, 2015). The tree inventory for the proposal, outlined in the attached Arborist Report dated April 5, 2019, includes 17 trees potentially impacted by the proposed development: ten onsite, six offsite and one tree with shared ownership. All trees on the subject lot and the one tree with shared ownership are proposed for removal, including three bylaw protected trees. Tree removals are required for excavation of the underground parkade. The applicant is proposing to plant 10 new trees, including six bylaw replacement.

CONCLUSIONS

The proposed development is generally consistent with the applicable Design Guidelines and includes high-quality building materials and landscape finishes. The form and character of the building add to the character of the Fort Street Corridor and the potential impact of the variances has been mitigated through building design and landscaping. Therefore, staff recommend for Council's consideration that Council advance the Application to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00120 for the property located at 1475 Fort Street.

Respectfully submitted,



Alec Johnston
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department



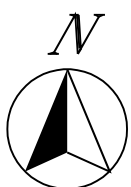
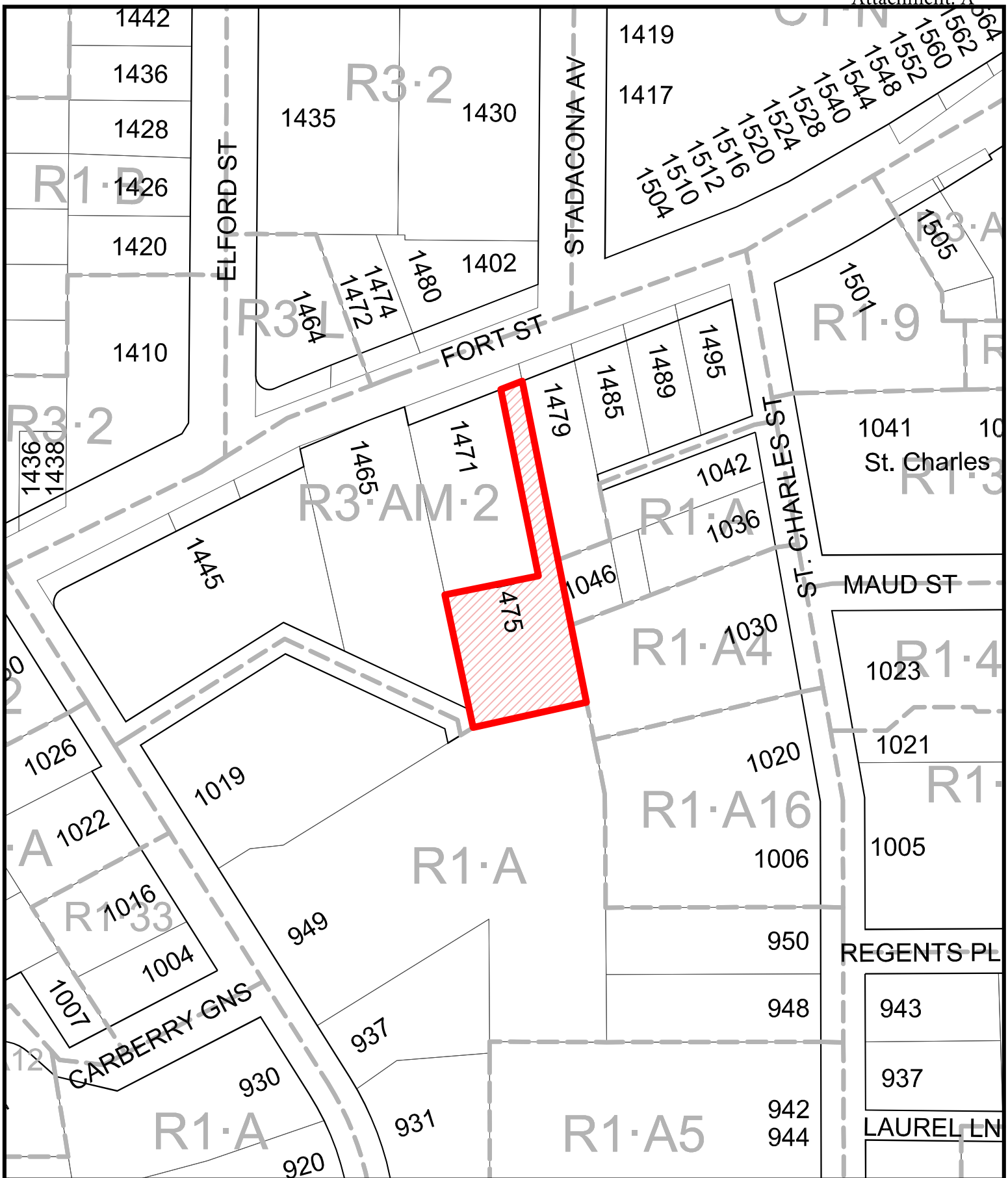
Report accepted and recommended by the City Manager:



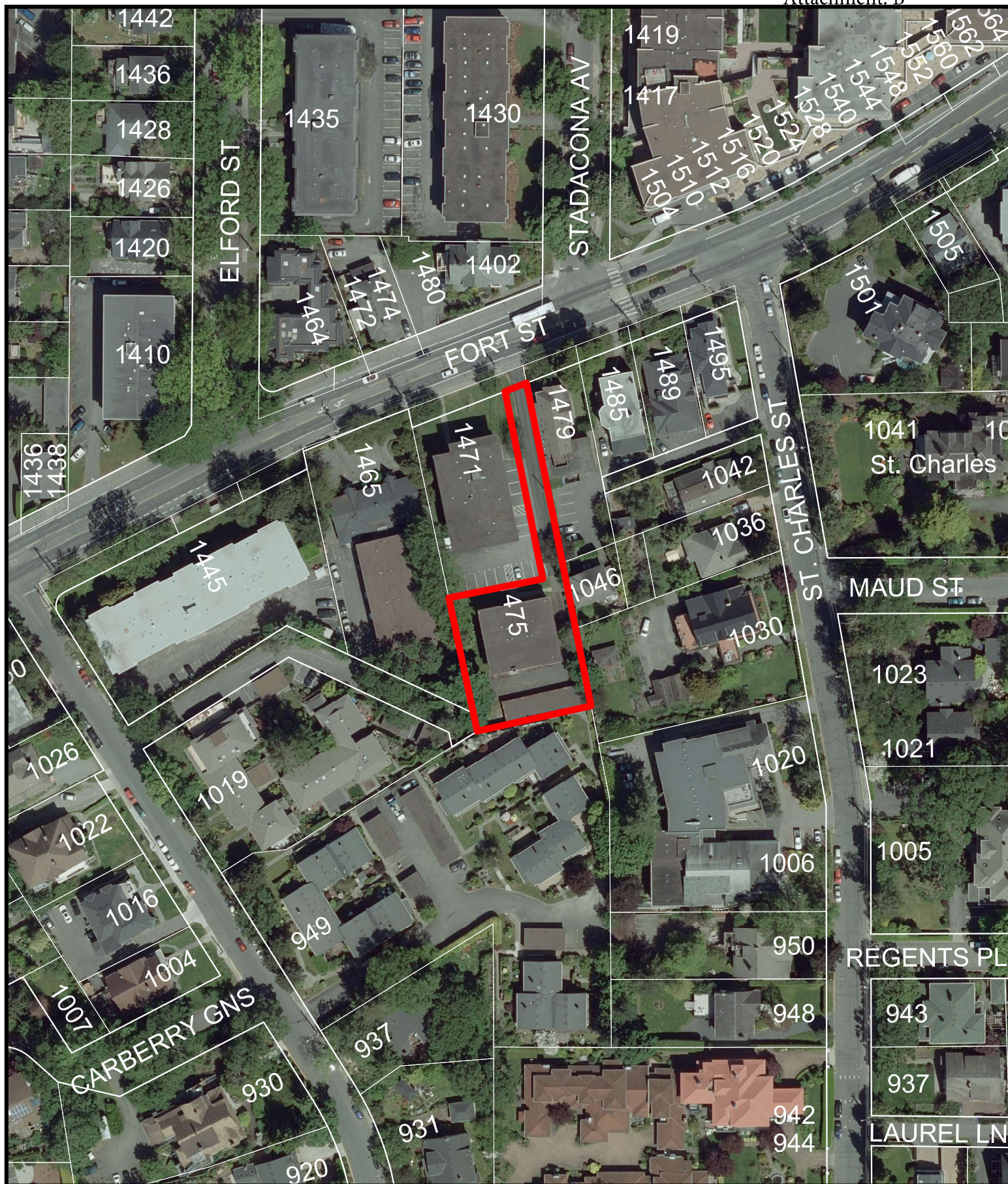
Date: 21 May, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 8, 2020
- Attachment D: Letter from applicant to Mayor and Council dated June 12, 2019 (revised September 13, 2019)
- Attachment E: Letter from the owner, Lantern Properties, to Mayor and Council
- Attachment F: Community Association Land Use Committee Comments dated April 22, 2020
- Attachment G: Arborist Report dated April 5, 2019
- Attachment H: Letter from the owner of 1465 Fort Street regarding tree replacement dated September 13, 2019
- Attachment I: Parking Impact Assessment dated September 12, 2019
- Attachment J: Correspondence (Letters received from residents).



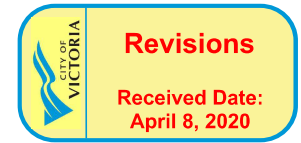
1475 Fort Street
Development Permit with Variance #00120



1475 Fort Street
Development Permit with Variance #00120



Attachment:C



1475 FORT STREET - HADERA APARTMENTS



VIEW FROM FREVING LANE

DRAWING LIST:

Architectural

- A000 COVER
- A001 SURVEY + PROJECT DATA
- A002 BUILDING CODE REVIEW
- A003 3D VIEWS
- A004 MATERIALS
- A101 SITE PLANS - DEMOLITION & PROPOSED
- A201 FLOOR PLANS
- A202 FLOOR PLANS
- A301 ELEVATIONS
- A302 ELEVATIONS
- A401 BUILDING + SITE SECTIONS
- A501 SHADOW STUDY

Civil

- C-1 CONCEPTUAL SITE SERVICING PLAN

Landscape

- L-1 LANDSCAPE CONCEPT PLAN
- L-2 TREE PRESERVATION PLAN

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CSLA, ASLA, LEED AP BD+C,
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Transportation Consultant

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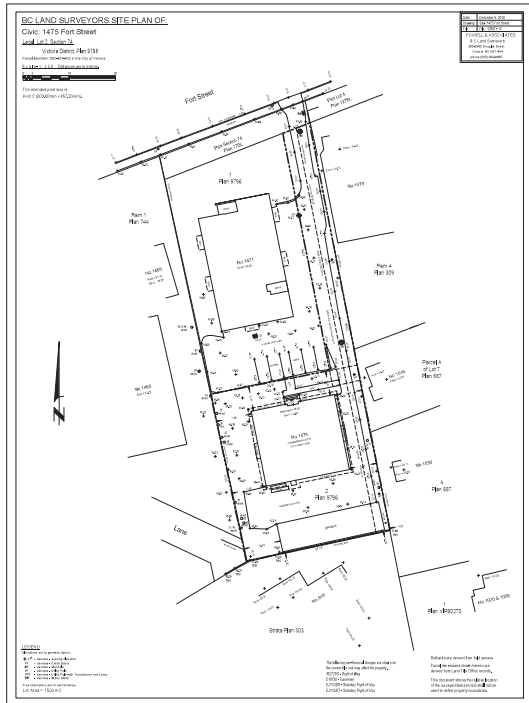
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LANTERN PROPERTIES LTD
DP SUBMISSION REV I.1
APRIL 02, 2020

Project #	1618	Date	APRIL 02, 2020
Sheet #	A000	Revision	3

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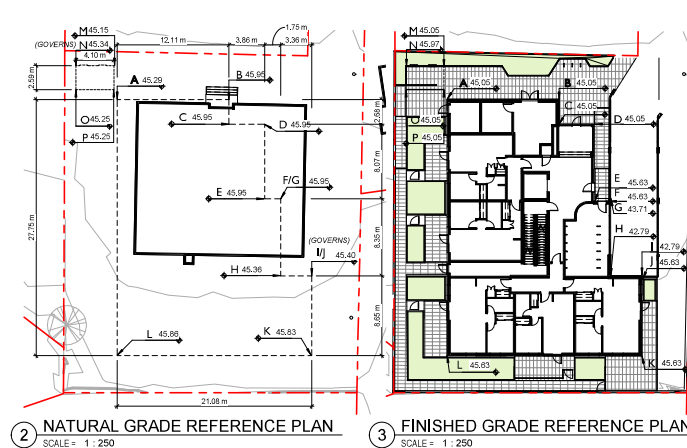
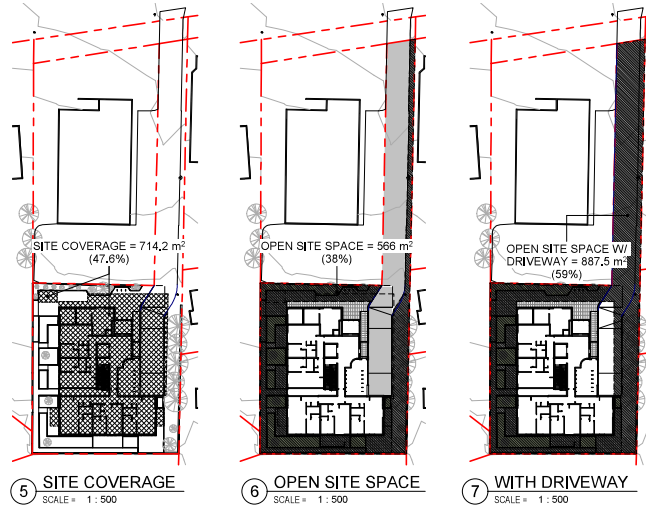




① Existing Survey
SCALE = 1:500



④ SITE LOCATION PLAN
SCALE = 1:1000



PROJECT DATA

ZONING ANALYSIS: R3-AM-2: MID RISE MULTIPLE DWELLING DISTRICT

	ZONE ALLOWANCE	PROPOSED	VARIANCE
SITE AREA	520 m ²	1,500 m ²	N
FSR (BONUS FOR ENCLOSURE)	1.6:1	1.42:1	N
OPEN SITE SPACE (MIN)	30%	36%	N
OPEN SITE SPACE (W/ DRIVEWAY) (MIN)	50%	59%	N
SITE COVERAGE (MAX)	40%	47%	Y
NUMBER OF STOREYS	4	4	N
ALLOWABLE HEIGHT	12 m	14.30 m	Y
SETBACK - FRONT YARD	10.5 m	3.68 m	Y
SETBACK - SIDE YARD WEST	7.20 m	3.05 m	Y
SETBACK - SIDE YARD EAST	7.20 m	3.08 m	Y
SETBACK - REAR YARD	7.20 m	3.08 m	Y
NUMBER OF UNITS	N/A	32	N/A
MINIMUM UNIT AREA	35 m ²	40 m ²	N
MINIMUM NUMBER OF CAR STALLS	45	26	Y
LONG TERM BICYCLE PARKING	8	45	Y
SHORT TERM BICYCLE PARKING	8	6	N
ACCESSORY GARDEN STRUCTURE	NOT LOCATED	PROPOSED IN P.Y.	Y

RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	32
UNIT TYPE	28 1 BDRM, 6 2 BDRM
GROUND ORIENTED UNITS	6
MINIMUM UNIT FLOOR AREA (m ²)	40 m ²
TOTAL RESIDENTIAL FLOOR AREA (m ²)	2,136.29 m ²

CALCULATIONS:

SITE COVERAGE CALCULATION:

MAIN STRUCTURE	703.5 m ²
ACCESSORY STRUCTURE	10.7 m ²
LOT AREA	1,500.0 m ²
TOTAL (STRUCTURE)	714.2 m ²
LOT AREA	1,500.0 m ²
SITE COVERAGE	0.478 = 47.8%

SITE COVERAGE ACCESSORY STRUCTURE CALCULATION:

ACCESSORY STRUCTURE	10.7 m ²
LOT AREA	1,500.0 m ²
TOTAL (ACCESSORY)	10.7 m ²
LOT AREA	1,500.0 m ²
SITE COVERAGE	0.007 = 0.7%

OPEN SITE SPACE CALCULATION:

LOT AREA	1,500.0 m ²
BUILDING & PARKING	934 m ²
OPEN SITE SPACE	566 m ²
LOT AREA	1,500.0 m ²
OPEN SITE SPACE	0.38 = 38%

OPEN SITE SPACE WITH DRIVEWAY CALCULATION:

MAIN BUILDING	612.5 m ²
LOT AREA	1,500.0 m ²
MAIN BUILDING	612.5 m ²
OPEN SITE SPACE	887.5 m ²
LOT AREA	1,500.0 m ²
OPEN SITE SPACE w/ DRIVEWAY	0.59 = 59%

MAIN STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS:	AVERAGE OF POINTS	DISTANCE BETWEEN	TOTALS
A: 45.05m	D: 45.05m	G: 43.71m	J: 45.40m (NATURAL)
B: 45.05m	E: 45.63m	H: 42.79m	K: 45.63m
C: 45.05m	F: 45.63m	I: 42.79m	L: 45.63m
POINTS A & B:	(45.05 + 45.05) / 2 = 45.05	x 12.11m	= 545.56
POINTS B & C:	(45.05 + 45.05) / 2 = 45.05	x 2.68m	= 120.73
POINTS C & D:	(45.05 + 45.05) / 2 = 45.05	x 3.35m	= 173.69
POINTS D & E:	(45.05 + 45.63) / 2 = 45.34	x 8.07m	= 365.89
POINTS E & F:	(45.63 + 45.63) / 2 = 45.63	x 1.75m	= 79.85
POINTS F & G:	(45.63 + 45.63) / 2 = 45.63	x 8.35m	= 381.14
POINTS G & H:	(43.71 + 42.79) / 2 = 43.25	x 3.35m	= 143.77
POINTS H & I:	(42.79 + 42.79) / 2 = 42.79	x 8.65m	= 369.70
POINTS I & J:	(45.40 + 45.63) / 2 = 45.52	x 21.08m	= 961.88
POINTS K & L:	(45.63 + 45.63) / 2 = 45.63	x 27.35m	= 1,256.19
POINTS L & A:	(45.63 + 45.05) / 2 = 45.34	x 97.66m	= 4,404.60

GRADE CALCULATION:

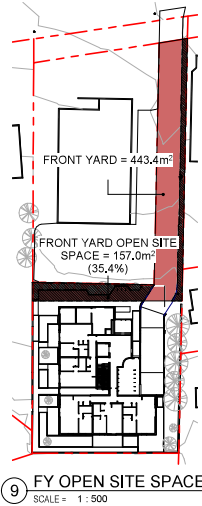
4,404.60 / 97.66m (perimeter of building) = 45.10 m

ACCESSORY STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS:	AVERAGE OF POINTS	DISTANCE BETWEEN	TOTALS
M: 45.05m	N: 45.34m (NATURAL)	O: 45.05m	P: 45.05m
POINTS M & N:	(45.05 + 45.34) / 2 = 45.20	x 4.10m	= 185.32
POINTS N & O:	(45.34 + 45.05) / 2 = 45.20	x 2.56m	= 117.07
POINTS O & P:	(45.05 + 45.05) / 2 = 45.05	x 4.10m	= 184.71
POINTS P & M:	(45.05 + 45.05) / 2 = 45.05	x 2.56m	= 116.68
		= 13.38m	= 603.78

GRADE CALCULATION:

603.78 / 9.28m (perimeter of building) = 45.12 m



⑨ FY OPEN SITE SPACE
SCALE = 1:500

FRONT YARD OPEN SITE SPACE:
FY OPEN SITE SPACE = 157.0 m² /
FRONT YARD = 443.4 m² /
FY OPEN SITE SPACE = 0.354 = 35.4%

NO.	DESCRIPTION	DATE
1	Development Initial Application	2018.12.20.18



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DP SUBMISSION REV. I.1

LANTERN PROPERTIES LTD
HADARA APARTMENTS 1475 Fort Street
Victoria BC

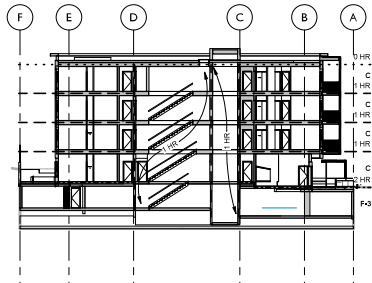
SURVEY + PROJECT DATA

Date: APRIL 02, 2020

Scale: As indicated Project #: 1618

Revision: SEPT 13, 2019

Sheet #: A001



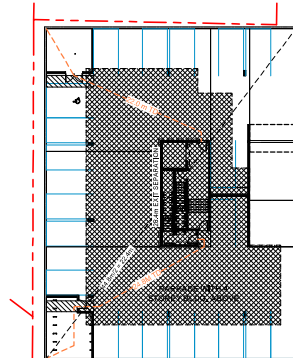
3.1.2. CLASSIFICATION OF BUILDING:
BUILDING TYPE: 4 STOREYS, DWELLING UNITS W/ UNDERGROUND PARKADE
STORY 1 THROUGH 4: GROUP C (DWELLING UNITS)
UNDERGROUND: F-3 STORAGE GARAGE

3.2.2.51, GROUP C, UP TO 4 STOREYS, SPRINKLERED
 COMBUSTIBLE CONSTRUCTION
 FLOOR ASSEMBLIES: 1 hr
 LOAD BEARING WALLS, COLUMNS, & ARCHES: 1 hr
 MEZANINES: 1 hr (N/A)
 ROOF ASSEMBLIES: 0 hr

3.5.3.1, ELEVATOR HOISTWAYS
 1 hr FRR as per TABLE 3.5.3.1.

3.2.1.2, STORAGE GARAGE CONSIDERED AS A SEPARATE BUILDING
 2 hr FRR as per 3.2.1.2.1

8 CODE REVIEW - BUILDING SECTION
 SCALE = 1 : 250



OCCUPANCY: F-3 STORAGE GARAGE
MINIMUM SEPARATION OF 2 EXITS: 22.4m
MAX. TRAVEL: 45m

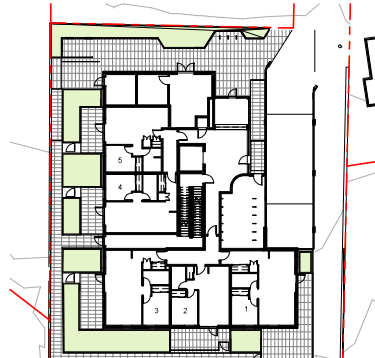
Net Area: 904 m²
 Storage Garage: 46 sq.m/person
 904/46 = 20 people

OCCUPANT LOAD: 20 people

MINIMUM EXIT WIDTH:
 STAIRS:
 8mm/person x 20 = 160mm

RAMP/SICORRIDORS/PASSAGEWAYS:
 6.1mm/person x 20 = 122mm

1 CODE REVIEW PARKADE LEVEL
 SCALE = 1 : 250



OCCUPANCY: GROUP C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

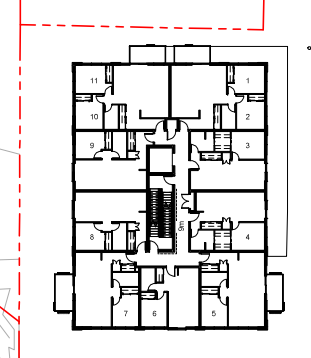
5 Bedrooms x 2 people/bedroom = 10 people

OCCUPANT LOAD: 10 people

MINIMUM EXIT WIDTH:
 STAIRS:
 8mm/person x 10 = 80mm

RAMP/SICORRIDORS/PASSAGEWAYS:
 6.1mm/person x 10 = 61mm

2 CODE REVIEW LEVEL 1
 SCALE = 1 : 250



OCCUPANCY: C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

11 bedrooms x 2 people/bedroom = 22 people

OCCUPANT LOAD: 22 people

MINIMUM EXIT WIDTH:
 STAIRS:
 8mm/person x 22 = 176mm

RAMP/SICORRIDORS/PASSAGEWAYS:
 6.1mm/person x 22 = 134mm

3 CODE REVIEW 2/3/4 TYPICAL
 SCALE = 1 : 250

BUILDING CODE REVIEW:

BUILDING CODE ANALYSIS:

REFERENCED DOCUMENT:
 British Columbia Building Code 2018, Part 3

SECTION 3.1. GENERAL:

3.1.2.1, CLASSIFICATION OF BUILDINGS:
 Group C: Residential Occupancy Levels 1-4
 Group F-3: Low-Hazard Industrial Occupancy 1 Level (UG)

3.2.1.2, STORAGE GARAGE CONSIDERED AS SEPARATE BUILDING:
 2 hr FRR required as per 3.2.1.2.1

3.1.1.7, OCCUPANT LOAD:
 See Code Review Plans A002

SECTION 3.2. BUILDING FIRE SAFETY:

3.2.1.2, BUILDING FIRE SAFETY:
 Parkade Level

Gross Floor Area: 904 m²

Level 1: 412 m²

Level 2/3/4: (3x) 544 m²

Gross Floor Area: 2,044 m²

Building Area: 544 m²

3.2.2.51, GROUP C, UP TO 4 STOREYS, SPRINKLERED

• Maximum allowable building area not more than 1,800 m²

• Combustible construction

• Floor assemblies not less than 1 hr

• Sprinklered - YES

3.2.1, SPATIAL SEPARATION AND EXPOSURE PROTECTION (Table 3.2.1.1.4)

See Limiting Distance Key Elevations A002

SECTION 3.3. SAFETY WITHIN FLOOR AREAS:

3.3.2.5, FIRE SEPARATIONS

Suites of residential occupancy shall be separated from each other and the remainder of the building by a fire separation having a fire resistance rating not less than 1 hr

3.4.2.1, MINIMUM NUMBER OF EXITS

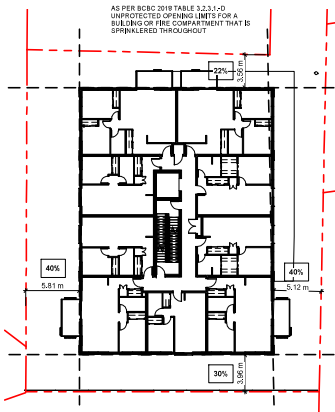
Minimum number of exits: 2 per floor

3.4.2.5, LOCATION OF EXITS:

Max. Travel Permitted (residential use): 30m

Max. Travel Permitted (F-3 use): 45m

3.4.2.3, DISTANCE BETWEEN EXITS
 one half the maximum diagonal dimension of the floor area, but need not be more than 9m for a floor area having a public corridor.



9 CODE REVIEW - LIMITING DISTANCE KEY
 SCALE = 1 : 250



4 EAST ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250



5 NORTH ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250



6 WEST ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250



7 SOUTH ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250

NO.	DESCRIPTION	DATE
1	Development Internal Application	3/16/17/2017



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Project: DP SUBMISSION REV 1.1

LANTERN PROPERTIES LTD
 HADERA APARTMENTS 1475 Fort Street
 Victoria BC

Sheet Name: BUILDING CODE REVIEW

Date: APRIL 02, 2020

Scale: As indicated Project #: 1618

Revision: JUNE 11, 2019

Sheet #: A002



VIEW FROM FREWING LANE



VIEW FROM FORT STREET



VIEW FROM PANHANDLE



VIEW OF LOBBY / PARKADE ENTRANCE

NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
2	Development: Final Application	2/10, 12, 2019



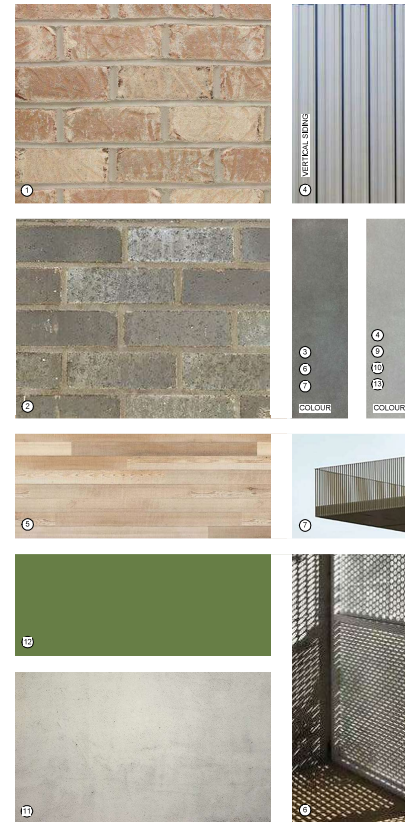
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Project	
DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street	
Victoria BC	
Sheet Name	3D VIEWS
Date	
APRIL 02, 2020	
Scale	Project #
1 : 300	1618
Revision	2
SEPT 13, 2019	
Sheet #	A003

4/8/2020 12:34:58 PM



VIEW FROM PANHANDLE



MATERIALS LIST

- ① TUMBLER BRICK (LIGHT)
- ② SMOOTH BRICK (DARK)
- ③ METAL PANEL (DARK GREY)
- ④ PREFINISHED VERTICAL METAL SIDING (GREY)
- ⑤ T&G CEDAR, SOFFITS (CLEAR FINISH)
- ⑥ PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
- ⑦ PREFINISHED ALUMINUM PICKET (DARK GREY)
- ⑧ VISION GLASS TYP. (DARK GREY FRAMES)
- ⑨ PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
- ⑩ PREFINISHED METAL CAP FLASHINGS (GREY)
- ⑪ ARCHITECTURAL CONCRETE
- ⑫ PREFINISHED ALUMINUM PLANTER (DARK GREEN)
- ⑬ PREFINISHED METAL CLAD COLUMN (GREY)

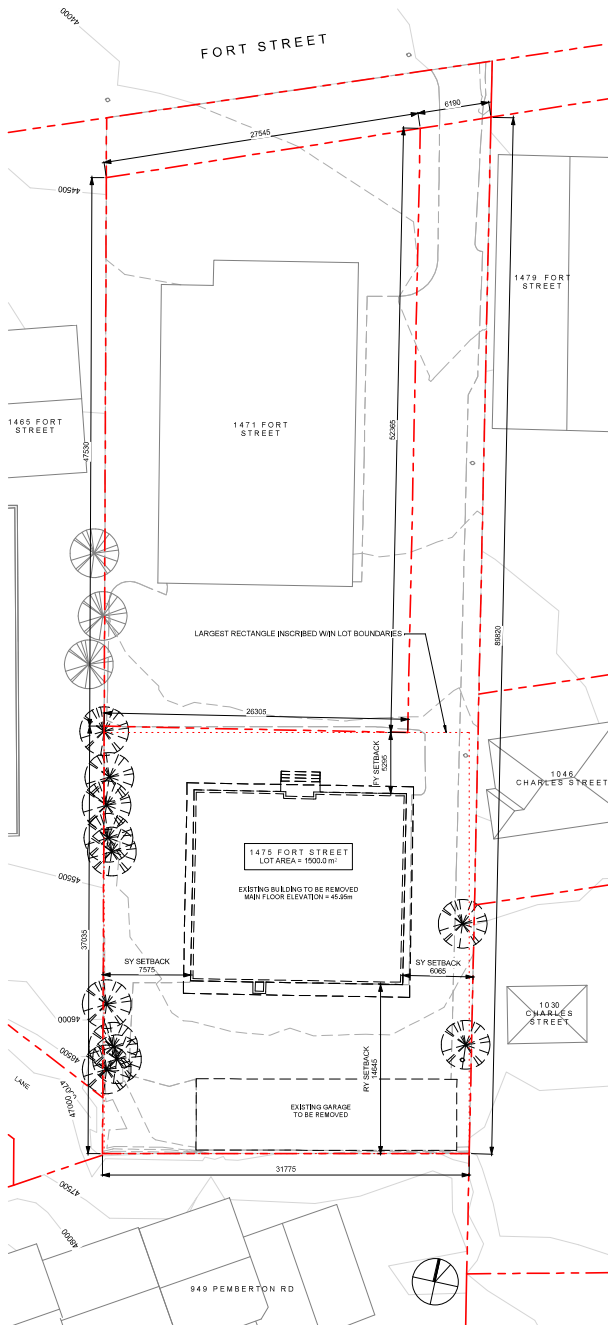
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019
NO.	DESCRIPTION	DATE



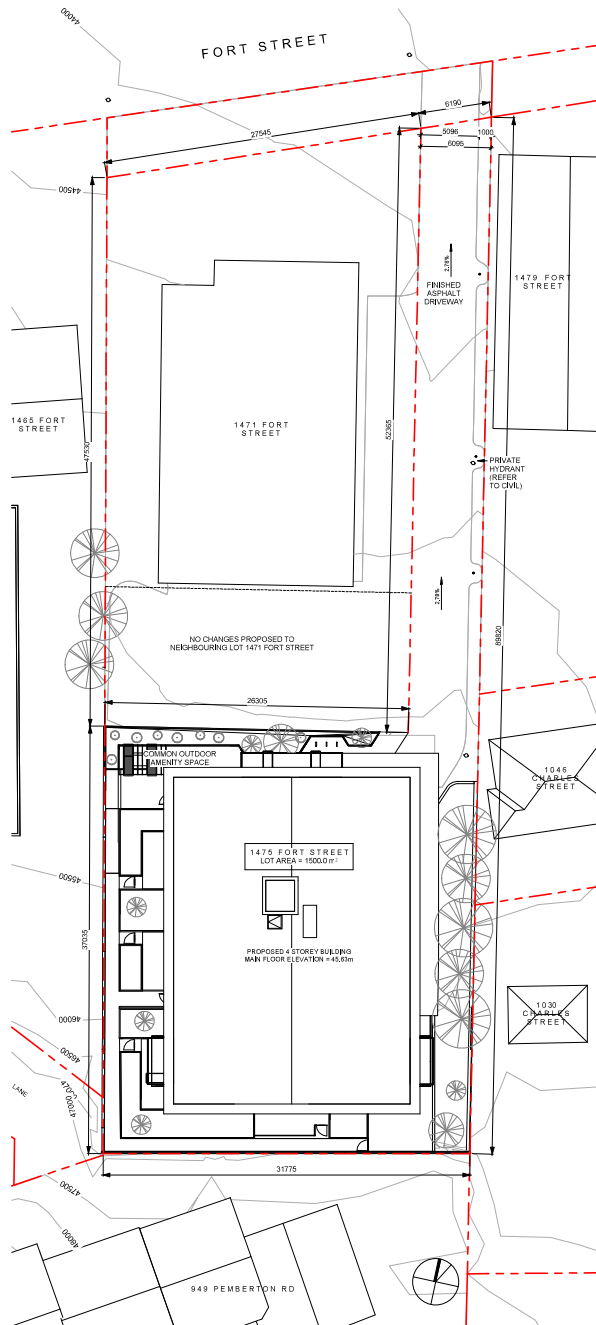
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Project	
DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	MATERIALS
Date	
APRIL 02, 2020	
Scale	Project #
As indicated	1618
Revision	2
SEPT 13, 2019	
Sheet #	A004

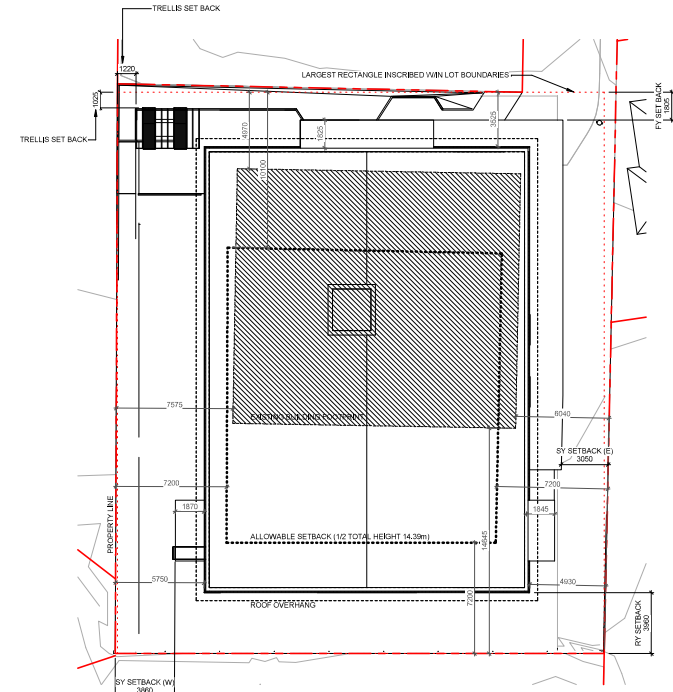
4/8/2020 12:35:13 PM



1 SITE PLAN DEMOLITION
SCALE = 1:200



2 SITE PLAN PROPOSED
SCALE = 1:200



3 SETBACK DIAGRAM
SCALE = 1:150

NO.	DESCRIPTION	DATE
1	DP Revision 1	SEP 13, 2019
2	Development Permit Application	SEP 12, 2019

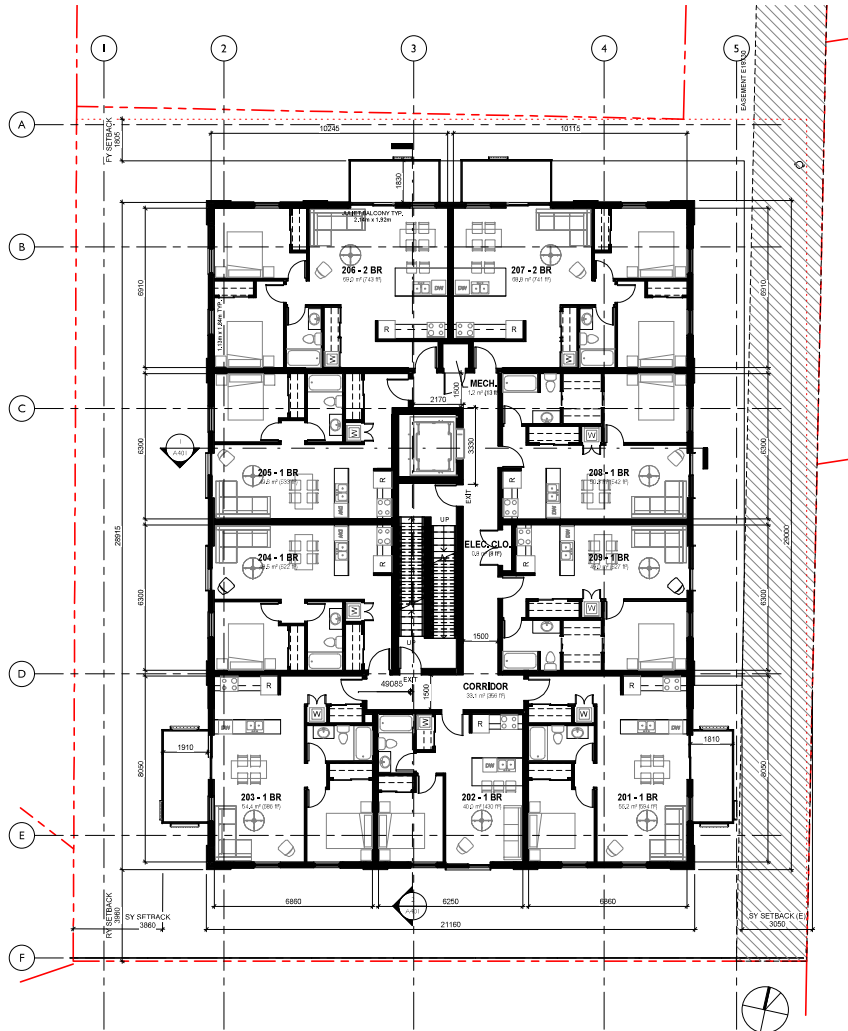


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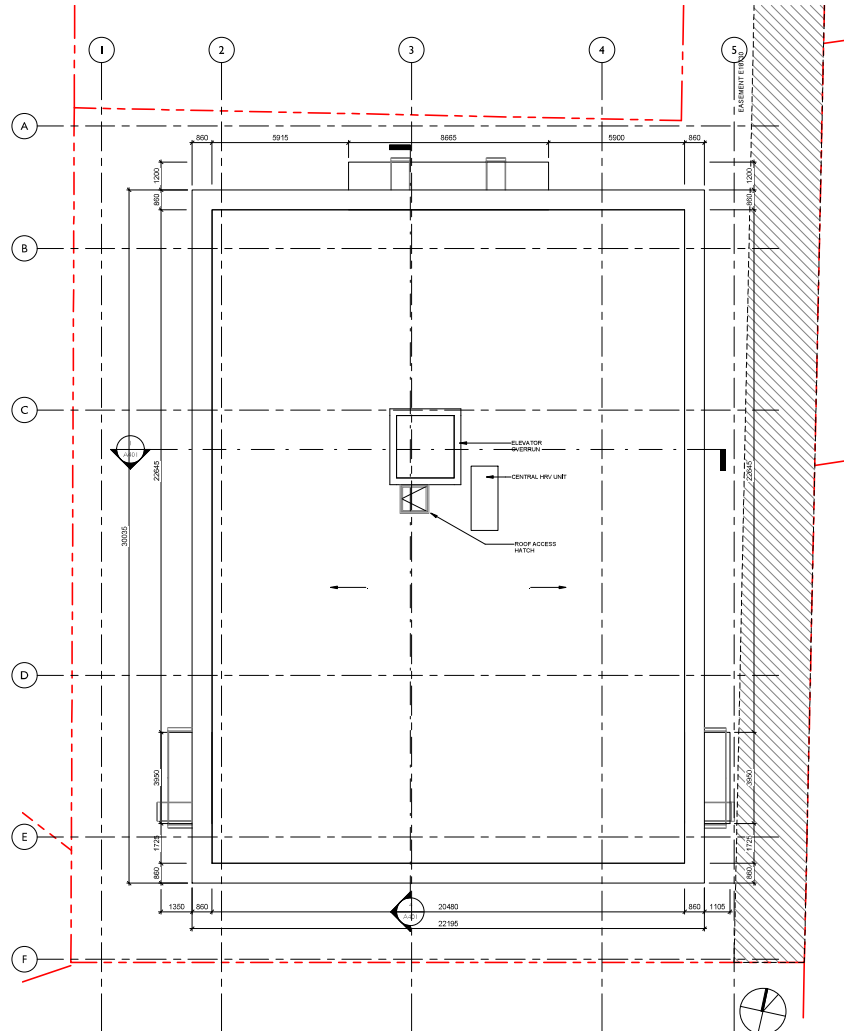
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DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street	
Victoria BC	
Client Name	
SITE PLANS - DEMOLITION & PROPOSED	
Date	
APRIL 02, 2020	
Scale	Project #
As indicated	1618
Revision	Sheet #
SEP 13, 2019	A101

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34



1 LEVEL 2/3/4 TYPICAL
SCALE = 1 : 100



2 ROOF PLAN
SCALE = 1 : 100

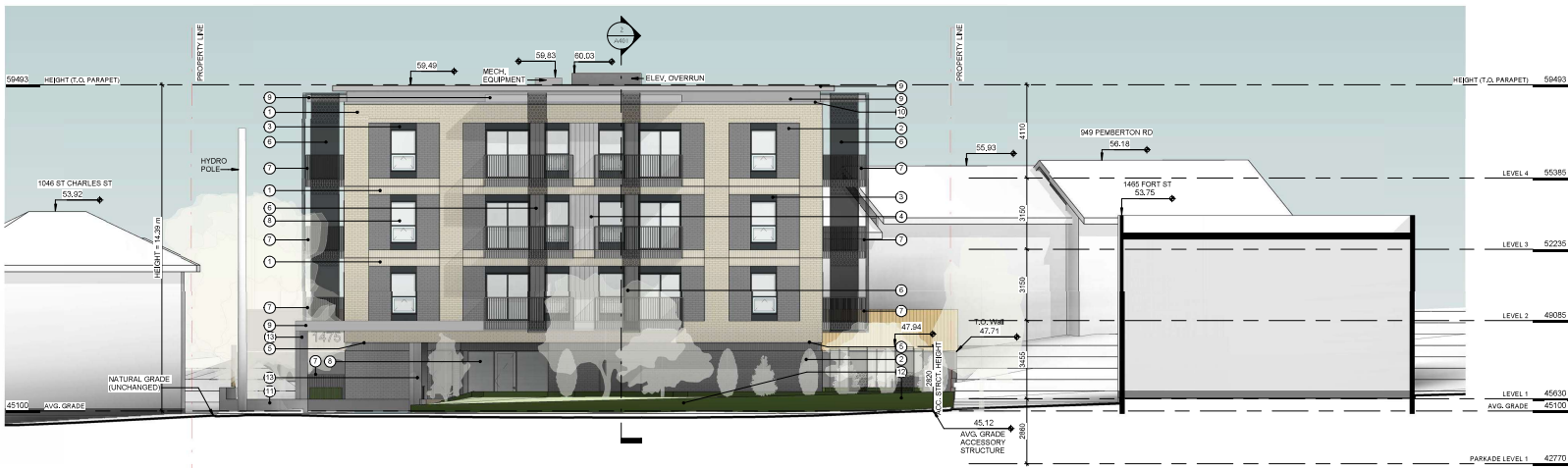
NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
2	Developmental Approval	SEPT 12, 2019



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Project	
DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
FLOOR PLANS	
Date	
APRIL 02, 2020	
Scale	Project #
1 : 100	1618
Revision	2
SEPT 13, 2019	
Sheet #	A202

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① NORTH ELEVATION
SCALE = 1 : 100



② EAST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

- ① TUMBLE BRICK (LIGHT)
- ② SMOOTH BRICK (DARK)
- ③ METAL PANEL (DARK GREY)
- ④ PREFINISHED VERTICAL METAL SIDING (GREY)
- ⑤ TAG CEDAR, SOFFITS (CLEAR FINISH)
- ⑥ PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
- ⑦ PREFINISHED ALUMINUM PICKET (DARK GREY)
- ⑧ VISION GLASS TYP. (DARK GREY FRAMES)
- ⑨ PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
- ⑩ PREFINISHED METAL CAP FLASHINGS (GREY)
- ⑪ ARCHITECTURAL CONCRETE
- ⑫ PREFINISHED ALUMINUM PLANTER (DARK GREEN)
- ⑬ PREFINISHED METAL CLAD COLUMN (GREY)

1	OF Revision: 1	APRIL 02, 2020
2	OF Revision: 1	APRIL 13, 2019
3	Development: Initial Application	2018.12.2019
NO.	DESCRIPTION	DATE



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Project		DP SUBMISSION REV 1.1	
Client		LANTERN PROPERTIES LTD	
Address		HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name		ELEVATIONS	
Date		APRIL 02, 2020	
Scale	As indicated	Project #	1618
Revision	APRIL 02, 2020	Revision	3
Sheet #	A301	Sheet #	A301



1 SOUTH ELEVATION
SCALE = 1:100



2 WEST ELEVATION
SCALE = 1:100

MATERIALS LIST

- 1 TUMBLER BRICK (LIGHT)
- 2 SMOOTH BRICK (DARK)
- 3 METAL PANEL (DARK GREY)
- 4 PREFINISHED VERTICAL METAL SIDING (GREY)
- 5 TAG CEDAR, SOFFITS (CLEAR FINISH)
- 6 PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
- 7 PREFINISHED ALUMINUM PICKET (DARK GREY)
- 8 VISION GLASS TYP. (DARK GREY FRAMES)
- 9 PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
- 10 PREFINISHED METAL CAP FLASHINGS (GREY)
- 11 ARCHITECTURAL CONCRETE
- 12 PREFINISHED ALUMINUM PLANTER (DARK GREEN)
- 13 PREFINISHED METAL CLAD COLUMN (GREY)

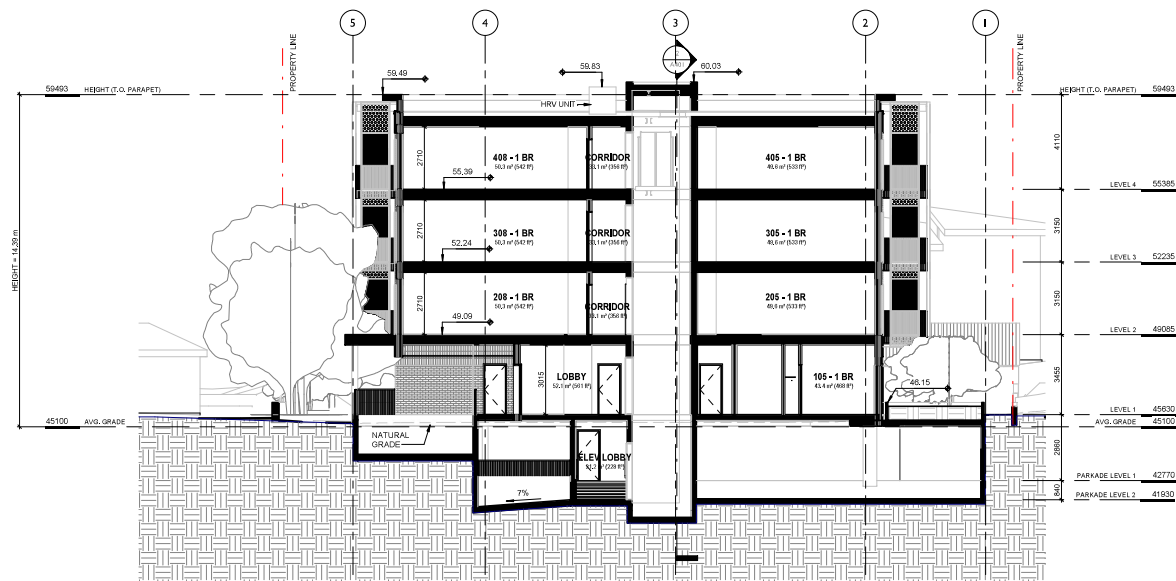
1	CF Revision 1.1	APRIL 02, 2020
2	CF Revision 1.1	SEPTEMBER 13, 2019
Development - Internal Application		2/16/12, 2019
NO.	DESCRIPTION	DATE



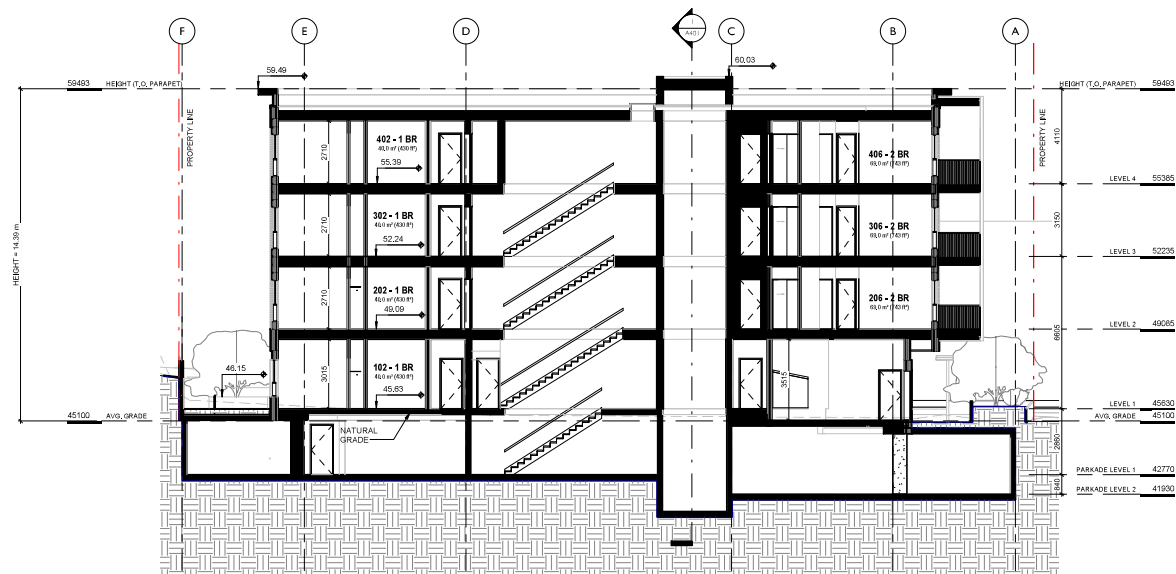
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Project	
DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
ELEVATIONS	
Date	
APRIL 02, 2020	
Scale	Project #
As indicated	1618
Revision	3
APRIL 02, 2020	
Sheet #	A302

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1 Section 1
SCALE = 1 : 100



2 Section 2
SCALE = 1 : 100

NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
2	Developmental Approval	SEPT 13, 2019



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Project	
DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Project Name	
BUILDING + SITE SECTIONS	
Date	
APRIL 02, 2020	
Scale	Project #
1 : 100	1618
Revision	Sheet #
SEPT 13, 2019	2
A401	

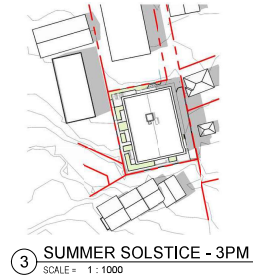
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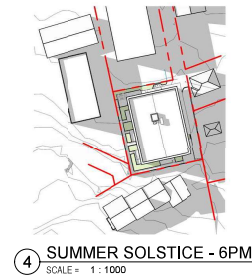
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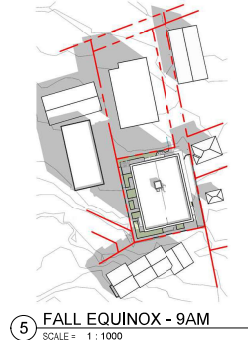
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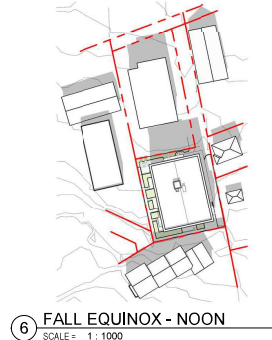
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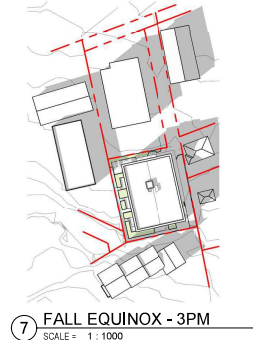
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⑤ FALL EQUINOX - 9AM
SCALE = 1 : 1000



⑥ FALL EQUINOX - NOON
SCALE = 1 : 1000



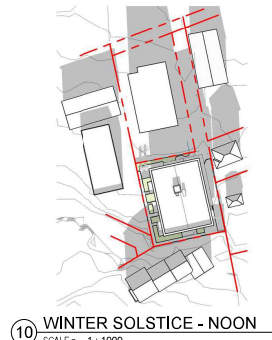
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⑧ FALL EQUINOX - 6PM
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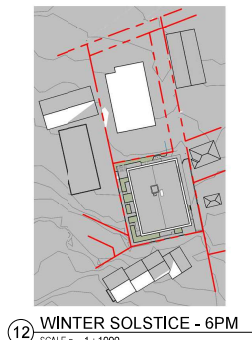
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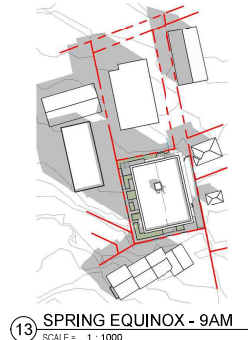
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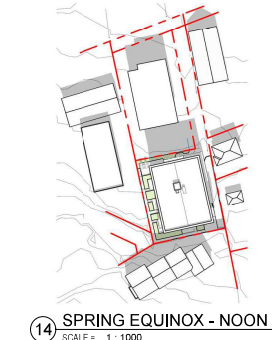
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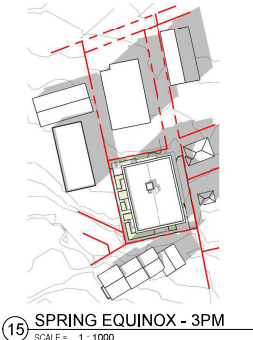
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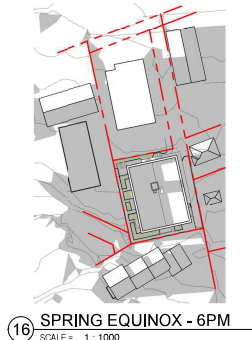
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⑭ SPRING EQUINOX - NOON
SCALE = 1 : 1000



⑮ SPRING EQUINOX - 3PM
SCALE = 1 : 1000



⑯ SPRING EQUINOX - 6PM
SCALE = 1 : 1000

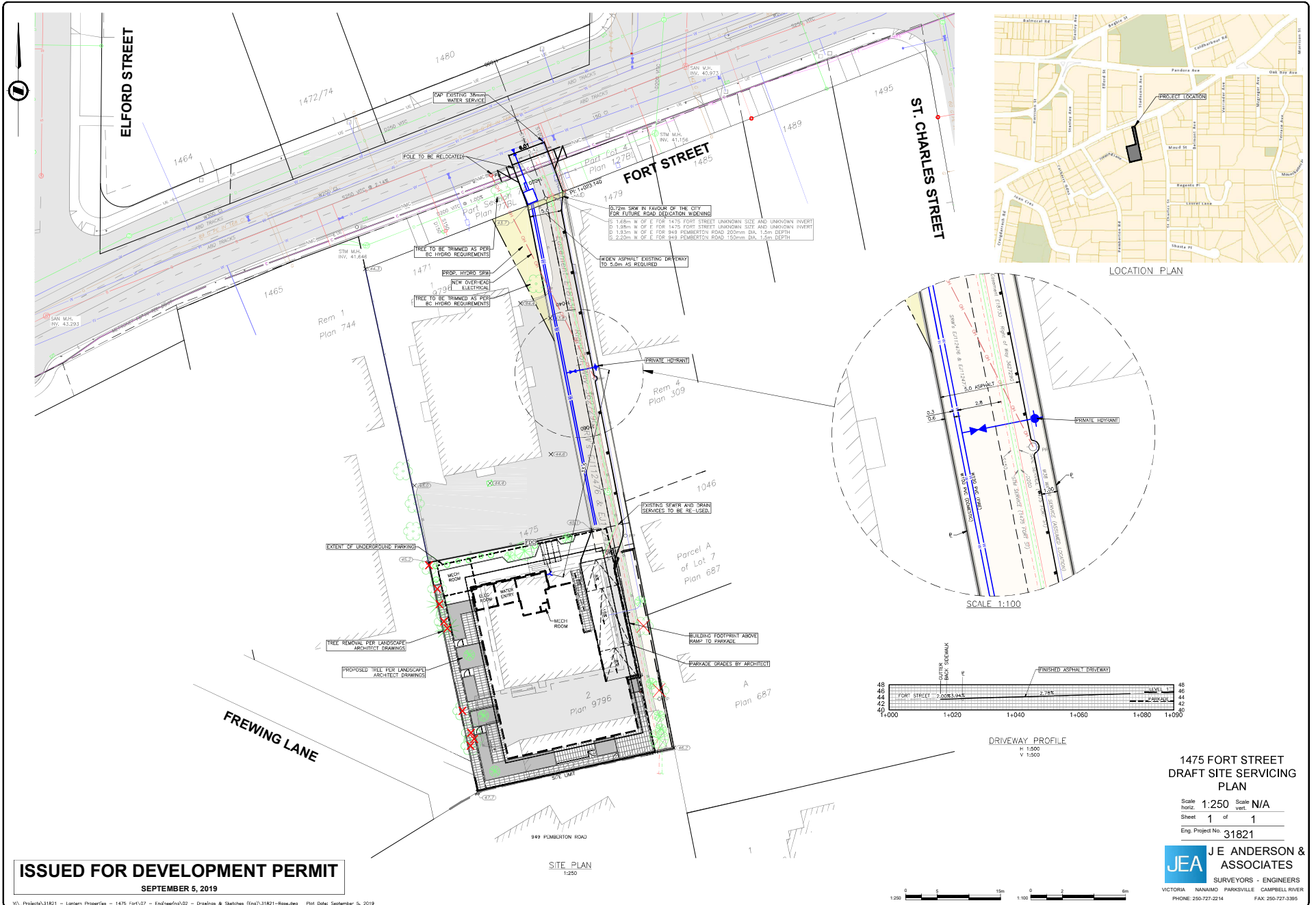
NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
2	Development - Final Application	APRIL 02, 2020

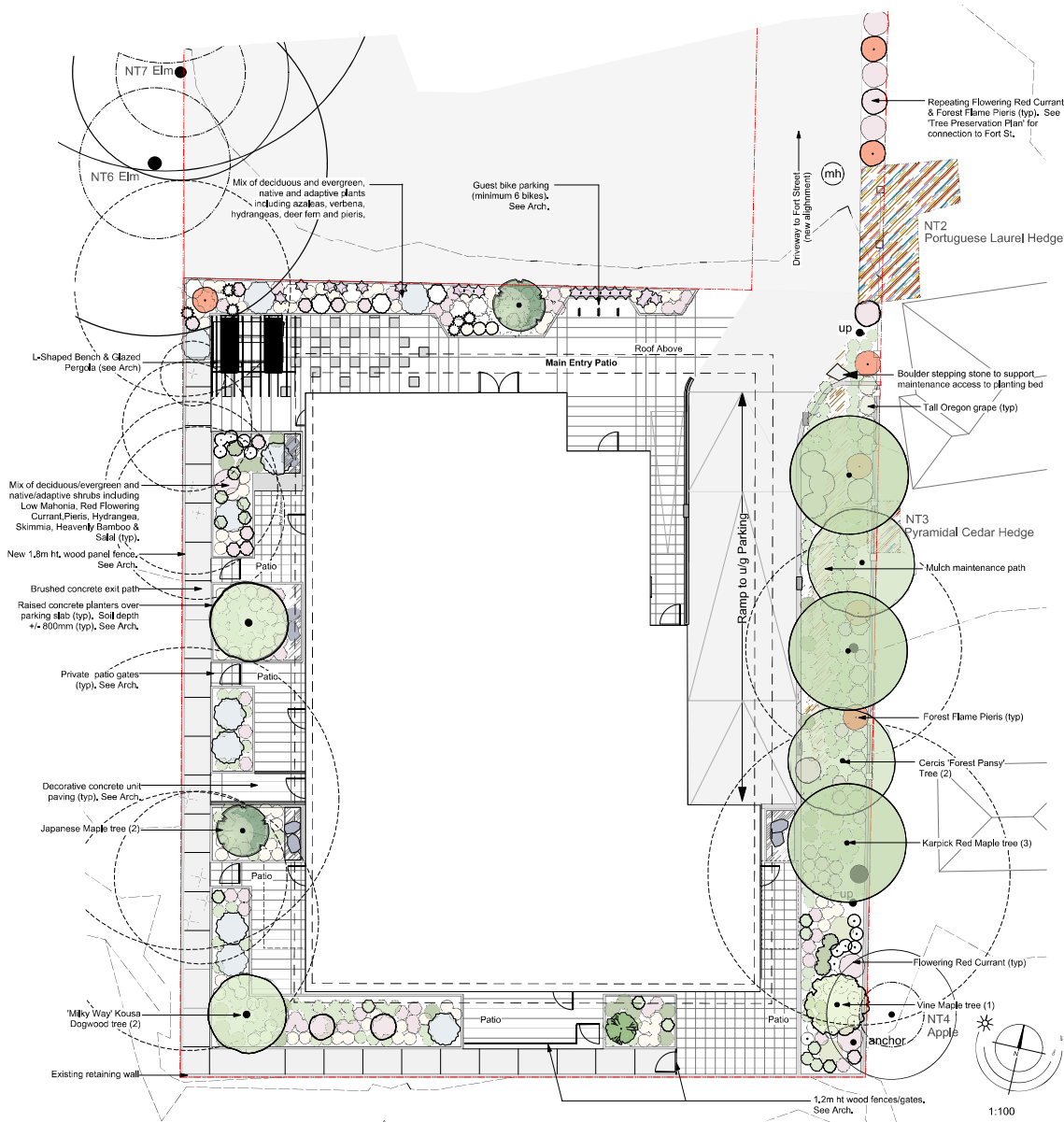


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Project	
DP SUBMISSION REV 1.1	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
SHADOW STUDY	
Date	
APRIL 02, 2020	
Scale	Project #
1 : 1000	1618
Revision	Sheet #
SEPT 13, 2019	2
A501	

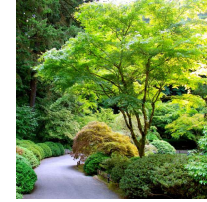




Reference Images for Proposed Trees



Forest Pansy Redbud (early spring flowers)



Standard Green Japanese Maple



Milky Way Dogwood (late spring flowers)



Vine Maple (spring flowers and autumn samaras)

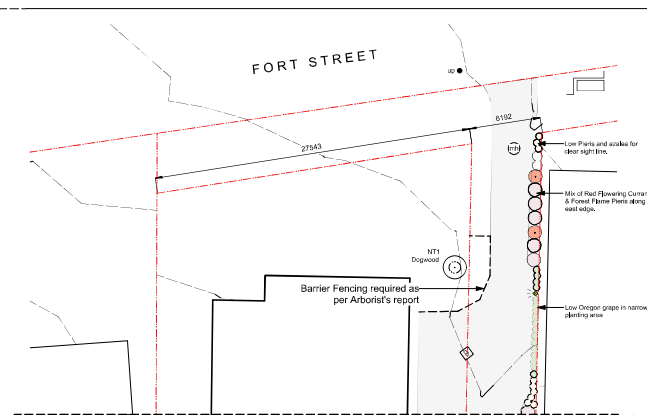
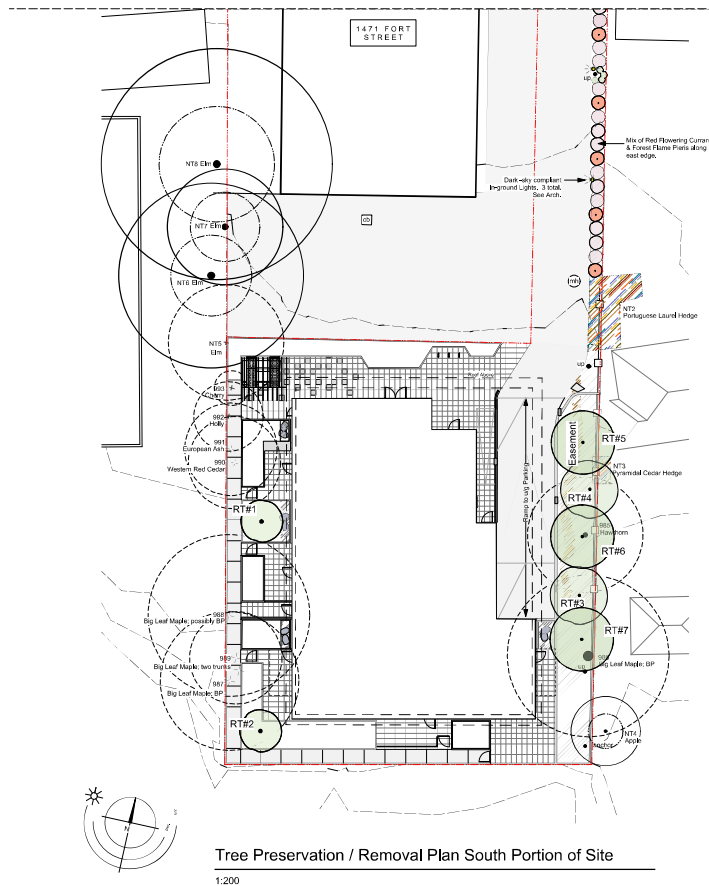
Recommended Nursery Stock

Trees				
ID	Quantity	Botanical Name	Common Name	Size
AcC	1	Acer circinnatum	Vine Maple	#15 pot, 2m H min.
AcP	2	Acer palmatum	Japanese Maple	50m call
AcK	3	Acer rubrum 'Karpick'	Karpick Red Maple	40m call
CerFP	2	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	40m call #15 pot
CorMW	2	Cornus kousa 'Milky Way'	Milky Way Dogwood	#20 pot
Large Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
FaJ	1	Fatsia japonica	Japanese Fatsia	#7 pot
HyMB	12	Hydrangea macrophylla 'Blauweise'	Teller Blue Lacecap Hydrangea	#7 pot
PIFF	12	Pieris 'Forest Flame'	Forest Flame Pieris	#7 pot
Medium Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
MaAq	11	Mahonia aquifolium	Tall Oregon Grape	#5 pot
RSaKE	31	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#7 pot
SaRR	6	Sarcococca ruscifolia	Sweet Box	#5 pot
Small Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
AzJH	10	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
GalSh	21	Gaultheria shallon	Salt	#1 pot
HyMTP	64	Hydrangea macrophylla 'Teller's Pink'	Teller's Pink Hydrangea	#3 pot
MaNe	181	Mahonia nervosa	Low Oregon Grape	#1 pot
NarD	27	Nandina domestica 'Harbour Dwarf'	Harbour Dwarf Heavenly Bamboo	#2 pot
PP	100	Pennis japonica 'Phylade'	Piers Phylade	#1 pot
SkJ	7	Skimmia japonica	Skimmia	#1 pot
Perennials, Annuals and Ferns				
ID	Quantity	Botanical Name	Common Name	Size
Bs	21	Blechnum spicant	Deer Fern	#1 pot
VerB	18	Veronica bonariensis	Tall Veronica	#1 pot

Notes:
 1. All work to be completed to current Canadian Landscape Standard
 2. All soft landscape to be irrigated with an automatic irrigation system
 3. LADR's work is limited to plant selections and soft landscape.

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Landscape Concept Plan



Tree Removal Key	
	Tree Removed
	By-Law Protected
	Critical Root Zone
	Tree ID as per Arborist's Report
	Tree Retained
	Replacement Tree

Project Consulting Arborist is Noah Borges at Talbot Mackenzie and Associates
 Contact: 250-479-3733
 Email: tmtreehelp@gmail.com

Tree Replacement Summary:

1) Eleven trees are being removed; two are by-law protected and one may be by-law protected (as per arborist report). A minimum of 6 trees are required to replace the 3 by-law (or potentially by-law) protected trees (2:1 replacement).

2) Ten trees are proposed for this project. Seven qualify as replacement trees: RT#1 & RT#2 are Cornus kousa 'Milky Way', RT#3 & RT#4 are Cercis canadensis 'Forest Pansy', RT#5, RT#6 & RT#7 are Acer rubrum 'Karpis'.

3) The following work to be supervised by the project arborist:
 Locating barrier (tree protection) fencing, locating work zones, supervising excavation within critical root zones of trees to be retained, and reviewing and advising of any pruning requirements for machine clearances.
 Arborist to also review the arborist report with the site supervisor, prior to beginning work on site.

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St.
 Tree Preservation Plan added

1475 Fort St. - Tree Preservation Plan

June 12th, 2019

Revised September 13, 2019

City of Victoria
No.1 Centennial Square
Victoria BC
V8W 1P6

Attn.: Mayor & Council

Re: 1475 Fort Street Development Permit Application

Cascadia Architects is pleased to submit this Development Permit application for 1475 Fort Street on behalf of Lantern Properties Ltd. (the 'Applicant') for the construction of *a four-storey 32 unit rental apartment building*. The details of the proposal described in this application carefully respond to the relevant OCP Design Guidelines, Development Permit Area Design Guidelines, and its existing R3-AM-2 zone. In preparing this application, the design team has received preliminary input from City planning and engineering staff, and specialist consultants including a certified arborist and civil and geotechnical engineers.

The consultation and review process to date include the following meetings:

- Pre-Planning Meeting City of Victoria (March 24, 2019)
- Open House with local neighbours (March 24, 2019)
- Introductory Meeting with Fire Prevention Officer (April 09, 2019)
- A review of preliminary height and setbacks with residents of 1030 St Charles St. (May 30, 2019)
- Meeting with the Rockland Neighbourhood Association (June 10, 2019)

Description of the Proposal:

The 1475 Fort Street parcel is 1500 sq.m in total area and is currently occupied by a 3 storey apartment building and associated at grade parking structure, both of which are deemed to be nearing the end of their life cycles. It is a panhandle lot as defined by the City of Victoria, and has a panhandle driveway which accesses Fort Street along the east property line of 1471 Fort, a property also owned by the Applicant.

The existing building on the site is currently leased to the Vancouver Island Health Authority, *and as such the tenant assistance policy is not applicable to this redevelopment.*

The current zoning of the site is R3-AM-2 – up to 4 storeys and 1.6:1 allowable FSR. It is located within the Development Permit Area 7B (HC): Heritage Corridor and is designated 'urban



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A Corporate Partnership

Principals

GREGORY DAMANT
Architect AIBC, LEED AP

PETER JOHANNKNECHT
Architect AIBC, LEED AP,
Interior Architect AKNV Germany

residential' in the Official Community Plan. The proposal is located in the Rockland neighbourhood.

The site itself is relatively flat, however, it sits significantly lower than the adjacent 949 Pemberton Road townhouses located to the south, and Frewing Lane to the southwest. There are a wide range of mature trees on and surrounding the site, and a service right of way from Fort Street to the Pemberton Road townhouses along the east property line.

The property is characterized primarily by its unique panhandle shape, which effectively pulls the building away from the Fort Street corridor, recessing it behind the 1471 Fort Street 4 storey apartment building and nestling it into the surrounding Rockland neighbourhood, an eclectic mix of townhouses, multi unit residential dwellings and single family homes.

Project Benefits and Amenities:

This project will bring 32 new units of rental housing stock to the City. The proposal will add much needed rental housing to the Rockland neighbourhood, and will enhance the quality of the public realm along the Fort Street corridor via the quality of its design, materials, and detailing.

Design and development guidelines:

The building reflects the intent of the current zoning, with a height of 4 storeys, underground resident parking, and a density (FSR) of 1.42:1. It takes its massing and material finish cues from the historic character of the neighbourhood, which provides the fundamental design concept that drives the project. This proposal strives to bridge between its historic context and a modern future for the Fort Street corridor, avoiding a pastiche or imitation of the past, but carefully referencing it through material selection and organization of massing on site. This approach is in keeping with the Rockland Neighbourhood Plan, providing strong architectural design that is compatible in character and quality with the Rockland environment.

The building is simple and uncomplicated and utilizes a refined material palette of light and dark brick, metal panels, aluminum pickets, and perforated screens. The base of the building is clad in dark brick, grounding it and visually reducing the building's mass. The second to fourth storeys are characterized by a clear hierarchy of materials, with strong horizontal and vertical light brick banding surrounding inset dark brick, and grey vertically oriented metal panels. These metal panels are matched in finish to a projecting roof overhang at the fourth storey and above the entrance to the underground parkade at the northeast corner of the building and the entrance to the site.

The entrance is set back from the face of the building, providing visual interest oriented towards Fort Street, and softened with cedar soffits. Dark green aluminum planters surround the building, punctuating the landscaping and providing textural contrast to the building itself, adding a further feature of visual interest. Perforated metal screens create a higher filigree of architectural expression to the balconies and provide some privacy screening between the proposal and the neighbouring sites.

The building draws on historical inspiration in a site specific response to achieve an elegant and timeless expression. It is comprised of high-quality exterior finishes which are durable and capable of weathering gracefully on all four facades, to the qualitative benefit of the public realm along the Fort Street corridor as well as the sightlines from adjacent residences. The design complements the mature landscaping and historic architectural character of the Rockland neighbourhood.

The primary design initiatives which reference the **Official Community Plan** can be summarized as follows:

- This proposal contributes a meaningful amount of in-fill rental housing stock within walking distance of services, amenities, and the City's downtown core.
- By placing new residential density in direct proximity to transit routes, and within cycling distance of downtown, new development can increase transportation choice and relieve vehicle dependence.
- The project seeks to preserve and enhance the sense of the neighbourhood's unique identity. The Rockland neighbourhood is characterized in many areas by atypical lots and variegated relationships between buildings and streets. The articulated façade treatment and contrasting colours and textures incorporated into the building's design create depth and visual interest from a distance, accentuating the lot's unique configuration and the orientation of the building upon it.
- This proposal introduces five ground oriented units, improving the contextual relationship between the building and the historic residential neighbourhood with ample ground oriented housing in which it is situated, elevating the pedestrian experience of the site.
- *As a rental residential development*, this proposal provides long term stable rental housing in the City of Victoria, upgrading and regenerating the city's existing rental housing stock, and encouraging a mix of new residents and a socio-economically inclusive community.

Additionally, the project responds to several relevant priorities laid out in **Development Permit Area 7B (HC): Heritage Corridor (Fort Street)**

- Fort Street is a corridor with the capacity for the intensification of multi unit residential development. The site is currently being utilized in a multi unit residential capacity. Through increased floor area and an additional fourth storey, this use is intensified in keeping with DPA 7B and OCP guidelines.
- Intensified multi-unit residential use in this location will promote pedestrian and bicycle use along Fort Street.
- Through thoughtful design and high-quality, durable building materials, this proposal supports the revitalization of Fort Street, and provides a sensitive response to its historic context, enhancing visual interest along the arterial.
- The exterior finishes and traditional massing achieve a cohesive design with the site's historic context and enhances the experience of the Fort Street corridor.

The proposal also reflects the following tenets of the referenced **Downtown Core Area Plan** guidelines:

- Due to its unique panhandle lot configuration, the building is not directly physically connected to the Fort Street frontage. The entrance to the building is oriented to the northeast corner of the site, visually connecting it to Fort Street and improving the building's relationship to the sidewalk.
- The grade difference between the site and its adjacent southern neighbours effectively reduces the impact of its height, and provides a sensitive transition between the R3-AM-2 and the R1-A zone as well as the Urban Residential and Traditional Residential Urban Place Designations moving away from Fort Street and into the Rockland residential area.
- The second storey cantilevers over the main level entrance, creating a continuous covered area along the street frontage and providing residents and users of the site with continuous shelter from the rain and other elements.

- The expression of the roof over the parkade ramp and lobby entrance distinguishes the entrance from the rest of the building, while the lobby entrance itself is recessed, providing visual articulation to the street facing north frontage of the building.
- A bike storage room, with generous glazing, is located next to the lobby and can be accessed from the outdoor by a separate entrance and ramp. The same ramp will act as the accessible entrance to the elevator lobby and can be used for moving days.

Transportation and Infrastructure:

The project is well situated and fully serviced by City of Victoria infrastructure. Schools, parks and recreation facilities are all located within walking distance of the site. In addition, the nearby work and shopping opportunities available both downtown and in the Stadacona Village, Oak Bay Avenue Village, Jubilee Village, and North Park Village make this site suitable for an increased population density. This population will be well serviced with regard to transportation options, including immediate proximity to major Transit routes on Fort Street and Pandora Avenue as well as vehicle and bicycle parking and storage provisions.

The project will include *24 resident and 2 visitor underground parking stalls* accessed from the driveway at the northeast corner of the body of the panhandle lot.

The long term bicycle parking spaces have been separated into two designated and secure bicycle rooms, one adjacent to the lobby at grade, and the other located in the underground parkade. The required 6 short term bicycle parking spaces are placed at the entrance to the building, semi protected from the elements by a projecting overhang, and screened by a raised feature planter.

Green Building Features:

The following is a list of green building initiatives that will be deployed within the project:

- Exterior materials are highly durable, and detailing will suit life-span management of components.
- Solar Ready Conduit from Electrical Room to roof.
- LED lighting throughout.
- Low-VOC paint in all interior areas.
- Low-flow plumbing fixtures used throughout all units.
- Secure, heated bike storage at parkade and main level.
- Rough-in electrical for future electric bicycle charging locations within bicycle storage.
- Rough-in electrical for future electric vehicle charging stations.
- Heat Recovery Ventilation for the building.
- High efficient centralized domestic hot water boiler system.
- Meeting the BC Energy Step Code level 1 requirements.

In preparing this development permit application package the team has carefully considered community concerns, the relevant OCP objectives, and the Development Permit Area Design Guidelines. The design is respectful of neighbouring properties and proposes an elegant and timeless architecture that responds to the unique character of the location. We believe that it will add to the strength and character of the Fort Street corridor and the Rockland neighbourhood, and we look forward to presenting this project to ADP and Council. If you have any questions or require further clarification of any part of this application, please do not hesitate to contact our office.

Sincerely,

CASCADIA ARCHITECTS INC.



Peter Johannknecht, Architect AIBC, RAIC, LEED AP
Principal



Gregory Damant, Architect AIBC, RAIC, LEED AP
Principal



Dear Mayor and Council,

Lantern Properties Ltd. is a multigenerational, multi-family rental housing operator and developer founded in 1962 by Arthur & Arlene Hayes. Lantern's first property was a low-rise concrete apartment building in the Ambleside neighbourhood of West Vancouver. Since then, Lantern has steadily grown its portfolio to include properties in several east and west-side Vancouver neighborhoods, as well as Victoria. Lantern has never sold an asset in its roughly 50-year history.

Lantern's first investment in Victoria was in the Rockland neighbourhood in 1976, when the founder built a 48-suite rental building at 1180 Fort Street. Other acquisitions occurred in the 1990's in James Bay, and Lantern bought the subject 1471/1475 Fort Street property in 2016. It is a two-lot site with two buildings. Lantern invested in upgrades to the landscaping and storm drainage, balcony repair and window replacement on both sites. A recent evaluation of the condition of 1475 determined that the building is approaching the end of its life and further investment would not be prudent. The redevelopment of 1475 will allow Lantern to provide the community with a safer and more energy efficient building, as well as providing more rental housing on this currently underutilized site. Lantern's investment in the site illustrates its long-term commitment to serving the communities in which it operates.

Best Wishes,
Lantern Properties Ltd.

1176 Burnaby Street, Vancouver BC, V6L1Y1

☎ 604-998-2290 📠 866-288-1991 ✉ jeff.hayes@lanprop.com 🌐 lanprop.com



April 22, 2020

Mayor and Council

City of Victoria

Re: 1475 Fort Street DPV 00120

Dear Mayor Helps and Councillors:

The Rockland Neighborhood Association (RNA) Land Use Committee (LUC) is writing on behalf of the neighbors to the proposed apartment development at 1475 Fort Street. We certainly acknowledge the desirability of increased rental accommodation in Victoria and in our neighborhood. However, this project has significant issues impacting neighbors.

The key issues with this proposal are excessive site coverage and height, greatly reduced setbacks, no attention to transition, little attention to current parking standards and tree retention.

Site Coverage:

- R3-AM2 site coverage for main building is 30%. Proposed site coverage is 46.9% (+17%).
- R3-AM2 F.S.R. of site is 1.2:1. NOT 1.6:1 Bonus for enclosure of ALL but visitor parking.
- The area calculation of the site is disproportionate given the panhandle access.

Building Height:

- R3-AM2 zoning allows for a building height of up to 12 m / 39'5".
- The proposed building height is 14.39 m / 47'2", a difference of approx. 2.4 m / 8' (+20%).

Setbacks:

- The R3-AM2 setback is "the greater of 3 m or one half of the building height" i.e. 7.2 m / 23'7".
- In this proposal the setbacks are 3 m for the east side yard, 3.9 m for the west side yard, and 4 m for the rear yard (i.e. 9'10" to 13' respectively).
- This results in an over-height building being set back an average 3.6 m / 12' from each property line where 7.2 m / 23'7" is required (100% variance!!!).

Guidelines:

- The proponents have utilized the antiquated OCP guidelines of DPA 7B(HC) Advisory Guideline for Buildings, Signs and Awnings (1981) rather than the current and more logical Design Guidelines for: Multi-unit Residential, Commercial and Industrial (2012/2019) requiring in Guidelines; 1.1, 1.2, 1.5, 1.6 respect of character of established areas, of design transition and respect of privacy. In this case in respecting the Rockland Traditional Residential Neighborhood. (it should be noted that the lingering use of 1981 guidelines would have been addressed in a timely LAP process)

Parking:

- Recently updated Parking Schedule C requires $1.3 + 0.1 = 45$ units (occupant + visitor).



Tree Retention:

- Large footprint creates the loss of 4 bylaw protected trees with privacy & ecological impact.

Summary of Findings:

- The cumulative impact of these 'variances' is excessive. This is an egregious overreach with significant impacts on neighbors who reasonably have an expectation that the zoning bylaw tempers the impact on their homes. The expectation of variances is that they would accommodate small adjustments to a project; not facilitate an otherwise unworkable one.

Regards:

Bob June, co-chair Dave McWalter, co-chair

Land Use Committee
Rockland Neighborhood Association



Talbot Mackenzie & Associates

Consulting Arborists

1475 Fort St, Victoria

Construction Impact Assessment & Tree Preservation Plan

Prepared For: Lantern Properties Ltd
#101-1176 Burnaby St
Vancouver, BC
V6E 1P1

Prepared By: Talbot, Mackenzie & Associates
Noah Borges – Consulting Arborist
ISA Certified: #PN-8409A
TRAQ – Qualified

Date of Issuance: April 5, 2019

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 1475 Fort St, Victoria

Date of Site Visit: June 6, 2018

Site Conditions: Existing multi-storey residential building with panhandle driveway. No ongoing construction activity.

Summary: Ten trees will require removal for construction of the underground parkade. Assuming excavation will occur up to the property line, roots from trees NT2-4 and NT6 are likely to be encountered. As NT2 and NT3 are located adjacent to the east fence line, their health may be significantly impacted. We recommend the project arborist supervise all excavation within the critical root zones of these four trees and prune any roots severed back to sound tissue at the edge of excavation.

Scope of Assignment:

- To inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to demolish the existing building and construct a new multi-storey housing complex with underground parking
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The by-law protected trees with their identification numbers were labelled on the attached Site Plan. The conclusions reached were based on the information provided within the attached plans from Cascadia Architects (dated 02/12/19).

Limitations: No exploratory excavations have been requested and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Servicing plans were not available for comment. We recommend the project arborist review servicing plans once they become available to evaluate the proposed impacts to any trees to be retained.

Summary of Tree Resource: Seventeen trees were inventoried, three of which are by-law protected. There is a row of large elm trees along the west fence line on the neighbouring property.

Trees to be Removed: Ten trees will require removal as a result of construction-related impacts:

- **Trees #985-993 and NT5** are within or immediately adjacent to the footprint of the underground parkade. We assume excavation will occur up to the property line along the west property line.

We anticipate large, structural roots from **Elm NT5** (56cm DBH, under shared ownership with west neighbour) will be severed during excavation, resulting in significant health and structural impacts.

Potential Impacts on Trees to be Retained and Mitigation Measures

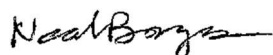
- **Dogwood NT1** (5cm DBH): This tree is located 3m from the existing driveway. We do not anticipate its health will be impacted by the proposed construction but recommend barrier fencing be erected at the edge of the driveway around the tree up to the property line to avoid accidental mechanical injury and unnecessary soil compaction within its CRZ.
- **Portuguese Laurel hedge NT2** (stems up to ~15cm DBH) and **Pyramidal Cedar hedge NT3** are located on neighbouring properties to the east (1479 Fort St and 1046 St. Charles St). Assuming excavation for construction of the underground parkade occurs up to the east fence line, roots from both of these hedges will be encountered. Half the CRZs of the cedar stems and the laurel stems growing along the fence will be severed, potentially resulting in significant health impacts (particularly to the cedar hedge). We recommend the project arborist prune any roots severed back to sound tissue at the time of excavation and that the neighbours be informed of the proposed impacts to their trees.
- **Apple NT4** (~25cm DBH) is located on the property of 1030 St. Charles St, approximately 1.5m from the fence line. Assuming excavation for construction of the underground parkade occurs up to the east fence line, we anticipate roots from this tree will be impacted, potentially resulting in minor health impacts. We recommend the project arborist prune any roots severed back to sound tissue at the time of excavation and that the neighbour be informed of the proposed impacts to their tree.
- **Elm NT6** (~60cm DBH) is under the ownership of #1465 Fort St and is located approximately 4m from the northwest property corner. We anticipate some roots from this tree may be encountered if excavation occurs up to the property corner, but its health will not be significantly impacted. No clearance pruning will be required, as the aboveground portions of the building are 5.5m from the west property line.

- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:
 - Excavation within the CRZ of trees NT2-4 and NT6
- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.
- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:
 - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
 - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
 - Placing two layers of 19mm plywood.
 - Placing steel plates.
- **Demolition of the Existing Buildings:** The demolition of the existing multi-storey building and garage, and any services that must be removed or abandoned, must take the critical root zone of the trees to be retained into account. If any excavation or machine access is required within the critical root zones of trees to be retained, it must be completed under the supervision and direction of the project arborist. If temporarily removed for demolition, barrier fencing must be erected immediately after the supervised demolition. We do not anticipate that any trees to be retained will be impacted by the demolition of the existing structures.
- **Mulching:** Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.

- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- **Scaffolding:** This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see “Minimizing Soil Compaction” section).
- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - Locating the barrier fencing
 - Reviewing the report with the project foreman or site supervisor
 - Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - Reviewing and advising of any pruning requirements for machine clearances
- **Review and site meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.

Thank you,



Noah Borges
ISA Certified #PN-8409A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 2-page tree resource spreadsheet, 1-page site plan with trees, 2-page building plans, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
985	Hawthorn	<i>Crataegus spp.</i>	43	10	5.0	Good	Good	Fair/poor	Under utility lines. Previously topped. Water sprouts. Codominant union at 1.5m	N	X
986	Big Leaf Maple	<i>Acer macrophyllum</i>	86 below unions	14	10.0	Moderate	Fair	Poor	Tridominant union at 1m. Large pruning wounds. Fill around base. Crossing/rubbing limbs. Swelling at base. Epicormic growth	Y	X
987	Big Leaf Maple	<i>Acer macrophyllum</i>	~50, 45	12	9.0	Moderate	Good	Fair/poor	Possibly shared with neighbour. Codominant union at base. Damaged surface roots. Asymmetric crown due to competition with adjacent maple	Y	X
988	Big Leaf Maple	<i>Acer macrophyllum</i>	58	14	7.0	Moderate	Good	Fair	* Possibly by-law protected *. Sweep at base, corrected. Large pruning wounds.	N	X
989	Big Leaf Maple	<i>Acer macrophyllum</i>	~45	8	5.5	Moderate	Good	Fair	Codominant union at 5m	N	X
990	Western Red Cedar	<i>Thuja plicata</i>	40	8	6.0	Poor	Fair/poor	Fair	Declining top	N	X
991	European Ash	<i>Fraxinus excelsior</i>	29	8	3.5	Moderate	Good	Fair/poor	Codominant union at 6m	N	X
992	Holly	<i>Ilex aquifolium</i>	24	6	2.5	Good	Good	Fair/poor	Multiple leaders	N	X
993	Cherry	<i>Prunus spp.</i>	12	3	1.5	Moderate	Fair	Fair/poor	Second stem cut at base	N	X
NT1	Dogwood	<i>Cornus spp.</i>	5	2	1.0	Poor	Good	Fair	Neighbour's. 3m from driveway	N	Retain
NT2	Portuguese Laurel hedge	<i>Prunus lusitanica</i>	Multistem	3	1.5	Good	Good	Fair	Neighbour's. Adjacent to fence, stems up to ~15cm DBH	N	Retain
NT3	Pyramidal Cedar hedge	<i>Thuja spp.</i>	Multistem	1	1.5	Poor	Good	Good	Neighbour's. Adjacent to fence	N	Retain
NT4	Apple	<i>Malus spp.</i>	~25	6	3.0	Moderate	Good	Fair	Neighbour's. 1.5m from fence	N	Retain

Prepared by:

Talbot Mackenzie & Associates

ISA Certified and Consulting Arborists

Phone: (250) 479-8733

Fax: (250) 479-7050

email: tmtreehelp@gmail.com

**1475 Fort Street
Tree Resource Spreadsheet**

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
NT5	Elm	<i>Ulmus spp.</i>	56	10	6.5	Moderate	Good	Fair	Under shared ownership with neighbour. Adjacent to fence. Overhangs 6m. Asymmetric due to competition	N	X
NT6	Elm	<i>Ulmus spp.</i>	~60	16	7.0	Moderate	Good	Fair	Neighbour's. 1m from fence. Deadwood. Roots likely uplifting pavement.	N	Retain
NT7	Elm	<i>Ulmus spp.</i>	~50	10	6.0	Moderate	Good	Fair	Neighbour's. Adjacent to fence. Ivy. Deadwood building clearance (1471 Fort St). Codominant union at base. Significant epicormic growth. Large pruning wounds	N	Retain
NT8	Elm	<i>Ulmus spp.</i>	~60, 40	20	10.0	Moderate	Fair	Fair/poor		Y	Retain

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1475 Fort Street

Legal Lot 2, Section 74,

Victoria District, Plan 9796

Parcel Identifier: 005-397-863 in the City of Victoria

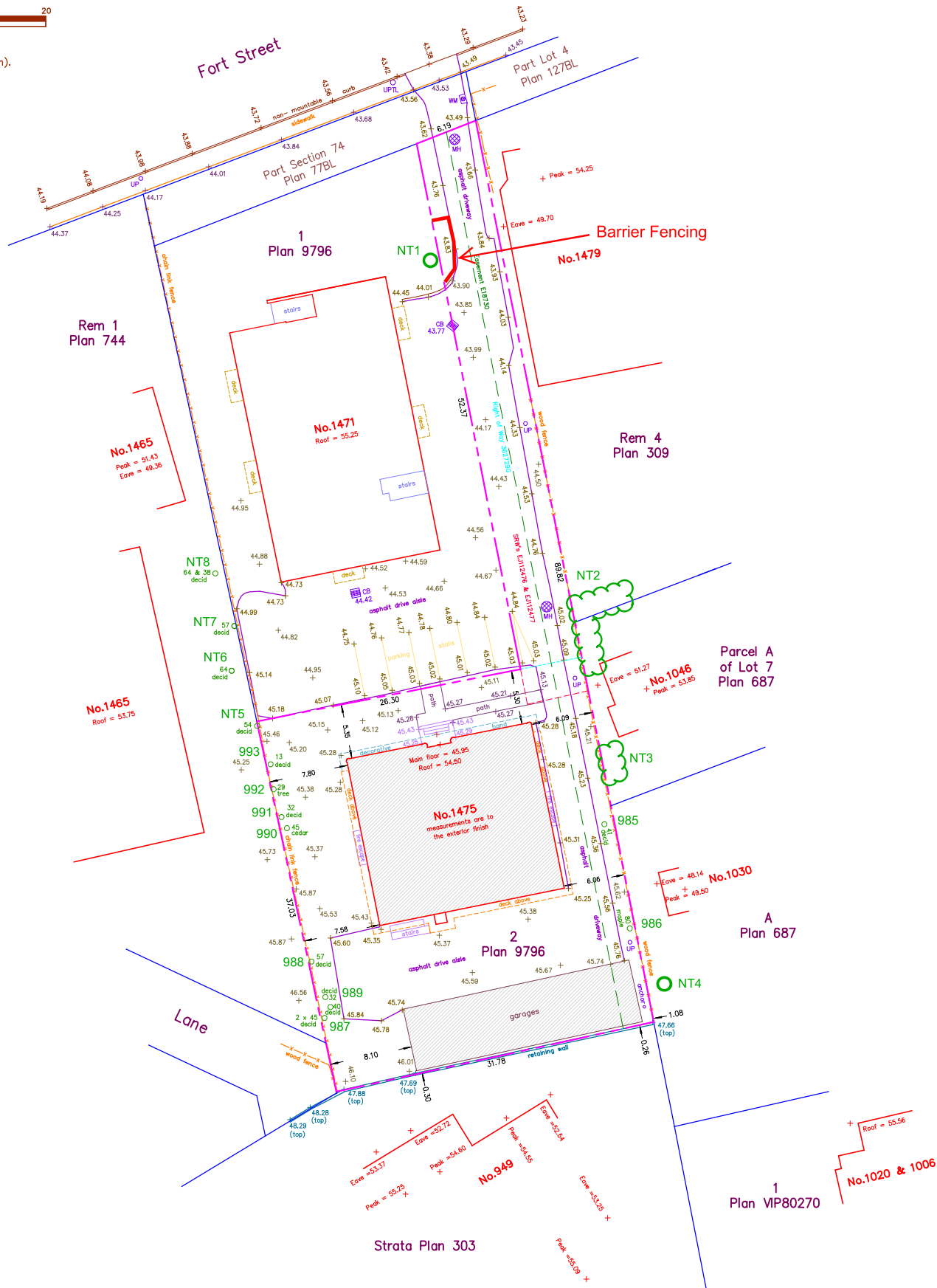
Scale - 1 : 250 Distances are in metres.



The intended print size is

Arch C (609.60mm x 457.20mm).

Date	December 5, 2018
Drawing	Site- 1475 Fort Street
File	File : 12897 - 15
POWELL & ASSOCIATES	
B C Land Surveyors	
250-2950 Douglas Street	
Victoria, BC V8T 4N4	
phone (250) 382-8855	



LEGEND

Elevations are to geodetic datum.

- + - denotes - existing elevation
- CB - denotes - Catch Basin
- MH - denotes - Manhole
- UP - denotes - Utility Pole
- UTPL - denotes - Utility Pole with Transformer and Lamp
- WM - denotes - Water Meter

Tree diameters are in centimetres.

Lot Area = 1500 m2

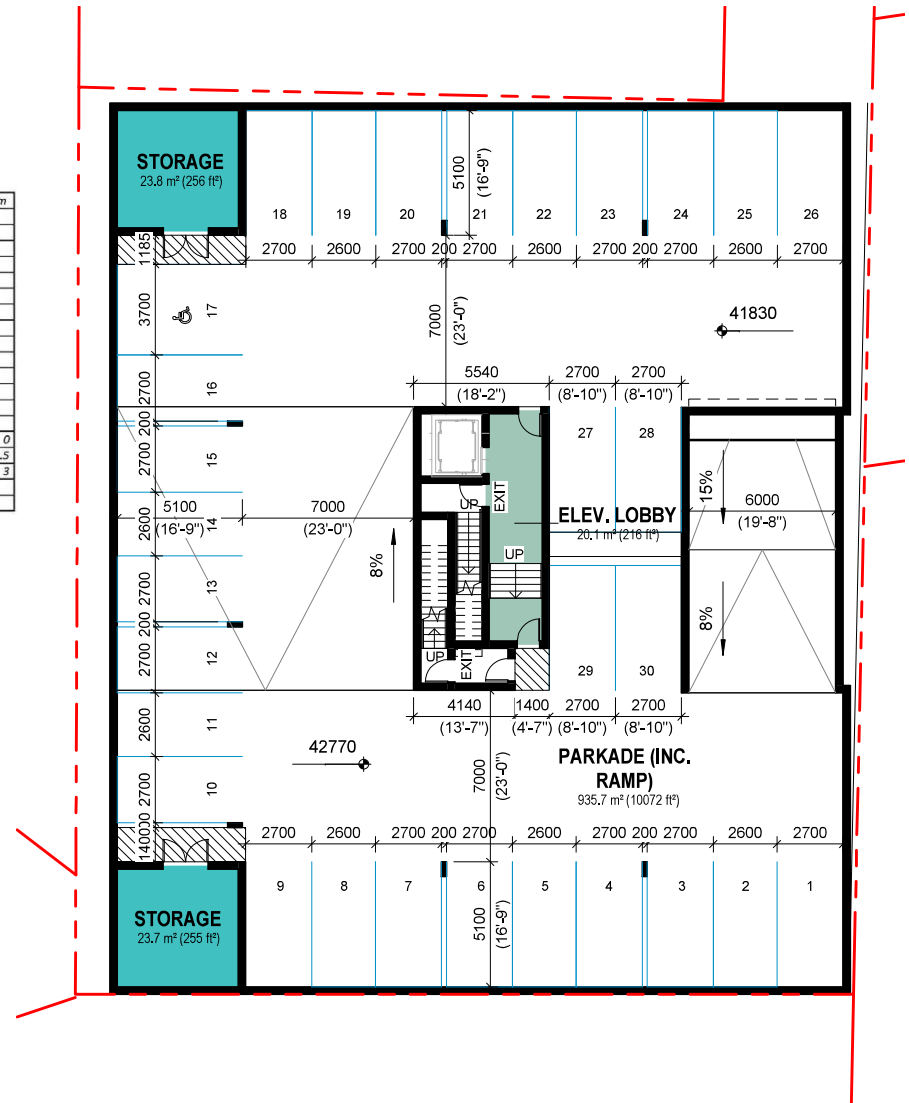
The following non-financial charges are shown on the current title and may affect the property.
 362729G - Right of Way
 E18730 - Easement
 E112476 - Statutory Right of Way
 E112477 - Statutory Right of Way

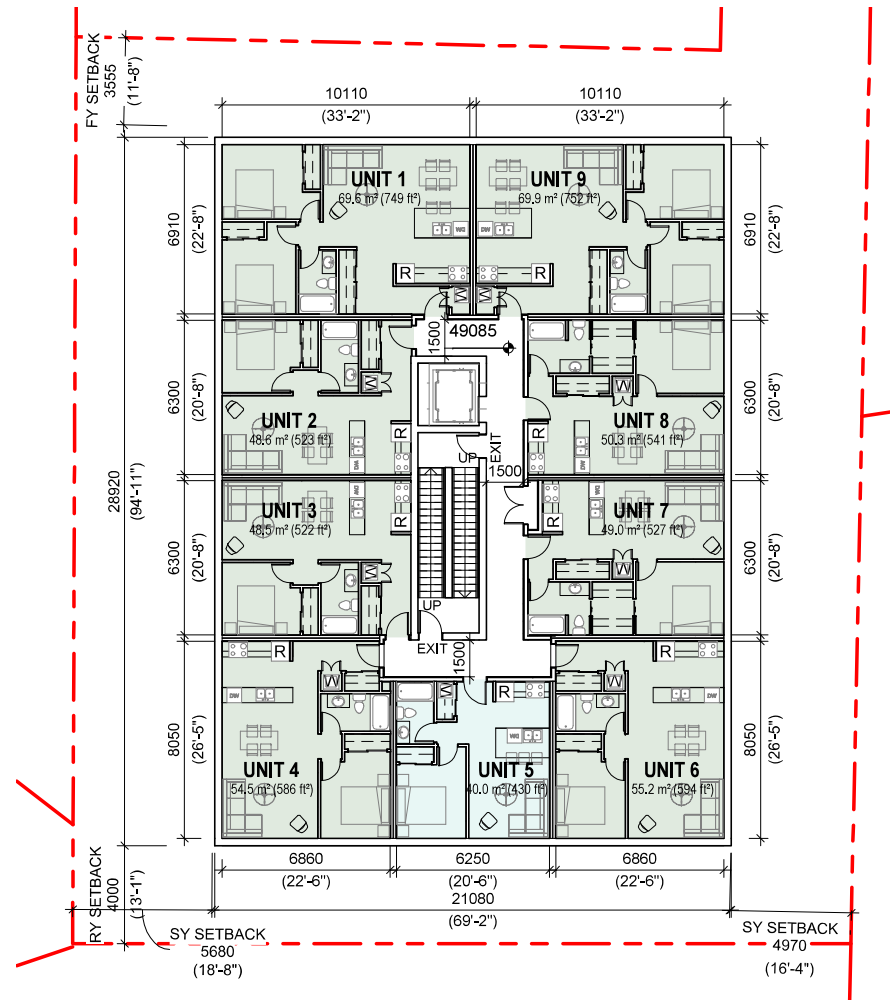
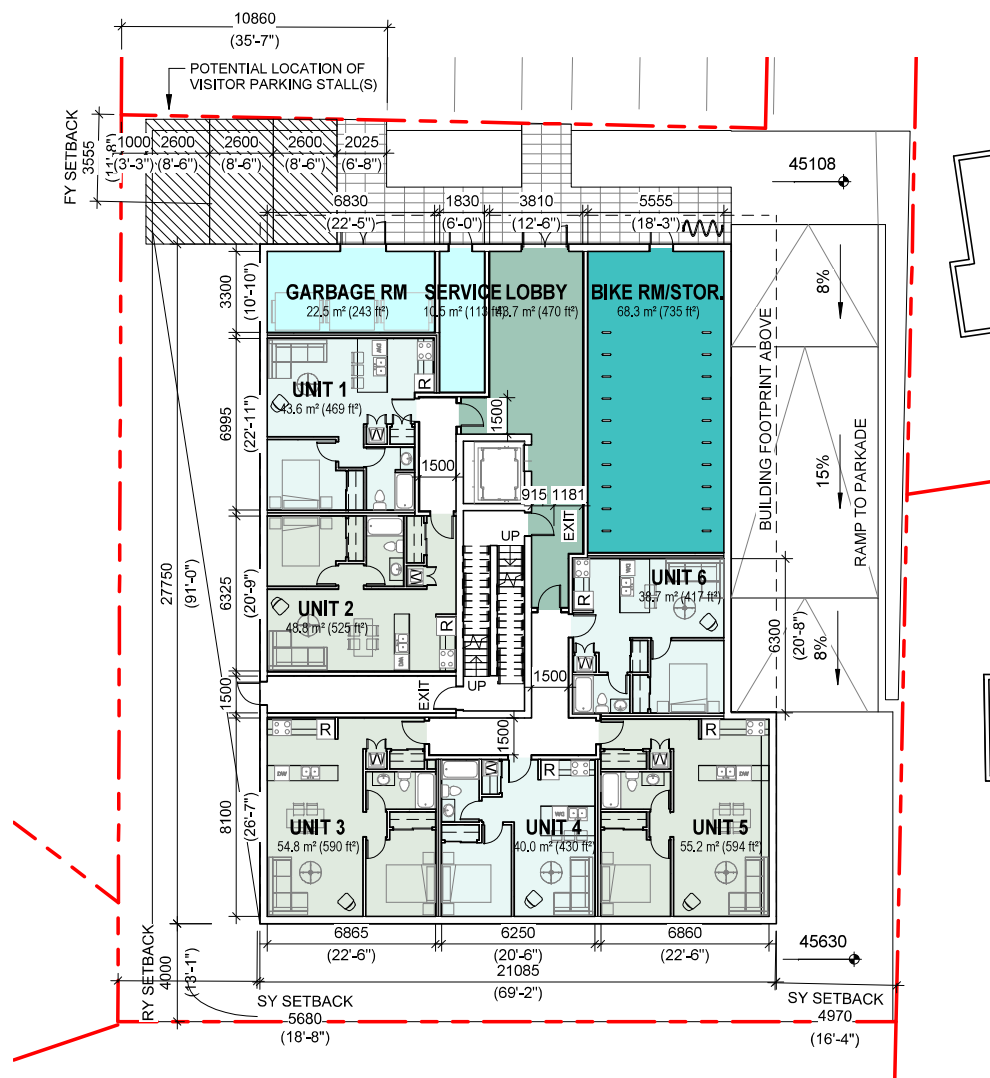
Setbacks are derived from field survey.

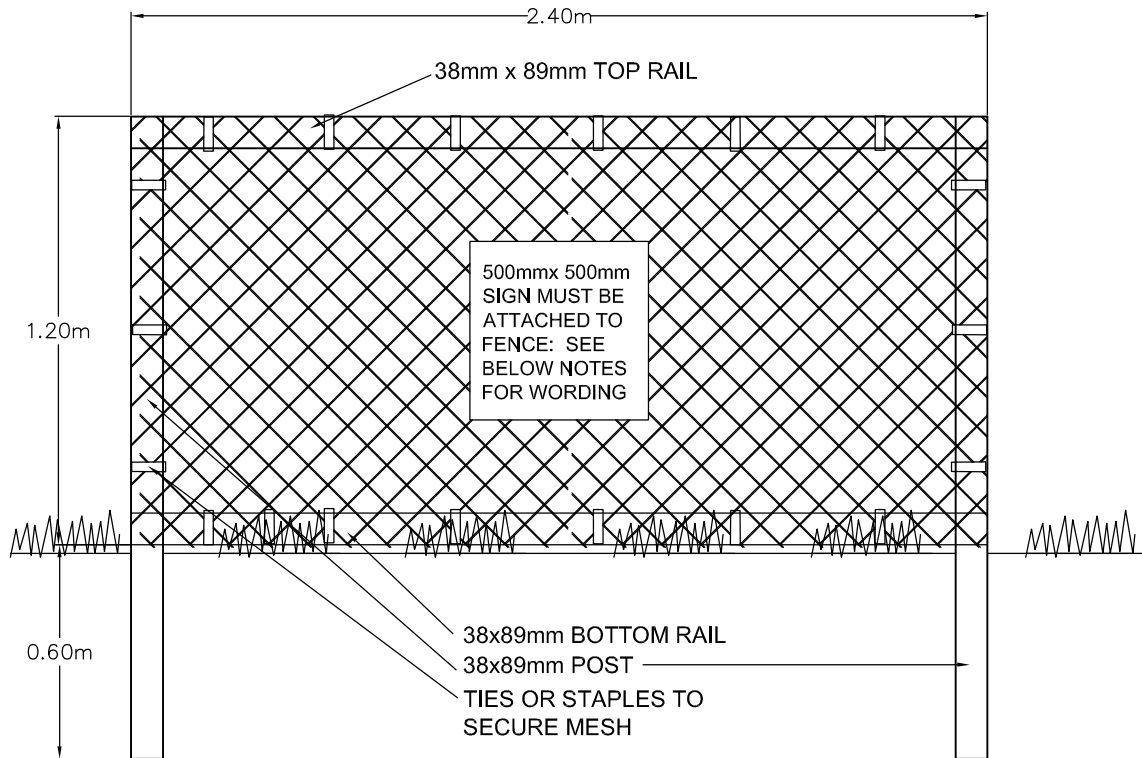
Parcel dimensions shown hereon are derived from Land Title Office records.

This document shows the relative location of the surveyed features and shall not be used to define property boundaries.

VERSION 5.7 (4 STOREY W/ UNDERGROUND PARKING)	ZONE ALLOWANCE	PROPOSED	VARIANCE	VISITOR STALLS	UNITS >45sqm	UNITS <45sqm	AFF. >45sqm	AFF. <45sqm
LOT AREA:	920M2	1500M2	N					
FSR:	1.6:1	1.44	N					
OPEN SITE SPACE (MIN):	30%	33.99%	N	*ASSUMES 3 VISITOR STALLS AT GRADE				
OPEN SITE SPACE WITH DRIVEWAY (MIN):	50%	56.90%	N					
SITE COVERAGE (MAX):	40%	40.65%	N					
# OF STOREYS:	4	4	N					
ALLOWABLE HEIGHT:	12M	12.90M	Y					
SETBACK - FRONT YARD	6.45M	3.56M	Y					
SETBACK - SIDE YARD W.	6.45M	5.68M	Y					
SETBACK - SIDE YARD E.	6.45M	4.97M	Y					
SETBACK - REAR YARD	6.45M	4.00M	Y					
# OF UNITS	N/A	33	N/A					
MINIMUM UNIT AREA:	33M2	39M2	N					
MINIMUM # OF CAR STALLS (APARTMENT):	32.1	33	N	3.3	2.25	21.6	0	0
MINIMUM # OF CAR STALLS (AFFORDABLE):	18	N/A	N	3.3	0	0	1.2	13.5
COMBINED APARTMENT/AFFORDABLE	29.25	N/A	N	3.3	2.25	21.6	3	3
LONG TERM BICYCLE PARKING:	39.75	40	N					
SHORT TERM BICYCLE PARKING:	6	6	N					







TREE PROTECTION FENCING

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
 2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- * IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6

Ph: (250) 479-8733

Fax: (250) 479-7050

Email: tmtreehelp@gmail.com

Tree Resource Spreadsheet Methodology and Definitions

Tag: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

Critical Root Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

Health Condition:

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

Retention Status:

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns



September 13, 2019

VIA E-MAIL: jeff.hayes@lanprop.com

Lantern Properties Ltd.
1176 Burnaby Street
Vancouver, BC V6L 1Y1

Attention: Jeff Hayes, Managing Director

Dear Jeff:

Re: Chalet Apartments - 1465 Fort Street, Victoria BC – Tree Removal

I am in receipt of your letter dated September 5, 2019.

Please accept this letter as confirmation that you may proceed with replacing the subject trees with juvenile specimens at your cost. The owner of the property at 1465 Fort Street is in agreement with this project.

Should you have any questions or wish to discuss further, please contact our office at 250-595-7000.

Regards,

DEVON PROPERTIES LTD.

A handwritten signature in black ink, appearing to read "A Creighton", with a long, sweeping horizontal line extending to the right.

Alexandra Creighton
Vice-President, Residential Properties

AC/sc

MEMO

DATE: September 12, 2019
 PROJECT NO: 04-19-0028
 PROJECT: 1475 Fort Street
 SUBJECT: Parking Study

TO: Josh Hayes, Lantern Properties Ltd
 FROM: Simon Button, P.Eng.

1. INTRODUCTION

Lantern Properties Ltd is seeking to redevelop 1475 Fort Street (see **Figure 1**) into a 4-storey residential rental building. The project is seeking a development permit within the existing R3-AM-2 Zone. The building will contain 32 market rental units. The residences are supported by 26 vehicle parking spaces (24 for residents and 2 for visitors). This equates to a parking supply rate of 0.81 spaces/unit (0.75 spaces/unit for residents and 0.06 spaces/unit for visitors). The following memo presents our assessment of the suitability of the parking supply.



Figure 1: Site Location

2. BYLAW VEHICLE PARKING REQUIREMENT

The R3-AM-2 Zone requires 1.3 parking spaces per dwelling unit for dwelling units not subject to strata title ownership. This rate equates to 42 parking spaces for the proposed 32 dwelling units. This Bylaw rate is not consistent with current parking patterns and recent parking studies undertaken by the City of Victoria (2017 Off-street Parking Review).

3. SCHEDULE C PARKING REQUIREMENTS

If the proposed development were a rezoning, it would be subject to the parking requirements in Schedule C of the Zoning Bylaw No. 80-159. **Table 1** summarizes the minimum parking supply rates from Schedule C relevant for this study.

Table 1: Bylaw Minimum Vehicle Parking Supply Rates (Parking Spaces/Unit)

RENTAL APARTMENT SIZE	VILLAGE/CENTRE	OTHER AREA	VISITOR
< 45 m ²	0.60	0.75	0.1
45 m ² < 70 m ²	0.70	0.90	
> 70 m ²	1.10	1.30	

The minimum parking rates are based on location. As shown in **Figure 2**, the site would fall into the 'Other Areas' category however it is almost across the street (30 metres) from the Stadacona Village area. Although the property is outside of the Village's Bylaw limits, as the properties surrounding the village (including the proposed site) redevelop, the geographic size of the village will likely expand to incorporate the development site. There is also no discernible difference in mobility access (walkability, cycling and transit opportunities) between the site and the village boundary 30 metres away. As such, Bunt views the Village/Centre minimum parking requirements be considered appropriate for the site.



Figure 2: Proximity to Off-Street Parking Sub-Areas

Table 2 summarizes the Schedule C minimum vehicle parking requirement for the two relevant location definitions.

Table 2: Schedule C Minimum Vehicle Parking Supply (Parking Spaces)

RENTAL APARTMENT SIZE	UNITS	RESIDENTS - VILLAGE/CENTRE	RESIDENTS - OTHER AREAS	VISITOR
< 45 m ²	5	3	4	3
45 m ² < 70 m ²	27	19	24	
> 70 m ²	0	0	0	
TOTALS	32	22	28	3

The Schedule C vehicle parking requirement equates to 25 to 29 parking spaces depending on the chosen location (Village/Centre versus Other Areas). The proposed parking supply of 26 spaces is in the middle of this range.

4. RESIDENT PARKING DEMAND

Bunt previously researched vehicle ownership rates in market rental apartment buildings in the James Bay and Fairfield neighbourhoods. The data presented in **Table 3** was derived from three key sources of information:

- Vehicle ownership information acquired from ICBC;
- Data collected in the field during resident and visitor peak parking periods; and,
- Information gathered from building manager interviews.

Table 3: Market Rental Apartment Vehicle Ownership

NAME AND ADDRESS	STUDIO UNITS	1 BDR UNITS	2 BDR UNITS	ON-SITE RESIDENT PARKING SPACES	ON-SITE VISITOR PARKING SPACES	PARKING STALL COST (MONTHLY)	VEHICLE OWNERSHIP RATE
805 Academy Close	0	10	0	0	0	N/A	0.70
360 Douglas Street, Goodacre Towers N. & S.	55	81	61	152	32	\$15 - \$20	0.68
240 Douglas Street, Beacon Tower Apartments	0	44	16	42	0	\$30	0.73
151 St. Andrews, Beacon Park Apartments	3	10	62	90	5	\$35	0.81
575 Marifield Ave, Kirkcauldy Apartments	7	28	8	28	3	\$20	0.53
562/566 Simcoe Street	6	78	24	75	12	\$20	0.54
576 Simcoe Street, Park Plaza	3	27	7	35	1	\$0	0.55
160 Government Street, Weybridge Manor	N/A	N/A	N/A	23	3	N/A	0.63
890 Academy Close	12	30	13	33	0	\$10-\$15	0.63
505 Quadra Street, Beacon Arms	2	21	11	26	1	\$15-\$30	0.68
955 Humbolt Street	0	37	6	40	3	\$45	0.72
976 Humbolt Street	6	13	4	15	0	\$45	0.52
AVERAGE							0.66

The apartment buildings were almost all occupied with an average occupancy of 98.5%. The data indicates that the vehicle ownership rate (i.e. residential parking demand) of the 12 rental apartment buildings was 0.66 vehicles per unit. The majority of the sites would fall into the

Schedule C “Other Areas” location. These parking ownership rates are approximately 40% lower than bylaw minimum supply rates for “Other Areas” location and 10% below the proposed resident parking supply of 0.75 spaces/unit.

The data illustrates the impact of unit size as the highest vehicle occupant buildings have a higher proportion of two-bedroom units. The proposed development includes 75% one-bedroom units and 25% two-bedroom units.

5. VISITOR PARKING DEMAND

Bunt’s experience for municipalities across Greater Victoria and Vancouver suggest a visitor parking supply rate of 0.05 to 0.08 spaces/unit is appropriate for residential developments. This recommendation stems from the Metro Vancouver Residential Apartment Parking Study¹ which found that visitor parking demand never exceeded 0.06 vehicles per dwelling unit during the study period. Similar peak visitor parking rates have been observed at buildings in Victoria and Saanich.

The proposed supply of 0.06 visitor spaces/unit lands in the middle of Bunt’s recommended range.

6. SUMMARY

Table 4 summarizes the Bylaw required vehicle parking supply, comparable rates and the proposed supply. The proposed supply is between the two Schedule C requirements and exceeds the vehicle ownerships compiled by Bunt. Overall, Bunt considers the proposed parking supply to be suitable for the proposed development.

Table 4: Summary

	UNIT	MARKET RENTAL RESIDENTS	VISITOR
R3-AM-2 Zone	spaces/unit	1.30	(included in residents)
Schedule C – Village	spaces/unit	0.60 – 0.70	0.10
Schedule C – Other Areas	spaces/unit	0.75 – 0.90	0.10
Vehicle Demand	vehicles/unit	0.66	0.05 – 0.08
PROPOSED SUPPLY		0.82	0.06

¹ The visitor parking demand results from the Metro Vancouver Residential Parking Study was obtained from suburban sites in Burnaby, Port Coquitlam and Richmond which had varying levels of transit service. The visitor parking demand was not correlated with proximity to the Frequent Transit Network; in fact the site with the worst transit service had the lowest peak visitor parking demand of 0.02 visitor vehicles per dwelling. Therefore the results from the Metro Vancouver Residential Parking Study are seen as applicable to the proposed development.

Lucas De Amaral

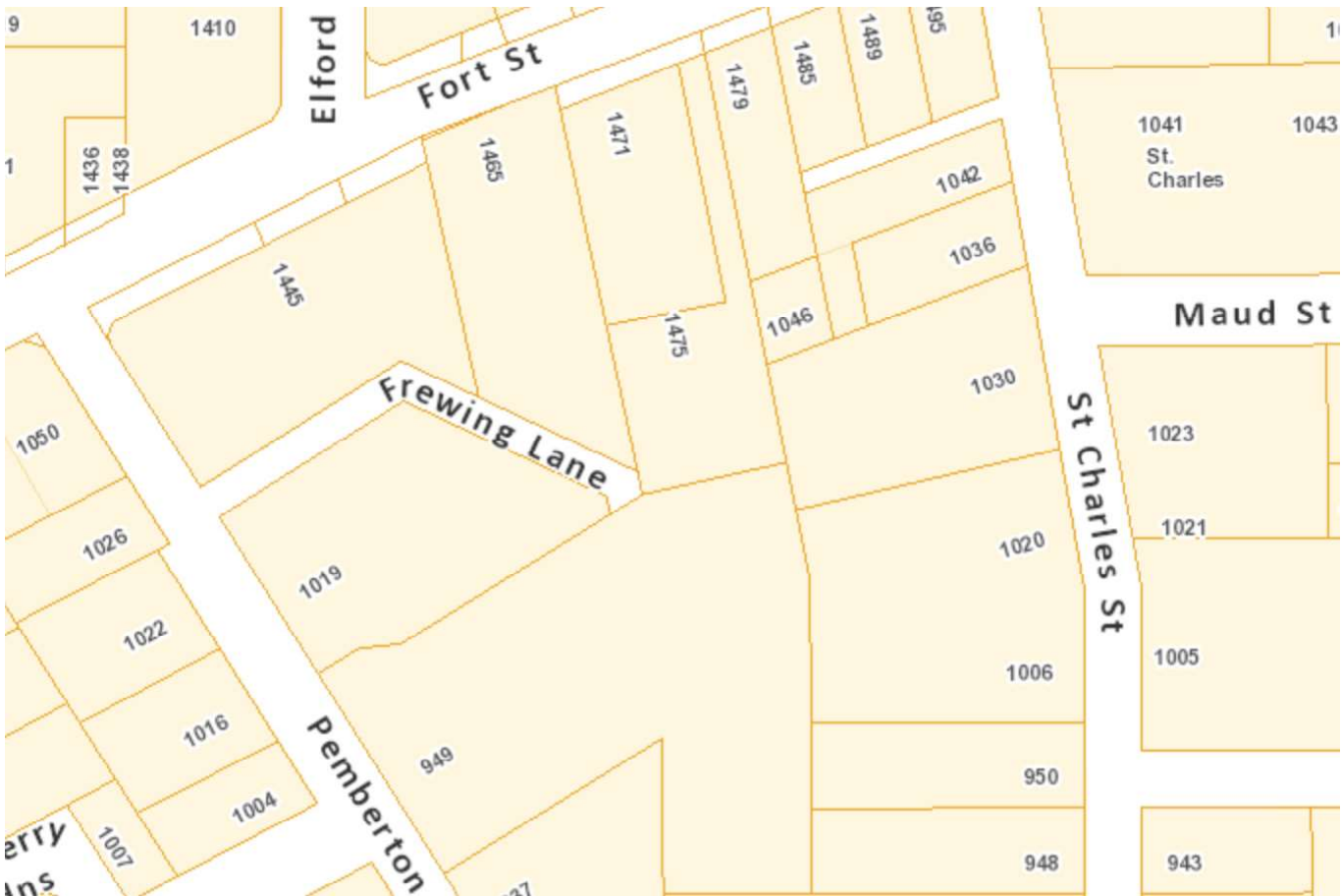
From: Lantern Properties [REDACTED]
Sent: February 26, 2020 10:47 AM
To: Carolina Ashe
Cc: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] megan
bermand
Subject: Re: Proposed Development at 1475 Fort Street

Hi Carolina,

The voluntary meeting was only for properties adjoining 1475 Fort St. As you can see in the image attached from VicMap, Frewing Lane separates 1475 Fort St and 1019 Pemberton Rd.

Looking forward to the second meeting at Cascadia's office on March 5th.

Thanks,
Josh.



On Feb 25, 2020, at 2:56 PM, Carolina Ashe [REDACTED] wrote:

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

Lack of Consultation

- The architect's letter of June 12th, 2019 states there was an open house on March 24th – which we were unaware of – and that they have “carefully considered community's concerns.” This belies the fact that the neighbours most immediately affected at 949 and 1019 Pemberton have not been consulted.
- The developer has refused to share important documents that will help us better understand the proposed development. While the developer has consented to meet with our strata, lack of consultation and transparency to date has not set the stage for a trusting relationship.

The proposal requests setback and height variances. The combined effects would have a profoundly negative impact on neighbouring homes, which may not be evident by reviewing the architect's drawings alone. Initial concerns are listed below.

Loss of privacy

- If both the height and southern setback variances are approved, the new building will be only 12 feet from the perimeter fence of 949 Pemberton, and 27 feet from nearest townhomes.

Windows on the 2nd, 3rd and 4th stories will overlook private back yards, and will face directly into bedroom windows.

- Sightlines from townhomes will be blocked by the size and very close proximity of the new building.

Environmental destruction

- Approval of all setback variances would result in a large building footprint requiring removal of virtually all mature trees – 11 in total - resulting in:
 - elimination of much-needed visual screens and noise absorption.
 - permanent damage to the unique character and liveability of the neighbourhood, as the landscape plan lists only a few small replacement trees and shrubs that would only benefit residents of 1475 Fort Street.
 - permanent loss of trees that birds and other wildlife rely on for food and shelter.

Safety/structural concern

- There is a retaining wall about 5 ½ feet high between 1475 Fort Street and 949 Pemberton Road. We have no assurance that blasting for the underground parkade will not damage the integrity of this wall, especially if the southern variance is approved, bringing the building to within 12 feet of the retaining wall.

Victoria's Official Community Plan (OCP) embraces values that emphasise citizen engagement and whole systems thinking, "including the environmental, social and economic dimensions for urban life and development." (Value 3.1) We believe that the development proposal for 1475 Fort Street stands in opposition to those values, in that it appears to benefit only the developer, at the economic and social expense of surrounding neighbours, and at great cost to the environment.

As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

Lucas De Amaral

From: Gillian Lawson [REDACTED]
Sent: February 26, 2020 1:33 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: Strata 303 [REDACTED]
Subject: 1475 Fort Street proposed development

To: Mayor and Council,

I am writing to address the proposed development at this address. I live at 949 Pemberton Road in a strata complex that borders the back of the development site.

My concerns are as follows:

1. Despite the developer's protestations to the contrary, no one in our strata received any notice of the proposed development even though we share a border and will be significantly affected.
2. The project drawings indicate that the proposed building would be significantly closer to the the strata property line than is the case with the current building. If the requested variances are allowed they would result in a significant loss of privacy and natural light to the units of our strata that border the development site.
3. The proposed encroachment of the new building would likely require the removal of mature trees which would adversely affect the character of the neighbourhood, not to mention animal habitat.
4. Our property is separated from the development site by an approximately 5 foot retaining wall. As the development proposal calls for an underground parkade, we are concerned that any blasting required for the construction of this parkade will compromise the integrity of this wall.

While I share the general concern that there is insufficient rental accommodation in our city, I do not believe that efforts to correct this should lead to a situation of reduced liveability for current homeowners. I think there must be a compromise here and I am counting on the Mayor and Council to seek that compromise.

Sincerely,

Gillian Lawson
Unit 1 - 949 Pemberton Road

Sent from my iPad

Lucas De Amaral

From: Carolina Ashe [REDACTED]
Sent: February 25, 2020 2:57 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [REDACTED]
[REDACTED]; [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]; Carolina Ashe
Subject: Proposed Development at 1475 Fort Street

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

Lack of Consultation

- The architect's letter of June 12th, 2019 states there was an open house on March 24th – which we were unaware of – and that they have “carefully considered community's concerns.” This belies the fact that the neighbours most immediately affected at 949 and 1019 Pemberton have not been consulted.
- The developer has refused to share important documents that will help us better understand the proposed development. While the developer has consented to meet with our strata, lack of consultation and transparency to date has not set the stage for a trusting relationship.

The proposal requests setback and height variances. The combined effects would have a profoundly negative impact on neighbouring homes, which may not be evident by reviewing the architect's drawings alone. Initial concerns are listed below.

Loss of privacy

- If both the height and southern setback variances are approved, the new building will be only 12 feet from the perimeter fence of 949 Pemberton, and 27 feet from nearest townhomes. Windows on the 2nd, 3rd and 4th stories will overlook private back yards, and will face directly into bedroom windows.
- Sightlines from townhomes will be blocked by the size and very close proximity of the new building.

Environmental destruction

- Approval of all setback variances would result in a large building footprint requiring removal of virtually all mature trees – 11 in total - resulting in:
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 - permanent damage to the unique character and liveability of the neighbourhood, as the landscape plan lists only a few small replacement trees and shrubs that would only benefit residents of 1475 Fort Street.
 - permanent loss of trees that birds and other wildlife rely on for food and shelter.

Safety/structural concern

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Victoria's Official Community Plan (OCP) embraces values that emphasise citizen engagement and whole systems thinking, "including the environmental, social and economic dimensions for urban life and development." (Value 3.1) We believe that the development proposal for 1475 Fort Street stands in opposition to those values, in that it appears to benefit only the developer, at the economic and social expense of surrounding neighbours, and at great cost to the environment.

As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

Katie Lauriston

From: Alec Johnston
Sent: February 25, 2020 3:15 PM
To: Katie Lauriston
Subject: FW: Proposed Development at 1475 Fort Street

[More correspondence for 1475 Fort.](#)

Thanks,
Alec

From: Carolina Ashe <cmashe123@gmail.com>
Sent: February 25, 2020 2:57 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; inquiries@lanprop.com; Strata 303 <strata303@gmail.com>
Cc: Alan Morton [REDACTED]; [REDACTED]; Bill McKechnie <[REDACTED]>; Bill Stroll [REDACTED]; Carolina Ashe [REDACTED]; Lorena and Caspar [REDACTED]; [REDACTED]; [REDACTED]; Erik Solbakken [REDACTED]; Gillian Lawson [REDACTED]; Jan Klizs [REDACTED] Jay Nefsky [REDACTED] Jessica Sluymer [REDACTED]; Jo Anna Hope [REDACTED]; Vanessa Dingley <[REDACTED]>; Miranda Worthy [REDACTED]; Norman Spector <[REDACTED]>; Sandy Jones [REDACTED]; [REDACTED]; [REDACTED]; Strata 303 <strata303@gmail.com>; Ken Bailey [REDACTED]; megan bermand [REDACTED]; [REDACTED] Bill McKechnie [REDACTED] Carolina Ashe [REDACTED]
Subject: Proposed Development at 1475 Fort Street

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We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

[REDACTED]

From: Kenneth Bailey [REDACTED]
Sent: February 14, 2020 10:35 AM
To: Lisa Helps (Mayor); mayor@victoria.c
Subject: Re: Proposed Development of a 33 unit apartment building at 1475 Fort St. Victoria

Dear Mayor Helps and Council,

As a resident at 949 Pemberton Rd., Victoria I and my wife wish to add our expressions of concern regarding the proposed Development of a 33 unit apartment building directly behind our residence at #10. We feel that such a building will have a very Negative impact on the quality of life we have enjoyed for some twenty years. We certainly will lose our privacy and be forced To face significant increases in noise levels due to much extra traffic coming and going during construction and upon completion.

Additionally, we foresee even great difficulty in accessing Fort Street from Pemberton Rd. which is difficult enough already.

We strongly urge you and the Council give this matter the attention it deserves.

Yours sincerely,
Kenneth Bailey

Lucas De Amaral

From: Bill Stroll [REDACTED]
Sent: February 13, 2020 1:18 PM
To: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com; Strata 303; Lisa Helps (Mayor); [REDACTED]
Subject: Proposed development at 1475 Fort Street

Dear Mayor and city councillors,

We own a townhouse at 949 Pemberton Road and are writing about our concerns over a lack of information and consultation with Lantern Properties regarding the proposed rental development on Fort Street.

We are in favour of a new rental development on condition of meeting the concerns of our strata, however no residents in our 16 unit townhouse strata nor our neighbouring strata at 1019 Pemberton Road have been contacted by the developer. We are worried about the possible impact to our retaining wall that borders the proposed development if blasting takes place for a planned underground parking lot. If a study been done on the potential effects of this, can this information be released to us? Further, we understand that the developer has requested a variance to allow 10-12 feet from their proposed 4 story building to our retaining wall. Is this a usual amount of space between properties in Victoria? Before this project moves forward the City should have these answers. We also welcome the opportunity to get more information from the developer.

Sincerely,

Bill Stroll
3-949 Pemberton Road

[REDACTED]

From: [REDACTED]
Sent: February 12, 2020 2:41 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [REDACTED] 'Strata 303'
Cc: 'Alan Morton'; 'Barbara Bolli'; 'Bill McKechnie'; 'Bill Stroll'; 'Carolina Ashe'; 'Caspar Davis'; 'Chantal Brodeur'; 'Christine Morissette'; 'Erik Solbakken'; 'Gillian Lawson'; 'Jan Klizs'; 'J Nefsky'; 'Jessica Sluymer'; 'Jo Anna Hope'; 'Vanessa Dingley'; 'Miranda Worthy'; 'Sandy Jones'; [REDACTED]; 'Steve Williams'; 'Strata 303'; 'Ken Bailey'; 'megan bermand'
Subject: Proposed Development: 1475 Fort Street

Re: Proposed development of a 33 unit apartment building at 1475 Fort Street

Dear Mayor and Council,

I reside at 9-949 Pemberton Rd in a 16 unit strata complex which is located immediately adjacent to the back of the above referenced development site. Although the developer made a Development Permit Application to the City of Victoria in June 2019, the strata only became aware of the proposal in late January when Pam Madoff had contacted a strata member about the Design Advisory Committee's recent review of the project. In advance of a meeting with the developer to review the design, I would like to offer the following comments about the proposal and in particular the developer's engagement process to date:

Preliminary comments of the project design

- While I will reserve providing detailed comments on the design until after the developer's presentation, I think it is important for Mayor and Council to appreciate at this juncture the context of our concerns about the inadequacy of the developers notification/consultation with the strata about this development. Based on the project drawings located on the City of Victoria website, it appears that the proposed building will have negative impacts on our strata. The proposal involves a large footprint relative to the size of the development site. The setback variances requested are significant. As example, the set back requested at the rear of the property would bring the building to within 10-12 feet of the strata property line. Some of the strata units will lose privacy and the viewscape will be impacted by the building. Mature trees would need to be removed to accommodate the large footprint of the structure and the requested setbacks – reducing privacy, creating habitat loss and generally impacting the ambience of the Rockland community. It may also exacerbate traffic congestion on Fort Street where congestion has recently increased substantially.

Notification/Consultation

- The developer has not adequately explained why the strata was not notified of this project. The developer has apologized for this oversight but at the same time states that notifications were issued. Although the City of Victoria's Development Permit process encourages but does not require proponents to consult neighbours, there is a strong expectation that property owners located immediately adjacent to a development or, are potentially impacted by a project in some way, be consulted by the developer in a timely and transparent manner. By not doing so, developers set up the basis for a poor relationship with neighbours.
- I understand that the developer had advised the Design Advisory Committee that all neighbours had been consulted about the project. As stated above, this is not the case. Had even one of the 16 members of the strata been notified of the project, this would have been brought to the immediate attention of our Council.

- I am befuddled by the developer's approach to notifying and engaging neighbours about the project. We understand that the proponent did notify and engage with some neighbours about the project including two neighbours on St Charles Street. Why not engage 949 Pemberton Rd and the strata at 1019 Pemberton Rd? And why did the developer not attempt to connect with the Strata Council when it became evident that not a single property owner at 949 Pemberton St had contacted the developer – especially given that the developer must have known full well that homeowners in the complex are the most likely to be impacted by this proposal.

Information Sharing

- I am disappointed at the developer's refusal to provide requested project related documents including the design drawing, the geotechnical report and the application. Although drawings are available on line, those produced/printed by the developer are friendlier to use. We are interested in reviewing the geotechnical report as there is a substantial retaining wall between the two properties which we want to ensure is not affected in the construction process. An on-site visit has also been declined by the developer. While I understand that these are not commonly undertaken, a willingness of the developer to support this shows good will and enables property owners to have a clearer understanding of the project and its implications for their properties. This developer's comment that the company only shares documents with the City is an unfortunate approach to collaborating with neighbours.

Developer's Presentation

- We initially declined an opportunity for a project presentation in hopes that this would compel the developer to step up and share information mentioned above. As this turned out to not be the case, the developer was approached to schedule another presentation. The developer responded that a presentation could not be offered until early March – and has not committed to a date. I am concerned about whether this is going to impact our timely review and input to this project.

Development Permit Application Process

- I think it is fair to conclude that there is need for improvements in the PDA process to ensure that there is adequate public notification and meaningful engagement by developers with respect to their development proposals. The current process is clearly not consistent with other levels of governments requirements for public involvement in developments. The scope and scale of this project warrants a process that ensures that developers engage the public in an open, transparent and timely manner and provides access to information so that the public's perspectives can help inform and influence decisions. The current process involving formal public input at the end of the process does not make much sense and does not set up conditions for win/win developments.

One further thought. What is the value of the input provided by the Rockland Neighbour Association and the Design Advisory Committee in absence of proper consultation with neighbours? Moreover, how can these entities properly assess a project when a site visit/neighbourhood reconnaissance has not been undertaken?

I am not opposed to this project. The current building needs replacement. There is a paucity of rental accommodation in the city. But at the end of the day, the scale of this project needs to be commensurate with the development site and surrounding neighbouring properties as well as take into account all potential impacts to a range of interests and values.

Thank you.

Barbara Bolli

jloveday@victoria.ca
sdubow@victoria.ca
bisitt@victoria.ca

spotts@victoria.ca
gyoung@victoria.ca
cth Thornton-joe@victoria.ca
malto@victoria.ca
ajohnston@victoria.ca

[REDACTED]

[REDACTED]

List all members of Strata Council/ owners
1019 Pemberton Rd contact?

Subject: Proposed Development: 1475 Fort Street

Date: February 12, 2020 at 4:41:09 PM CST

To: <mayor@victoria.ca>, <jloveday@victoria.ca>, <sdubow@victoria.ca>, <bisitt@victoria.ca>, <spotts@victoria.ca>, <gyoung@victoria.ca>, <cth Thornton-joe@victoria.ca>, <malto@victoria.ca>, <ajohnston@victoria.ca>,

Re: Proposed development of a 33 unit apartment building at 1475 Fort Street

Dear Mayor and Council,

I reside at 9-949 Pemberton Rd in a 16 unit strata complex which is located immediately adjacent to the back of the above referenced development site. Although the developer made a Development Permit Application to the City of Victoria in June 2019, the strata only became aware of the proposal in late January when Pam Madoff had contacted a strata member about the Design Advisory Committee's recent review of the project. In advance of a meeting with the developer to review the design, I would like to offer the following comments about the proposal and in particular the developer's engagement process to date:

Preliminary comments of the project design

- While I will reserve providing detailed comments on the design until after the developer's presentation, I think it is important for Mayor and Council to appreciate at this juncture the context of our concerns about the inadequacy of the developers notification/consultation with the strata about this development. Based on the project drawings located on the City of Victoria website, it appears that the proposed building will have negative impacts on our strata. The proposal involves a large footprint relative to the size of the development site. The setback variances requested are significant. As example, the set back requested at the rear of the property would bring the building to within 10-12 feet of the strata property line. Some of the strata units will lose privacy and the viewscape will be impacted by the building. Mature trees would need to be removed to accommodate the large footprint of the structure and the requested setbacks – reducing privacy, creating habitat loss and generally impacting the ambiance of the Rockland community. It may also exacerbate traffic congestion on Fort Street where congestion has recently increased substantially.

Notification/Consultation

- The developer has not adequately explained why the strata was not notified of this project. The developer has apologized for this oversight but at the same time states that notifications were issued. Although the City of Victoria's Development Permit process encourages but does not require proponents to consult neighbours, there is a strong expectation that property owners located immediately adjacent to a development or, are potentially impacted by a project in some way, be consulted by the developer in a timely and transparent manner. By not doing so, developers set up the basis for a poor relationship with neighbours.
- I understand that the developer had advised the Design Advisory Committee that all neighbours had been consulted about the project. As stated above, this is not the case. Had even one of the 16 members of the strata been notified of the project, this would have been brought to the immediate attention of our Council.
- I am befuddled by the developer's approach to notifying and engaging neighbours about the project. We understand that the proponent did notify and engage with some neighbours about the project including two neighbours on St Charles Street. Why not engage 949 Pemberton Rd and the

strata at 1019 Pemberton Rd? And why did the developer not attempt to connect with the Strata Council when it became evident that not a single property owner at 949 Pemberton St had contacted the developer – especially given that the developer must have known full well that homeowners in the complex are the most likely to be impacted by this proposal.

Information Sharing

- I am disappointed at the developer's refusal to provide requested project related documents including the design drawing, the geotechnical report and the application. Although drawings are available online, those produced/printed by the developer are friendlier to use. We are interested in reviewing the geotechnical report as there is a substantial retaining wall between the two properties which we want to ensure is not affected in the construction process. An on-site visit has also been declined by the developer. While I understand that these are not commonly undertaken, a willingness of the developer to support this shows good will and enables property owners to have a clearer understanding of the project and its implications for their properties. This developer's comment that the company only shares documents with the City is an unfortunate approach to collaborating with neighbours.

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Development Permit Application Process

- I think it is fair to conclude that there is need for improvements in the PDA process to ensure that there is adequate public notification and meaningful engagement by developers with respect to their development proposals. The current process is clearly not consistent with other levels of governments requirements for public involvement in developments. The scope and scale of this project warrants a process that ensures that developers engage the public in an open, transparent and timely manner and provides access to information so that the public's perspectives can help inform and influence decisions. The current process involving formal public input at the end of the process does not make much sense and does not set up conditions for win/win developments.

One further thought. What is the value of the input provided by the Rockland Neighbour Association and the Design Advisory Committee in absence of proper consultation with neighbours? Moreover, how can these entities properly assess a project when a site visit/neighbourhood reconnaissance has not been undertaken?

I am opposed to this project as it stands and as it has been presented . . . or no . . . to the affected neighbourhood. At the end of the day, the scale of this project needs to be commensurate with the development site and surrounding neighbouring properties as well as take into account all potential impacts to a range of interests and values.

Sincerely,
Jo Anna Hope
#15-949 Pemberton Road
Victoria BC
V8S 3Rt

Lucas De Amaral

From: Paul Lecavalier [REDACTED]
Sent: February 11, 2020 11:57 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); cthorton-joe@victoria.ca; gyoug@victoria.ca; Marianne Alto (Councillor); inquiries@victoria.ca; ajhonston@victoria.ca
Cc: [REDACTED] samantha walls; Russ Scruggs; Shirley Anderson
Subject: Proposed development on Fort Street

Dear City of Victoria Council members

I am the president of Strata 740 at 1019 Pemberton Road. I am writing to state the support of our strata members with the email sent to you by Christine Morissette of Strata 303 on February 10th, 2020. No household in our Strata has been consulted with regards this development, which I find strange since the variance being requested will directly impact us as we are an adjacent property. We would appreciate the opportunity of meeting with City officials to discuss this matter.

Thank you

Paul Lecavalier
President, Strata 740

Lucas De Amaral

From: josh.hayes [REDACTED]
Sent: February 11, 2020 3:20 PM
To: Lisa Helps (Mayor)
Cc: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Subject: Fwd: 1475 Fort St
Attachments: 1475 Letter to Mayor and Council .pdf

Dear Mayor & Council,

I am forwarding this email from Strata 303 to make mayor and council aware I've offered two dates to hold an information meeting and they were both declined until the list of items below were sent to Strata 303. I am not sure how things such as Geotechnical reports would be relevant to a strata council—I've explained to the Strata that all relevant information can be found on the City's website.

Furthermore, the reason I am unable to meet until the end of month is because I am leaving the country for my grandfather's 98th birthday. Lantern is committed to holding a second meeting for the neighbours and will notify mayor and council once this has taken place.

Please feel free to contact me by email or phone with any questions.

Thanks,
Josh.



Josh Hayes
Director of Development

#101-1176 Burnaby Street
Vancouver BC, V6E 1P1

Begin forwarded message:

From: Joshua Hayes [REDACTED]
Subject: 1475 Fort St
Date: February 11, 2020 at 2:51:02 PM PST
To: mayor@victoria.ca
Cc: jloveday@victoria.ca, sdubow@victoria.ca, bisitt@victoria.ca, spotts@victoria.ca,
gyoung@victoria.ca, cth Thornton-joe@victoria.ca, malto@victoria.ca, Alec Johnston
<ajohnston@victoria.ca>

Dear Mayor & Council,

Please see the attached letter regarding the Strata 303 email.

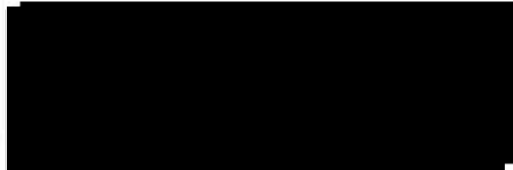
If you have any questions, please don't hesitate to contact me.

Best,
Josh.



Josh Hayes
Director of Development

#101-1176 Burnaby Street
Vancouver BC, V6E 1P1



Pierre-Paul Angelblazer

From: Bill Stroll [REDACTED]
Sent: May 20, 2020 1:54 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [REDACTED]
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan berman; Bill; Steve Williams; DaveMcWalter@gmail.com; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: Proposed development at 1475 Fort Street Follow Up

Dear Mayor and city councillors

I wrote to you February 13 regarding my concerns of the proposed Lantern Properties development at 1475 Fort Street. In that email I noted a lack of information and consultation, and questionable variances the developer had proposed. Although a meeting did take place between Strata 303 owners, the Rockland Neighbourhood Association and Lantern Properties these matters still remain troublesome.

Despite zoning bylaws, the new structure would occupy almost 50% of the site, up from the current 30% and that the setback, with the height addition of another storey would only be a couple of feet from our property line. Furthermore, there will be a loss of affordable housing as all units will be available only at market value. I request council insist on public consultation before this redevelopment moves forward.

Bill Stroll
3 - 949 Pemberton Road

Pierre-Paul Angelblazer

From: Sandra Jones [REDACTED] >
Sent: May 20, 2020 7:13 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); bisett@victoria.ca; Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the proposed design affecting the adjacent community.

A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
#6 -949 Pemberton Road

Pierre-Paul Angelblazer

From: [REDACTED]
Sent: May 21, 2020 1:03 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: 'Strata 303'; 'Gillian Lawson'; cmorissette@telus.net; 'brodeurc'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Lorena and Caspar'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; 'Bill McKechnie'; stevewilliams89@hotmail.com; 'Dave McWalter'; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'; inquiries@lanprop.com; [REDACTED]
Subject: Variance request 1475 Fort St

Dear Mayor and Council

- I live adjacent to the north property line of the proposed development at 1475 Fort St. I only became aware of the proposal recently while talking to my neighboring strata owners.
- The existing 3 story building (which is to be replaced) has a rear yard setback of approximately 50ft. The proposal in question calls for a four story building with a setback of only 12ft. to our property line.
- No amount of hedging or visual barrier will prevent the 3rd or 4th story occupants of the new building from looking directly into our backyard/windows, nor will it reduce the inevitable noise from the apartments particularly during the summer months when windows and balcony doors are open
- In my opinion this project is a huge overreach for the size of the lot and involves clearcutting the whole project site. It makes sense that the development be commensurate with the size of this panhandle lot.

I appeal to Council to take the appropriate steps when reviewing this project to ensuring the project is aligned with current zoning, with perhaps minor changes, instead of the major variances being requested

Thank you,

B. McKechnie

949 Pemberton Rd.
[REDACTED]

Pierre-Paul Angelblazer

From: Alan Morton [REDACTED]
Sent: May 20, 2020 11:18 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; DaveMcWalter@gmail.com; Jessica Sluymmer; Jan Kliz; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street

Dear Mayor and Council:

As one of the residents of 949 Pemberton Road I have some concerns with the proposed redevelopment at 1475 Fort Street, which is adjacent to my townhome complex.

While the lack of consultation has been frustrating, I find the misrepresentation and lack of transparency regarding ultimate goals to be very concerning. There seems to be a steady shift of goal posts in what is being asked for.

From the time of the BC Land Surveyors site plan and Arborists' report the proposal has gone from:

- 12.9m to 14.39m in height
- 28 market rentals and 4 affordable units to all 32 market rental
- 26 resident parking underground and 3 grade level to all underground in order to ask for a front setback variance of just under 2m as opposed to 10m

The initial letter to council from the developer in June 12, 2019 stated that 1475 Fort is significantly lower than 949 Pemberton and that they are providing a "sensitive transition" between the R1 and R3 zoning. There is a grade difference but it is only 6 feet. Therefore, the proposal for a building face that is 13 feet from and 41 feet above the adjoining property line would seem to be in opposition to the concept of a transition as outlined in the Design Guidelines-Multiuse Residential Commercial Industrial, 1.6.1 and 1.6.2.

I feel that the lack of transparency, unwillingness to work with the community to address concerns, and the desire to push through massive variances despite zoning bylaws and Design Guidelines will cloud future interactions with this developer and architect.

Alan Morton
7-949 Pemberton Road

Pierre-Paul Angelblazer

From: Russ Scruggs [REDACTED]
Sent: May 20, 2020 3:24 PM
To: Jeremy Loveday (Councillor); Marianne Alto (Councillor); Lisa Helps (Mayor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); cthorton-joe@victoria.ca; Alec Johnston
Cc: inquiries@lanprop.com
Subject: Redevelopment of 1475 Fort Street

To the Mayor and Victoria city Councillors,

We are residents of 1019 Pemberton Road strata.

It was recently brought to our attention by our neighbours to the south; 949 Pemberton Road that Lantern Properties of Vancouver has put forward a proposal to demolish the building; 1475 Fort Street and build a new rental property. As owners of one of the 9 Units of Strata VIS 740 we have concerns with the proposed new development as the proposed new structure will be a significant expansion of both footprint and height of the building.

- R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
- R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
- R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23'7"); the proposed building would be 3.6 m (12 ft) from our property line.

As for the process itself; there has been a lack of transparency and sharing of information with the two stratas who will be grossly impacted.

Lantern Properties has claimed that notices were distributed to the two neighbouring stratas but the owners of the units of both stratas have all said this is not the case.

The current structure is indeed in need of replacement but this new building will be in short an overbuild relative to the site, neighbours, blue sky and it will displace the current residents living there; VIHA assisted individuals. The current council is looking for ways to "densify" the city with affordable rental units but this is not the way to achieve that means.

The new building footprint will result in the removal of a green belt of trees needed for reduction in sound and sight for neighbours; quality of daily life in the area.

We trust the city council and city planners will challenge this redevelopment as it currently stands relative to the proposal documents on the city site.

Regards,
Candace and Russ Scruggs

Pierre-Paul Angelblazer

From: Norman Spector [REDACTED]
Sent: May 18, 2020 6:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor)
Cc: Alec Johnston; Peter Johanknecht; Lantern Properties
Subject: Re: 1475 Fort Street

Dear Madam Mayor and Council:

I am writing in regard to the above development proposal by Lantern Properties.

While walking my dog, I have been observing a similar development in the neighbourhood at 1201 Fort Street by Abstract Development for well-nigh two years.

In this case, there have been regular traffic stoppages as construction vehicles have entered and exited the site; indeed, the lane closest to the sidewalk seems to have been taken over on a semi-permanent basis by the developer.

In the case of the proposed Lantern Properties development, Fort Street is significantly narrower at the driveway where construction vehicles would be entering and exiting the site for an extended period of time. Consequently, stoppages and blockages are a much more problematic issue.

Since Fort Street is a major traffic artery for public transit, cyclists and private cars--including for Camosun and U Vic students--I would hope you'd give serious consideration to the transportation issue in assessing the developer's proposal

Yours faithfully

Norman Spector

Pierre-Paul Angelblazer

From: Caspar Davis [REDACTED]
Sent: May 20, 2020 12:58 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; DaveMcWalter@gmail.com; 'Jessica Sluymmer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: Proposed Development at 1475 Fort Street
Importance: High

Dear Mayor Helps and Council,

I live in a townhouse complex at 949 Pemberton Road, directly south of Lantern Properties' proposed development at 1475 Fort Street. I understand that their application is going to come before the Committee of the Whole on May 28.

This development proposes to replace a run down social housing apartment building with a much larger and taller market rental building. This building would also come within 12 feet of our property line. It would represent a very significant expansion of both the footprint and height of the building, and flouts the zoning bylaw, requiring major variances whose nature would compound their impact:

R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23'7"); the proposed building would be 3.6 m (12 ft) from our property line.

The inappropriateness of the requested variances is compounded by the fact that the property line between us and them is a zoning border and the City's Guidelines call for "respect of character of established areas, of design transition and respect of privacy". The proposed building would have a sky-blotting wall with windows looking directly into bedrooms in our complex from as little as 30 feet away.

We would welcome an appropriate redevelopment at 1475 Fort but what is proposed would have a severe impact on our privacy and would severely limit the light for several of our units. It also does away with social housing in favour of more market housing, and it calls for the demolition of several mature trees which significantly enhance our daily enjoyment of life, in addition to providing valuable habitat for the birds and other wildlife of our neighbourhood.

Moreover, the developer, has acted very badly. They claim to have distributed a notice to all of our units as well as to those next door at 1019 Pemberton Road, but none of us ever received such a notice. We learned about the proposed development only when it came up in a conversation between one of our owners and Pam Madoff. After we approached Lantern, they finally deigned to give us a meeting with the architects, who responded to our concerns by saying that many Europeans are used to living much closer together. They didn't mention the fact that most European towns grew organically over centuries, or that for much of that time raw sewage frequently flowed in the gutters.

Lantern's conduct stands in stark contrast to that of our neighbours to the southeast, who are also proposing redevelopment. Those neighbours got in touch with us early in the process, before completing the design, and hosted a Zoom meeting in which they sought our input as they showed us how they had created the plan with consideration to

our sight lines and had reduced the height as their proposed building approaches our border.

Lantern's proposed design egregiously flaunts the zoning requirements, and they have not even pretended to take our very legitimate concerns seriously. Their design should not be approved

Caspar Davis and Lorena Mowers
#16 - 949 Pemberton Road



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Pierre-Paul Angelblazer

From: Jo Anna Hope <[REDACTED]>
Sent: May 21, 2020 8:01 AM
To: Alec Johnston; Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); inquiries@lanprop.com; Jeremy Loveday (Councillor); Marianne Alto (Councillor); Lisa Helps (Mayor); Sharmarke Dubow (Councillor); Sarah Potts (Councillor)
Subject: Fwd: 1475 Fort Street Development Permit Application

Dear Mayor and Council,

I reside at #15-[949 Pemberton Road](#), a complex immediately south of the site at [1475 Fort Street](#), where a Development Permit Application has been submitted to the City. I recognize that the existing building on that site needs replacement so do not oppose redevelopment. I appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at [1471 Fort Street](#) with landscaping, etc., thereby enhancing the neighbourhood.

However, I do have several serious concerns about this proposal:

1. Loss of low-income rental housing:

While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, I am concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – I understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so I will not reiterate all of these concerns, but I do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:

The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement, and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit of the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary—12 feet, I understand. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings and would most likely have a negative affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties and provide habitat for many species of bird and other small beings. I am concerned about the unnecessary loss of existing trees. I also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

I request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:

- The lack of consultation with us at an appropriate time in the planning and design process;
- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

I hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Jo Anna Hope
15-949 Pemberton Road

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PLEASE NOTE, my new email address:





LANTERN

— PROPERTIES LTD —



...is 40% of the total area of the building. The density with all the existing and proposed parking spaces is 40% of the total area of the building.

...the current guidelines. The guidelines are based on the current guidelines. The guidelines are based on the current guidelines. The guidelines are based on the current guidelines.

...the close structure of the building. The close structure of the building is taken from the 100% of the building. The close structure of the building is taken from the 100% of the building.

...based on the current Schedule C. The current Schedule C is based on the current Schedule C. The current Schedule C is based on the current Schedule C.

...requirement for parking. The requirement for parking is based on the requirement for parking. The requirement for parking is based on the requirement for parking.



LANTERN
— PROPERTIES LTD —



Pierre-Paul Angelblazer

From: Barbara Bolli <[REDACTED]>
Sent: May 19, 2020 12:16 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; DaveMcWalter@gmail.com; 'Jessica Sluymmer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: 1475 Fort Street: Proposed Development
Attachments: 1474 Fort Street DPV 00120.pdf; Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303; Fwd: 1475 Update
Importance: High

Dear Mayor and Council,

- In June 2019, Lantern Properties submitted a development application to the City of Victoria to replace an existing apartment building with construction of a 32 unit rental apartment building at 1475 Fort.
- None of the property owners at the 16 unit strata at 949 Pemberton and the adjacent 6 unit strata at 1019 Pemberton whose properties front on to the 1475 Fort St property - and are most directly impacted by this development – were not consulted/made aware of this project. Properties owners only became aware of the development when Pam Madoff contacted one of the strata property owners in February 2020.
- As part of the development process, Lantern Properties consulted with the Rockland Neighbourhood Association (RNA) and the Advisory Design Panel (ADP) in January 2020 about the proposal. Neither at the time expressed concerns or opposition to the project.
- After becoming aware of the project, the strata contacted the RNA regarding its review of the project. The RNA subsequently undertook a more in-depth evaluation of the project including an on site visit. As you can see from the RNA's April 22, 2020 letter to Mayor and Council (attached), this more detailed assessment of the project has shown that this 'simple variance development application' belies a project that has far more impacts to property owners than what was initially understood. [the scope of the variances and related impacts are so substantive that this application should have received the same review process as a rezoning proposal which would have resulted in greater transparency for all involved]
- At the January 22, 2020 APD meeting, the developer informed the panel that adjacent property owners were "positive" about the project (ADP January 22, 2020 minutes) when in fact property owners most affected by the project knew nothing about the project at that time. As the ADP was deliberately misled by the developer and, given the findings of the RNA's reassessment of the proposal, strata property owners believe that the City has a moral obligation to redirect the ADP to go back and reevaluate this proposal.
<https://www.victoria.ca/assets/City~Hall/Committees/Other~Committees/Advisory~Design~Panel/Minutes/2020/ADP%20MINUTES%20-%20January%2022,%202020.pdf>
- The duplicitous behavior of the developer continues and is most concerning. Following the strata's initiation of contact with the developer in February 2020 and the strata's first information meeting on March 5, 2020 with the developer, Pam Madoff wrote in an email to a strata member that Lantern had contacted her to report that " the

meeting went well and that concerns were being addressed". This is patently untrue. Please see the attached email from the strata to Lantern dated April 25, 2020 which clearly lays out the strata's strong concerns with project. To date none of the strata's concerns have been addressed. Emails to the developer inquiring about modifications to the design go answered (see attached).

- Your immediate direction to the ADP to re-evaluate this proposal is requested. This would be the right thing to do.

Sincerely,
Barbara Bolli
9-949 Pemberton Rd

Pierre-Paul Angelblazer

From: Christine Morissette [REDACTED]
Sent: May 19, 2020 3:47 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; [REDACTED]; Jessica Sluymmer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street development

Dear Mayor and Council:

We are homeowners who live adjacent to a proposed development at 1475 Fort Street. We are writing to express our concerns regarding three aspects of this development:

1. The request for significant variances on size and height of the new building The existing building on this property takes up 30% of the area, whereas the new building is slated to take up nearly 50%, as well as an additional story in height. This will place the new building within two meters of our strata's boundary fence, and along with one more story, will significantly reduce the privacy of our units that face the fence. The variances requested will also necessitate the removal of eleven mature trees, greatly reducing the urban canopy for which this neighbourhood is known.
2. The lack of consultation with adjacent property owners At no time were any of the 16 homeowners at 949 Pemberton Road ever informed about or consulted on this development by the developer. It is our understanding that this consultation is required by the City of Victoria. To add insult to injury, the developer continues to insist that we all were, in fact, consulted.
3. The loss of affordable housing, particularly for vulnerable citizens When this development was first proposed, it was implied there would be some affordable housing to meet the City's current needs. While we applaud the commitment to rentals, we now understand they will be available only at market value. Furthermore, the current building housed people with mental health conditions overseen by VIHA. So in the stroke of a pen, the new development will prevent low income and other vulnerable citizens from accessing housing at this location.

We trust that going forward, the considerations of adjacent property owners will play a role in the approval process for the development at 1475 Fort Street.

Christine Morissette and Chantal Brodeur
#13 - 949 Pemberton Road
Victoria BC

Pierre-Paul Angelblazer

From: Vanessa Dingley [REDACTED]
Sent: May 21, 2020 12:59 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; cmorissette; brodeurc; Carolina Ashe; vdingley; Lorena and Caspar; [REDACTED] Miranda Worthy; Sandy Jones; [REDACTED] Ken Bailey; megan bermand; Bill McKechnie; Steve Williams; Dave McWalter; Jessica Sluymmer; Jan Klizs; Bob June; Paul Lecavalier; [REDACTED] Bill Stroll; Barbara Bolli
Subject: 1475 Fort Street Development Permit Application

We are resident owners of one of the 16 townhouses at 949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. We recognize that the existing building on that site needs replacement so we do not oppose redevelopment. We appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, we do have several serious concerns about this proposal:

1. Loss of low-income rental housing:

While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, we are concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – we understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so we will not reiterate all of these concerns. But we do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were both told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3

• 3. Request for Excessive Variances and Need for Buffer Zone Between Properties:

The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement; and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole

benefit the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings, and could negatively affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties. We are concerned about the unnecessary loss of existing trees. We also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

We request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:

- The lack of consultation with us at an appropriate time in the planning and design process;
- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

- We hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Vanessa and John Dingley
12-949 Pemberton Road

Pierre-Paul Angelblazer

From: Carolina Ashe [REDACTED]
Sent: May 20, 2020 7:20 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: Strata 303; Gillian Lawson; [REDACTED]; [REDACTED]; Carolina Ashe; Vanessa Dingley; Lorena and Caspar; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; Megan Bermand; Bill McKechnie; [REDACTED]; Dave McWalter; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs; inquiries@lanprop.com
Subject: 1475 Fort Street building proposal

Dear Mayor and Council,

On February 25, 2020, I sent you a letter expressing initial concerns with a development proposal at 1475 Fort Street, which abuts 949 Pemberton Road, where I live. In my previous letter, I mentioned my concerns about lack of consultation and transparency on the part of the developer. In spite of a meeting with the developer (initiated by a resident of 949 Pemberton Road), along with a follow-up email, the developer continues to show no interest in addressing concerns brought forward by residents.

Following are additional concerns:

Design guidelines: 1981 vs 2019

- It is my understanding that the 1981 *Advisory Design Guidelines for Buildings, Signs, and Awnings* has been referenced in respect to the proposal for 1475 Fort Street.
- These antiquated guidelines are cursory, incomplete, and do not address what can be expected in a new build for 2020.
- The *Design Guidelines for: Residential, Commercial and Industrial, 2012/2019 (2012/2019 Design Guidelines)*, supersede the 1981 guidelines and provide much more comprehensive and current direction for transition between the two zones. Sections 1.1, 1.2, 1.5 and 1.6., in particular, are applicable to this proposal.
- It is reasonable to expect that the *2012/2019 Design Guidelines* will be referenced in the review of this application.

Impact of variances on properties bordering 1475 Fort Street

- The current site plans show the view of the building from the perspective of passers-by on Fort Street.
- The view is very different for neighbours living on the other sides.
- Residents at 949 Pemberton Road will no longer see the sky and trees when they step outside their back doors. Instead, they will be confronted with a massive wall, 12 to 13 feet from the property line, and reaching more than 40 feet above them.
- With the removal of mature trees, the residents of both 949 and 1019 Pemberton Road will have no visual or sound buffer from this large block-shaped building that will virtually fill its entire lot.
- It is difficult to put into words the detrimental ecological impact of the removal of mature trees which stand at the border between 1475 Fort Street and other properties, not to mention the loss of visual and sound buffer that these trees provide.

Parking

- The proponent is requesting a variance which will reduce the number of required parking stalls from 45 (for residents and visitors) to 26. While bicycle parking stalls will be available, it cannot be assumed that all occupants of the building, as well as their visitors, will not own cars.
- There is already a dearth of on-street parking in the neighbourhood. One of the nearest possibilities, Pemberton Road, is already congested with parked cars on both sides.

Summary

I understand that there is a shortage of rental apartments in Victoria and am not opposed to a new rental building replacing the old one at 1475 Fort Street. However, this proposal presents a case of extreme overreach in an apparent attempt to squeeze as many profitable, market rental units as possible into a small parcel of land, regardless of cost to surrounding neighbours, and to the environment.

What I am asking for

- I am asking that you apply whole systems thinking in your review of this development. Please consider not only the economic goals of the developer, but also the social, environmental and economic impacts of this development on the entire neighbourhood.
- Please visit the building site. See for yourself what the impact of this proposed building will be if the requested variances and removal of trees are approved.
- Please talk to the residents who have spent many hours researching this situation and reaching out to you.

I am trusting that if you do these things, you will ask the proponent to redraw plans that:

- are in keeping with current zoning bylaws, with only minor variances, if any;
- are aligned with relevant sections of *2012/2019 Design Guidelines*; and
- address and incorporate the concerns of neighbours who have been, and continue to reach out to the City and to the proponent.

Thank you,

Carolina Ashe
Unit 7, 949 Pemberton Road

Pierre-Paul Angelblazer

From: Barbara Bolli <[REDACTED]>
Sent: May 21, 2020 2:16 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; [REDACTED]; 'Jessica Sluymmer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: 1475 Fort St: Proposed Development Application

Mayor and Council:

I am a resident of a strata on 949 Pemberton Rd which borders a proposed development at 1475 Fort St. Much correspondence, including my own letter of February 12, 2020, has been written to Mayor and Council expressing strong concerns with this proposed development, the conduct of the developer and the very inadequate process in which it is being reviewed. As such, I will not repeat these concerns here. I do, however, want to strongly recommend that in order to demonstrate that a fair and reasonable assessment of this proposed project is undertaken, the Committee of the Whole needs to ensure the following:

- That the project is in keeping with current zoning bylaws
- That it is aligned with relevant sections of *2012/2019 Design Guidelines* and NOT the dated *1981 Advisory Design Guidelines for Buildings, Signs, and Awnings* which has been referenced in respect to the proposal for 1475 Fort Street
- That the Advisory Design Panel is directed to reassess the development plans given that the developer misled the ADP when it advised the panel that neighbours response to the project was “positive” when the strata complexes at 949 and 1019 Pemberton Rd had not been made aware of the project by the developer
- That a thorough analysis of the implications of the project with respect to parking is undertaken as there is limited parking available at the proposed apartment complex and a dearth of parking in the neighbourhood
- That the arborist’s impact assessment report is updated to reflect the scaled-up project design
- That there is clear demonstration of meaningful/tangible consideration of and response to concerns/input of neighbours
- That an onsite visit is conducted to understand the real on-the-ground impacts of this project
- That there is clear demonstration that the costs of this project through loss of privacy, increased noise, decreased property values, significant tree and habitat loss and adverse impacts to the general ambiance of the neighbourhood through the erection of an oversized building on too small a lot is NOT born by adjacent neighbors

Consider this as the committee’s due diligence check list as the proposal application is reviewed. I look forward to reviewing the Committee’s response to the application and its consideration of this check list. If followed, I am

confident that the Committee will support the construction of a building that complements the neighbourhood rather than erodes it.

Sincerely,
Barbara Bolli

Pierre-Paul Angelblazer

From: Strata 303 [REDACTED]
Sent: May 18, 2020 12:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; Lantern Properties; Peter Johanknecht
Cc: Alan Morton; Barbara Bolli; Bill McKechnie; Bill Stroll; Carolina Ashe; Caspar Davis; Chantal Brodeur; Christine Morissette; Erik Solbakken; Gillian Lawson; Jan Klizs; Jay Nefsky; Jessica Sluymer; Jo Anna Hope; John and Vanessa Dingley; Miranda Worthy; Norman Spector; Sandy Jones; Steve Williams; Strata 303; Paul Lecavalier; [REDACTED]; Megan Bertrand; Ken Bailey
Subject: 1475 Fort Street

This letter is a follow up to a letter sent February 10, 2020 by our then Strata Chair, Christine Morissette, expressing concerns about the above-mentioned development.

Our concerns remain the following:

- **LACK OF CONSULTATION**

From the beginning, there has been poorly conceived community consultation on the part of the developer and architects. We realize that a variance request does not oblige the developer to consult with surrounding neighbours, however in this case the developer/architects have repeatedly presented themselves as having sought feedback from the community. That is simply not the case. No one in our strata, or the strata next door at 1019 Pemberton Road received the letter purported to have been distributed for an open house on March 24, 2019. Subsequent requests to see a copy of that letter and a distribution list have been ignored. At the January 22, 2020 meeting of the ADP, in reply to a question from the panel asking about the feedback so far from neighbours, the developer completely misrepresented the situation by stating that the feedback had been very positive. In fact, no feedback had ever been solicited from us. After hearing of the proposed development from a third party, **we requested** a meeting with the developer/architect which was held on March 5, 2020.

- **EXCESSIVE VARIANCE REQUESTS**

The proposed plan asks for substantial variances on all four sides plus a height variance. We see this request as an overreach. Our understanding is that variance requests deal with minor changes but the proposed changes are anything but minor. The site coverage of the current building is 30% and the proposed plan calls for a 46.9% site coverage. The result is a massive rebuild with significant loss of privacy to strata homeowners to the south and an unfortunate loss of mature trees in the area. Although the architects acknowledged these facts during the March 5 meeting, their only response was a seeming willingness to add more shrubbery.

- **NON-COMPLIANCE WITH GUIDELINES**

The current development plan does not comply with Section 1.6 of the City of Victoria Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012 (updated December 2019) which require that privacy issues be addressed and that a stepped transition be employed between two zones when one is a multi-unit.

- **LOSS OF TREES**

Visitors to our city always remark on our magnificent trees. The City even has an Urban Forest Master Plan. We know as a society how important it is to maintain our tree canopy. This proposed development would lead to the loss of 11 mature trees with the consequent loss of habitat, visual beauty, and sound barrier. This is not in keeping with our city's image or the best interests of the neighbourhood.

We acknowledge the need for rental housing in Victoria. This development was originally billed as offering some low rental units but, along the way, that feature has been abandoned. The result is that the residents of the 11 current low rental units will be displaced to allow for 32 units to be rented out at market rates.

The developer in question did a fine job of renovating an adjacent building on the property and the plans for this building appear to include attractive materials. The existing building on this site is in poor shape and we have no objection to a new building being erected in its place. However, we feel that any new building should be one where only minor variances are required, not the major ones being sought in this project, and where the transitions between this building and its neighbours are as outlined in the current city guidelines.

We wish to extend an invitation to the Mayor and Councillors to visit our strata to see the proposed development from our vantage point.

Gillian Lawson
Chair, Strata 303
949 Pemberton Road

Pierre-Paul Angelblazer

From: Alec Johnston
Sent: May 26, 2020 8:53 AM
To: Pierre-Paul Angelblazer
Subject: FW: Proposed Development at 1475 Fort Street

Additional correspondence for 1475 Fort.

Thanks,
Alec

-----Original Message-----

From: Sandra Jones <[REDACTED]>
Sent: May 20, 2020 7:13 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; bisett@victoria.ca; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorne-ton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; inquiries@lanprop.com
Cc: Strata 303 <[REDACTED]>
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the proposed design affecting the adjacent community.

A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
#6 -949 Pemberton Road

Katie Lauriston

From: Alec Johnston
Sent: May 25, 2020 8:42 AM
To: Victoria Mayor and Council
Cc: Katie Lauriston
Subject: FW: Redevelopment of 1475 Fort Street

From: Russ Scruggs [REDACTED]
Sent: May 20, 2020 3:24 PM
To: Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Lisa Helps (Mayor) <LHelps@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; cthorton-joe@victoria.ca; Alec Johnston <ajohnston@victoria.ca>
Cc: inquiries@lanprop.com
Subject: Redevelopment of 1475 Fort Street

To the Mayor and Victoria city Councillors,

We are residents of 1019 Pemberton Road strata.

It was recently brought to our attention by our neighbours to the south; 949 Pemberton Road that Lantern Properties of Vancouver has put forward a proposal to demolish the building; 1475 Fort Street and build a new rental property.

As owners of one of the 9 Units of Strata VIS 740 we have concerns with the proposed new development as the proposed new structure will be a significant expansion of both footprint and height of the building.

- R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
- R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
- R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23'7"); the proposed building would be 3.6 m (12 ft) from our property line.

As for the process itself; there has been a lack of transparency and sharing of information with the two stratas who will be grossly impacted.

Lantern Properties has claimed that notices were distributed to the two neighbouring stratas but the owners of the units of both stratas have all said this is not the case.

The current structure is indeed in need of replacement but this new building will be in short an overbuild relative to the site, neighbours, blue sky and it will displace the current residents living there; VIHA assisted individuals.

The current council is looking for ways to "densify" the city with affordable rental units but this is not the way to achieve that means.

The new building footprint will result in the removal of a green belt of trees needed for reduction in sound and sight for neighbours; quality of daily life in the area.

We trust the city council and city planners will challenge this redevelopment as it currently stands relative to the proposal documents on the city site.

Regards,
Candace and Russ Scruggs

Katie Lauriston

From: Alec Johnston
Sent: February 11, 2020 8:55 AM
To: Katie Lauriston
Subject: FW: proposed development at 1475 Fort Street

For the file. DPV No. 00120.

Thanks,
Alec

From: Strata 303 [REDACTED]
Sent: February 10, 2020 2:48 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [REDACTED]
Cc: Strata 303 [REDACTED]; Paul Lecavalier [REDACTED]
Subject: proposed development at 1475 Fort Street

Dear City of Victoria Council members,

I'm writing to you as Chair of Strata 303, located at 949 Pemberton Road. I'm writing on behalf of our 16 homeowners regarding the development of a 33 unit apartment building proposed for 1475 Fort Street. Our strata complex is located immediately behind the proposed development site. We understand that the developer submitted a Development Permit Application in June 2019. However, we were unaware of the proposed development until this month, February 2020, when a member of the City's Advisory Design Committee advised one of our homeowners about the project.

I'm writing to express the concern of all our homeowners regarding the lack of consultation for this development, the variance of setback for the building, and the difficulty of obtaining a meeting with the developer to look at the architectural plans and drawings.

When we contacted the project manager of Lantern Properties for a consultation, they insisted we had already been consulted, even though not one of our 16 homeowners has been approached. We have since learned that a neighbouring strata that also borders the development site was not consulted. The proposed development will have as much impact on that strata as it will on ours. Is that why we were never consulted, but residents of St. Charles, who do not border the development, were?

A Strata 303 representative has contacted the project manager on several occasions, only to receive delay tactics, today finally culminating in the offer to meet during the last week of this month. Representatives from both stratas have a desire to attend this meeting, though coming so late in the process, it is neither transparent nor timely.

One of our greatest concerns about the proposed development is the request for a variance of setback from 20 feet to ten feet to the property line of our homeowners. This will have a significant impact on strata owners whose units open to the development site. Construction noise and debris will find its way to the front yards of homeowners, and the variance of setback will permanently affect the privacy of these same units. The variance, if approved by

Council, will be entirely to the advantage of the developer, and entirely to the disadvantage of the homeowners whose units have been in place for 45 years.

We are asking Council to advise us at what stage in the process the Development Permit Application sits, and how we, as the homeowners most affected by the development, can best provide our feedback. We await your response.

Christine Morissette, Chair
Strata 303

From: Sandra Jones [REDACTED]
Sent: May 20, 2020 7:12 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); bisett@victoria.ca; Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [REDACTED]
Cc: Strata 303
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to

- the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the

- proposed design affecting the adjacent community.

- A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees

- and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable

- community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
[REDACTED]

From: Carolina Ashe [REDACTED]

Sent: May 25, 2020 4:06 PM

To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [REDACTED] Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Cc: Strata 303 [REDACTED] Gillian Lawson [REDACTED]
[REDACTED] brodeurc [REDACTED] Carolina Ashe [REDACTED]
Vanessa Dingley [REDACTED] Lorena and Caspar [REDACTED] Bill Stroll
[REDACTED] Jo Anna Hope [REDACTED] Miranda Worthy [REDACTED]
[REDACTED] Sandy Jones [REDACTED] Alan Morton
[REDACTED] 'Ken Bailey' [REDACTED] 'megan bermand'
[REDACTED] Bill McKechnie [REDACTED]
Dave McWalter [REDACTED] 'Jessica Sluymmer' [REDACTED] Jan Klizs
[REDACTED] Bob June [REDACTED] Paul Lecavalier [REDACTED]

Subject: 1475 Fort Street Proposal - tree loss

Dear Mayor and Council,

Attached please find a letter for your consideration at the Committee of the Whole meeting on May 28, 2020, regarding the proposed development at 1475 Fort Street.

Thank you,

Carolina Ashe and Alan Morton

Dear Mayor and Council,

We have each written previous letters expressing concerns about the development at 1475 Fort Street. This letter specifically addresses the irreversible damage that will result from the removal of 11 trees to accommodate the extreme variances requested for this proposed development.



To the left is a photograph of three Big Leaf Maples, standing approximately 50 feet tall. These magnificent trees are among those slated for removal, should the building permit be granted. They are a vital part of an urban ecosystem supporting a surprising number of birds, which we have identified year after year:

American Robin	House Finch
Anna's Hummingbird	Hutton's Vireo
Bewick's Wren	Merlin
Brown Creeper	Northern Flicker
Bushtit	Purple Finch
Chestnut-backed Chickadee	Rose-breasted Nuthatch
Cooper's Hawk	Spotted Towhee
Dark-eyed Junco	Song Sparrow
Downey Woodpecker	Stellar's Jay
Fox Sparrow	Varied Thrush
Golden-crowned Sparrow	White-crowned Sparrow

Where will the birds go if these trees are removed? There is a disturbing pattern of sacrificing trees for densification, as one urban ecosystem after another is felled for townhouse and apartment developments, pushing the birds that depend upon the trees to compete for ever-shrinking habitat. In addition to habitat loss, the carbon sequestration, water-filtering, and benefit to people that these large trees provide cannot be replicated by patio shrubs or tiny saplings.

We understand the need to create homes for all. We do not understand why it is taking place at the expense of the environment. It *is* possible to find a balance. Victoria is at risk of losing the natural surroundings that have contributed to its reputation as a uniquely beautiful and livable city.

We ask that your decision reflect not only the viewpoints of the developer, but also those who love Victoria and call it "home" .

Sincerely,

Carolina Ashe and Alan Morton

From: Grace Golightly [REDACTED]
Sent: May 22, 2020 12:00 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Re: 1475 Fort Street

Dear Mayor and councillors,

From what I understand, creating underground parking, which is bigger than the building envelope, is expected to "necessitate" removing a number of these mature trees during development of this site.

I greatly appreciate the City's focus on planting more trees, and encouraging homeowners to do so as well. However, with climate change breathing down our necks, retaining the mature trees we already have would actually do us more good right now.

This area is very walkable and bikeable, with easy access to transit. There is really no good reason to sacrifice mature trees, merely to allow cars to sit underground at this site. It is simply what has become normal. But it is well past time to come up with a new normal.

These trees provide incredible eco-services (oxygen, carbon sequestration, air purifying, reducing floodwater, etc.) as well as beauty that raises people's spirits and reduces their stress levels. Saplings cannot come anywhere close to providing the same things -- and won't, for decades.

Car shares could be made available instead of some of the parking. There are many tenants or buyers who would be interested in the proposed units, even without the parking.

I understand there is also concern about some of the remaining tenants, and that they may not be protected by normal rental protections. I believe you are all caring people who would not want to see vulnerable people destabilized or made homeless in this situation. I hope they are given time and support to find equally supportive and affordable housing.

Sincerely,
Grace Golightly

From: Vanessa Dingley [REDACTED]
Sent: May 21, 2020 12:58 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <iloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <Bisitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-Joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [REDACTED]

Cc: Strata 303 [REDACTED] Gillian Lawson [REDACTED] cmorrisette [REDACTED]
[REDACTED] brodeur [REDACTED] Carolina Ashe [REDACTED]
vdingley [REDACTED] Lorena and Caspar [REDACTED] johope66 [REDACTED]
[REDACTED] Miranda Worthy [REDACTED] Sandy Jones [REDACTED]
[REDACTED] alanmorton61 [REDACTED] Ken Bailey [REDACTED]
[REDACTED] megan bermand [REDACTED] Bill McKechnie [REDACTED]
[REDACTED] Steve Williams [REDACTED] McWalter [REDACTED]
[REDACTED] Jessica Sluymer [REDACTED] Jan Klizs [REDACTED]
Bob June [REDACTED] Paul Lecavalier [REDACTED] >; rscruggs56 [REDACTED]
[REDACTED] Bill Stroll [REDACTED] Barbara Bolli [REDACTED]

Subject: 1475 Fort Street Development Permit Application

We are resident owners of one of the 16 townhouses at 949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. We recognize that the existing building on that site needs replacement so we do not oppose redevelopment. We appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, we do have several serious concerns about this proposal:

1. Loss of low-income rental housing:

While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, we are concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – we understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so we will not reiterate all of these concerns. But we do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were both told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:

The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and

setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement; and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings, and could negatively affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties. We are concerned about the unnecessary loss of existing trees. We also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

We request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:

- The lack of consultation with us at an appropriate time in the planning and design process;
 - The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.
- We hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Vanessa and John Dingley
[REDACTED]

From: Nancy Macgregor [REDACTED]
Sent: May 21, 2020 4:42 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Development application 1475 Fort Street

Dear Mayor Helps and Councillors,

I began my concern about this development with the need to protect trees in Victoria. On this site are ten mature trees that will be removed. Only two of these trees qualified as protected when this application first came to the city, but since that time seven trees would fit that category. Most of the trees being removed are along the western boundary of the property, shared by the neighbour. Large big leaf maples, red cedar and European Ash grace the edges, and on the east Hawthorn and Maple. These trees will be removed in order to allow for underground parking which extends outside the building envelope.

While parking spaces have been decreased due to a walking distance to the city centre and a great bus service on Fort and Yates St, and bike spaces with a heated bike room for repairs incorporated on site, more could be done.

Diminishing the tree canopy here is a sad loss not just to tenants of this apartment but to neighbours and to the tree canopy of the city. Fort St. lost a significant number of mature, diverse and exceptional trees in 2019 at 1201 Fort St.

With each development we are chipping away at the urban forest that makes this city unique and prepares us for climate change days ahead. Hearing the birds again is a lesson from Covid 19, not to be forgotten.

By offering shares in a car share company or investing in the eco pass bus pass program, less parking would be needed, saving more trees. The city could also improve the regulations around how many cars we need per unit of housing.

My greater concern is about the human family, the tenants of 1475 Fort St. housed by VIHA, some waiting for alternate housing to be found, since this lease to VIHA has expired. There is also a current lease by VIHA at 1471 Fort St, a building owned by the same developer.

This is an issue that needs Provincial work, to house the vulnerable in our society. But at present, we have a situation that adds stress to people who deserve to have a place of healing, a home, that does not require them to move on until they can do so with confidence. For that reason, I request that the Mayor and Council delay this development until VIHA is able to find appropriate housing for these citizens, and that they may know that their tenancy is secure. In this time of Covid 19, Bonnie Henry asks us to "be calm, be kind, and be safe". Let us heed her words and take our time to recover. We may expect a 2nd wave of this pandemic. Let us not impose more stress on our health care workers, and those seeking stability and a safe home.

Thank you for your consideration, Nancy Macgregor

From: Jo Anna Hope [REDACTED]
Sent: May 21, 2020 8:00 AM
To: Alec Johnston <ajohnston@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; [REDACTED] Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Lisa Helps (Mayor) <LHelps@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>
Subject: Fwd: 1475 Fort Street Development Permit Application

Dear Mayor and Council,

I reside at #15-[949 Pemberton Road](#), a complex immediately south of the site at [1475 Fort Street](#), where a Development Permit Application has been submitted to the City. I recognize that the existing building on that site needs replacement so do not oppose redevelopment. I appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at [1471 Fort Street](#) with landscaping, etc., thereby enhancing the neighbourhood.

However, I do have several serious concerns about this proposal:

1. Loss of low-income rental housing:

While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, I am concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – I understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so I will not reiterate all of these concerns, but I do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:

The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement, and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit of the developer, and this is most unjust. Apparently, the height

variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary—12 feet, I understand. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings and would most likely have a negative affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties and provide habitat for many species of bird and other small beings. I am concerned about the unnecessary loss of existing trees. I also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

I request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:

- The lack of consultation with us at an appropriate time in the planning and design process;
- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

I hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Jo Anna Hope

[REDACTED]

--

PLEASE NOTE, my new email address:

[REDACTED]

From: bmckechnie41@gmail.com <bmckechnie41@gmail.com>

Sent: May 21, 2020 1:03 PM

To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <iloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>

Cc: 'Strata 303' [REDACTED] 'Gillian Lawson' [REDACTED] 'brodeurc' [REDACTED] 'Carolina Ashe' [REDACTED] 'Vanessa Dingley' [REDACTED] 'Lorena and Caspar' [REDACTED] 'Jo Anna Hope' [REDACTED] 'Miranda Worthy' [REDACTED] 'Sandy Jones' [REDACTED] 'Alan Morton' [REDACTED] 'Ken Bailey' [REDACTED] 'megan bermand' [REDACTED] 'Bill McKechnie' [REDACTED] 'Dave McWalter' [REDACTED] 'Jessica Sluymer' [REDACTED] 'Jan Klizs' [REDACTED] 'Bob June' [REDACTED] 'Paul Lecavalier' [REDACTED]

Subject: Variance request 1475 Fort St

Dear Mayor and Council

- I live adjacent to the north property line of the proposed development at 1475 Fort St. I only became aware of the proposal recently while talking to my neighboring strata owners.
- The existing 3 story building (which is to be replaced) has a rear yard setback of approximately 50ft. The proposal in question calls for a four story building with a setback of only 12ft. to our property line.
- No amount of hedging or visual barrier will prevent the 3rd or 4th story occupants of the new building from looking directly into our backyard/windows, nor will it reduce the inevitable noise from the apartments particularly during the summer months when windows and balcony doors are open
- In my opinion this project is a huge overreach for the size of the lot and involves clearcutting the whole project site. It makes sense that the development be commensurate with the size of this panhandle lot.

I appeal to Council to take the appropriate steps when reviewing this project to ensuring the project is aligned with current zoning, with perhaps minor changes, instead of the major variances being requested

Thank you,

B. McKechnie

[REDACTED]

From: Barbara Bolli [REDACTED]
Sent: May 21, 2020 2:15 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <iloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca> [REDACTED]

Cc: 'Strata 303' [REDACTED] 'Gillian Lawson' [REDACTED] 'Christine Morissette' [REDACTED] 'Chantal Brodeur' [REDACTED] 'Carolina Ashe' [REDACTED] 'Vanessa Dingley' [REDACTED] 'Caspar Davis' [REDACTED] 'Bill Stroll' [REDACTED] 'Jo Anna Hope' [REDACTED] 'Sandy Jones' [REDACTED] 'Alan Morton' [REDACTED] 'Ken Bailey' [REDACTED] 'megan bermand' [REDACTED] 'Bill' [REDACTED] 'Steve Williams' [REDACTED] 'Jessica Sluymer' [REDACTED] 'Jan Klizs' [REDACTED] 'Bob June' [REDACTED] 'Paul Lecavalier' [REDACTED] 'Russ Scruggs' [REDACTED]

Subject: 1475 Fort St: Proposed Development Application

Mayor and Council:

I am a resident of a strata on 949 Pemberton Rd which borders a proposed development at 1475 Fort St. Much correspondence, including my own letter of February 12, 2020, has been written to Mayor and Council expressing strong concerns with this proposed development, the conduct of the developer and the very inadequate process in which it is being reviewed. As such, I will not repeat these concerns here. I do, however, want to strongly recommend that in order to demonstrate that a fair and reasonable assessment of this proposed project is undertaken, the Committee of the Whole needs to ensure the following:

- That the project is in keeping with current zoning bylaws
- That it is aligned with relevant sections of *2012/2019 Design Guidelines* and **NOT** the dated *1981 Advisory Design Guidelines for Buildings, Signs, and Awnings* which has been referenced in respect to the proposal for 1475 Fort Street
- That the Advisory Design Panel is directed to reassess the development plans given that the developer misled the ADP when it advised the panel that neighbours response to the project was “positive” when the strata complexes at 949 and 1019 Pemberton Rd had not been made aware of the project by the developer
- That a thorough analysis of the implications of the project with respect to parking is undertaken as there is limited parking available at the proposed apartment complex and a dearth of parking in the neighbourhood
- That the arborist’s impact assessment report is updated to reflect the scaled-up project design
- That there is clear demonstration of meaningful/tangible consideration of and response to concerns/input of neighbours

- That an onsite visit is conducted to understand the real on-the-ground impacts of this project
- That there is clear demonstration that the costs of this project through loss of privacy, increased noise, decreased property values, significant tree and habitat loss and adverse impacts to the general ambiance of the neighbourhood through the erection of an oversized building on too small a lot is **NOT** born by adjacent neighbors

Consider this as the committee's due diligence check list as the proposal application is reviewed. I look forward to reviewing the Committee's response to the application and its consideration of this check list. If followed, I am confident that the Committee will support the construction of a building that complements the neighbourhood rather than erodes it.

Sincerely,
Barbara Bolli

From: Paul Lecavalier [REDACTED]

Sent: May 19, 2020 10:47 AM

To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; cthorton-joe@victoria.ca <cthorton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; ajohnston@victoria.ca <ajohnston@victoria.ca>

Subject: Major concerns regarding proposed development at 1475 Fort Street

Dear Mayor Phelps

I am the president of the Strata 740 at 1019 Pemberton Road. I am writing you to express my concern with the proposed apartment building development at 1475 Fort Street.

This proposed development, which is immediately to the North-East of our Strata lot, calls for the removal of a number of mature trees along the western and southern boundaries of the development lot. The removal of these trees will have a considerable negative impact on our Strata in that it removes a very effective visual and noise barrier between the two properties.

I would like to submit the following points for your and your council's consideration:

- I agree that new rental development at relatively high density is needed in Victoria and Fort Street is a good location for such development.
- The new building being proposed will be of good quality and will improve the overall character of the area.
- BUT this higher density development needs to be separated by a BUFFER AREA from the lower density areas behind Fort Street so as not to impact these areas negatively (views, noise etc.) and ultimately lower their property values.
- The existing trees that line the side and back of the proposed development lot do provide the much-needed buffer area and every effort should be made to preserve them.
- If it is not possible to save these trees given the proximity of the new construction, then the developer and /or the City MUST PROVIDE a buffer area with the appropriate attenuation measures to compensate for the lost tree cover.
- This buffer area will benefit the medium density townhouse developments immediately adjacent (south and south-west) to the proposed development site and will benefit the eventual tenants of the new apartment building by providing much needed greenery.
- IT IS EXTREMELY IMPORTANT that the City always insist that such buffer areas be included in any redevelopment plans calling for the insertion of higher density developments into existing built-up areas. This will be crucial in getting neighbouring property owners to accept these new projects.

I trust that the above points will help you and your Council Members make the appropriate adjustments to the development plans for 1475 Fort Street.

Yours truly

Paul Lecavalier [REDACTED]

From: Janet Simpson [REDACTED]
Sent: May 20, 2020 10:33 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: re 1475 Fort Street (COW May 28th)

Dear Mayor and Council,

I would like to express my grave concerns over the proposed development on this site.

There is currently an apartment building here that could accommodate many renters. Demolishing it and hauling all the materials off to the landfill should be the last resort. The site is large enough for an addition to provide more accommodation.

But the current proposal is to tear everything down and build something which unreasonably exceeds what is permitted by the zoning. In fact, the excess and the impact on neighbours warrants a rezoning.

The ask for a 17% increase in site coverage (especially in what is a panhandle situation), and a reduction of 100% of the setbacks is basically a request to take down every significant tree on the property. Many of these trees are Big leaf maples and Wester red cedars. They are all at least 60-70 feet high. Eleven of these trees would be removed.

This would be an unconscionable violation of the City's expressed intent to protect and enhance our tree canopy. These trees are on the perimeter of the property and, with the appropriate and necessary adherence to the site coverage and setback regulations, would not interfere with the development of the site.

Sincerely,
Janet Simpson

[REDACTED]





From: Carolina Ashe [REDACTED]
Sent: May 20, 2020 7:20 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <iloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>

Cc: [REDACTED] brodeurc [REDACTED] Carolina Ashe
[REDACTED] Vanessa Dingley [REDACTED] Lorena and Caspar
[REDACTED] Jo Anna Hope [REDACTED] Miranda Worthy
[REDACTED] Sandy Jones [REDACTED] Alan Morton
[REDACTED] Ken Bailey [REDACTED] megan bermand
[REDACTED] McKechnie [REDACTED]
[REDACTED] Dave McWalter [REDACTED] Jessica Sluymer
[REDACTED] Jan Klizs [REDACTED] Bob June [REDACTED] Paul
[REDACTED] Lecavalier [REDACTED] Russ Scruggs [REDACTED]

Subject: 1475 Fort Street building proposal

Dear Mayor and Council,

On February 25, 2020, I sent you a letter expressing initial concerns with a development proposal at 1475 Fort Street, which abuts 949 Pemberton Road, where I live. In my previous letter, I mentioned my concerns about lack of consultation and transparency on the part of the developer. In spite of a meeting with the developer (initiated by a resident of 949 Pemberton Road), along with a follow-up email, the developer continues to show no interest in addressing concerns brought forward by residents.

Following are additional concerns:

Design guidelines: 1981 vs 2019

- It is my understanding that the 1981 *Advisory Design Guidelines for Buildings, Signs, and Awnings* has been referenced in respect to the proposal for 1475 Fort Street.
- These antiquated guidelines are cursory, incomplete, and do not address what can be expected in a new build for 2020.
- The *Design Guidelines for: Residential, Commercial and Industrial, 2012/2019 (2012/2019 Design Guidelines)*, supersede the 1981 guidelines and provide much more comprehensive and current direction for transition between the two zones. Sections 1.1, 1.2, 1.5 and 1.6., in particular, are applicable to this proposal.
- It is reasonable to expect that the 2012/2019 *Design Guidelines* will be referenced in the review of this application.

Impact of variances on properties bordering 1475 Fort Street

- The current site plans show the view of the building from the perspective of passers-by on Fort Street.
- The view is very different for neighbours living on the other sides.
- Residents at 949 Pemberton Road will no longer see the sky and trees when they step outside their back doors. Instead, they will be confronted with a massive wall, 12 to 13 feet from the property line, and reaching more than 40 feet above them.

- With the removal of mature trees, the residents of both 949 and 1019 Pemberton Road will have no visual or sound buffer from this large block-shaped building that will virtually fill its entire lot.
- It is difficult to put into words the detrimental ecological impact of the removal of mature trees which stand at the border between 1475 Fort Street and other properties, not to mention the loss of visual and sound buffer that these trees provide.

Parking

- The proponent is requesting a variance which will reduce the number of required parking stalls from 45 (for residents and visitors) to 26. While bicycle parking stalls will be available, it cannot be assumed that all occupants of the building, as well as their visitors, will not own cars.
- There is already a dearth of on-street parking in the neighbourhood. One of the nearest possibilities, Pemberton Road, is already congested with parked cars on both sides.

Summary

I understand that there is a shortage of rental apartments in Victoria and am not opposed to a new rental building replacing the old one at 1475 Fort Street. However, this proposal presents a case of extreme overreach in an apparent attempt to squeeze as many profitable, market rental units as possible into a small parcel of land, regardless of cost to surrounding neighbours, and to the environment.

What I am asking for

- I am asking that you apply whole systems thinking in your review of this development. Please consider not only the economic goals of the developer, but also the social, environmental and economic impacts of this development on the entire neighbourhood.
- Please visit the building site. See for yourself what the impact of this proposed building will be if the requested variances and removal of trees are approved.
- Please talk to the residents who have spent many hours researching this situation and reaching out to you.

I am trusting that if you do these things, you will ask the proponent to redraw plans that:

- are in keeping with current zoning bylaws, with only minor variances, if any;
- are aligned with relevant sections of *2012/2019 Design Guidelines*; and
- address and incorporate the concerns of neighbours who have been, and continue to reach out to the City and to the proponent.

Thank you,

Carolina Ashe

[REDACTED]

From: Bill Stroll [REDACTED]

Sent: May 20, 2020 1:54 PM

To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <iloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [REDACTED]

Cc: Strata 303 [REDACTED]

Gillian Lawson [REDACTED]

Christine Morissette [REDACTED]

Chantal Brodeur [REDACTED]

Ashe [REDACTED]

Dingley [REDACTED]

Caspar Davis [REDACTED]

Jo Anna Hope [REDACTED]

Miranda Worthy [REDACTED]

Sandy [REDACTED]

Jones [REDACTED]

Alan Morton [REDACTED]

Ken Bailey [REDACTED]

megan bermand [REDACTED]

Bill [REDACTED]

Steve Williams [REDACTED]

Jessica Sluymer [REDACTED]

Jan Klizs [REDACTED]

Bob June [REDACTED]

Paul Lecavalier [REDACTED]

Russ Scruggs [REDACTED]

Subject: Proposed development at 1475 Fort Street Follow Up

Dear Mayor and city councillors

I wrote to you February 13 regarding my concerns of the proposed Lantern Properties development at 1475 Fort Street. In that email I noted a lack of information and consultation, and questionable variances the developer had proposed. Although a meeting did take place between Strata 303 owners, the Rockland Neighbourhood Association and Lantern Properties these matters still remain troublesome.

Despite zoning bylaws, the new structure would occupy almost 50% of the site, up from the current 30% and that the setback, with the height addition of another storey would only be a couple of feet from our property line. Furthermore, there will be a loss of affordable housing as all units will be available only at market value. I request council insist on public consultation before this redevelopment moves forward.

Bill Stroll
[REDACTED]

From: Alan Morton [REDACTED]
Sent: May 20, 2020 11:18 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <iloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [REDACTED]
Cc: Strata 303 [REDACTED] Gillian Lawson [REDACTED] Christine Morissette [REDACTED]
[REDACTED] Chantal Brodeur [REDACTED] Carolina Ashe [REDACTED]
[REDACTED] Vanessa Dingley [REDACTED] Caspar Davis [REDACTED]
Bill Stroll [REDACTED] Jo Anna Hope [REDACTED] Miranda Worthy [REDACTED]
[REDACTED] Sandy Jones [REDACTED] Alan Morton [REDACTED]
[REDACTED] Ken Bailey [REDACTED] megan bermand [REDACTED]
[REDACTED] Bill [REDACTED] Steve Williams [REDACTED]
[REDACTED] Jessica [REDACTED]
Sluymmer [REDACTED] Jan Klizs [REDACTED] Bob June [REDACTED]
Paul Lecavalier [REDACTED] Russ Scruggs [REDACTED]
Subject: 1475 Fort Street

Dear Mayor and Council:

As one of the residents of 949 Pemberton Road I have some concerns with the proposed redevelopment at 1475 Fort Street, which is adjacent to my townhome complex.

While the lack of consultation has been frustrating, I find the misrepresentation and lack of transparency regarding ultimate goals to be very concerning. There seems to be a steady shift of goal posts in what is being asked for.

From the time of the BC Land Surveyors site plan and Arborists' report the proposal has gone from:

- 12.9m to 14.39m in height
- 28 market rentals and 4 affordable units to all 32 market rental
- 26 resident parking underground and 3 grade level to all underground in order to ask for a front setback variance of just under 2m as opposed to 10m

The initial letter to council from the developer in June 12, 2019 stated that 1475 Fort is significantly lower than 949 Pemberton and that they are providing a "sensitive transition" between the R1 and R3 zoning. There is a grade difference but it is only 6 feet. Therefore, the proposal for a building face that is 13 feet from and 41 feet above the adjoining property line would seem to be in opposition to the concept of a transition as outlined in the Design Guidelines-Multiuse Residential Commercial Industrial, 1.6.1 and 1.6.2.

I feel that the lack of transparency, unwillingness to work with the community to address concerns, and the desire to push through massive variances despite zoning bylaws and Design Guidelines will cloud future interactions with this developer and architect.

Alan Morton
[REDACTED]

From: Christine Morissette [REDACTED]
Sent: May 19, 2020 3:46 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [REDACTED]
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; Megan Bermand; Bill; Steve Williams; [REDACTED] Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street development

Dear Mayor and Council:

We are homeowners who live adjacent to a proposed development at 1475 Fort Street. We are writing to express our concerns regarding three aspects of this development:

1. The request for significant variances on size and height of the new building

The existing building on this property takes up 30% of the area, whereas the new building is slated to take up nearly 50%, as well as an additional story in height. This will place the new building within two meters of our strata's boundary fence, and along with one more story, will significantly reduce the privacy of our units that face the fence. The variances requested will also necessitate the removal of eleven mature trees, greatly reducing the urban canopy for which this neighbourhood is known.

2. The lack of consultation with adjacent property owners

At no time were any of the 16 homeowners at 949 Pemberton Road ever informed about or consulted on this development by the developer. It is our understanding that this consultation is required by the City of Victoria. To add insult to injury, the developer continues to insist that we all were, in fact, consulted.

3. The loss of affordable housing, particularly for vulnerable citizens

When this development was first proposed, it was implied there would be some affordable housing to meet the City's current needs. While we applaud the commitment to rentals, we now understand they will be available only at market value. Furthermore, the current building housed people with mental health conditions overseen by VIHA. So in the stroke of a pen, the new development will prevent low income and other vulnerable citizens from accessing housing at this location.

We trust that going forward, the considerations of adjacent property owners will play a role in the approval process for the development at 1475 Fort Street.

Christine Morissette and Chantal Brodeur
[REDACTED]

From: Miranda Worthy [REDACTED]
Sent: May 19, 2020 12:18 PM
To: Barbara Bolli [REDACTED] Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [REDACTED]

Cc: 'Strata 303' [REDACTED] 'Gillian Lawson' [REDACTED] 'Christine Morissette' [REDACTED] 'Chantal Brodeur' [REDACTED] 'Carolina Ashe' [REDACTED] 'Vanessa Dingley' [REDACTED] 'Caspar Davis' [REDACTED] 'Bill Stroll' [REDACTED] 'Jo Anna Hope' [REDACTED] 'Sandy Jones' [REDACTED] 'Alan Morton' [REDACTED] 'Ken Bailey' [REDACTED] 'megan bermand' [REDACTED] Bill [REDACTED] 'Steve Williams' [REDACTED] Sluymmer [REDACTED] 'Jan Klizs' [REDACTED] 'Bob June' [REDACTED] 'Paul Lecavalier' [REDACTED] 'Russ Scruggs' [REDACTED]

Subject: RE: 1475 Fort Street: Proposed Development

Good afternoon,

The below email thread has been forwarded for the Property Owner's review and action.

If I can be of further assistance or you have questions, please let me know.

COVID -19 Announcement Updated April 29,2020:

Please be advised, our **office is open** for business at regular hours (9-5 M-F) with measures in place as per the recommendations of government and health authorities. Our staff continues to self-isolate as much as possible, on a rotating schedule for office hours. Many of us are still working remotely, but checking our emails regularly and available. **Emergency** calls (250-478-9141) will continue to be answered after hours.

Any **maintenance** requests which are non-emergent will be deferred until further notice, pending availability of contractors.

We remain deeply grateful for the positive, understanding and cooperative spirit we have encountered to date.

~ Stay safe, stay health and if you can stay home ~

Sincerely,

Miranda A. Worthy

[REDACTED]

IMPORTANT NOTICE!

This email is confidential, may be legally privileged and is for the intended recipient only. Access, disclosure, copying and distribution or reliance on any of, by anyone else is prohibited and may be a criminal offence. Please delete if obtained in error and e-mail confirmation to the sender.

From: Barbara Bolli [REDACTED]
Sent: May 19, 2020 12:16 PM
To: mayor@victoria.ca; jloveday@victoria.ca; sdubow@victoria.ca; bisitt@victoria.ca; spotts@victoria.ca; gyoung@victoria.ca; cthorne-joe@victoria.ca; malto@victoria.ca; ajohnston@victoria.ca; [REDACTED]
Cc: 'Strata 303' [REDACTED] 'Gillian Lawson' [REDACTED] 'Christine Morissette' [REDACTED] 'Chantal Brodeur' [REDACTED] 'Carolina Ashe' [REDACTED] 'Vanessa Dingley' [REDACTED] 'Caspar Davis' [REDACTED] 'Bill Stroll' [REDACTED] 'Jo Anna Hope' [REDACTED] 'Sandy Jones' [REDACTED] 'Alan Morton' [REDACTED] 'Ken Bailey' [REDACTED] 'megan bermand' [REDACTED] 'Bill' [REDACTED] 'Steve Williams' [REDACTED] 'Jessica Sluymmer' [REDACTED] 'Jan Klizs' [REDACTED] 'Bob June' [REDACTED] 'Paul Lecavalier' [REDACTED] 'Russ Scruggs' [REDACTED]
Subject: 1475 Fort Street: Proposed Development
Importance: High

Dear Mayor and Council,

- In June 2019, Lantern Properties submitted a development application to the City of Victoria to replace an existing apartment building with construction of a 32 unit rental apartment building at 1475 Fort.
- None of the property owners at the 16 unit strata at 949 Pemberton and the adjacent 6 unit strata at 1019 Pemberton whose properties front on to the 1475 Fort St property - and are most directly impacted by this development – were not consulted/made aware of this project. Properties owners only became aware of the development when Pam Madoff contacted one of the strata property owners in February 2020.
- As part of the development process, Lantern Properties consulted with the Rockland Neighbourhood Association (RNA) and the Advisory Design Panel (ADP) in January 2020 about the proposal. Neither at the time expressed concerns or opposition to the project.
- After becoming aware of the project, the strata contacted the RNA regarding its review of the project. The RNA subsequently undertook a more in-depth evaluation of the project including an on site visit. As you can see from the RNA's April 22, 2020 letter to Mayor and Council (attached), this more detailed assessment of the project has shown that this 'simple variance development application' belies a project that has far more impacts to property owners than what was initially understood. [the scope of the variances and related impacts are so substantive that this application should have received the same review process as a rezoning proposal which would have resulted in greater transparency for all involved]

- At the January 22, 2020 APD meeting, the developer informed the panel that adjacent property owners were “positive” about the project (ADP January 22, 2020 minutes) when in fact property owners most affected by the project knew nothing about the project at that time. As the ADP was deliberately misled by the developer and, given the findings of the RNA’s reassessment of the proposal, strata property owners believe that the City has a moral obligation to redirect the ADP to go back and reevaluate this proposal.
<https://www.victoria.ca/assets/City~Hall/Committees/Other~Committees/Advisory~Design~Panel/Minutes/2020/ADP%20MINUTES%20-%20January%2022,%202020.pdf>
- The duplicitous behavior of the developer continues and is most concerning. Following the strata’s initiation of contact with the developer in February 2020 and the strata’s first information meeting on March 5, 2020 with the developer, Pam Madoff wrote in an email to a strata member that Lantern had contacted her to report that “ the meeting went well and that concerns were being addressed”. This is patently untrue. Please see the attached email from the strata to Lantern dated April 25, 2020 which clearly lays out the strata’s strong concerns with project. To date none of the strata’s concerns have been addressed. Emails to the developer inquiring about modifications to the design go answered (see attached).
- Your immediate direction to the ADP to re-evaluate this proposal is requested. This would be the right thing to do.

Sincerely,
Barbara Bolli



From: Norman Spector [REDACTED]
Sent: May 18, 2020 6:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor)
Cc: Alec Johnston; Peter Johanknecht; Lantern Properties
Subject: Re: 1475 Fort Street

Dear Madam Mayor and Council:

I am writing in regard to the above development proposal by Lantern Properties.

While walking my dog, I have been observing a similar development in the neighbourhood at 1201 Fort Street by Abstract Development for well-nigh two years.

In this case, there have been regular traffic stoppages as construction vehicles have entered and exited the site; indeed, the lane closest to the sidewalk seems to have been taken over on a semi-permanent basis by the developer.

In the case of the proposed Lantern Properties development, Fort Street is significantly narrower at the driveway where construction vehicles would be entering and exiting the site for an extended period of time. Consequently, stoppages and blockages are a much more problematic issue.

Since Fort Street is a major traffic artery for public transit, cyclists and private cars--including for Camosun and U Vic students--I would hope you'd give serious consideration to the transportation issue in assessing the developer's proposal

Yours faithfully

Norman Spector

The proposed plan asks for substantial variances on all four sides plus a height variance. We see this request as an overreach. Our understanding is that variance requests deal with minor changes but the proposed changes are anything but minor. The site coverage of the current building is 30% and the proposed plan calls for a 46.9% site coverage. The result is a massive rebuild with significant loss of privacy to strata homeowners to the south and an unfortunate loss of mature trees in the area. Although the architects acknowledged these facts during the March 5 meeting, their only response was a seeming willingness to add more shrubbery.

- **NON-COMPLIANCE WITH GUIDELINES**

The current development plan does not comply with Section 1.6 of the **City of Victoria Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012 (updated December 2019)** which require that privacy issues be addressed and that a stepped transition be employed between two zones when one is a multi-unit.

- **LOSS OF TREES**

Visitors to our city always remark on our magnificent trees. The City even has an Urban Forest Master Plan. We know as a society how important it is to maintain our tree canopy. This proposed development would lead to the loss of 11 mature trees with the consequent loss of habitat, visual beauty, and sound barrier. This is not in keeping with our city's image or the best interests of the neighbourhood.

We acknowledge the need for rental housing in Victoria. This development was originally billed as offering some low rental units but, along the way, that feature has been abandoned. The result is that the residents of the 11 current low rental units will be displaced to allow for 32 units to be rented out at market rates.

The developer in question did a fine job of renovating an adjacent building on the property and the plans for this building appear to include attractive materials. The existing building on this site is in poor shape and we have no objection to a new building being erected in its place. However, we feel that any new building should be one where only minor variances are required, not the major ones being sought in this project, and where the transitions between this building and its neighbours are as outlined in the current city guidelines.

We wish to extend an invitation to the Mayor and Councillors to visit our strata to see the proposed development from our vantage point.

Gillian Lawson



1

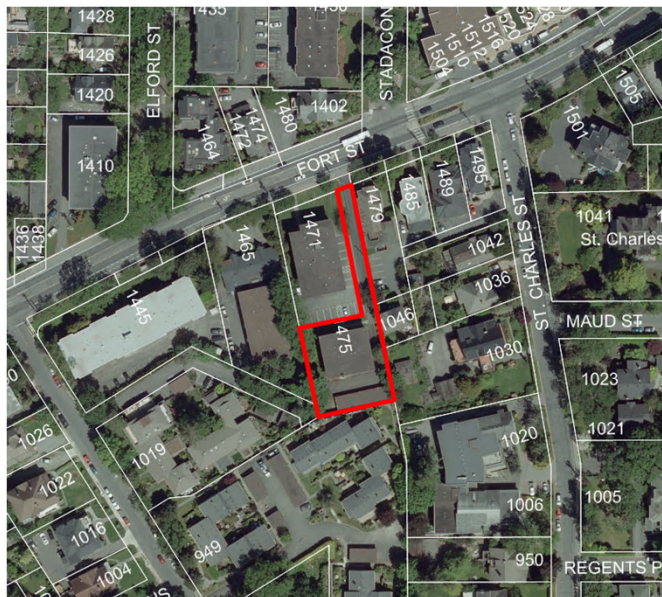
Development Permit with Variances Application for 1475 Fort Street



1

Aerial View

2



2

Subject Property

3

1475 Fort Street

1471 Fort Street



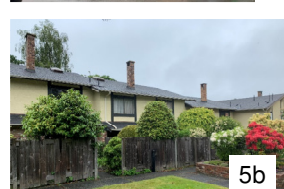
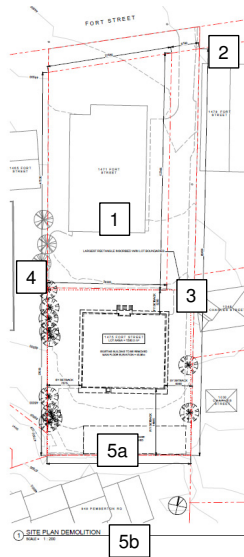
1475 Fort Street



3

Neighbouring Properties

4



4

Neighbouring Properties

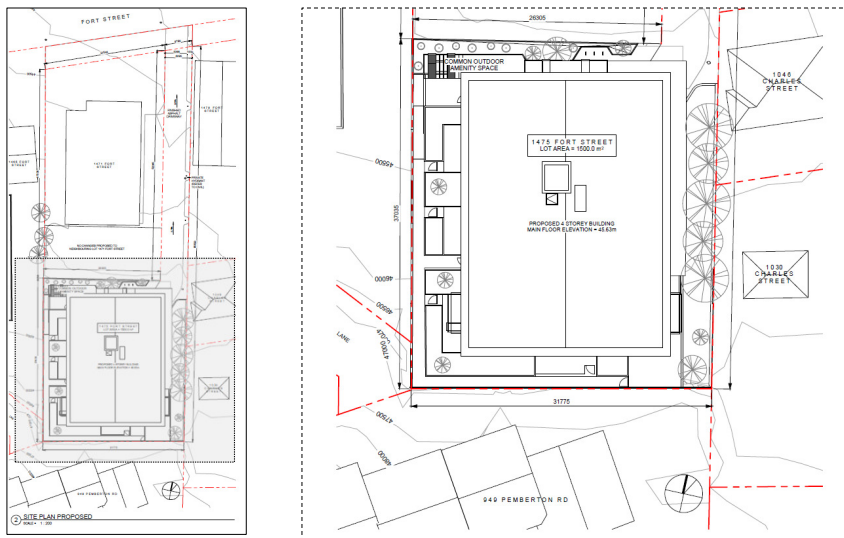
5



5

Site Plan

6



6

Elevations

7



7

Elevations

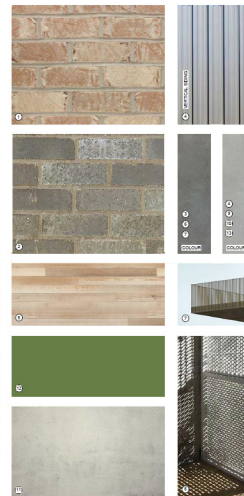
8



8

Materials

9



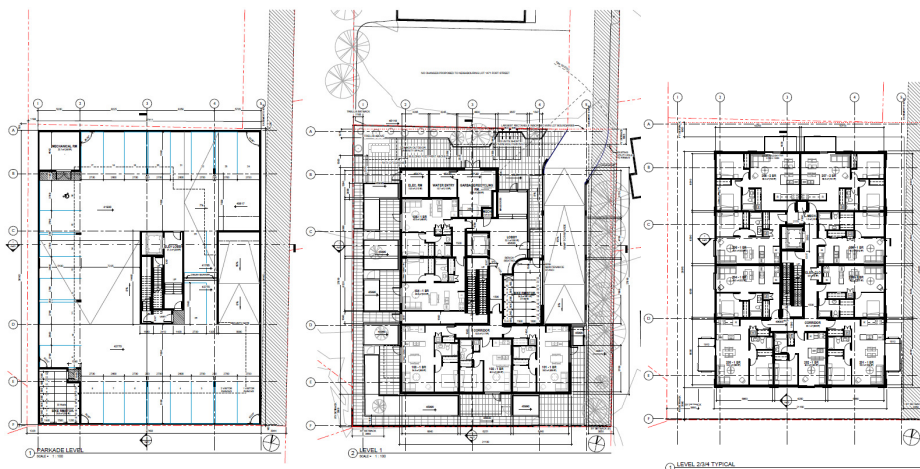
- MATERIALS LIST**
- ① TUMBLED BRICK (LIGHT)
 - ② SMOOTH BRICK (DARK)
 - ③ METAL PANEL (DARK GREY)
 - ④ PREFINISHED VERTICAL METAL (DARK GREY)
 - ⑤ TILED GLASS CURTAIN WALL (CLEAR)
 - ⑥ PREFINISHED ALUMINUM (DARK GREY)
 - ⑦ PREFINISHED ALUMINUM (DARK GREY)
 - ⑧ PREFINISHED ALUMINUM (DARK GREY)
 - ⑨ PREFINISHED ALUMINUM (DARK GREY)
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 - ⑬ PREFINISHED ALUMINUM (DARK GREY)
 - ⑭ PREFINISHED ALUMINUM (DARK GREY)
 - ⑮ PREFINISHED ALUMINUM (DARK GREY)



9

Floor Plans

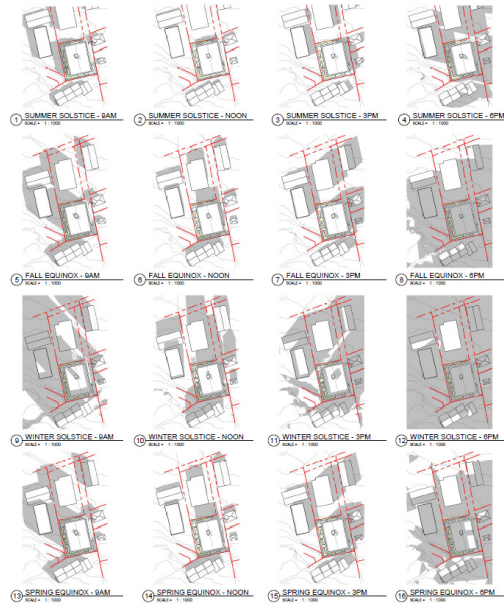
10



10

Shadow Study

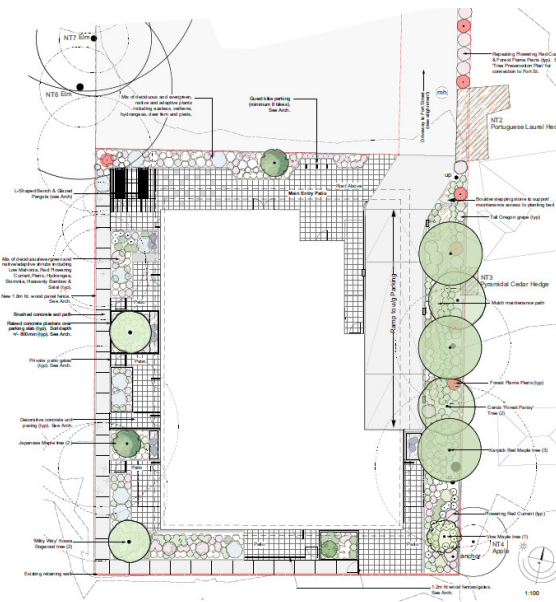
11



11

Landscape Plan

12



12

Renderings

13



VIEW FROM PARKING LANE



VIEW FROM COURT STREET



VIEW FROM PARKING LOT



VIEW OF LOBBY FROM SIDE ENTRANCE



13

Excellent care, for everyone,
everywhere, every time.



September 25, 2020

Attn: City of Victoria Committee of the Whole

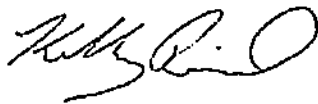
Re: 1475 Fort St. redevelopment application

Since May 2017, Lantern Properties has been in communication with Island Health regarding the proposed redevelopment of 1475 Fort St. Island Health's current lease covers both 1471 and 1475 Fort St., and expires on June 30, 2020. The parties are in the midst of negotiating separate renewals for each building. The lease for the building at 1475 is currently being negotiated for a one-year term, which would end June 30 2021, and continue as a month-to-month thereafter, until the redevelopment begins. It is Island Health's understanding that Lantern Properties requires the units and building to be vacant in order for the redevelopment to proceed.

1475 Fort St. is currently occupied by nine residents under program agreements. Anticipated length of stay varies for each client, and typically ranges from 30 days to 6 months. However, actual length of stay may be longer based on individualized assessments of client needs. This could impact the ability to relocate clients to appropriate settings. Plans to relocate these individuals to other appropriate settings are individualized and ongoing, regardless of the timing of the redevelopment. Once Lantern is able to be more specific about timing of the redevelopment, Island Health staff will work with existing clients to relocate them, and will limit new client intakes as appropriate.

I understand that the intention of the redevelopment is to increase the number of available units at the site. With that in mind, the parties have discussed a right of refusal for the newly constructed space, to allow Island Health the opportunity to negotiate a rental agreement upon completion.

Sincerely,



Kelly Reid
Director,
Island Health
Mental Health & Substance Use

Madison Heiser

From: Madison Heiser
Sent: Tuesday, May 26, 2020 8:09 AM
To: Madison Heiser
Subject: FW: 1475 Fort St RNA Response Letter
Attachments: 1475-Lantern Response Letter.pdf; 1475 RNA.pdf

From: josh.hayes lanprop.com [REDACTED]
Sent: May 22, 2020 8:41 AM
To: Lisa Helps (Mayor) [REDACTED] >
Cc: Marianne Alto (Councillor) [REDACTED]; Sharmarke Dubow (Councillor) <[REDACTED]>; Ben Isitt (Councillor) [REDACTED]; Jeremy Loveday (Councillor) [REDACTED]; Geoff Young (Councillor) [REDACTED]; Sarah Potts (Councillor) [REDACTED]; Charlayne Thornton-Joe (Councillor) [REDACTED] >; Alec Johnston <[REDACTED]>
Subject: 1475 Fort St RNA Response Letter

Dear Mayor & Council,

The Rockland Neighbourhood Association's letter dated April 22, 2020 contained inaccuracies about the 1475 Fort St. rental project. Please find a response letter attached along with the RNA letter for your convince.

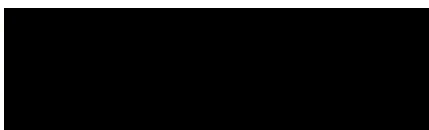
Please don't hesitate to contact me with any questions.

Best,
Josh.



Josh Hayes
Director of Development

#101-1176 Burnaby Street
Vancouver BC, V6E 1P1



May 22, 2020



Dear Mayor Helps & Council,

Please see comments and corrections below in response to the Rockland Neighbourhood Association's (RNA) letter dated April 22nd, regarding our 1475 Fort Street rental project.

Site Coverage

1. R3 AM-2 Site Coverage zone allowance is 40%. The proposed site coverage is 48% resulting in an 8% increase.
2. R3-AM-2 bonus applies at a 1.6:1 density with all but visitor parking enclosed. The current project has all parking enclosed, including visitor parking with a density of 1.42:1

Guidelines

Cascadia Architects has followed the correct City of Victoria guidelines and the projected received unanimous support from the Advisory Design Panel on January 22, 2020. The panel explicitly discussed the project's success in integrating within the Rockland neighbourhood.

Setbacks

The setbacks are measured from the closest structure of the building to the closest property line. For the east and west elevations, this dimension is taken from the 1.9m protruding balconies. The more relevant building facades setbacks are 5.76m (18'-9") on the west, 4.9m (16'-1") on the east and 4m (13'-1") to the south. There is no average setback as calculated by the RNA.

Parking

The requested parking variance is based on the current Schedule C and not on the dated R3-AM-2 Zone requirements, as described in the parking study prepared by Bunt & Associates.

The Schedule C vehicle parking requirement equates to 25 to 29 parking spaces depending on the chosen location (Village/Centre versus Other Areas). The proposed parking supply of 26 spaces is in the middle of this range.

May 22, 2020



LANTERN
— PROPERTIES LTD —

Tree Retention

The Arborist Report from April 5th, 2019 describes only two by-law protected trees to be removed, not four as stated in the RNA letter. One of the two by-law protected trees is not in good health. Any trees to be removed would be replaced at minimum 2:1 ratio of the same species. The neighbour whose trees would be replaced wrote a letter of support for replacement due to over-shading and the excessive accumulation of leaves on the rooftop.

Sincerely,
Joshua Hayes-Director of Development

Joshua P. K. Hayes



April 22, 2020

Mayor and Council
City of Victoria

Re: 1475 Fort Street DPV 00120

Dear Mayor Helps and Councillors:

The Rockland Neighborhood Association (RNA) Land Use Committee (LUC) is writing on behalf of the neighbors to the proposed apartment development at 1475 Fort Street. We certainly acknowledge the desirability of increased rental accommodation in Victoria and in our neighborhood. However, this project has significant issues impacting neighbors.

The key issues with this proposal are excessive site coverage and height, greatly reduced setbacks, no attention to transition, little attention to current parking standards and tree retention.

Site Coverage:

- R3-AM2 site coverage for main building is 30%. Proposed site coverage is 46.9% (+17%).
- R3-AM2 F.S.R. of site is 1.2:1. NOT 1.6:1 Bonus for enclosure of ALL but visitor parking.
- The area calculation of the site is disproportionate given the panhandle access.

Building Height:

- R3-AM2 zoning allows for a building height of up to 12 m / 39'5".
- The proposed building height is 14.39 m / 47'2", a difference of approx. 2.4 m / 8' (+20%).

Setbacks:

- The R3-AM2 setback is "the greater of 3 m or one half of the building height" i.e. 7.2 m / 23'7".
- In this proposal the setbacks are 3 m for the east side yard, 3.9 m for the west side yard, and 4 m for the rear yard (i.e. 9'10" to 13' respectively).
- This results in an over-height building being set back an average 3.6 m / 12' from each property line where 7.2 m / 23'7" is required (100% variance!!!).

Guidelines:

- The proponents have utilized the antiquated OCP guidelines of DPA 7B(HC) Advisory Guideline for Buildings, Signs and Awnings (1981) rather than the current and more logical Design Guidelines for: Multi-unit Residential, Commercial and Industrial (2012/2019) requiring in Guidelines; 1.1, 1.2, 1.5, 1.6 respect of character of established areas, of design transition and respect of privacy. In this case in respecting the Rockland Traditional Residential Neighborhood. (it should be noted that the lingering use of 1981 guidelines would have been addressed in a timely LAP process)

Parking:

- Recently updated Parking Schedule C requires $1.3 + 0.1 = 45$ units (occupant + visitor).

Tree Retention:

- Large footprint creates the loss of 4 bylaw protected trees with privacy & ecological impact.

The cumulative impact of these 'variances' is excessive. This is an egregious overreach with significant impacts on neighbors who reasonably have an expectation that the zoning bylaw tempers the impact on their homes. The expectation of variances is that they would accommodate small adjustments to a project; not facilitate an otherwise unworkable one.

Regards:

Bob June, co-chair
RNA LUC

Dave McWalter, co-chair

Madison Heiser

From: Madison Heiser
Sent: Wednesday, May 27, 2020 9:26 AM
To: Madison Heiser
Subject: Subject: 1475 Fort Street - Rental Proposal – Committee of the Whole
Attachments: City of Victoria 1475 Fort May 22 2020.pdf

From: David Hutniak [REDACTED]
Sent: May 22, 2020 3:30 PM
To: Victoria Mayor and Council [REDACTED]
Cc: David Hutniak [REDACTED]
Subject: Subject: 1475 Fort Street - Rental Proposal – Committee of the Whole

Dear Mayor Helps and Council,

We respectfully ask that you please consider the attached letter in support of the above-captioned purpose-built rental project.

Thank you.

David Hutniak
Chief Executive Officer
LandlordBC - BC's top resource for owners and managers of rental housing

[REDACTED]
[REDACTED]
Website: www.landlordbc.ca



#areyouregistered Go To Landlordregistry.ca



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May 22, 2020

Mayor Helps and Council
City of Victoria

Sent via email: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Subject: RE: 1475 Fort Street - Rental Proposal – Committee of the Whole

Dear Mayor Helps and Council,

LandlordBC is a non-profit association and the leading voice for owners and managers of rental housing in British Columbia. I am writing to you on behalf of our 3300 members in support of the above-captioned proposal for a secure purpose-built rental housing project providing 32 new homes for the community.

The City of Victoria, under the leadership of your Worship and Council, and with the strong support of your very capable staff, have created an environment that has been conducive to the building of new purpose-built rental. It has been encouraging to see that new purpose-built rental has come on-stream in the community, with more in the pipeline. This is great news for both current and future renters and the broader community.

The proposed rental building construction at 1475 Fort Street is an opportunity for your Worship and Council to replace a small structure at the end of its functional life with 32 new safe, healthy, and sustainable rental homes. Furthermore, this will be accomplished without displacing any existing tenants.

We are aware that City staff supports the project, and we've learned from the proponent that during the course of its passage through the design review process, the project was complimented for the quality of the proposed build. The site now has a 19 unit building and an 11-unit building. It is 100% occupied by the Vancouver Island Health Authority as transition housing. They are at the end of their lease term on the 11 unit building and the proponent has advised that they are extending their relationship with the Vancouver Island Health Authority on the 19-unit building. Furthermore, the health authority has expressed interest in completely occupying the new build and the proponent is incorporating a right of first refusal for them in their lease. This is very much a win-win-win for the health authority, their clients and, the community.

The proponent is long-time member of LandlordBC and well-known to our organization. Lantern Properties is a family-owned company and has been providing high quality, secure rental housing in Victoria and Vancouver for over 60 years. Lantern is a highly reputable landlord recognized for embracement of industry best practices, and a commitment to establishing and maintaining positive and respectful relationships with the individuals and families for whom they provide homes. They are committed to this community for the long term.

Secure purpose-built rental housing is a critically important housing typology that has been neglected for over three decades and, to this date, remains extremely challenging to build. High land and construction costs, and developers favouring the generally lower risks and greater rewards associated with building strata condos, continue to be barriers to the construction of new purpose-built rental housing. We are pleased to see the proponent advance this project.

In closing, I wish to reiterate that LandlordBC strongly supports this project, and we respectfully ask you to approve this application to ensure that this critical rental housing gets built. Thank you.

Sincerely,



David Hutniak
CEO
LandlordBC

Madison Heiser

From: Madison Heiser
Sent: Tuesday, May 26, 2020 8:07 AM
To: Madison Heiser
Subject: FW: 1475 Fort Street: Proposed Development
Attachments: 1474 Fort Street DPV 00120.pdf; Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303; Fwd: 1475 Update

From: Barbara Bolli [REDACTED]
Sent: May 19, 2020 12:15 PM
To: Lisa Helps (Mayor) [REDACTED]; Jeremy Loveday (Councillor) [REDACTED]; Sharmarke Dubow (Councillor) [REDACTED]; Ben Isitt (Councillor) [REDACTED]; Sarah Potts (Councillor) [REDACTED]; Geoff Young (Councillor) [REDACTED]; Charlayne Thornton-Joe (Councillor) [REDACTED]; Marianne Alto (Councillor) [REDACTED]; Alec Johnston [REDACTED]
Cc: 'Strata 303' [REDACTED]; 'Gillian Lawson' [REDACTED]; 'Christine Morissette' [REDACTED]; 'Chantal Brodeur' [REDACTED]; 'Carolina Ashe' [REDACTED]; 'Vanessa Dingley' [REDACTED]; 'Caspar Davis' [REDACTED]; 'Bill Stroll' [REDACTED]; 'Jo Anna Hope' [REDACTED]; 'Miranda Worthy' [REDACTED]; 'Sandy Jones' [REDACTED]; 'Alan Morton' [REDACTED]; 'Ken Bailey' [REDACTED]; 'megan bermand' [REDACTED]; 'Bill' [REDACTED]; 'Steve Williams' [REDACTED]; 'Jessica Sluymer' [REDACTED]; 'Jan Klizs' [REDACTED]; 'Bob June' [REDACTED]; 'Paul Lecavalier' [REDACTED]; 'Russ Scruggs' [REDACTED]
Subject: 1475 Fort Street: Proposed Development

Dear Mayor and Council,

- In June 2019, Lantern Properties submitted a development application to the City of Victoria to replace an existing apartment building with construction of a 32 unit rental apartment building at 1475 Fort.
- None of the property owners at the 16 unit strata at 949 Pemberton and the adjacent 6 unit strata at 1019 Pemberton whose properties front on to the 1475 Fort St property - and are most directly impacted by this development – were not consulted/made aware of this project. Properties owners only became aware of the development when Pam Madoff contacted one of the strata property owners in February 2020.
- As part of the development process, Lantern Properties consulted with the Rockland Neighbourhood Association (RNA) and the Advisory Design Panel (ADP) in January 2020 about the proposal. Neither at the time expressed concerns or opposition to the project.
- After becoming aware of the project, the strata contacted the RNA regarding its review of the project. The RNA subsequently undertook a more in-depth evaluation of the project including an on site visit. As you can see from the RNA's April 22, 2020 letter to Mayor and Council (attached), this more detailed assessment of the project has shown that this 'simple variance development application' belies a project that has far more impacts to property owners than what was initially understood. [the scope of the variances and related impacts are so substantive that this application should have received the same review process as a rezoning proposal which would have resulted in greater transparency for all involved]

- At the January 22, 2020 APD meeting, the developer informed the panel that adjacent property owners were “positive” about the project (ADP January 22, 2020 minutes) when in fact property owners most affected by the project knew nothing about the project at that time. As the ADP was deliberately misled by the developer and, given the findings of the RNA’s reassessment of the proposal, strata property owners believe that the City has a moral obligation to redirect the ADP to go back and reevaluate this proposal.
<https://www.victoria.ca/assets/City~Hall/Committees/Other~Committees/Advisory~Design~Panel/Minutes/2020/ADP%20MINUTES%20-%20January%2022,%202020.pdf>
- The duplicitous behavior of the developer continues and is most concerning. Following the strata’s initiation of contact with the developer in February 2020 and the strata’s first information meeting on March 5, 2020 with the developer, Pam Madoff wrote in an email to a strata member that Lantern had contacted her to report that “ the meeting went well and that concerns were being addressed”. This is patently untrue. Please see the attached email from the strata to Lantern dated April 25, 2020 which clearly lays out the strata’s strong concerns with project. To date none of the strata’s concerns have been addressed. Emails to the developer inquiring about modifications to the design go answered (see attached).
- Your immediate direction to the ADP to re-evaluate this proposal is requested. This would be the right thing to do.

Sincerely,
Barbara Bolli
9-949 Pemberton Rd

April 22, 2020

Mayor and Council

City of Victoria

Re: 1475 Fort Street DPV 00120

Dear Mayor Helps and Councillors:

The Rockland Neighborhood Association (RNA) Land Use Committee (LUC) is writing on behalf of the neighbors to the proposed apartment development at 1475 Fort Street. We certainly acknowledge the desirability of increased rental accommodation in Victoria and in our neighborhood. However, this project has significant issues impacting neighbors.

The key issues with this proposal are excessive site coverage and height, greatly reduced setbacks, no attention to transition, little attention to current parking standards and tree retention.

Site Coverage:

- R3-AM2 site coverage for main building is 30%. Proposed site coverage is 46.9% (+17%).
- R3-AM2 F.S.R. of site is 1.2:1. NOT 1.6:1 Bonus for enclosure of ALL but visitor parking.
- The area calculation of the site is disproportionate given the panhandle access.

Building Height:

- R3-AM2 zoning allows for a building height of up to 12 m / 39'5".
- The proposed building height is 14.39 m / 47'2", a difference of approx. 2.4 m / 8' (+20%).

Setbacks:

- The R3-AM2 setback is "the greater of 3 m or one half of the building height" i.e. 7.2 m / 23'7".
- In this proposal the setbacks are 3 m for the east side yard, 3.9 m for the west side yard, and 4 m for the rear yard (i.e. 9'10" to 13' respectively).
- This results in an over-height building being set back an average 3.6 m / 12' from each property line where 7.2 m / 23'7" is required (100% variance!!!).

Guidelines:

- The proponents have utilized the antiquated OCP guidelines of DPA 7B(HC) Advisory Guideline for Buildings, Signs and Awnings (1981) rather than the current and more logical Design Guidelines for: Multi-unit Residential, Commercial and Industrial (2012/2019) requiring in Guidelines; 1.1, 1.2, 1.5, 1.6 respect of character of established areas, of design transition and respect of privacy. In this case in respecting the Rockland Traditional Residential Neighborhood. (it should be noted that the lingering use of 1981 guidelines would have been addressed in a timely LAP process)

Parking:

- Recently updated Parking Schedule C requires $1.3 + 0.1 = 45$ units (occupant + visitor).

Tree Retention:

- Large footprint creates the loss of 4 bylaw protected trees with privacy & ecological impact.

Summary of Findings:

- The cumulative impact of these 'variances' is excessive. This is an egregious overreach with significant impacts on neighbors who reasonably have an expectation that the zoning bylaw tempers the impact on their homes. The expectation of variances is that they would accommodate small adjustments to a project; not facilitate an otherwise unworkable one.

Regards:

Bob June, co-chair Dave McWalter, co-chair

Land Use Committee
Rockland Neighborhood Association

Madison Heiser

From: Strata 303 [REDACTED]
Sent: Saturday, April 25, 2020 10:16 AM
To: Gillian Lawson; Barbara Bolli
Subject: Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303

----- Forwarded message -----

From: Strata 303 [REDACTED]
Date: Sat, Apr 25, 2020 at 10:14 AM
Subject: Record of March 5 Meeting between Lantern/Cascadia and Strata 303
To: Peter Johanknecht [REDACTED] Lantern Properties [REDACTED]
Cc: Strata 303 [REDACTED]

RECORD OF MEETING BETWEEN STRATA 303 AND LANTERN PROPERTIES / CASCADIA ARCHITECTS
RE: PROPOSED DEVELOPMENT AT 1475 FORT STREET
March 5, 2020

Attention: Lantern Properties and Cascadia Architects

Thank you for your meeting of March 5, in which you provided a presentation about the proposed development at 1475 Fort Street to several residents from Strata 303, and answered questions.

Following are the main concerns that we brought up in the meeting:

- **Lack of consultation:** this is not the first time we have brought up the lack of consultation with the immediate and most impacted residents. We have been repeatedly told that we were consulted. Once again, at this meeting, we were not provided with any evidence of the media that is said to have been distributed or the dates that it happened.

While we understand that consultation with neighbours at the beginning stages of the development is not required, it is certainly a best practice, especially for a project such as this one with such extraordinary and impactful variance requests.

We did not appreciate the rather dismissive tone throughout the meeting when we were told, more than once, that there are “always” people who say that they weren’t consulted, no matter how much effort the developer makes.

- **Variances:** The combination of the four variances on all sides, along with the height variance, results in a massive building with sheer walls that fills almost the entire plot of land.

1. **The proposed south wall** will be only 12 feet from the perimeter fence of the neighbouring townhome complex. The close proximity and 47-foot height of this sheer wall will interfere with the residents’ line of sight. Privacy will be destroyed by windows that directly overlook private yards, and across into residents’ bedroom windows.

The proposal does not appear to be in keeping with the July 2012 *Design Guidelines for Multi-Unit Residential, Commercial and Industrial* (Updated December 2019):

“1.5: New residential and residential mixed-use development should respect the character of established areas and building variety through the form and massing of housing.

1.6 “Multi-unit residential development that directly abuts any residential building that is lower and smaller in scale, including, but not limited to, single-family dwellings, should:

1.6.1 Provide a transition in its form and massing to lower density building forms.

1.6.2 Be designed to address privacy, particularly for portions of the development abutting the side yards of adjacent single-family dwellings.”

The only response we heard regarding this concern was a confirmation that there will be impact on surrounding residences. We did not hear any suggestions or willingness to review the plans to find ways to mitigate this negative impact.

We were also told that this kind of density exists in Europe, and that people in Europe have lived this way for a long time, to which we responded that we would like to have a neighbourhood that is in keeping with Canadian/Victorian living standards.

2. The proposed removal of 11 mature trees will eliminate the visual screening that currently exists for neighbouring residences, particularly those who live in townhomes at 949 and 1019 Pemberton Road. In addition, the habitat for many bird species living in the area will be eliminated.

You acknowledged that there would be significant tree canopy loss, and suggested the placement of a few small trees/shrubs, in addition to the small patio trees that are already in the building plan.

We conveyed to you that these plants will not replace the visual screening and habitat that will be lost when the mature trees are removed.

At the end of the meeting, we encouraged you to consider the feedback we have provided and find ways to address our concerns in order to mitigate the negative impacts of your building proposal on our neighbourhood.

To date, we have not received any additional information from Lantern or Cascadia indicating that our concerns have been addressed.

Thank you again for meeting with us, and we look forward to hearing from you.

Carolina Ashe
Unit 7, 949 Pemberton Road

Madison Heiser

From: Strata 303 [REDACTED]
Sent: Tuesday, May 19, 2020 12:04 PM
To: Barbara Bolli
Subject: Fwd: 1475 Update

----- Forwarded message -----

From: Strata 303 [REDACTED]
Date: Sun, May 10, 2020 at 9:24 PM
Subject: Re: 1475 Update
To: Lantern Properties [REDACTED]

Hello Josh,

Thank you for your email of May 1. I think a couple of clarifications are required:

1. In my email of April 24, I referred to a conversation between Barb Bolli and the architect at Cascadia during which we learned that revisions to Lantern's plans had been submitted to the City on April 8. Barb requested of the architect and I subsequently requested of you in the April 24 email that we receive a written description of the changes as they are difficult to assess from the online plans. **We are still waiting for this information.**
2. It is not clear from your emails whether you are considering additional revisions based on Strata feedback. In your April 17 email you state you are "still waiting on some feedback as well as weighing options based on the Strata's input." In your May 1 email, you refer to a second voluntary information session. Please clarify what you mean here. **Are you considering additional revisions?**
3. Please don't assume that all future communication regarding this project will be between you and me. I may be the contact person for the council but any strata homeowner has the right to contact whomever they wish to inquire about activities that may impact their property.

Gillian Lawson

On Fri, May 1, 2020 at 2:10 PM Lantern Properties [REDACTED] wrote:
Hi Gillian,

My apologies for the delayed response, I've been under the weather this past week.

Lantern held a second voluntary information session to inform Strata 303 about the project. As a result of the feedback received from Strata 303 and other neighbours, the consultant team has implemented changes in an effort to reduce privacy concerns.

We appreciate that we now have a single point of contact at the Strata — please ensure any required future communication regarding this project will be between you and I.

Thanks,
Josh.

On Apr 24, 2020, at 5:19 PM, Strata 303 [REDACTED] > wrote:

Hello,

We were a little puzzled by your email as no signature was included. We will nevertheless respond and request that future correspondence include a signature. Thank you.

With respect to the question on the point of contact for the Strata, Christine Morissette has stepped down as Strata Chair and I have taken on that role. In general, all correspondence pertaining to Strata business is managed by the Chair through this email address.

In regards to the issue of the proposed development at 1475 Fort Street, my responsibility is to represent the collective interests of the Strata in this matter. As a number of Strata unit holders naturally have their individual interest in this development proposal, they are also preparing their own responses which may include liaising with the developer, the architectural firm and other organizations such as the Rockland Neighbourhood Association. The results of these discussions are shared with the Chair and broader Strata membership so that a collective approach can be developed in response to this proposal.

Barbara Bolli, Vice Chair, was advised by the City of Victoria that Lantern Properties had made revisions to their development plan. In consultation with the Strata Council, Ms Bolli contacted Cascadia Architects to obtain information about the nature and scope of the changes as these were difficult to assess based on the information provided on the City's website. Following an informative and collaborative discussion, the architect committed to obtaining permission to submit a written description of the changes which could be shared with the Strata. We are disappointed that we have not yet received this information and respectfully request that it be provided as soon as possible. Your email indicates that Lantern is waiting for additional information and weighing options based on Strata feedback. This information was not mentioned during Ms Bolli's conversation with Cascadia. It would be appreciated if Lantern could advise further on this. Is Lantern considering additional revisions? If so, when will a decision be made and when would updated plans be submitted to the City? We would be happy to participate in a conference call to discuss this further.

Gillian Lawson
Chair,
Strata 303

On Fri, Apr 17, 2020 at 5:41 PM Lantern Properties [REDACTED] wrote:

Hi Christine,

It's been a while since we've spoken. Hope you and your family are well during these difficult times.

We're still waiting on some feedback as well as weighing options based on the Strata's input.

Barbara had reached out our architects the other day. I'm a bit unclear on who's the main point of contact for the Strata, is it you or Barbara?

Thanks

From: s g [REDACTED]
Sent: May 26, 2020 11:44 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1475 FORT STREET PROPOSED DEVELOPMENT

TO WHOM IT MAY CONCERN

Please find attached copy of letter urging approval of the purpose built development proposed for 1475 Fort Street.

Steve Gillrie



Dear Mayor and Council

My name is Steve Gillrie and I have resided in Victoria for approximately 20 years. I would like to state that I support the purpose built rental building proposed at 1475 Fort Street. Rental buildings are critical in the Victoria Housing Market, in particular for young families who cannot afford to purchase in our high price market.

The project is very well designed to fit into the character of the neighborhood and I understand that it received unanimous approval from the ADP.

Lantern Properties Ltd has been in existence since 1962. The company prides itself on providing safe, clean and secure housing. They have a proven track record of considering their tenants and neighbours in all their projects.

After more than a decade of experience acting as a property manager I have had the pleasure of dealing with hundreds of tenants and prospective tenants. In addition I have dealt with concerns of neighboring buildings, both privately owned and rented. All I have spoken with think this development would be a great asset to the community.

I urge approval of the project.

Steve Gillrie



May 25,2020

Dear Mayor Helps and Councillors,

I am writing to express my concern about the proposed development application at 1475 Fort St.

The proposed development is requesting three variance permits that will have a negative impact on tree canopy cover and the loss of many mature trees on the perimeter. By excavating up to the property line on both the east and west borders, it will remove mature elms and big leaf maples which will be replaced by a few small Japanese maples and dogwood trees. The replacement trees are small as there is not sufficient soil volume to replace with larger trees. The trees that are to be retained may be damaged by blasting, scaffolding and irrigation lines as outlined in the arborist report.

The trees that are to be removed constitute 488 diameters (OBH) of mature trees with a large canopy. The trees that are being retained constitute 186 diameters (OBH).

This is a loss of 300 DBH and large canopy cover. One maple tree (58 OBH) can sequester 2.4 kg of carbon/year and the reduce water run off by 484 litres. Plus remove air pollution. The lifetime CO2 equivalent of carbon is 3000 Kg. (itree.org) This is how ONE mature maple tree benefits the city.

The replacement trees at 4 cm times 4 trees represent 16 OBH.

If the variance permit applications are denied, the building could be built AND at the same time, preserve the magnificent mature tress that provide the benefits of carbon sequestration, reduce water run off and of course, retain the canopy cover.

The Fort St area has suffered the loss of many mature diverse trees. This development does not need to extend to the property lines and decimate the mature perimeter trees. The underground parking and the building envelope requiring 3 variances **should not be approved.**

How can the city maintain a stable canopy cover if it allows a developer to build so close to the property line? The regulations state 7.2 metres from the fence line and the developer is requesting from 2.8 to 3,8 metres. This will remove 300 OBH of mature trees.

Please consider the impact of this decision on the canopy cover of the urban forest in regards to climate change. Please visit the site and look up into the marvellous canopy of the elms and maples.

Sincerely,

Jan Firstbrook

[REDACTED]

[REDACTED]

Pierre-Paul Angelblazer

From: Alec Johnston
Sent: May 27, 2020 6:41 AM
To: Pierre-Paul Angelblazer
Subject: FW: Expressing Support for 1475 Fort Street Development

Hi Pierre,

Additional correspondence for 1475 Fort Street.

Thanks,
Alec

Sent from [Mail](#) for Windows 10

From: [Calvin Jennings](#)
Sent: May 26, 2020 9:43 PM
To: [Lisa Helps \(Mayor\)](#); [Marianne Alto \(Councillor\)](#); [Sharmarke Dubow \(Councillor\)](#); [Ben Isitt \(Councillor\)](#); [Jeremy Loveday \(Councillor\)](#); [Geoff Young \(Councillor\)](#); [Sarah Potts \(Councillor\)](#); [Charlayne Thornton-Joe \(Councillor\)](#); [Alec Johnston](#)
Subject: Expressing Support for 1475 Fort Street Development

To whom it may concern,

My name is Calvin Jennings and I'm a Victoria resident having previously worked in downtown Vancouver with marginalized populations, specifically those dealing with mental health and addiction issues. I'm writing to all City councillors today to express my support for the rental building proposed at 1475 Fort Street.

Purpose-built rental buildings are critically important for Victoria given home prices in the region. These apartments provide housing security in a time where it's scarce and can prevent individuals from having to rent condos or basements where eviction is a constant threat.

I also understand that this building will likely be used by the Victoria Health Authority as an addiction recovery home. I feel extremely passionately about the lack of detox centres available in BC and think this is a tremendous use of a facility to support a vulnerable population working to overcome challenges they've had in their life.

I fully support this project and urge the City of Victoria to approve it.

Thank you for considering my comments.

Sincerely,
Calvin Jennings

May 28/20 CAO Remarks

Good Morning Mayor and Council.

Emergency Operations Centre

We are still at a Level 1 EOC and are continuing with twice weekly briefings with Council. Yesterday the Premier announced that the Provincial State of Emergency would be extended to June 10.

Decampment of Pandora and Topaz

Over the weekend the decamping of individuals at Topaz and Pandora was completed with 344 people now being able to avail of food, hygiene and health and harm reduction services at various indoor spaces.

Work continues on this front with the focus on the individuals sheltering at BHP. Bylaw in partnership with the HART team continues to add names to the new census which is shared with BC Housing to get individuals on their housing registry.

In the interim, city staff are collaborating closely with a whole host of service providers on ensuring that services are available to those sheltering in parks. This includes increased communication with those sheltering about park amenities and information about safety regulations.

As you will notice the fencing is still in place on Pandora and at Topaz Park which will allow for remediation work to take place in the coming weeks.

Recovery Work

Staff are hard at work reimagining city streets and sidewalks based on input from our local businesses about how we can transform the City for the summer and beyond to ensure that our local economy recovers quickly. We look forward to sharing our tactics and plans next week.

Get Growing

CTV News -- This week 30 organizations came to a drive through pick up at the parks yard to collect the first 50,000 food starts. There has been considerable interest in this program and the next distributions are scheduled for late July/early August.



Committee of the Whole Report

For the Meeting of May 21, 2020

To: Committee of the Whole **Date:** May 14, 2020
From: Kerri Moore, Head of Business and Community Relations
Subject: Festival Investment Grant Alternative Use

RECOMMENDATION

That Council direct staff to:

1. Report back with 2020 Festival Investment Grant recommendations based on organizations' programming intentions outlined in their grant applications
2. Require recipients to observe provincial health orders in their planning and delivery of cultural programming
3. Require recipients to submit final reports detailing how funds were used to pay artists, deliver cultural programming and engage audiences by December 31, 2020.

EXECUTIVE SUMMARY

Over the past two decades, the Festival Investment Program has invested approximately \$3,000,000 in cash and roughly \$2,000,000 in-kind support. Council has increased support for the program significantly since adoption of the Create Victoria Master Plan. This year's record number of applicants was a testament to the success of the program and an indication of the vibrancy of the events and festival ecosystem in Victoria prior to COVID-19. Two decades of progress and growth in the local arts sector could be undone should organisations continue to be unable to present to live audiences.

Arts and culture organisations have been in crisis since the declaration of global pandemic in March. Venues have been closed, artist contracts cancelled, and staff have been laid off. Due to the ongoing impacts of COVID-19 and resulting provincial health orders, most local not-for-profit events and festival organisers will not be able to present their cultural programs as proposed in their 2020 FIG applications. As a result, critical sponsorship, ticketing and other earned revenue streams will not be achievable. Organisations will have to rely on available funding from senior government programs and donations from patrons, while others will need to rely on contingency or reserves in order to maintain capacity to present in future.

Not-for-profits arts groups will need to pivot their content and delivery models in order to survive. Municipalities and senior government support will be critical to the short and medium term survival of local arts organisations.

PURPOSE

To provide Council with options for alternative use of approved 2020 FIG funding to support not-for-profit arts groups impacted by COVID-19 this festival season. These initial recommendations are in response to Council member motions passed at Committee of the Whole on May 14, 2020 directing staff to report back on options supporting the recovery of the arts and culture sector.

BACKGROUND

In March of 2020, COVID-19 was declared a global pandemic. Council reprioritized aspects of the 2020 Financial Plan in order to proactively respond to anticipated community need in the face of economic and social hardship. The previously approved \$25,000 increase to the 2020 FIG program has been redeployed to support residents, local business and the not-for-profit sectors facing hardship as a result of COVID-19 impacts. Core funding to the FIG program has been maintained in the updated financial plan.

A majority of FIG applicants have indicated that they will not be able to present this season as planned. Only a few festival applicants (4) were able to present their full programs prior to provincial health orders coming into effect. A few festivals remain hopeful that health orders will be lifted in time for their presentations later in the festival season. Without question some not-for-profit run festivals will be challenged to maintain operations and emerge from this crisis in a position to present in future.

Despite restrictive health orders currently in effect, arts presenters continue to find creative ways to connect with their audiences, provide employment for artists and engage community. A range of supportive senior government relief programs implemented in recent weeks may help to sustain many artists and organizations, however, some will be challenged access these funds.

The FIG program supports a broad range of events and festivals led by both volunteer and professional presenters with varying capacity for contingency. Should Council direct staff to flow the 2020 approved funding to qualifying applicants, the challenge will be to allocate funding so that as many at-risk arts organizations as possible emerge from the COVID-19 crisis with capacity to present in 2021 should conditions allow.

ISSUES & ANALYSIS

In 2019 Council allocated \$276,828 cash and \$128,700 in-kind to 35 festivals. We had a record number of applicants for the 2020 intake including many first time applicants, however, not all applications meet program criteria. Council has allocated \$283,749 to the FIG program through the 2020 financial planning process.

Applicants need to demonstrate that they are able deliver the programming proposed in order to be recommended for funding. A majority will not be able to deliver on their festivals as proposed in their applications. Should staff evaluate applicants according to the established FIG policy and criteria most festivals would not qualify.

Some festivals have proposed postponing events until later in the festival season when they hope that the Provincial Health Office will ease restrictions on public gathering. Others are re-evaluating their options and looking at other creative ways to present and engage audiences.

OPTIONS & IMPACTS

Option 1 (Recommended):

That Council direct staff to:

1. Report back with 2020 Festival Investment Grant recommendations based on organizations' programming intentions outlined in their grant applications
2. Require recipients to observe provincial health orders in their planning and delivery of cultural programming
3. Require recipients to submit final reports detailing how funds were used to pay artists, deliver cultural programming and engage audiences by December 31, 2020.

Grant proposals to be adjudicated, and recommendations put forward for Council's consideration, according to established FIG criteria applied to applicant's programming intentions at the time of application. Recipients are to be provided with the necessary latitude to employ creative approaches to connect with their respective audiences, pay artists and meet ongoing operational demands. Recipients will be required to observe mandated health orders, and report back on how funds were invested in 2020. Recipients will be required to prioritize City funding to pay artists, promote and deliver free content and meet ongoing operational demands. Any FIG funding not used for these purposes by year end would be returned to the City or carried over and applied to 2021 allocations.

Option 2:

Council to provide alternative direction to staff.

Alternative direction could include:

1. Withhold all FIG funding until Council is better able to assess its financial liabilities and future needs in the face of a protracted COVID-19 response.
2. Fund only those organizations that have not cancelled and manage to present programs as outlined in their applications. Grants would be returned to the City should funded organizations be unable to deliver 2020 programming as proposed.

Accessibility Impact Statement

There are no accessibility concerns related to the proposed recommendations in this report.

2019 – 2022 Strategic Plan

Nurturing and supporting arts, culture and creativity has been identified by Council as an operational priority. The Festival Investment Grant Program is consistent with achieving the outcomes for the following objectives in the 2019-2022 Strategic Plan:

- Strategic Objective #5: Health, Well-Being and a Welcoming City of Victoria
- Strategic Objective #8: Strong, Livable Neighbourhoods

Impacts to Financial Plan

The current FIG budget is \$283,749 and reflects an annual increase by inflation as directed by Council.

Official Community Plan Consistency Statement

The recommendation aligns with the following objectives in the Official Community Plan:

Section 14: Economy

14 (f). That the function of the Urban Core as the primary regional centre of employment, learning, arts, culture, entertainment, recreation and specialty retail is maintained and enhanced with high quality facilities, services and events

Section 16: Arts and Culture

16.6. Encourage broad access to arts and culture facilities, events and activities for people of all ages, incomes, backgrounds and lifestyles.

16.7. Encourage education, training and informal learning opportunities in the arts, design and culture.

16.19. Establish and maintain partnerships with professional artists and arts and cultural organizations to program the use of public space.

16.20 Continue to permit festivals, celebrations and special events in public spaces, such as streets, parking lots, plazas, civic squares and other open space.

16.21. Increase the use of parks for festivals, celebrations and special events

16.22 Continue to support and enable local, non-profit groups to host festivals, celebrations and special events through services, incentives and regulations.

CONCLUSIONS

Due to the ongoing impacts of COVID-19 and resulting health orders, most local not-for-profit events and festival organisers will not be able to present their cultural programs as proposed in their 2020 FIG applications. As a result, critical sponsorship, ticketing and other earned revenue streams will not be achievable. Organisations will have to rely on available funding from senior government programs and donations from patrons, while others will need to rely on contingency or reserves in order to maintain capacity to present in future. City support for FIG applicants during this unprecedented time will increase their capacity to pay artists, connect to audiences with limited access to cultural content and to simply 'keep the lights on' until they can once again present to live audiences.

Respectfully submitted,



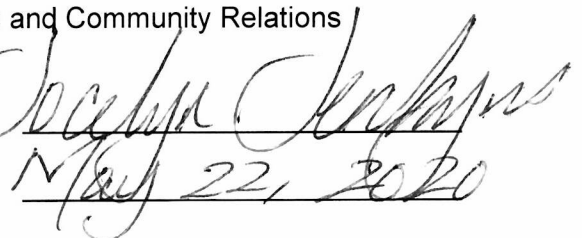
Jeff Day
Senior Cultural Planner



Kerri Moore
Head of Business and Community Relations

Report accepted and recommended by the City Manager:

Date:


May 22, 2020



Committee of the Whole Report

For the Meeting of May 28, 2020

To: Committee of the Whole **Date:** May 6, 2020
From: Thomas Soulliere, Director of Parks, Recreation and Facilities
Subject: Tree Preservation Bylaw Update

RECOMMENDATION

That Council direct staff to prepare a new Tree Protection Bylaw generally consistent with this report in order to:

- a. Differentiate permit applicant types and requirements according to the complexity and magnitude of projects
- b. Clarify information required from applicants for tree removal permit applications
- c. Define tree retention and replacement requirements to maintain a stable or expanding tree canopy, consisting of new tree replacement ratios, tree planting standards, and tree density targets
- d. Update the requirements for security deposits and update tree permit application fees
- e. Require modification or relocation of proposed building footprints or structures within the zoning setbacks, to retain protected trees
- f. Establish transition provisions to apply the new bylaw in order to minimize impacts to existing applications
- g. Repeal the existing Tree Preservation Bylaw No. 05-106.

EXECUTIVE SUMMARY

In the Strategic Plan, Council directed staff to undertake a comprehensive review and update of the Tree Preservation Bylaw, which resulted in a project plan consisting of two phases. At the end of Phase 1 in the fall of 2019, Council adopted changes to reduce the size of protected trees, clarify certain definitions, as initial steps towards strengthening tree protection.

Over the past several months, staff have undertaken a comprehensive technical review of the bylaw, which has resulted in a proposed change to six key areas. These recommended updates seek to align Victoria's Tree Preservation Bylaw with leading practices and standards, and support implementation of the Urban Forest Master Plan.

PURPOSE

The purpose of this report is to present the outcome of the second phase of review of the Tree Preservation Bylaw, and to seek Council approval to prepare a new tree protection bylaw and implementation plan to implement these changes.

BACKGROUND

The city's urban forest is composed of approximately 150,000 trees. At present, the City directly manages roughly one-quarter (32,950) of the urban forest inventory. The other three-quarters consists of trees on private land.

In the past four years, the city has experienced high population growth. The associated urban development and densification has provided opportunities, while also presenting new challenges including those relating to the protection of trees and other "green" assets.

Trees are a critical community asset providing a wide range of benefits, from positive mental health impacts, to environmental attributes such as regulating temperature, mitigating stormwater runoff, and providing wildlife habitat.

The *Community Charter* authorizes Council to regulate, prohibit or impose requirements in relation to trees. There are three main City bylaws that influence or regulate tree cutting, retention and replacement of trees in Victoria: zoning bylaws, subdivision and development servicing bylaws and the tree preservation bylaw.

The original Tree Preservation Bylaw was established in 1999. In 2005, after a review process that included public input, the City updated the bylaw with measures to prevent unnecessary harm or removal of trees on private land.

Council approved the Urban Forest Master Plan (UFMP) in 2013 following extensive consultation with community members, staff and industry experts. The plan guides the long-term management and enhancement of the urban forest, with 26 recommendations to be completed over the next forty years. Updating the Tree Preservation Bylaw is one of the recommendations in the UFMP.

In 2019, Council directed staff to update the Tree Preservation Bylaw. This work has been pursued in a phased approach. Following completion of Phase 1 Council adopted changes to reduce the size of protected trees, clarify certain definitions, and standardize information requirements to strengthen tree protection. The second phase consisted of a comprehensive technical review, and comparison of leading practices and standards across the region, along with a set of recommendations based on the recent analysis.

ISSUES & ANALYSIS

The comprehensive technical review of the City's Tree Preservation Bylaw involved the following activities:

- Review of standard elements of approximately 20 tree protection bylaws in the province and across Canada that were updated in the last five years
- Review of technical references addressing tree bylaws in Canada and tree ordinances in the United States
- Review of previous public City reports and minutes from deliberations, as well as interviews with staff and consideration of feedback received through Phase 1 of the bylaw review, to understand the local context and challenges related to tree retention and replacement in Victoria.

The outcome of this assessment has informed the proposed updates to the Tree Preservation Bylaw and how the City protects existing trees and promotes growth of the urban forest.

The proposed changes aim to improve transparency through an approach that responds to the relative risks associated with the various types of tree removal applications, including the resource demands to review proposed projects on private property. Staff also view the proposed model as more equitable in that it seeks to engage the entire community in the long-term sustainability of the urban forest.

Specifically, the changes focus on:

- 1) Differentiating permit applications;
- 2) Updating information required from permit applicants;
- 3) Updating replacement tree requirements, including establishing minimum tree density;
- 4) Updating security deposits; and application fees;
- 5) Enhancing tree protection within zoning setbacks; and
- 6) Providing a transition provision.

1. Differentiating Permit Applications

One of the issues with the current bylaw is that it does not differentiate the requirements for applicants and staff according to the complexity and magnitude of the projects. For example, an applicant proposing to cut tree roots to repair a sewer connection has the same requirements as an applicant seeking to subdivide and service a new property. However, the information required by staff and the intensity of review of the latter applicant is far more significant.

Staff propose a new approach to define applications more precisely as 'development related' and 'non-development related' in order to differentiate the information required from applicants, replacement tree obligations, and fees for each type of application. The term 'development related' would be defined as any of the following applications:

- a) rezoning,
- b) subdivision works and servicing,
- c) development permits associated with a new buildings or addition to existing building, or
- d) development variance permits, heritage alteration permits, or building permits associated with demolition, blasting, or construction of a principal building, or, when greater than 10 square metres, construction of an accessory building or an addition to an existing building.

This differentiation will help to achieve a balance between the potential impacts relating to a proposed project, the requirements placed on applicants, and the amount of staff time for review.

Several municipalities in B.C. have differentiated bylaw requirements by defining the applicant or the type of applications. For example, the City of New Westminster has adopted a definition of 'resident applicant' in its latest bylaw update which enabled the City to adjust the fees and information requirements for those applicants. Other municipalities such as City of White Rock, District of Squamish and City of Burnaby have drawn the distinction at the type of permit application, defining what is related to development from other applications. Locally, the District of Saanich and the District of Oak Bay follow this approach.

2. Updating Information Required from Applicants

The information requirements for tree removal permit applications in the current bylaw are not defined sufficiently, and as a result, issues frequently arise which often delay staff review of a tree removal permit application.

The proposed approach involves clarifying the standards of information within the bylaw and increasing transparency, for applicants and their arborist, based on the type of application. This change would, for example, allow the City to require the submission of an arborist report, tree survey and management plan, and a letter of assurance for arborist supervision (if required) for the most complex applications, while keeping the information requirements for other types of applications at a minimum.

There are many municipalities in Canada and the U.S. that define information requirements in this manner. In B.C. the City of White Rock, City of Courtenay and District of Oak Bay specify the requirements which apply to each type of application, as proposed.

3. Replacement Tree Requirements

According to leading urban forest management practices, replacement requirements in a tree bylaw should prevent the loss of canopy cover to achieve a stable or growing canopy cover in the long run (ISA, 2001). Many municipalities in B.C. have adopted tree canopy cover targets to grow their canopy and Victoria will be considering its target in the coming year. The City's Urban Forest Master Plan also recommends increasing replacement ratios and compensation levels, establishing minimum stocking levels for new development and increasing forest cover to more optimal levels in neighbourhoods with low canopy cover.

Replacement ratios are often used in tree bylaws to ensure successional planting occurs. However, it is important to note that replacement ratios alone will not address properties without trees and do not have a direct connection to tree canopy targets.

To maintain a stable or expanding tree canopy, as envisioned in the UFMP, a variety of mechanisms should be incorporated into the bylaw:

- Tree replacement ratios
- Standards for species selection and planting
- Tree canopy or tree density targets
- Cash-in-lieu provision

The summary below describes the proposed changes relating to replacement tree requirements:

A. Maintaining a tree replacement ratio

The update proposed for the City's bylaw is to adjust the replacement ratio to allow 1:1 if planting a medium to large canopy tree, or 2:1 if planting small trees, while also defining standards for species selection and planting locations. In situations where the applicant is unable to meet these conditions, the cash-in-lieu option is available to fund urban forest enhancements elsewhere.

Under the current bylaw, the 2:1 ratio means that a property removing three protected trees is required to plant six replacement trees, while a property with no trees has no requirements. As a result, the replacement ratio increases canopy unsustainably and sometimes unreasonably on treed lots and inadequately on non-treed lots. While the current bylaw does ensure that successional planting occurs, it does not have sufficient standards for species selection and planting locations so replacements may be planted in unsuitable locations.

B. Establishing the standards for replacement tree planting

A replacement ratio of 1:1 (or 2:1 if planting small trees) is suitable to ensure successional planting if it is coupled with standards for species selection and planting locations so that replacement trees grow to healthy maturity.

Many municipalities opt for higher replacement ratios because it would seem to result in a net gain of trees being planted and therefore a net gain in tree canopy. In reality, trees are typically removed to construct larger buildings and replacement trees must be planted onto the same lot, often with less planting space. Moreover, when replacement ratios are high, either the trees are disadvantaged by being crowded into inadequate growing space and never reaching healthy maturity, or the applicant is disadvantaged by paying a large sum as cash-in-lieu.

The standards proposed for replacement tree planting include siting trees at an appropriate distance from buildings, property lines, utilities and paved surfaces; providing sufficient soil volume for the species planted; and planting the tree at a suitable time of year.

Defining the standards for replacement tree planting will ensure that new trees are planted in locations and in conditions where they can grow to healthy maturity or, if the applicant cannot meet these conditions, that the cash-in-lieu provision ensures funding towards urban forest enhancements elsewhere.

C. Establishing a minimum density of trees

A 'tree density target' approach establishes a target number of trees per area to be achieved. To meet the density target, an applicant may be required to retain, replace or introduce trees. The retention of larger trees or valuable species can be credited as multiple trees to incentivize their retention.

Staff propose that development related applications be required to meet a minimum tree density per hectare, as shown in Attachment A. The target of 50 stems per hectare was chosen after testing it at various lot sizes.

The implementation of this approach will be as follows. If an owner is developing a property and as a result will remove a tree, the minimum tree density target will establish the number of trees that must be on the property following the development. In addition, if a protected tree is removed, then this tree must be replaced at a 1:1 ratio. In such an instance, the total number of trees on the property following development may exceed the minimum tree density target. In the case of a subdivision, the minimum tree density target would apply to the lot sizes following subdivision.

Overall, nearly two thirds of parcels in Victoria would be required to have two or three trees to reach the density target, as shown in Attachment A. This approach is viewed as a more effective method of achieving the City's goals, than a canopy cover approach and would utilize the inventory data collected by project arborists. It is proposed that the density target be applied uniformly (i.e. not differentiated by zoning) so that every property in Victoria will contribute to the urban forest proportionate to the land size.

A further outcome of this approach is that it will ensure minimum tree stocking levels for new developments and increase tree canopy cover in low canopy neighbourhoods. This

approach will “level the playing field” such that all properties will contribute to the urban forest regardless of whether trees were removed from the property.

This method is used in several municipalities in the province, including City of Courtenay, City of Vancouver, District of Squamish and City of Maple Ridge, as well as in the U.S.

4. Security Deposits and Application Fees

A security deposit is required from a property owner for the purpose of incentivizing bylaw compliance and adds assurance for tree planting or protection during construction activity. Under the current bylaw, the City requires a deposit for replacement trees, however, not for trees intended to be retained during a project.

As outlined in Attachment B, staff propose that securities are obtained for both replacement and trees intended to be retained, with a variable rate based on the type of project and potential impact. Deposits are returned following completion of a post-construction inspection.

For trees intended to be retained during construction, the collection of securities is an effective mechanism to ensure that proper tree protection and arborist supervision is carried out as required. Staff propose applying a higher security rate for large trees (\$10,000 for trees >60cm DBH) and \$2,000 for all other protected trees as part of a development related application.

Regarding replacement tree deposits, staff recommend adjusting the security amount from the flat \$700 rate adopted in 2019. The proposed approach would increase the replacement securities for development related applications close to the cash-in-lieu amount, while reducing it for applications relating to minor works. The rates proposed for replacement tree securities would change to \$1,000 per tree on development related applications, and to \$350 for less complicated applications.

Many municipalities in B.C. collect securities both for tree protection and replacement, including City of Surrey, City of White Rock, City of New Westminster and the District of Oak Bay. The amounts proposed for tree protection and replacement securities are generally in line with more recent tree bylaws within the province.

The current tree permit application fee structure is calculated based on the number of tree removals projected to take place, which would be challenging to apply for the minimum stocking level requirements for new developments that do not include tree removals.

As shown in Attachment B, the proposed approach is to maintain “no fee” for applications relating to pruning, emergency and hazard tree removals, and to collect permit fees based on the size of the property and the type of application, which reflects the effort required to review an application. A small additional fee is proposed for renewing, extending or modifying a permit, which reflects the staff time required for a permit update.

Tree permit fees vary greatly from one municipality to the other. The staff proposal would keep Victoria within the lower range of tree permit fees and generally consistent with neighbouring municipalities including the District of Oak Bay and District of Saanich.

5. Building Envelope

Currently, when a protected tree is within a building envelope, as defined by zoning setbacks, it can be removed to construct the proposed building or structure. In 2019, Council adopted the

change to the definition of “building envelope” and “building envelope line” limiting the construction impact of accessory buildings on bylaw protected trees. The 2019 updated Bylaw clarifies that a permit to cut down or alter a bylaw protected tree will not be issued if the applicant’s driveway, parking, utility connections or accessory buildings can be located in a manner that allows the tree to be retained (provided the location is still in compliance with other bylaws). These changes were adopted to limit the construction impacts of such lot development activities on bylaw protected trees.

The proposed approach would further enhance tree protection by requiring an applicant proposing a building, structure, underground service, driveway or off-street parking area to be modified or located on the lot to retain a protected tree, if possible. This change would enable staff to request changes, when warranted, to retain a bylaw protected tree.

This is a similar approach to the City of Surrey and City of New Westminster, whose bylaw prioritizes the retention of bylaw protected trees in this manner.

6. *Transition Provision*

The proposed changes may result in increased costs for in-stream development applications due to required updates to submissions and delays in subsequent permit processing. A transition provision will be recommended as part of the adoption of the new Tree Protection Bylaw to limit the impact to applications received by the City after the date of adoption. This is to align with Council’s previous goal of not impacting existing applications received by the City on or before the date of adoption.

OPTIONS AND IMPACTS

Option 1 (Recommended)

That Council direct staff to prepare a new Tree Protection Bylaw generally consistent with this report in order to:

- a. Differentiate permit applicant types and requirements according to the complexity and magnitude of projects
- b. Clarify information required from applicants for tree removal permit applications
- c. Define tree retention and replacement requirements to maintain a stable or expanding tree canopy, consisting of new tree replacement ratios, tree planting standards, and tree density targets
- d. Update the requirements for security deposits and update tree permit application fees
- e. Require modification or relocation of proposed building footprints or structures to retain protected trees
- f. Establish transition provisions to apply the new bylaw in order to minimize impacts to existing applications
- g. Repeal the existing Tree Preservation Bylaw No. 05-106.

Staff recommend that Council support the proposed changes for Phase 2 of the Tree Preservation Bylaw and direct staff to proceed with a legal review and implementation plan in order to prepare a new bylaw implementing these changes, for Council review.

Pending Council support for the proposed changes, staff will coordinate communication material for the public outlining the changes to the bylaw, per the City’s standard process.

Option 2

Council may choose to direct staff to prepare alternatives to the changes proposed above, for the Tree Preservation Bylaw.

Accessibility Impact Statement

The proposed changes noted above are not anticipated to have a direct or indirect impact on accessibility.

Impacts to Financial Plan

The changes proposed are not anticipated to have a significant impact on the current Financial Plan. Staff will continue to provide regular updates on the implementation of the Urban Forest Master Plan and advise Council of any resource implications as part of the annual budget development process.

2019 – 2022 Strategic Plan

The proposed bylaw changes are actions identified with Strategic Plan Objective #6: *Climate Leadership and Environmental Stewardship*.

Official Community Plan Consistency Statement

The Official Community Plan contains the following objectives with respect to urban forest management:

- 10 (d) That the urban forest is enhanced to support a wide range of ecological and community benefits.

CONCLUSIONS

The City has committed to the protection and enhancement of the urban forest, as outlined in the Urban Forest Master Plan, Strategic Plan and Financial Plan. The Tree Preservation Bylaw is one important tool in efforts to reduce negative impacts, such as the loss of valuable trees on privately owned land.

The proposed bylaw changes in this report are rooted in research and analysis of leading practices and are aligned with the City's desired strategic outcomes, in the context of a climate emergency.

Respectfully submitted,



Brooke Stark
Manager of Urban Forest Services
Parks, Recreation and Facilities



Thomas Soulliere
Director
Parks, Recreation and Facilities



Report accepted and recommended by the City Manager:

Date: 21 May, 2020

List of Attachments

Attachment A: Proposed Tree Density Targets

Attachment B: Proposed Fees and Charges

Attachment A

Proposed Tree Density Target Summary

Private Property Size (m2)	Minimum # of Trees	Proportion of Private Properties
<300	1	5%
300 - 499	2	27%
500 - 699	3	43%
700 - 899	4	9%
900 - 1,099	5	4%
1,100 - 3,899	6-19	9%
3,900 - 9,899	20-49	2%
≥ 9,900	50+	1%

Attachment B

Proposed Fees and Charges

1. Securities

Security for Tree Replacement	Current amount per tree	Proposed amount per tree
Non-development related projects:	\$700	\$350
Development related projects:		\$1,000
Replacement tree related to the removal of a tree in contravention to the bylaw:		\$2,000

Security for Tree to be Retained	Current amount per tree	Proposed amount per tree
Non-development related projects:	\$0	\$0
Development related projects:		
<ul style="list-style-type: none">protected tree other than specimen tree to be retained (30-60cm DBH)	\$0	\$2,000
<ul style="list-style-type: none">specimen tree to be retained (>60cm DBH)	\$0	\$10,000

2. Application Fees

Tree Removal Permit	Current fee	Proposed fee
To remove a hazard tree	\$0	\$0
Single family lots less than or equal to 2,000m ² in size, or when less than or equal to two trees are removed from any sized lot	\$50 for the first three trees or seedlings and \$5 for each additional tree or seedling	\$50
Single family lots between 2,000m ² and 4,000m ² in size		\$100
Lots of a land use other than single family residential, lots larger than 4,000m ² and multi-lot subdivisions		\$250 per 4,000m ²
To renew, extend or modify a permit	\$0	\$50

Tree Preservation Bylaw Update

Committee of the Whole

May 28, 2020



1

Purpose

Provide Council with the outcome of the second phase of Tree Preservation Bylaw review and seek approval to prepare a new Tree Protection Bylaw.



2

Background

Phase One – Completed Fall 2019

- ✓ Reduced the size of protected trees,
- ✓ Clarified certain definitions,
- ✓ Standardized information requirements, and
- ✓ Strengthened tree protection

Phase Two

Comprehensive review and technical analysis



3

Background

Urban Forest Master Plan Recommended Actions

- C. Incorporate the goals, policy objectives and strategies of the Urban Forest Master Plan within other relevant City plans, policies, bylaws and development guidelines
- D. Increase urban forest cover to more optimal levels in neighbourhoods currently exhibiting low canopy cover
- Q. Revise the Tree Protection Bylaw to address the removal of young (non-protected) trees and increase replacement tree ratios and compensation levels
- X. Consider establishing minimum stocking levels for new development to meet UPD-specific urban forest objectives
- Z. Improve oversight of landscape design, planting and construction on redevelopment sites to ensure that the City's design guidelines are met

4

Analysis

1. Differentiating Permit Applications

- Define applications more precisely as 'development related' and 'non- development related'

2. Updating information required from applicants

- Clarify the standards of information within the bylaw

3. Replacement tree requirements

- Establishing 'density target' approach



5

Analysis

4. Securities and Application Fees

- Securities are obtained for both replacement and trees intended to be retained

5. Building Envelope

- Requiring an applicant proposing a building, structure, underground service, driveway or off-street parking area to be modified or located on the lot to retain a protected tree

6. Transition Provision

- No impact to existing applications received to date

6

Video: Replacement Ratios and Tree Density Target



7

Next Steps

- Proceed with legal review, writing of a new Tree Protection Bylaw including a transition provision, and develop an implementation plan
- Present new Bylaw to Council for First, Second and Third readings
- Communication material outlining changes to the bylaw posted on the City's website and shared with stakeholders once adopted

8

Recommendation

That Council direct staff to prepare a new Tree Protection Bylaw consistent with this report in order to:

- a. Differentiate permit applicant types and requirements according to the complexity and magnitude of projects
- b. Clarify information required from applicants for tree removal permit applications
- c. Define tree retention and replacement requirements to maintain a stable or expanding tree canopy, consisting of new tree replacement ratios, tree planting standards, and tree density targets
- d. Update the requirements for security deposits and update tree permit application fees
- e. Require modification or relocation of proposed building footprints or structures within the zoning setbacks, to retain protected trees
- f. Establish transition provisions to apply the new bylaw in order to minimize impacts to existing applications
- g. Repeal the existing Tree Preservation Bylaw No. 05-106





Committee of the Whole Report For the Meeting of May 28, 2020

To: Committee of the Whole **Date:** May 22, 2020
From: Chris Coates, City Clerk
Subject: National AccessAbility Week – May 31 to June 6, 2020

RECOMMENDATION

That the *National AccessAbility Week* Proclamation be forwarded to the May 28, 2020 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

Attached as Appendix A is the requested *National AccessAbility Week* Proclamation. Council has established a policy addressing Proclamation requests. The policy provides for:

- A staff report to Committee of the Whole.
- Each Proclamation request requiring a motion approved at Committee of the Whole prior to forwarding it to Council for their consideration.
- Staff providing Council with a list of Proclamations made in the previous year.
- Council voting on each Proclamation individually.
- Council's consideration of Proclamations is to fulfil a request rather than taking a position.

A list of 2019 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Coates".

Chris Coates
City Clerk

List of Attachments

- Appendix A: Proclamation "National AccessAbility Week"
- Appendix B: List of Previously Approved Proclamations

“NATIONAL ACCESSABILITY WEEK”

- WHEREAS** *National AccessAbility Week is a time when accessibility and inclusion are promoted across communities and workplaces, and a time to celebrate the contributions of Canadians with disabilities; and*
- WHEREAS** *The City of Victoria is taking deliberate steps to make itself a more inclusive community. As part of these efforts, new policies, strategies, and programs are being developed to help nurture a connected and cohesive community that promotes well-being, belonging, resiliency, and vibrancy; and*
- WHEREAS** *Victoria has developed a comprehensive Accessibility Framework with set of goals, objectives, and directions that provide structure to support a high standard of accessibility across municipal services and programs, infrastructure, and projects; and*
- WHEREAS** *This week is an opportunity to recognize the efforts of local residents and service providers who are actively removing barriers and ensuring persons with disabilities have an equal chance to participate in all aspects of society; and*
- WHEREAS** *The increased social and economic inclusion of persons with disabilities has positive economic and social benefits for persons with disabilities, business, the economy and society in general; and*
- WHEREAS** *When persons with disabilities can access meaningful employment, resources and services, Canada’s economy and our local economy grows. Businesses have the chance to welcome more customers, service satisfaction improves and workplaces reflect our diversity; and*
- WHEREAS** *By bringing residents of Victoria together to recognize the valuable contributions of persons with disabilities, we are strengthening the collaborative effort needed to create a city, region, province and country that is fully accessible and inclusive.*

NOW, THEREFORE I do hereby proclaim Sunday, May 31st, 2020 as “**NATIONAL ACCESSABILITY WEEK**” on the **HOMELANDS** of the **Lekwungen** speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA**, **CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this May 28th, Two Thousand and Twenty.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
City of Victoria

Appendix B

Council Meetings	Proclamations
17-Jan-19	BC Aware Days 2019: Be Secure, Be Aware Days - Jan 28 - February 5
31-Jan-19	Eating Disorder Awareness Week - February 1 to 7, 2019 International Development Week - February 3 to 9, 2019
14-Feb-19	Heritage Week 2019 - February 18 to 24, 2019 Rare Disease Day - February 28, 2019
28-Feb-19	Tibet Day - March 10, 2019
14-Mar-19	Purple Day - March 26, 2019 World Kidney Day - March 14, 2019 World Tuberculosis Day - March 26, 2019
28-Mar-19	Sikh Heritage Day - April 14, 2019 Global Meetings Industry Day - April 4, 2019
11-Apr-19	National Organ and Tissue Donation Awareness Week - April 21 to 27, 2019 Human Values Day 2019 - April 24, 2019 Global Love Day - May 1, 2019 National Dental Hygienists Week - April 6 to 12, 2019
25-Apr-19	Child Abuse Prevention Month - April 2019 St. George Day - April 23, 2019 Huntington Disease Awareness Month - May 2019 Falun Dafa Day - May 13, 2019
09-May-19	Apraxia Awareness Day - May 14, 2019 North American Safe Boating Awareness Week - May 18 to 24, 2019 Phones Away Day - May 23, 2019 International Internal Audit Awareness Month - May 2019
23-May-19	Brain Injury Awareness Month - June 2019 Orca Action Month - June 2019 Orca Awareness Month - Southern and Northern Residents - June 2019 Intergenerational Day Canada - June 1, 2019 Pollinator Week - June 17 to 23, 2019 ALS Awareness Month - June 2019 Myalgic Encephalomyelitis Awareness Day - May 12, 2019 Built Green Day - June 5, 2019
13-Jun-19	Small Business Month - June 2019 International Medical Marijuana Day - June 11, 2019 World Refugee Day - June 20, 2019
27-Jun-19	Pride Week - June 30 - July 7, 2019 Parachute National Injury Prevention Day - July 5, 2019
11-Jul-19	Mexican Heritage Week - July 9 to 14, 2019
25-Jul-19	Clover Point Parkrun Day - August 10, 2019
08-Aug-19	National Polycystic Kidney Disease Awareness Day - September 4, 2019
05-Sep-19	Mitochondrial Disease Awareness Week - September 15 to 21, 2019 Project Serve Day- September 14, 2019 One Day Together - September 7, 2019
12-Sep-19	Manufacturing Month - October, 2019
19-Sep-19	Fire Prevention Week - October 6 to 12, 2019 Small Business Month - October 2019 Performance and Learning Month - September 2019 British Home Child Day - September 28, 2019 World Cerebral Palsy Day - September 19, 2019
10-Oct-19	Waste Reduction Week - October 21 to 27, 2019 Pregnancy and Infant Loss Awareness Day - October 15, 2019 Fair Employment Week - October 7 to 11, 2019
24-Oct-19	National Diabetes Awareness Month and World Diabetes Day - November 2019 and November 14, 2019
14-Nov-19	Adoption Awareness Month - November 2019 Cities for Life / Cities Against the Death Penalty Day - November 30, 2019 Think Local Week - November 18 to 24, 2019
12-Dec-19	National Homeless Persons' Memorial Day - December 21, 2019 South Asian Women in Canada Day - December 24, 2019



Committee of the Whole Report For the Meeting of May 28, 2020

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: World Refugee Day – June 20, 2020

Date: May 27, 2020

RECOMMENDATION

That the *World Refugee Day* Proclamation be forwarded to the June 11, 2020 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

Attached as Appendix A is the requested *World Refugee Day* Proclamation. Council has established a policy addressing Proclamation requests. The policy provides for:

- A staff report to Committee of the Whole.
- Each Proclamation request requiring a motion approved at Committee of the Whole prior to forwarding it to Council for their consideration.
- Staff providing Council with a list of Proclamations made in the previous year.
- Council voting on each Proclamation individually.
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A list of 2019 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

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Chris Coates
City Clerk

List of Attachments

- Appendix A: Proclamation "World Refugee Day"
- Appendix B: List of Previously Approved Proclamations

“WORLD REFUGEE DAY”

WHEREAS: *World Refugee Day, 20 June every year, is dedicated to bringing attention to the plight of the world's refugees; and the City of Victoria is extremely proud of our long, successful history of welcoming, settling, retaining, and continuing to welcome refugees to our community; and*

WHEREAS: *Canada is signatory to the 1951 Convention and its 1967 Protocol; and*

WHEREAS: *in 2000, the United Nations General Assembly established June 20th as World Refugee Day; Since 2001, people have celebrated the day with events that honour the world's more than 25.9 million refugees and raise awareness around refugee issues; and*

WHEREAS: *on 20 June 2020, the City of Victoria and its people join the rest of the world as they commemorate the strength, courage, and resilience of millions of refugees.*

NOW, THEREFORE I do hereby proclaim Saturday, June 20th, 2020 as “**WORLD REFUGEE DAY**” on the **HOMELANDS** of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA**, **CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**

IN WITNESS WHEREOF, I hereunto set my hand this June 11th, Two Thousand and Twenty.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Fiona Bramble
Here Magazine
Victoria, BC

Appendix B

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**Council Member Motion
For the Committee of the Whole Meeting of May 28, 2020**

Date: May 25, 2020

From: Councillor Isitt, Councillor Loveday, Councillor Potts and Councillor Dubow

Subject: Housing and Supports during Covid Phase 2

Recommendations

1. That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Members of the Legislative Assembly representing constituencies in the Capital Region, reiterating the City of Victoria's request that the Government of British Columbia mobilize sufficient resources to offer housing with appropriate social care and health care to all unhoused people in the Capital Region.
2. That Council directs City of Victoria staff to:
 - a) Resume booking hotel and motel rooms in the Capital Region without delay for people currently sheltering outdoors in the City of Victoria, working with partner organizations to offer housing with appropriate social care and health care services, and with informed consent of people to be housed, drawing from unspent funds from \$300,000 in previously approved Covid-19 response funding.
 - b) Maintain access to hygiene for people currently sheltering outdoors, including handwashing facilities and washrooms in proximity to authorized outdoor sheltering locations on a 24-hour basis, drawing from unspent funds from previously approved Covid-19 response funding.
 - c) Maintain funding for shower facilities at Our Place, drawing from unspent funds from previously approved Covid-19 response funding.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'B. Isitt'.

Councillor Isitt

A handwritten signature in black ink, appearing to read 'Loveday'.

Councillor Loveday

A handwritten signature in black ink, appearing to read 'Potts'.

Councillor Potts

A handwritten signature in black ink, appearing to read 'Dubow'.

Councillor Dubow



Council Member Motion

For the Committee of the Whole Meeting of May 28th, 2020

To: Committee of the Whole **Date:** May 25th, 2020
From: Councillor Jeremy Loveday and Councillor Ben Isitt
Subject: Advocacy For Paid Sick Leave For All

Motion:

WHEREAS British Columbia has entered Phase 2 of the province's Restart Plan allowing for the reopening of a broad range of businesses and services;

AND WHEREAS paid sick leave is an essential measure to protect public health and prevent disease transmission as the economy begins to reopen and contacts increase;

AND WHEREAS paid sick leave provides substantial benefits to the public, firms, and workers;

AND WHEREAS municipalities have fundamental powers to regulate, prohibit or impose requirements to protect public health;

AND WHEREAS the public health emergency is most effectively combatted with all levels of government working together;

THEREFORE BE IT RESOLVED THAT Victoria City Council request that the province implement amendments to the Employment Standards Act to introduce a minimum of 21 paid sick leave days for the duration of the Provincial State of Emergency with a legacy of at least 10 days of paid sick leave for workers in British Columbia in perpetuity.

AND BE IT FURTHER RESOLVED THAT Victoria City Council requests that the federal government increase the EI Premium Reduction Program for employers that offer paid sick leave or introduce a refundable corporate income tax credit to support firms in meeting their paid sick leave obligations for the duration of the current crisis.

AND BE IT FURTHER RESOLVED THAT Victoria City Council requests that, in the event that the federal government is unwilling to offer financial support for firms offering paid sick leave, the province implement a partially offsetting credit to the Employer's Health Tax or WorkSafeBC premiums for the duration of the current crisis.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Loveday', with a stylized flourish at the end.

Councillor Loveday

A handwritten signature in blue ink, appearing to read 'Isitt', with a stylized flourish at the end.

Councillor Isitt