



## REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, March 11, 2021, 9:00 A.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET, VICTORIA, B.C.

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

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at [www.victoria.ca](http://www.victoria.ca)

Meeting will recess for a lunch break between 12:30 p.m. and 1:15 p.m.

Pages

A. Moment of Silence to Commemorate the Start of COVID-19

B. APPROVAL OF AGENDA

\*C. CONSENT AGENDA

### Proposals for the Consent Agenda

- G.2 - 161-167 Robertson Street: Development Variance Permit Application No. 00255 (Gonzales)
- G.3 - 540 Dallas Road: Development Variance Permit Application No. 00251 (James Bay)
- G.4 - 123/125 Government Street: Development Variance Permit Application No. 00252 (James Bay)
- G.5 - 506 and 514 Government Street: Request to Modify Covenants CA3641378 and CA3641382 (James Bay)
- H.1 - Fire Prevention and Regulation Bylaw and False Alarms Bylaw Update
- J.1 - Council Member Motion: Mental Health and Addiction Services

D. READING OF MINUTES

D.1. Minutes from the meeting held February 4, 2021

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E. UNFINISHED BUSINESS

F. Presentations

F.1. WITHDRAWN

~~Participation in Transport Canada's Marine Liability Act Review~~

G. LAND USE MATTERS

\*G.1. 749-767 Douglas Street: Rezoning Application No. 00746, Associated OCP

22



**Amendment, and Development Permit with Variances Application No. 000155 (Downtown)**

***Addendum: Presentation, Correspondence, and Minutes from the September 23, 2020 Advisory Design Panel meeting***

*A report regarding the Rezoning Application, OCP Amendment, And Development Permit with Variances Application for 749-767 Douglas Street in order to construct an office building with ground floor commercial uses and recommending that it be referred back to staff to work with the applicant.*

- \*G.2.      161-167 Robertson Street: Development Variance Permit Application No. 00255 (Gonzales)** **742**

***Addendum: Presentation***

*A report regarding the proposed Development Variance Permit Application for 161-167 Robertson Street in order to allow an additional 73m2 of floor area within the basement level of the existing single-family dwelling and recommending that it move forward to an opportunity for public comment.*

- \*G.3.      540 Dallas Road: Development Variance Permit Application No. 00251 (James Bay)** **766**

***Addendum: Presentation***

*A report regarding the proposed Development Variance Permit Application for 540 Dallas Road is order to add a small addition to the rear of the existing seniors residential building for an enclosed walkway and recommending that it move forward to an opportunity for public comment.*

- \*G.4.      123/125 Government Street: Development Variance Permit Application No. 00252 (James Bay)** **796**

***Addendum: Presentation***

*A report regarding the proposed Development Variance Permit Application for 123/125 Government Street in order to reduce the parking requirement from two stalls to one and to reduce the required setback from a window on the lower level and recommending that it move forward to an opportunity for public comment.*

- \*G.5.      506 and 514 Government Street: Request to Modify Covenants CA3641378 and CA3641382 (James Bay)** **822**

***Addendum: Presentation***

*A report regarding the proposed Request to Modify Covenants for 506 and 514 Government Street in order to remove clauses requiring restoration of a pair of two-storey heritage registered buildings.*

## H. STAFF REPORTS

### H.1. Fire Prevention and Regulation Bylaw and False Alarms Bylaw Update 889

*A report regarding the proposed amendments to Fire Prevention and Regulation Bylaw and False Alarms Bylaw Update intended to address identified omissions from the present bylaws and provide additional clarity to the regulatory intent of the amended legislation.*

### \*H.2. Curbside Yard Waste Collection 973

***Addenda: New Item and Presentation***

*A report regarding considerations and recommendations to enable residential yard waste collection through shifting the solid waste utility to a curbside collection model.*

## I. NOTICE OF MOTIONS

## J. NEW BUSINESS

### \*J.1. Council Member Motion: Mental Health and Addiction Services 988

***Addenda: New Item***

*A Councillor Member Motion regarding Mental Health and Addiction Services.*

### \*J.2. Council Member Motion: Streets and Traffic Bylaw 990

***Addenda: New Item***

*A Councillor Member Motion regarding the Streets and Traffic Bylaw.*

## K. ADJOURNMENT OF COMMITTEE OF THE WHOLE



## MINUTES - COMMITTEE OF THE WHOLE

February 4, 2021, 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 Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

**PRESENT ELECTRONICALLY:** Councillor Dubow, Councillor Isitt

**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, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, M. Sandhu - Head of Service Innovation & Improvement, M. Fedyczkowska - Legislation & Policy Analyst, P. Bellefontaine - Director of Engineering & Public Works, P. Rantucci - Head of Strategic Real Estate, C. Moffatt - Assistant City Solicitor, K. Stratford - Neighbourhood Liaison, M. Hill - Community Development Coordinator, G. Pemberton - Neighbourhood Liaison, M. Heiser - Council Secretary

### **A. APPROVAL OF AGENDA**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the agenda be approved.

#### **Amendment:**

**Moved By** Councillor Alto

**Seconded By** Mayor Loveday

That the agenda of the February 4, 2021 Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

- E.1 2564 Graham Street: Heritage Designation Application No. 000191 (Hillside/Quadra)
- E.2 1611 Stanley Avenue: Heritage Designation Application No. 000194 (Fernwood)
- F.1 Proclamation - Chamber of Commerce Week
- I.1 Council Member Motion: Amending Schedule E of the Animal Responsibility Bylaw to Include a portion of Vic West

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Mayor Alto

That the agenda of the February 4, 2021 Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

- E.1 2564 Graham Street: Heritage Designation Application No. 000191 (Hillside/Quadra)
- E.2 1611 Stanley Avenue: Heritage Designation Application No. 000194 (Fernwood)
- F.1 Proclamation - Chamber of Commerce Week
- I.1 Council Member Motion: Amending Schedule E of the Animal Responsibility Bylaw to Include a portion of Vic West
- I.5 Council Member Motion: Celebrating the Lunar New Year

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Loveday  
**Seconded By** Mayor Potts

That the agenda of the February 4, 2021 Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

- E.1 2564 Graham Street: Heritage Designation Application No. 000191 (Hillside/Quadra)
- E.2 1611 Stanley Avenue: Heritage Designation Application No. 000194 (Fernwood)
- F.1 Proclamation - Chamber of Commerce Week
- I.1 Council Member Motion: Amending Schedule E of the Animal Responsibility Bylaw to Include a portion of Vic West
- I.4 **Council Member Motion: UBCM Resolution: Increase Disability Benefits and Income Assistance Rates**
- I.5 Council Member Motion: Celebrating the Lunar New Year

**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**

**E.1 2564 Graham Street: Heritage Designation Application No. 000191 (Hillside/Quadra)**

Committee received a report dated January 21, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Heritage Designation Application No. 000191 for 2564 Graham Street in order to designate the exterior of the property located at 2564 Graham Street and recommending that it move forward to a Public Hearing.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council approve the designation of the property located at 2564 Graham Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

**CARRIED UNANIMOUSLY**

**E.2 1611 Stanley Avenue: Heritage Designation Application No. 000194 (Fernwood)**

Committee received a report dated January 21, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Heritage Designation Application No. 000194 for 1611 Stanley Avenue to designate the exterior of the one-and-one-half-storey, wood-frame, Edwardian Vernacular house and recommending that it move forward to a Public Hearing.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council approve the designation of the property located at 1611 Stanley Avenue, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

**CARRIED UNANIMOUSLY**

**F.1 Proclamation - Chamber of Commerce Week**

Committee received a report dated January 27, 2021 from the City Clerk regarding the proclamation for Chamber of Commerce Week, February 15 to 22, 2021.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That the Chamber of Commerce Week Proclamation be forwarded to the February 11, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**I.1 Council Member Motion: Amending Schedule E of the Animal Responsibility Bylaw to Include a portion of Vic West**

Committee received a Council Member Motion dated January 11, 2021 from Councillor Loveday regarding the proposed amendment to the Animal Responsibility Bylaw in order to increase the area that a person must not intentionally feed rock doves, crows, or gulls to include the triangle of Vic West from Bay Street to Esquimalt Road.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council direct staff to report back with options for and implications of implementing the following recommendation:

That Council direct staff to bring forward an amendment to the Animal Responsibility Bylaw amending Schedule E to increase the area that a person must not intentionally feed or leave food out for the purposes of feeding rock doves (pigeons), crows, or gulls to include the triangle of Vic West from Bay Street to Esquimalt Rd.

**CARRIED UNANIMOUSLY**

**I.4 Council Member Motion: UBCM Resolution: Increase Disability Benefits and Income Assistance Rates**

Committee received a Council Member Motion dated January 29, 2021 from Councillor Potts and Councillor Loveday regarding the proposed UBCM Resolution regarding Disability Benefits and Income Assistance Rates.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council endorses the following resolution and directs staff to forward copies to UBCM member local governments, as well as the Provincial ministers responsible for Social Development, Poverty Reduction, Finance, and Housing, requesting favourable consideration.

Resolution:

**WHEREAS** after many years of frozen income assistance rates and only minimal increases to disability benefits the current Provincial Government increased rates, for single people, by \$150 between 2017 and 2019 but most people who receive disability benefits or income assistance continue to live well below the poverty line;

**AND WHEREAS** the Provincial Government added a \$300/month COVID benefit for those receiving disability and income assistance, which temporarily reduced people's risk of losing their housing and increased their access to necessities including food and medical supplies, but as of January 2021 the benefit has been reduced to \$150/month and there is no commitment to provide additional support past March 2021.

**BE IT RESOLVED THAT** the Province of British Columbia permanently reinstate the automatic, \$300/month benefit for people receiving disability benefits and income assistance and move to raise disability and income assistance to a livable rate that is above the market basket measure (MBM).

**CARRIED UNANIMOUSLY**

**I.5 Council Member Motion: Celebrating the Lunar New Year**

Committee received a Council Member Motion dated January 30, 2021 from Councillor Thornton-Joe regarding the Lunar New Year and the Year of the Ox.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Mayor and Council encourage citizens in the City of Victoria and throughout the Region, to help celebrate the Lunar New Year and the Year of the Ox by decorating their doorways and windows with Lunar New Year decorations and red decorations from now until the end of February and that on Friday, February 12<sup>th</sup>, 2021 that we wear red to bring good luck and good health to all our communities.

## **CARRIED UNANIMOUSLY**

*Councillor Isitt expressed a Point of Personal Privilege with regards to personal conduct and meeting participation during the pandemic.*

### **D. UNFINISHED BUSINESS**

#### **D.1 Strategic Plan #3 Affordable Housing**

Committee deliberated the motion regarding the Strategic Plan #3 Affordable Housing item postponed from the January 25, 2021 Special Committee of the Whole meeting.

**Moved By** Councillor Dubow

**Seconded By** Councillor Young

That Council approve the amendments as outlined in the report dated January 19, 2021 for Strategic Plan #3 Affordable Housing and that the following be pulled for further consideration:

Municipal Housing Corporation Remove from Plan.

*Committee discussed the following:*

- *Buying land for the purpose of affordable housing*
- *The City's role in providing housing*
- *Lessons learned from the pandemic*

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Thornton-Joe, Councillor Young

OPPOSED (3): Councillor Dubow, Councillor Isitt, Councillor Potts

#### **CARRIED (6 to 3)**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

Council add the following 2022 action to the Strategic Plan:  
Work with partner agencies to create an emergency housing function.

*Committee discussed the following:*

- *Housing and homelessness concerns*
- *Specifics of the ESS program*

#### **Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

Council add the following 2022 action to the Strategic Plan:  
Work with partner agencies to **explore the creation** ~~create~~ an emergency housing function.



*Committee discussed the following:*

- *Supporting the most vulnerable population*
- *Services provided by other levels of relief organizations*

**Motion to refer:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

That this matter be referred to staff, to report back on the implications and advisability of working with partner agencies to create an emergency housing function.

*Committee discussed the following:*

- *Staff resources and capacity*
- *The hiring of a homeless advocate*

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

That this matter be referred to staff, to report back on the implications and advisability of working with partner agencies to create an emergency housing function **and report back on what 2021 items would need to be removed from the strategic plan in order to accomplish this work.**

**CARRIED UNANIMOUSLY**

**On the motion to refer as amended:**

That this matter be referred to staff, to report back on the implications and advisability of working with partner agencies to create an emergency housing function and report back on what 2021 items would need to be removed from the strategic plan in order to accomplish this work.

FOR (3): Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Thornton-Joe

**DEFEATED (3 to 6)**

**On the amendment:**

Council add the following 2022 action to the Strategic Plan:

Work with partner agencies to **explore the creation** ~~create~~ an emergency housing function.

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (3): Councillor Dubow, Councillor Isitt, Councillor Loveday

**CARRIED (6 to 3)**

**On main motion as amended:**

Council add the following 2022 action to the Strategic Plan:  
Work with partner agencies to explore the creation of an emergency housing function.

**CARRIED UNANIMOUSLY**

**D.2 496 and 498 Cecelia Road and 3130 Jutland Road: Rezoning Application No. 00655 and OCP Amendment and Development Permit Application No. 000532 (Burnside)**

**Moved By** Mayor Helps  
**Seconded By** Councillor Potts

vi. construction of a new traffic signal at the corner of Cecelia and Jutland Road in accordance with the conceptual plan dated December 11, 2020 to the satisfaction of the Director of Engineering and Public Works.

**CARRIED UNANIMOUSLY**

*Councillor Isitt requested that the item E.1 2564 Graham Street: Heritage Designation Application No. 000191 (Hillside/Quadra) be removed from the consent agenda.*

*Mayor Helps recalled the vote on the consent agenda.*

**B. CONSENT AGENDA**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the following items be approved without further debate.

**CARRIED UNANIMOUSLY**

**E.2 1611 Stanley Avenue: Heritage Designation Application No. 000194 (Fernwood)**

Committee received a report dated January 21, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Heritage Designation Application No. 000194 for 1611 Stanley Avenue to designate the exterior of the one-and-one-half-storey, wood-frame, Edwardian Vernacular house and recommending that it move forward to a Public Hearing.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That Council approve the designation of the property located at 1611 Stanley Avenue, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

**CARRIED UNANIMOUSLY**

**F.1 Proclamation - Chamber of Commerce Week**

Committee received a report dated January 27, 2021 from the City Clerk regarding the proclamation for Chamber of Commerce Week, February 15 to 22, 2021.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the Chamber of Commerce Week Proclamation be forwarded to the February 11, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**I.1 Council Member Motion: Amending Schedule E of the Animal Responsibility Bylaw to Include a portion of Vic West**

Committee received a Council Member Motion dated January 11, 2021 from Councillor Loveday regarding the proposed amendment to the Animal Responsibility Bylaw in order to increase the area that a person must not intentionally feed rock doves, crows, or gulls to include the triangle of Vic West from Bay Street to Esquimalt Road.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That Council direct staff to report back with options for and implications of implementing the following recommendation:

That Council direct staff to bring forward an amendment to the Animal Responsibility Bylaw amending Schedule E to increase the area that a person must not intentionally feed or leave food out for the purposes of feeding rock doves (pigeons), crows, or gulls to include the triangle of Vic West from Bay Street to Esquimalt Rd.

**CARRIED UNANIMOUSLY**

**I.4 Council Member Motion: UBCM Resolution: Increase Disability Benefits and Income Assistance Rates**

Committee received a Council Member Motion dated January 29, 2021 from Councillor Potts and Councillor Loveday regarding the proposed UBCM Resolution regarding Disability Benefits and Income Assistance Rates.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That Council endorses the following resolution and directs staff to forward copies to UBCM member local governments, as well as the Provincial ministers responsible for Social Development, Poverty Reduction, Finance, and Housing, requesting favourable consideration.

Resolution:

**WHEREAS** after many years of frozen income assistance rates and only minimal increases to disability benefits the current Provincial Government increased rates, for single people, by \$150 between 2017 and 2019 but most people who receive disability benefits or income assistance continue to live well below the poverty line;

**AND WHEREAS** the Provincial Government added a \$300/month COVID benefit for those receiving disability and income assistance, which temporarily reduced people's risk of losing their housing and increased their access to necessities including food and medical supplies, but as of January 2021 the benefit has been reduced to \$150/month and there is no commitment to provide additional support past March 2021.

**BE IT RESOLVED THAT** the Province of British Columbia permanently reinstate the automatic, \$300/month benefit for people receiving disability benefits and income assistance and move to raise disability and income assistance to a livable rate that is above the market basket measure (MBM).

**CARRIED UNANIMOUSLY**

**I.5 Council Member Motion: Celebrating the Lunar New Year**

Committee received a Council Member Motion dated January 30, 2021 from Councillor Thornton-Joe regarding the Lunar New Year and the Year of the Ox.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That Mayor and Council encourage citizens in the City of Victoria and throughout the Region, to help celebrate the Lunar New Year and the Year of the Ox by decorating their doorways and windows with Lunar New Year decorations and red decorations from now until the end of February and that on Friday, February 12<sup>th</sup>, 2021 that we wear red to bring good luck and good health to all our communities.

**CARRIED UNANIMOUSLY**

**E. LAND USE MATTERS**

*Councillor Isitt withdrew from the meeting at 10:15 a.m. due to a potential pecuniary conflict of interest with the following item as he lives 120 metres from the subject property.*

**E.1 2564 Graham Street: Heritage Designation Application No. 000191 (Hillside/Quadra)**

Committee received a report dated January 21, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Heritage Designation Application No. 000191 for 2564 Graham Street in order to designate the exterior of the property located at 2564 Graham Street and recommending that it move forward to a Public Hearing.

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That Council approve the designation of the property located at 2564 Graham Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

**CARRIED UNANIMOUSLY**

*Committee recessed at 10:16 a.m. and reconvened at 10:24 a.m.*

*Councillor Isitt returned to the meeting at 10:24 a.m.*

**G. Council Led Workshop - Neighbourhood Boundaries**

Committee participated in a Council led workshop to consider neighbourhood boundaries.

*Committee discussed the following:*

- *Current boundaries of neighbourhoods in the City*
- *Distribution of residential buildings in the downtown area*
- *Location of community centres and shopping centres*
- *Population being a factor to consider*
- *The collaboration with the current CALUCs for input*
- *Promoting outreach within the communities*

**Moved By** Councillor Isitt

**Seconded By** Mayor Helps

1. That Council direct staff to engage the North Jubilee Neighbourhood Association and the Oaklands Community Association regarding the potential recognition of the 2700-block to 3000-block of the east side of Shelbourne Street as part of the Oaklands neighbourhood, requesting comment from those associations by April 30, 2021.

2. That Council direct staff to engage the Fernwood Community Association and the Oaklands Community Association regarding the potential recognition of the 2500-blocks between Cook Street and Shelbourne Street, and Bay Street and Haultain Street, as part of the Oaklands neighbourhood, requesting comment from those associations by April 30, 2021.

3. That Council direct staff to engage the Fairfield-Gonzales and the Downtown Residents Association regarding the potential recognition of the 800-blocks between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the

Downtown neighbourhood, requesting comment from those associations by April 30, 2021.

4. That Council direct staff to engage the Burnside-Gorge Community Association and the Downtown Residents Association regarding the potential adjustment of the boundary between Burnside-Gorge and Downtown from Chatham/Discovery/Caledonia to Bay Street, so that Bay Street would become the northern boundary of Downtown and the southern boundary of Burnside-Gorge, requesting comment from those associations by April 30, 2021.

5. That Council direct staff to engage the South Jubilee Neighbourhood Association and the North Jubilee Neighbourhood Association regarding the potential recognition of a unified Jubilee neighbourhood, requesting comment from those associations by April 30, 2021.

6. That Council direct staff to engage the Downtown Residents Association regarding the potential recognition of Downtown and Harris Green as a unified Downtown neighbourhood, requesting comment from that association by April 30, 2021.

7. That Council direct staff to engage the Victoria Community Association Network regarding these proposed adjustments to neighbourhood boundaries, requesting comment from VCAN and any neighbourhood association that wishes to provide comment by April 30, 2021.

*They Mayor stated that each numbered item in the motion will be debated separately.*

1. That Council direct staff to engage the North Jubilee Neighbourhood Association and the Oaklands Community Association regarding the potential recognition of the 2700-block to 3000-block of the east side of Shelbourne Street as part of the Oaklands neighbourhood, requesting comment from those associations by April 30, 2021.

#### **CARRIED UNANIMOUSLY**

2. That Council direct staff to engage the Fernwood Community Association and the Oaklands Community Association regarding the potential recognition of the 2500-blocks between Cook Street and Shelbourne Street, and Bay Street and Haultain Street, as part of the Oaklands neighbourhood, requesting comment from those associations by April 30, 2021.

#### **CARRIED UNANIMOUSLY**

3. That Council direct staff to engage the Fairfield-Gonzales and the Downtown Residents Association regarding the potential recognition of the 800-blocks between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the Downtown neighbourhood, requesting comment from those associations by April 30, 2021.

#### **Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Isitt

3. That Council direct staff to engage the Fairfield-Gonzales Community Association **and**, the Downtown Residents Association, **and the Downtown Victoria Business Association** regarding the potential recognition of the 800-blocks between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the Downtown neighbourhood, requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

3. That Council direct staff to engage the Fairfield-Gonzales Community Association, the Downtown Residents Association, and the Downtown Victoria Business Association regarding the potential recognition of the 800-blocks between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the Downtown neighbourhood, requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

4. That Council direct staff to engage the Burnside-Gorge Community Association and the Downtown Residents Association regarding the potential adjustment of the boundary between Burnside-Gorge and Downtown from Chatham/Discovery/Caledonia to Bay Street, so that Bay Street would become the northern boundary of Downtown and the southern boundary of Burnside-Gorge, requesting comment from those associations by April 30, 2021.

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Isitt

4. That Council direct staff to engage the Burnside-Gorge Community Association **and**, the Downtown Residents Association, **and the Downtown Victoria Business Association** regarding the potential adjustment of the boundary between Burnside-Gorge and Downtown from Chatham/Discovery/Caledonia to Bay Street, so that Bay Street would become the northern boundary of Downtown and the southern boundary of Burnside-Gorge, requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

4. That Council direct staff to engage the Burnside-Gorge Community Association, the Downtown Residents Association, and the Downtown Victoria Business Association regarding the potential adjustment of the boundary between Burnside-Gorge and Downtown from Chatham/Discovery/Caledonia to Bay Street, so that Bay Street would become the northern boundary of Downtown and the southern boundary of Burnside-Gorge, requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

5. That Council direct staff to engage the South Jubilee Neighbourhood Association and the North Jubilee Neighbourhood Association regarding the potential recognition of a unified Jubilee neighbourhood, requesting comment from those associations by April 30, 2021.

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Thornton-Joe

5. That Council direct staff to engage the South Jubilee Neighbourhood Association and the North Jubilee Neighbourhood Association regarding the potential recognition of a unified Jubilee neighbourhood **and their thoughts on how one CALUC could potentially be formed to service the one new unified neighbourhood**, requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

5. That Council direct staff to engage the South Jubilee Neighbourhood Association and the North Jubilee Neighbourhood Association regarding the potential recognition of a unified Jubilee neighbourhood and their thoughts on how one CALUC could potentially be formed to service the one new unified neighbourhood, requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

6. That Council direct staff to engage the Downtown Residents Association regarding the potential recognition of Downtown and Harris Green as a unified Downtown neighbourhood, requesting comment from that association by April 30, 2021.

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Isitt

6. That Council direct staff to engage the Downtown Residents Association **and the Downtown Victoria Business Association** regarding the potential recognition of Downtown and Harris Green as a unified Downtown neighbourhood, requesting comment from that association by April 30, 2021.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

6. That Council direct staff to engage the Downtown Residents Association and the Downtown Victoria Business Association regarding the potential recognition of Downtown and Harris Green as a unified Downtown neighbourhood, requesting comment from that association by April 30, 2021.



## **CARRIED UNANIMOUSLY**

7. That Council direct staff to engage the Victoria Community Association Network regarding these proposed adjustments to neighbourhood boundaries, requesting comment from VCAN and any neighbourhood association that wishes to provide comment by April 30, 2021.

## **CARRIED UNANIMOUSLY**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

1. That Council direct staff to engage with North Park Neighbourhood Association and the Fernwood Community Association regarding the potential adjustment that would make Chambers street the eastern boundary of North Park and the western boundary of Fernwood between Bay and Pandora.
2. That proposed neighbourhood boundary changes, that coincide with current local area planning (i.e. Village and Corridor Planning: Fernwood, North Park, Hillside-Quadra), be included in the local area planning engagement, taking into consideration the end date of engagement as suggested in the neighbourhood boundaries report.

## **CARRIED UNANIMOUSLY**

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

1. That Council direct staff to engage with the Rockland Neighbourhood Association, The Fairfield Gonzales Community Association, and the Gonzales Neighbourhood Association about the potential to create a Rockland Gonzales neighbourhood and to put the question of the CALUCs to all three neighbourhood associations for their consideration.

### **Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council direct staff to **engage the Fairfield-Gonzales Community Association, the Gonzales Neighbourhood Association and the Rockland Neighbourhood Association on options for CALUC representation in the Fairfield, Gonzales and Rockland neighbourhoods, including the possibility of:**

- (a) **recognition of the Gonzales Neighbourhood Association as the CALUC for the Gonzales neighbourhood; or**
- (b) **recognition of a unified Gonzales-Rockland Neighbourhood Association as the CALUC for a unified Gonzales-Rockland neighbourhood; or**
- (c) **the status quo.**

**requesting comment from those associations by April 30, 2021.**

**~~with the Rockland Neighbourhood Association, The Fairfield Gonzales Community Association, and the Gonzales Neighbourhood Association about the potential to~~**

~~create a Rockland Gonzales neighbourhood and to put the question of the CALUCs to all three neighbourhood associations for their consideration.~~

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council direct staff to engage the Fairfield-Gonzales Community Association, the Gonzales Neighbourhood Association and the Rockland Neighbourhood Association on options for CALUC representation in the Fairfield, Gonzales and Rockland neighbourhoods, including the possibility of:

- (a) recognition of the Gonzales Neighbourhood Association as the CALUC for the Gonzales neighbourhood; or
- (b) recognition of a unified Gonzales-Rockland Neighbourhood Association as the CALUC for a unified Gonzales-Rockland neighbourhood; or
- (c) the status quo.

requesting comment from those associations by April 30, 2021.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That Council direct staff to engage with the Fernwood Community Association, the Downtown Residents Association, and the Downtown Victoria Business Association regarding the potential of the east side of Cook Street from Fort Street to Pandora Avenue as part of the downtown neighbourhood requesting comment from those associations by April 30, 2021

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Potts

**Seconded By** Councillor Andrew

7. That Council direct staff to engage the Victoria Community Association Network regarding these proposed adjustments to neighbourhood boundaries, requesting comment from VCAN and any neighbourhood association **or CALUC** that wishes to provide comment by April 30, 2021.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

7. That Council direct staff to engage the Victoria Community Association Network regarding these proposed adjustments to neighbourhood boundaries, requesting comment from VCAN and any neighbourhood association or CALUC that wishes to provide comment by April 30, 2021.

**CARRIED UNANIMOUSLY**

**Motion arising:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Dubow

And that Council request staff report back with options for supporting neighbourhood associations in outreaching and serving parts of their neighbourhood that are currently under-represented by their current function and services.

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

And that Council request staff **to work with neighbourhood associations and report back on options for supporting them** ~~report back with options for supporting neighbourhood associations~~ in outreaching and serving parts of their neighbourhood that are currently under-represented by their current function and services.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

And that Council request staff to work with neighbourhood association as and report back on options for supporting them in outreaching and serving parts of their neighbourhood that are currently under-represented by their current function and services.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That Council direct staff to send the proposed adjustments to Destination Victoria for any comments with respect to downtown boundaries.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council share the approved motions with the Songhees and Esquimalt Nations inviting their comment.

**Motion to postpone:**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council postpone consideration of this item.

## CARRIED UNANIMOUSLY

*Committee recessed at 11:50 a.m. and reconvened at 11:56 a.m. Councillor Andrew was not present when the meeting reconvened.*

### I. NEW BUSINESS

#### I.2 Council Member Motion: Electronic Participation at Council and Committee of the Whole Meetings

Committee received a Council Member Motion dated January 28, 2021 from Councillor Andrew, Councillor Alto, and Councillor Thornton-Joe regarding the proposed report back on amendments to the Council Procedures Bylaw as it relates to remote participation for Council members.

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible to one another, and may always watch each other and hear each other in order to be recorded as present in a meeting, and when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection.

*Councillor Andrew returned to the meeting at 11:58 a.m.*

*Committee discussed the following:*

- *Practical advice that may be received from staff*
- *Occasional technical difficulties*
- *Participation and engagement in meetings*

**Amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible to one another, and may always watch each other and hear each other in order to be recorded as present in a meeting, and when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection.

**And that staff report on the implications and advisability of adopting the following specific potential amendments to the Council Procedures Bylaw relating to remote participation by Council Members during the Covid-19 pandemic:**

**(a) Council members will establish a video link when speaking or participating in a roll call vote during a council or committee meeting; and**

**(b) Council members will notify Legislative Services staff when they leave a virtual meeting room during a meeting, to ensure proper record-keeping of remote participation.**

*Mayor Helps ruled that the amendment was out of order.*

*Committee discussed the following:*

- *Distraction during Council meetings*
- *Proposed implications of the proposed direction*
- *Length of meetings and time in front of camera*
- *Provincial Health Officer's guidelines and suggestions*

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible **to the chair and the City clerk to one another, and may always watch each other and hear each other** in order to be recorded as present in a meeting, and when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection.

*Committee recessed at 12:34 p.m. and reconvened at 1:21 p.m.*

*Committee discussed the following:*

- *Visibility of participants to the chair*
- *Accurate recording of presence during meetings*

**Amendment to Amendment:**

**Moved By** Councillor Potts

**Seconded By** Councillor Dubow

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible **to the chair and the City clerk to one another, and may always watch each other and hear each other** in order to be recorded as present in a meeting, and when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection **for the duration of the ministerial order M192 - that Council through the mayor, affirm each Council members' choice to participate remotely or in council chambers.**

**CARRIED UNANIMOUSLY**

**On the amendment:**

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible **to the chair and the City clerk to one another, and may always watch each other and hear each other** in order to be recorded as present in a meeting, and when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection **for the duration of the ministerial order M192 - that Council through the mayor, affirm each Council members' choice to participate remotely or in council chambers.**

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Dubow

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible to the chair and the City clerk in order to be recorded as present in a meeting, **and visible to council and the public via the webcast** when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection for the duration of the ministerial order M192 - that Council through the mayor, affirm each Council members' choice to participate remotely or in council chambers.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council direct staff to report back on the implications and ability to amend the Council Procedures Bylaw to require remote participation to occur so that Council members are visible to the Chair and the City clerk in order to be recorded as present in a meeting, and visible to Council and the public via the webcast when called on to vote or comment, provided that the City's meeting management programs are operational to enable the video connection, for the duration of the Ministerial Order M192 and that Council through, the Mayor, affirm each Council members' choice to participate remotely or in council chambers.

**CARRIED UNANIMOUSLY**

**J. ADJOURNMENT OF COMMITTEE OF THE WHOLE**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That the Committee of the Whole Meeting be adjourned at 1:47 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

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MAYOR

DRAFT



## Committee of the Whole Report

### For the Meeting of March 11, 2021

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**To:** Committee of the Whole **Date:** February 25, 2021

**From:** Karen Hoesse, Director, Sustainable Planning and Community Development

**Subject:** Development Permit with Variances Application No. 000155 for 749-767 Douglas Street

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### RECOMMENDATION

- 1.) "That Council refer application No. 00746 for the property located at 749-767 Douglas Street back to staff to work with the applicant to introduce the following refinements:

#### Building Massing, Design, Form and Character:

- a) reduce the infringement into View 5: Olympic Mountains from Douglas Street by setting the building back approximately 10m from the west property line
- b) increase the proposal's consistency with design guidelines pertaining to form, character, exterior design and finishes, particularly with respect to the flat façade and cladding material
- c) commit to meeting Step 3 BC Building Code requirements.

#### Landscaping and Public Realm:

- a) extend the Humboldt Street Plaza to Penwill Street
- b) increase the statutory right-of-way width on Douglas street to include the seating and weather protection at the building face
- c) include a statutory right-of-way to secure the through block access path proposed along the eastern property boundary
- d) remove the exterior digital display screen
- e) provide street trees on Douglas Street
- f) introduce a water/play element as well as additional trees in the south plaza
- g) resolve outstanding site servicing, tree preservation and tree replacement issues.

#### Transportation Demand Management

- a) require a minimum of 94 BC Transit EcoPasses for a three-year period

- 2.) That Council waive the requirement for additional CALUC consultation that may result from changes made to the proposal in response to the issues identified in this report."



## 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 *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 749-767 Douglas Street. The proposal is to construct a 12-storey office building with ground floor commercial uses. The variances are to:

- increase the density from 3:1 FSR to 5.47:1 FSR
- increase the height from 43m to 53m
- reduce the interior (south west) side yard setback from 4.5m to 0m
- reduce the interior (south east) side yard setback from 4.5m to 4.0m
- remove the requirement for a 1:5 setback plane on Douglas and Humboldt streets
- reduce the required number of vehicle parking stalls from 221 to 127.

The following points were considered in assessing this application:

- The applicant's objective of creating a landmark building in this location, with the density and aesthetic proposed, together with the geometry of the site, results in a built form at odds with many of the design guidelines that apply to this area.
- The application is subject to the guidelines contained in Development Permit Area 9 (HC): Inner Harbour, which includes requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings.
- The proposed flat glass façade and building composition are inconsistent with the placemaking, urban design and heritage objectives contained in the OCP, which call for articulated building forms, complementary cladding materials and designs responsive to the heritage context.
- The proposal advances public realm goals by updating and improving two adjacent existing plaza areas.
- The proposal provides a generous building separation to the residential building to the east, exceeding the Downtown Core Area Plan (DCAP) design guidelines. This increased separation reduces a key protected public view (View 5 of the Olympic Mountains on Douglas Street) which could be mitigated by shifting the proposed siting of the building.
- While the proposed Transit Demand Measures (TDM) will not likely be sufficient to offset the requested parking variance:
  - this will have limited impact on the public right of way as the area is surrounded by existing parking meters and other time limitations on parking
  - the reduced parking supply also helps to protect the Humboldt Street AAA bike route

- this location is well located to take advantage of the available public transit system, walking, and cycling
  - to help mitigate a potential parking shortfall and advance OCP transportation mode targets, it is recommended that 94 EcoPasses are provided to future employees for a minimum of a three-year term.
- At a meeting of the Advisory Design Panel (ADP), the application received a positive review with a recommendation for Council support, subject to minor changes, which were subsequently made by the applicant.

This proposal represents benefits to the City, particularly around jobs and the economy and the public realm. Nonetheless, the form of development proposed for this unique site, does challenge other City objectives for the area related to conserving protected views, landmark heritage building policies, and building form and character. Staff believe that through a number of revisions, a better outcome could be achieved that would be more consistent with City policies while continuing to realize the applicant's program. In reflection of this, the staff recommendation is to work with the applicant to bring forward these refinements. An alternate motion, to advance the application to a Public Hearing, is also provided should Council wish to consider the proposal as presented.

## BACKGROUND

### Description of Proposal

The proposal is for a 12-storey office building with commercial uses at grade. Specific details include:

- a flat-iron building massing, influenced by the parcel geometry and surrounding road network
- a terraced south elevation with landscaped decks at levels 6, 8, 10, 11, and 12
- a double height ground floor with a main lobby entrance and two commercial retail units
- a recessed ground floor with cantilevered levels above, rising in a single plane without street setbacks
- predominantly glass cladding on the north and south elevations and spandrel panels on the east elevation
- public plaza improvements at the north and south ends of the building
- three levels of underground parking, covered with a single storey, landscaped structure.

### Data Table

The following data table compares the proposal with the existing CA-4 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Additionally, the key City policy that pertains to the area has been included in this table.

Zoning Criteria	Proposal	Existing CA-4 Zone	OCP Policy	Downtown Core Area Plan (DCAP) Policy
Density (Floor Space Ratio) – maximum	5.47*	3.0	4.0	4.0

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Existing CA-4 Zone</b>	<b>OCP Policy</b>	<b>Downtown Core Area Plan (DCAP) Policy</b>
Total floor area (m <sup>2</sup> ) – maximum	<b>14,135.62*</b>	7,745.85	10,327.8	10,327.8
Height (m) – maximum	<b>52.92*</b>	43.0	45	45
Storeys – maximum	12	n/a	15	11
<b>Setbacks (m) – minimum</b>				
Street Massing (Douglas) 1:5 setback above 10m	<b>2*</b>	8.6		
Street Massing (Humboldt) 1:5 setback above 10m	<b>0*</b>	8.6		
Interior (south west)	<b>0*</b>	4.5		
Interior (south east)	<b>4.05*</b>	4.5		
<b>Parking – minimum</b>				
Visitor parking included in the overall units – minimum	<b>127*</b>	221		
<b>Bicycle parking – minimum</b>				
Long Term	100	95		
Short Term	41	41		

## ANALYSIS

The *Official Community Plan* (OCP) identifies this property within Development Permit Area 9 (Heritage Conservation): Inner Harbour. The objectives of this designation include:

- conserving the heritage value, special character and the significant historic buildings, features and characteristics in the Inner Harbour area
- enhancing the Inner Harbour through high quality architecture, landscape and urban design that reflects the functions of the area as a marine entry, working harbour and community amenity in scale, massing and character while responding to its historic context, including heritage landmark buildings.

In addition to the policies embedded in the OCP, the primary policy that applies to this site is the *Downtown Core Area Plan (2011) (DCAP)*. Policies contained in the *Advisory Design Guidelines for Buildings, Signs and Awnings (1981)* also offer guidance.

Although many of the topics being considered are inter-related with density considerations reviewed in the concurrent rezoning application, the key policies are discussed and analysis is provided in the following sections:

- Context
- Massing
- Form and Character
- Climate Change and Energy
- Landscaping.

## **Context**

Built form policies throughout Victoria aim to ensure that proposals are consistent with and complementary to their relative context. This is a tenet that is particularly important with respect to the four heritage conservation areas that make up Victoria's Downtown. Additional oversight is encouraged for proposals that also fall within a landmark heritage building radius. In all cases, it is a built heritage context that proposals are urged to respond to.

The design guidelines elaborate on the form of contextual design that is encouraged. For this location, DCAP defines contextual sensitivity as:

- responding to the surrounding context as defined by the topography, building spacing, building form, building height, rooflines, massing, setbacks, orientation, building proportions, materials and landscaping
- including detailed architectural qualities and building articulation such as changes in the depth of the surface of a building face, recessed windows or window bays, horizontal or vertical banding, facade rhythm etc.
- employing similar materials found within the heritage building context
- maintaining and respecting the visual prominence and character-defining importance of the Empress Hotel
- conserving key protected views of the Empress Hotel and Olympic Mountains.

Beyond regulating the use, density and overall massing of a proposal, the Local Government Act (LGA) confers authority to municipalities to guide form, character, materials, finishes and, landscaping. In this instance, the policies encourage a general form and character that is seen as complementary to and compatible with heritage conservation area ideals. This relates not only to building character and materials, but also to the size and scale of buildings in terms of a hierarchical interpretation.

Maintaining and respecting the visual prominence and character-defining importance of heritage landmark buildings (the Empress Hotel) is a key policy objective. Analogous to this goal is the Empress Hotel's function as the organizing centre piece of the harbour, around which smaller, less important buildings form its backdrop. With its large and long horizontal scale and expansive building footprint, the Empress is the literal and figurative centre of the harbour and the design guidelines are drafted to ensure this relationship persists.

## **Massing**

As noted in the concurrent rezoning report, the parcel geometry results in a three sided, flat-iron shaped building, with the bulk of massing shifted toward the north and east property lines. At 12

storeys the proposal is similar in height to the surrounding buildings, however the proposed building length is unique for a building of this height, at approximately 80 metres.

The proposal provides a generous building separation to the residential building to its east and terraces a portion of the building to transition to the lower scale buildings and the public plaza to its south. Aspects of the proposed massing that deviate from policy and that would benefit from refinement are discussed below, under the headings of:

- Protected Views
- Setbacks
- Floor Plate Sizes and Building Length.

### Protected Views

Three protected views, each striving to conserve noted character defining elements within the view corridor, are relevant to the application:

- a view looking south, toward the Olympic Mountains on Douglas Street (View 5)
- a view from Laurel Point across the harbour to the Empress Hotel (View 1)
- a view from Songhees Point across the harbour to the Empress Hotel (View 2).

#### *View from Douglas Street*

For the Douglas Street view corridor, the character defining element is the Olympic mountains. The proposed building massing reduces the Douglas Street view by approximately 56% (see Figure 1 below) and results in a requirement for an OCP amendment. It is important to note that, as the underlying zoning does not grant an “as-of-right” ability for a proposal to significantly affect a protected view, this would also be the case for an application that was wholly consistent with the existing zone, but still infringed into this view corridor.

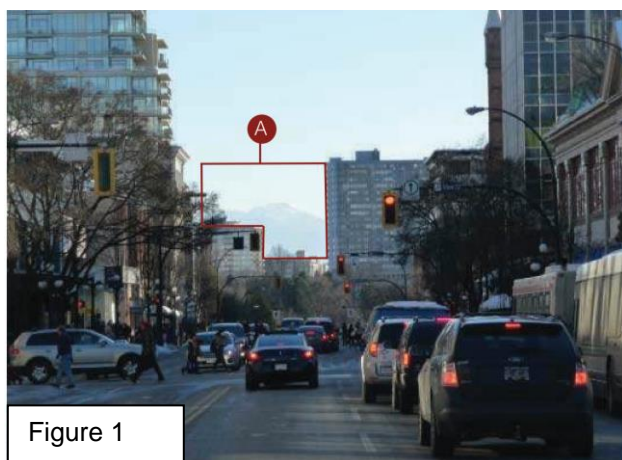


Figure 1



Despite this infringement into the Olympic Mountain view corridor, design changes can alleviate the impact, while still achieving building separation standards. The proposal includes a building separation of 22m to the building to the east, while policy calls for between 3m and 6m. Shifting the proposal by approximately 10m to the east would improve this view corridor, helping frame the view as suggested in the OCP, and maintaining a greater separation distance between buildings than required under policy. It would also free up additional space for street trees at the ground level to further enhance the public realm.

### *Views from Laurel Point and Songhees Point*

From the Laurel Point and Songhees vantage points, the character defining element is the Empress Hotel and its relationship to its context. For these views, the proposal appears above the Empress roofline (see Figure 2 and 3 below), but the actual view is not infringed on or reduced. Some of the DCAP view guidelines that pertain to the relationship between new and existing buildings include:

- maintaining the Empress as the predominant landmark
- ensuring taller background buildings do not overwhelm or detract from the Empress
- ensuring evening building lighting does not detract from the Empress
- maintaining the general moderate scale and visual role of supporting background buildings
- relating building materials and material colours to those of the existing landmark buildings
- providing building articulation, rich detailing, punctuated window rhythm, sympathetic building materials, and relatable building designs.

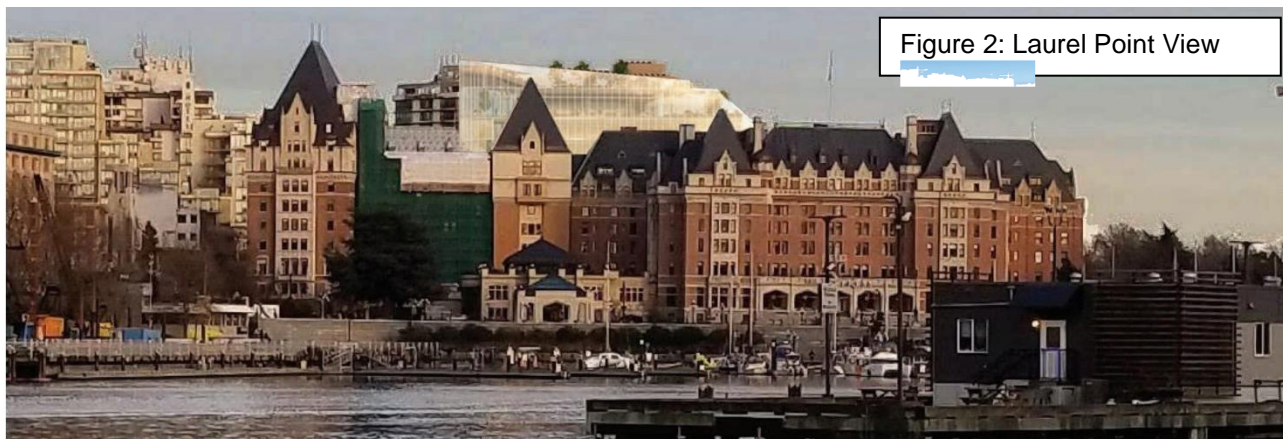


Figure 2: Laurel Point View

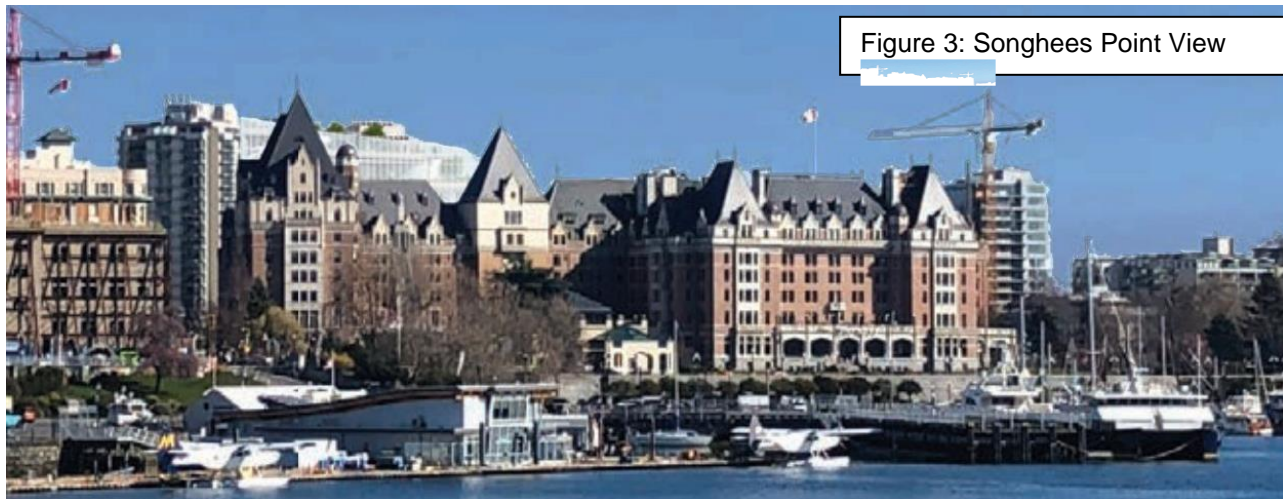


Figure 3: Songhees Point View

The ability to maintain the general moderate scale and visual role of supporting background buildings is impacted with the introduction of a large building mass behind the Empress. Blocking the visual diversity behind the Empress with a similarly long building may compete with and diminish the Empress's visual prominence rather than protect it. Reducing the length of building that appears behind the Empress, introducing a taller and narrower massing, similar to the existing background context, or utilizing design strategies to break up the proposed building mass might help to address this condition.



With regard to objectives to ensure lighting does not detract from evening view of the Empress, the applicant has removed the illuminated building logo that was initially proposed to be visible above the Empress roof line. This is of benefit to the protected Laurel Point View, however, given the glass façade and proximity of the proposed building, evening lighting within the building may detract from the architectural lighting of the Empress Hotel.

### Setbacks

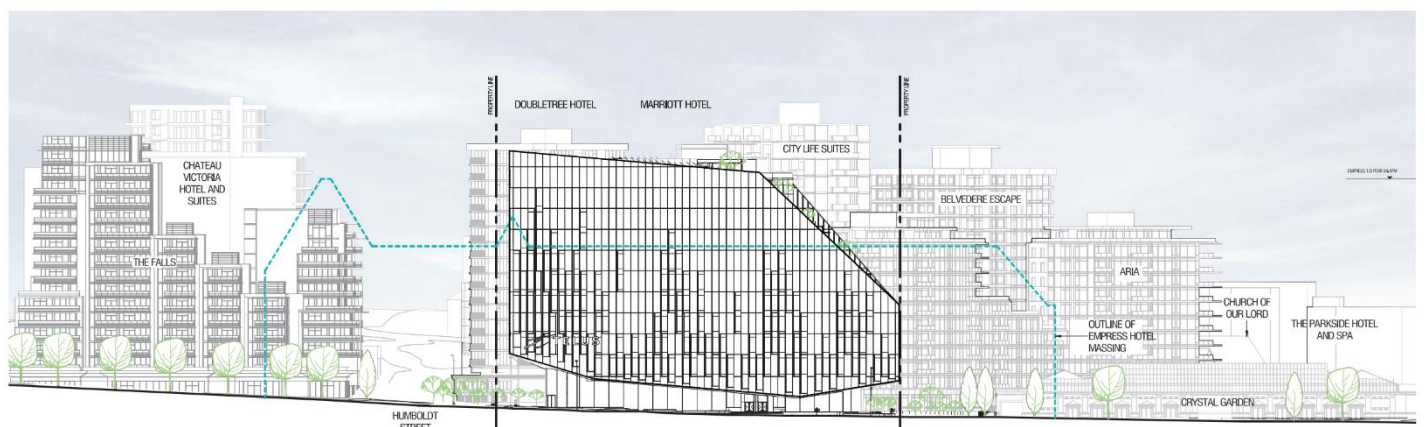
A 5:1 setback plane, above ten metres, establishes a setback line that proposed buildings must not infringe on. The intent of this setback is to mitigate density and height impacts, reduce building bulk of upper storeys, to minimize the effects of shading and wind vortices and to maintain views to the open sky. At the upper most storey, this would result in a setback of nearly nine metres from the property line. As discussed in the rezoning report, the proposal infringes into this setback by seven metres and conflicts with the protected view corridor policies.

The wind study provided (attached) also identifies areas of the pedestrian realm that may experience wind speeds in excess of the safety criteria. As noted, building setbacks (as well as building articulation, wind screens and planting) can mitigate wind vortices. Further refinements to the proposal would help to address this concern.

### Floor Plate Sizes and Building Length

The floor plate maximums set out in DCAP are intended to minimize shadowing impacts, to maintain views to the open sky, and to avoid the visual presence of bulky upper building mass. The largest inconsistency with this policy is within the upper storeys of the proposal where the floor plate is 1,420m<sup>2</sup> (15,280 square feet), exceeding the maximum floor plate size by roughly 440m<sup>2</sup> (4,700 square feet). Given the triangular parcel geometry, it is not unanticipated that floor plate maximums may be exceeded. The proposed building is also primarily oriented with its long axis running north to south which reduces the shadowing impacts. Given these conditions, the impacts from the floor plate inconsistencies are less of a concern and would be mitigated via adherence to the setback and view corridor policies.

The longest building length occurs along Douglas street, where the proposed frontage is roughly 82m long. To provide a sense of the scale of this frontage, the figure below (Figure 4) illustrates the proposed building within a street elevation on Douglas Street, looking east. Notably, strategies to break up the length of the building or to minimize the apparent scale are absent. While the floor plate inconsistencies are minor, the overall effect of the parcel geometry and proposed massing accentuates the building size.



## **Form and Character**

The DCAP policies also promote human scaled architecture that aims to achieve finer grained detailing, responding to a more traditional streetscape and built form. This typically translates into buildings with frequent entries, vertical building expressions, articulated buildings with recesses or shifts in building plane, or other architectural design approaches to break up long, uniform building lengths. As noted previously, along Douglas Street, the building length exceeds 80 metres without breaks in the massing or changes to the cladding above the ground floor. Improving the application's consistency with this policy intent would not result in significant, if any, impact to the program being proposed.

The applicant has proposed a singular building material, glass, with small undulations in the panels to create a wave pattern. The proposed intent is to provide an unimposing backdrop instead of offering competing texture, grain and varying materiality, while reflecting other nearby buildings.

While the design approach is recognized as unique and consistent with the Ocean theme proposed, it is inconsistent with policies that promote articulated, richly detailed cladding with similar materials to the adjacent heritage buildings. Window bays, vertical or horizontal banding or other architectural gestures, that emulate classical architectural proportions, are also not present. It is these features that create the picturesque quality of the Inner Harbour, that the policy encourages to create a contextual fit and to maintain the character of the area.

Given that the unique parcel geometry and the density sought result in a mass and built form that is unique to the area, an entirely glass clad approach emphasizes the scale and mass of the building and its overall inconsistency with the relative context. There are also concerns about the reliability of intended outcomes of an entirely glass clad building. While the objective is to have the building reflect the context, provide a uniform backdrop and/ or disappear into the background, instead this cladding approach may appear as a large mass when lighting conditions result in high reflectivity or when illuminated at night.

Finally, the applicant is proposing a digital display screen, facing the south plaza area. The primary purpose of it is as a digital art installation and a community event notice board, similar to a previous installation in Calgary. While the applicant has offered to enter into an agreement with the City to regulate its usage and content, City policies typically do not support digital, illuminated display screens and call for signage to respect the general character of the signs in the immediate vicinity. The orientation of this screen has been amended to reduce the potential lighting impacts to the adjacent residential building, however, light reflection and illumination impacts remain a concern. Digital display screens in a heritage conservation area also conflict with the character of the area and as such the staff recommendation is to omit this feature.

## **Climate Change and Energy**

Both the OCP and the DCAP include policies related to climate change and the environment, and while those policies are not specifically referenced in the Development Permit Area guidelines, there is a symbiotic relationship between the design approach and sustainable building designs. The application proposes to meet Step Code 2 of the BC Building Code, which is the existing minimum level of energy efficiency that is currently required by code. However, the applicant has indicated that green building technologies, including on-site renewable energy and energy efficient technology, are proposed and that they believe they can achieve a higher step code. Additionally, a number of third-party certifications are being pursued, but have not been secured.



These include:

- CaGBC's Zero Carbon Building Program
- LEED V4 (Platinum)
- Well Building Standard Core and Shell
- Salmon Safe BC
- Step 3 of the BC Building Code.

The staff recommendation includes wording to secure the BC Building Code, Step 3 commitment, which the applicant has indicated they believe they can achieve.

## **Landscaping**

Consistent with Development Permit Area goals for DPA 9 (HC) Inner Harbour, this proposal would enhance the public realm with a high-quality landscape and planned improvements to the two existing plazas that border the site. This includes innovative and unique seating and street furniture, and a consistent surface treatment for the larger area. Landscaping within the private property also includes an undulating water feature between the edge of the building and sidewalk that in places seems to curve into the building appearing inside the building lobby. Additional seating is provided alongside the water feature that can double as covered seating for transit users. It would be important this area and use of seating be legally secured to ensure it remains available for public use. Additionally, a planted, sloping landscape feature is proposed along the eastern property line, above the underground car parking entry. This area provides a widened access to the south plaza area and would benefit from a legal mechanism to secure its use as a public pathway.

## **Tree planting**

As noted in the concurrent Rezoning and OCP Amendment report, the public realm improvements stop short of the entire parcel frontage and opportunities exist to realize additional policy objectives for increased tree canopy and water/ play elements.

Incorporating these additional considerations would create an exemplary public realm and be a positive contribution to the Downtown area. It would also provide a strong rationale to consider the OCP amendment for additional density at this location. As such, the staff recommendation includes appropriate wording should council wish to encourage these changes.

## **Regulatory Considerations**

The application requires a total of five variances. The variances are to:

- increase the height from 43m to 53m
- reduce the interior (south west) side yard setback from 4.5m to 0m
- reduce the interior (south east) side yard setback from 4.5m to 4.00m
- remove the requirement for a 1:5 setback plane on Douglas Street and Humboldt Street
- reduce the required number of vehicle parking stalls from 221 to 127.

It is recommended that these differences from the standard zone be addressed through the Development Permit process rather than being entrenched in a new zone so that in the event this proposal is not built, any future proposals that deviate from the standard requirements, would need to be considered and ultimately approved by Council.

### Height, Siting and Massing Variances

As noted in the above analyses and the staff recommendation, further refinements are recommended to mitigate the impacts of the proposed massing and to reduce the infringement into the protected view corridor. Adherence to the setbacks would also improve the consistency with the objectives to conserve the character defining elements within the view corridors.

### Parking Variance

As the parking variance would have little effect on the public right of way, this variance is supportable, if paired with appropriate TDM programs. The area is surrounded by existing parking meters and other time limitations on parking, and the reduced parking supply helps to protect the Humboldt Street AAA bike route. This location is also well located to take advantage of the available public transit system, walking and cycling. Staff recommend that to help reduce the impacts of a potential parking shortfall and advance OCP transportation mode targets, 94 bus passes (EcoPasses) are provided to future employees for a minimum of a three-year term. Appropriate wording to this effect is provided in the main motion.

### **Advisory Design Panel**

At a meeting of the Advisory Design Panel (ADP) on September 23, 2020, the ADP reviewed this application and recommended that the Development Permit Application be approved with the following changes:

- commitment that the south plaza be redeveloped as part of the project
- reduce or lower signage on the waterfront side
- warmer pallet included on soffit particularly at the north entrance.

In response to the ADP motion, the west facing sign has been lowered to below the Empress roofline, a wood panel soffit has been added and confirmation has been provided that the south plaza will be redeveloped.

### **CONCLUSIONS**

The parcel geometry and size, combined with the amount of density proposed, have created a building mass that is challenging to sensitively distribute on the site. The flat and singular design aesthetic results in a sculptural and iconic building; however, this approach also emphasizes the scale of the building within an area that seeks sensitive infill. The prevailing policy calls for a modified building in terms of its form and character and a number of changes would improve the relationship of the proposed building to the heritage context and view corridors. This includes material selections, building articulation and detailing and an overall less conspicuous aesthetic concept. A design approach that is more consistent with policy and complementary to the character of the area would also not drastically affect the proposed programme.

On this basis, it is recommended that the application be referred back to staff to work with the applicant. However, should Council wish to move the application to a public hearing as currently proposed, an alternate motion is provided is provided for consideration.

### **ALTERNATE MOTION ONE (advance application as is)**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No.00746, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 000155 for 749-767 Douglas Street, in accordance with:

1. Plans date stamped December 4, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Reduce the interior south west setback from 4.5m to 0m;
  - ii. Reduce the interior south east side yard setback from 4.5m to 4.0m
  - iii. Increase the height to 53m;
  - iv. Relax the requirement for a 1:5 setback ratio from Douglas Street and Humboldt Street
  - v. Reduce the required number of vehicle parking stalls from 221 to 127.
3. The Development Permit lapsing two years from the date of this resolution.”

### **ALTERNATE MOTION TWO (decline)**

“That Council decline Development Permit with Variances Application No. 000155 for 749 to 767 Douglas Street.”

Respectfully submitted,

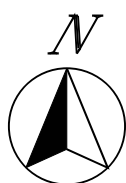
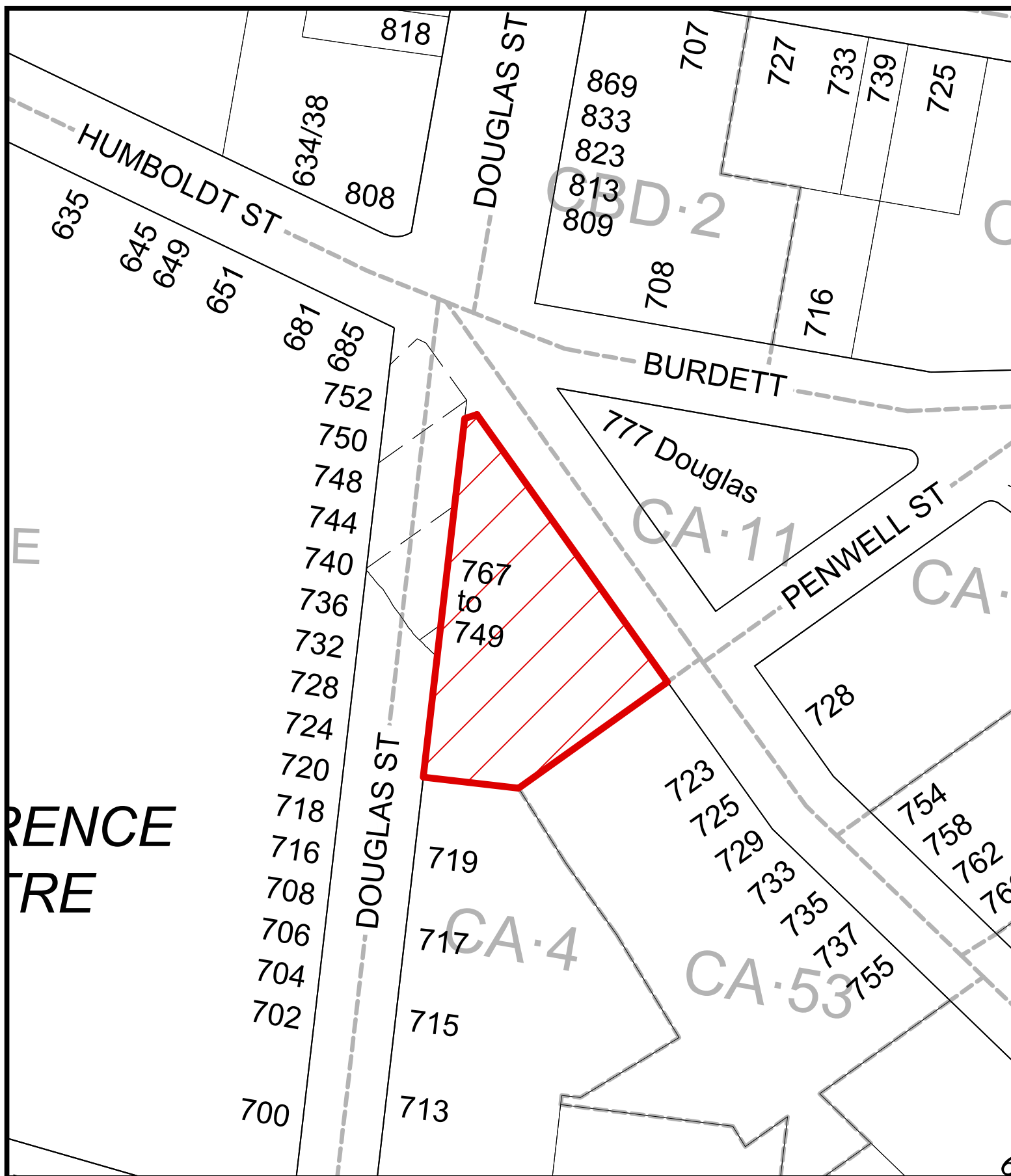
Miko Betanzo  
Senior Planner - Urban Design  
Development Services

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

### **List of Attachments**

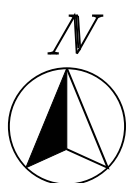
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped December 4, 2020
- Attachment D: Application Brief and letter to Mayor and Council , dated July 20, 2020
- Attachment E: Pre-Application Consultation Comments from Online Feedback Form
- Attachment F: CALUC letter dated February 26, 2021
- Attachment G: Arborist Report dated December 18, 2020
- Attachment H: Transportation Impact Assessment Report, dated January 28, 2021
- Attachment I: Pedestrian Wind Assessment, dated August 24, 2020
- Attachment J: Correspondence (Letters received from residents).
- Attachment K: Property Notice of Disposition.
- Attachment L: Minutes from the September 23, 2020 Advisory Design Panel meeting.



749-767 Douglas Street  
Rezoning No.00746







749-767 Douglas Street  
Rezoning No.00746





## TELUS OCEAN

ISSUED FOR REZONING AND DEVELOPMENT PERMIT APPLICATION - REVISED 2020.10.09



## DRAWING LIST

## ARCHITECTURAL

SHEET NUMBER	SHEET NAME	LAST BALANCE DATE
A-000	COVER SHEET	2020.11.09
A-001	OFF-SETTING	2020.11.09
A-010	OFF-PLAN	2020.11.09
A-011	OFF-PLAN-GROUND PLANE	2020.11.09
A-001	PLAN-(LEVEL 1)-REZONING	2020.11.09
A-002	PLAN-(LEVEL 2)-REZONING	2020.11.09
A-003	PLAN-(LEVEL 3)-REZONING	2020.11.09
A-004	PLAN-(LEVEL 4)-REZONING	2020.11.09
A-005	PLAN-(LEVEL 5)-REZONING	2020.11.09
A-006	PLAN-(LEVEL 6)-REZONING	2020.11.09
A-007	PLAN-(LEVEL 7)-REZONING	2020.11.09
A-008	PLAN-(LEVEL 8)-REZONING	2020.11.09
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A-011	PLAN-(LEVEL 11)-REZONING	2020.11.09
A-012	PLAN-(LEVEL 12)-REZONING	2020.11.09
A-013	PLAN-(LEVEL 13)-REZONING	2020.11.09
A-014	PLAN-(LEVEL 14)-REZONING	2020.11.09
A-015	PLAN-(LEVEL 15)-REZONING	2020.11.09
A-016	PLAN-(LEVEL 16)-REZONING	2020.11.09
A-017	PLAN-(LEVEL 17)-REZONING	2020.11.09
A-018	PLAN-(LEVEL 18)-REZONING	2020.11.09
A-019	PLAN-(LEVEL 19)-REZONING	2020.11.09
A-020	PLAN-(LEVEL 20)-REZONING	2020.11.09
A-021	PLAN-(LEVEL 21)-REZONING	2020.11.09
A-022	PLAN-(LEVEL 22)-REZONING	2020.11.09
A-023	PLAN-(LEVEL 23)-REZONING	2020.11.09
A-024	PLAN-(LEVEL 24)-REZONING	2020.11.09
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A-029	PLAN-(LEVEL 29)-REZONING	2020.11.09
A-030	PLAN-(LEVEL 30)-REZONING	2020.11.09
A-031	PLAN-(LEVEL 31)-REZONING	2020.11.09
A-032	PLAN-(LEVEL 32)-REZONING	2020.11.09
A-033	PLAN-(LEVEL 33)-REZONING	2020.11.09
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A-040	PLAN-(LEVEL 40)-REZONING	2020.11.09
A-041	PLAN-(LEVEL 41)-REZONING	2020.11.09
A-042	PLAN-(LEVEL 42)-REZONING	2020.11.09
A-043	PLAN-(LEVEL 43)-REZONING	2020.11.09

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**CIVIC ADDRESS:**  
749 DOUGLAS STREET, VICTORIA, BC

**LEGAL DESCRIPTION:**  
LOT 1 OF LOTS 207, 209, 210, 228, AND 12708  
VICTORIA, PLAN 31886

## PROJECT DETAILS

EXISTING ZONING: CA-4

EXISTING USE: CAR RENTAL &amp; PARKING LOT

PROPOSED USE: OFFICE &amp; COMMERCIAL

Project Information Table			
Zone (Existing)	CA-4		
Proposed zone or site specific zone (If applicable, include "New Zone")	New Zone		
Site area (m <sup>2</sup> )	2541.85		
Land floor area (m <sup>2</sup> )	1411.82		
Commercial floor area (m <sup>2</sup> )	373.59		
Floor space ratio	1.47		
Site coverage (%)	41.77%		
Open site space (%)	58.23%		
Height of building (m)	13.23		
Number of stories	32		
Parking stalls (to include) on site	177		
Off-site parking (number of stalls and Class 2)	16x400		
Building setbacks (m)			
Front yard	2.00 (Douglas Street to overhang)		
Rear yard	4.07 (Pensell Cornerlot)		
Side yard (lot side which side)	1.78 (Douglas St. Street to overhang)		
Side yard (lot side which side)	N/A		
Cornered side yards	N/A		
<b>Residential Use Details</b>			
Unit number of units	N/A		
Unit type (e.g., 1 bedroom)	N/A		
Ground-floor units	N/A		
Minimum unit floor area (m <sup>2</sup> )	N/A		
Unit maximum floor area (m <sup>2</sup> )	N/A		

Vehicle parking requirements in Core Area			
Use	Floor Area (m <sup>2</sup> )	Ratio (stall / m <sup>2</sup> )	Stalls req'd
Office	9773.53	1/100	162
Medical Office	1400	1/100	20
Restaurant	2932.36	1/100	18
Total	1411.82	1/100	22
			221

Bicycle parking requirements			
Use	Floor Area (m <sup>2</sup> )	Ratio (stall / m <sup>2</sup> )	Stalls req'd
Office	9773.53	1/100	162
Medical Office	1400	1/100	20
Restaurant	2932.36	1/100	18
Total	1411.82	1/100	22
			221

OPEN SITE SPACE			
Structures & Driveways			
Main Building Area (m <sup>2</sup> )	1411.82		
Parking Ramp (m <sup>2</sup> )	167.43		
Driveways (m <sup>2</sup> )	46.03		
<b>Total (m<sup>2</sup>)</b>	<b>1744.43</b>	<b>A</b>	
Lot Area (m <sup>2</sup> )	2541.85	<b>B</b>	
Open Area (m <sup>2</sup> )	797.42	<b>C</b>	
<b>Open Site Space = C/B * 100%</b>	<b>30.90%</b>		

SITE COVERAGE			
Main Building Area (m <sup>2</sup> )	1411.82		
Parking Lot Area (m <sup>2</sup> )	167.43		
<b>Total (m<sup>2</sup>)</b>	<b>1744.43</b>	<b>A</b>	
Lot Area (m <sup>2</sup> )	2541.85	<b>B</b>	
<b>Site Coverage = A/B * 100%</b>	<b>67.22%</b>		

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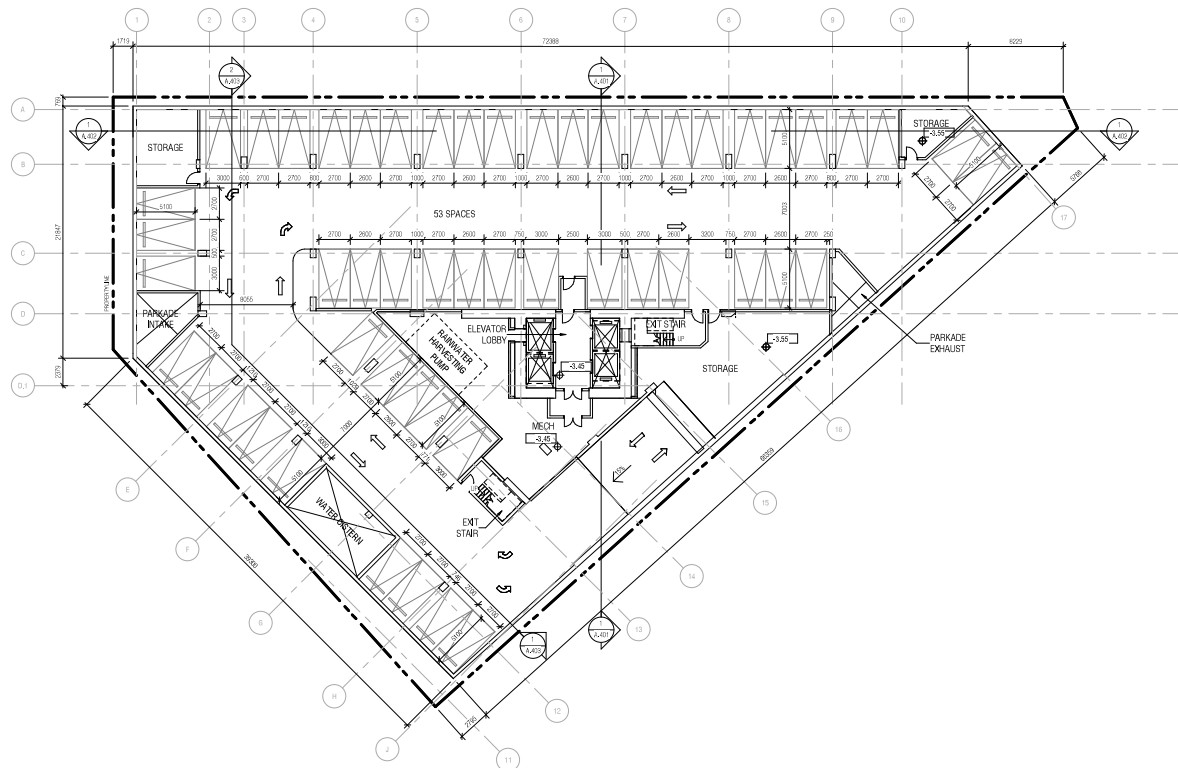






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#### ISSUED

No.	Date	Description
1	2019/05/30	Revising-Phase 1/2
2	2019/06/15	Revising-Phase 1/2
3	2019/07/10	Revising-Phase 1/2

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#### TELUS OCEAN

749 Douglas St, Victoria, BC

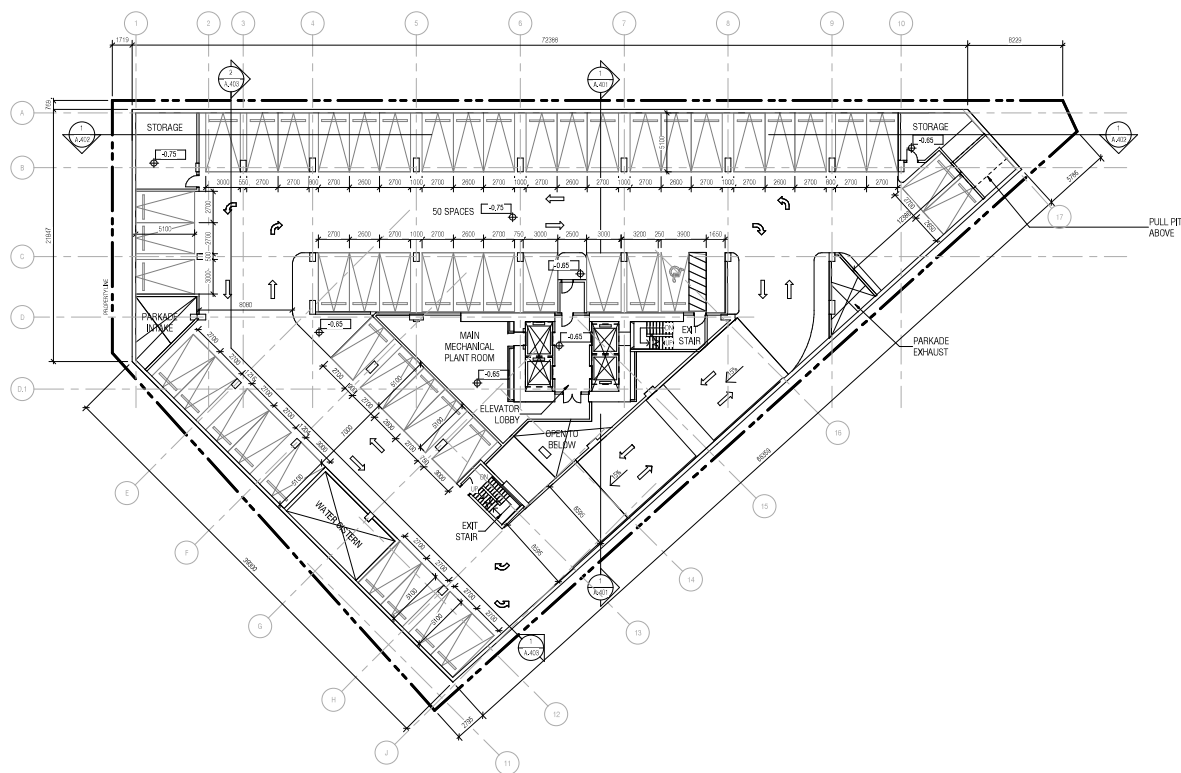
#### PLAN - LEVEL P3 - REZONING

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Project No: 1511  
Date: 2020/11/09

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2	2019/06/15	Revising-Phase 1/2
3	2019/07/10	Revising-Phase 1/2

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TELUS OCEAN

749 Douglas St, Victoria, BC

PLAN - LEVEL P2 - REZONING

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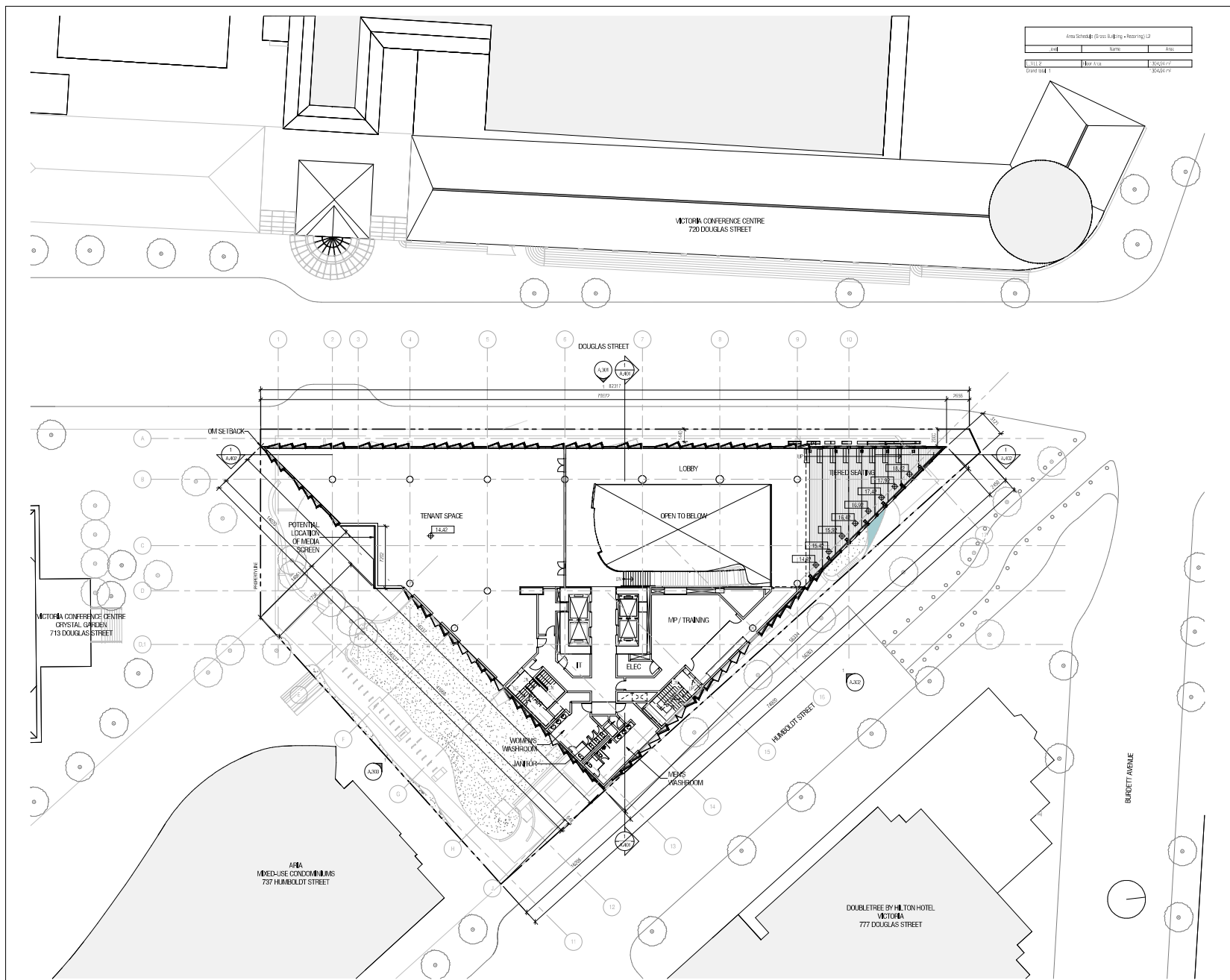
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Area Schedule (See also Building - Reznoring) (2)		
Item	Name	Area
1	Area 1	25,000.00
2	Area 2	25,000.00
3	Area 3	25,000.00



ISSUED			
No.	Date	Description	
1	2020.05.10	Reznoring Phase 1/2	
2	2020.05.10	Reznoring Phase 1/2	
3	2020.05.10	Reznoring Phase 1/2	

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740 Douglas St. Victoria, BC

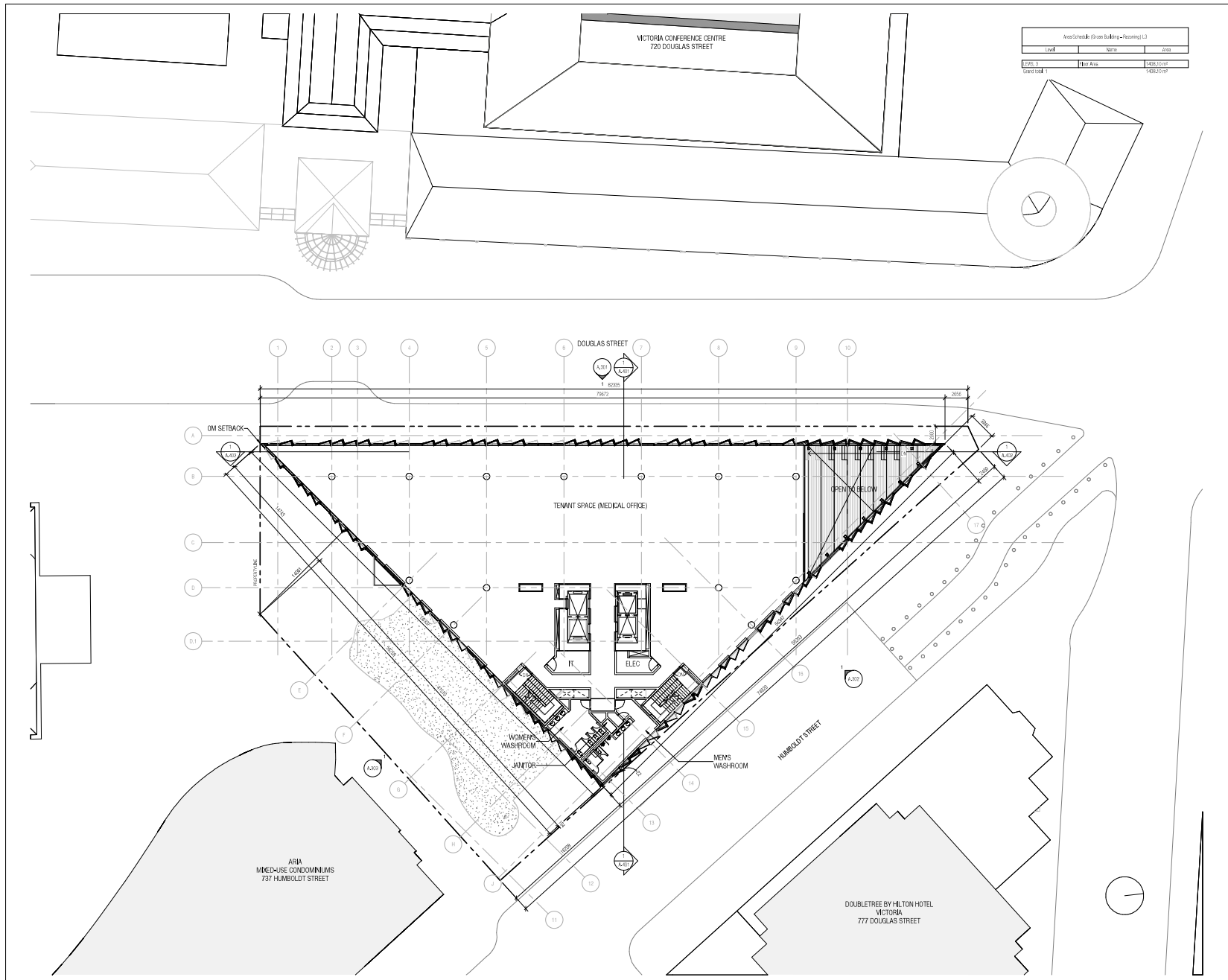
PLAN - LEVEL 2 - REZNORING

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Date: 2020-11-09

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New Schedule (Green Building - Rezoning) (3)		
Level	Name	Area
Level 3	Rezoning	1,486.00 m <sup>2</sup>
Grand Total		1,486.00 m <sup>2</sup>

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CONSTRUCTION**

ISSUED			
No.	Date	Description	
1	2019/05/30	Rezoning Phase 1	
2	2019/07/15	Rezoning Phase 2	
3	2019/11/09	Rezoning Phase 3	

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TELUS OCEAN

749 Douglas St, Victoria, BC

PLAN - LEVEL 3 - REZONING

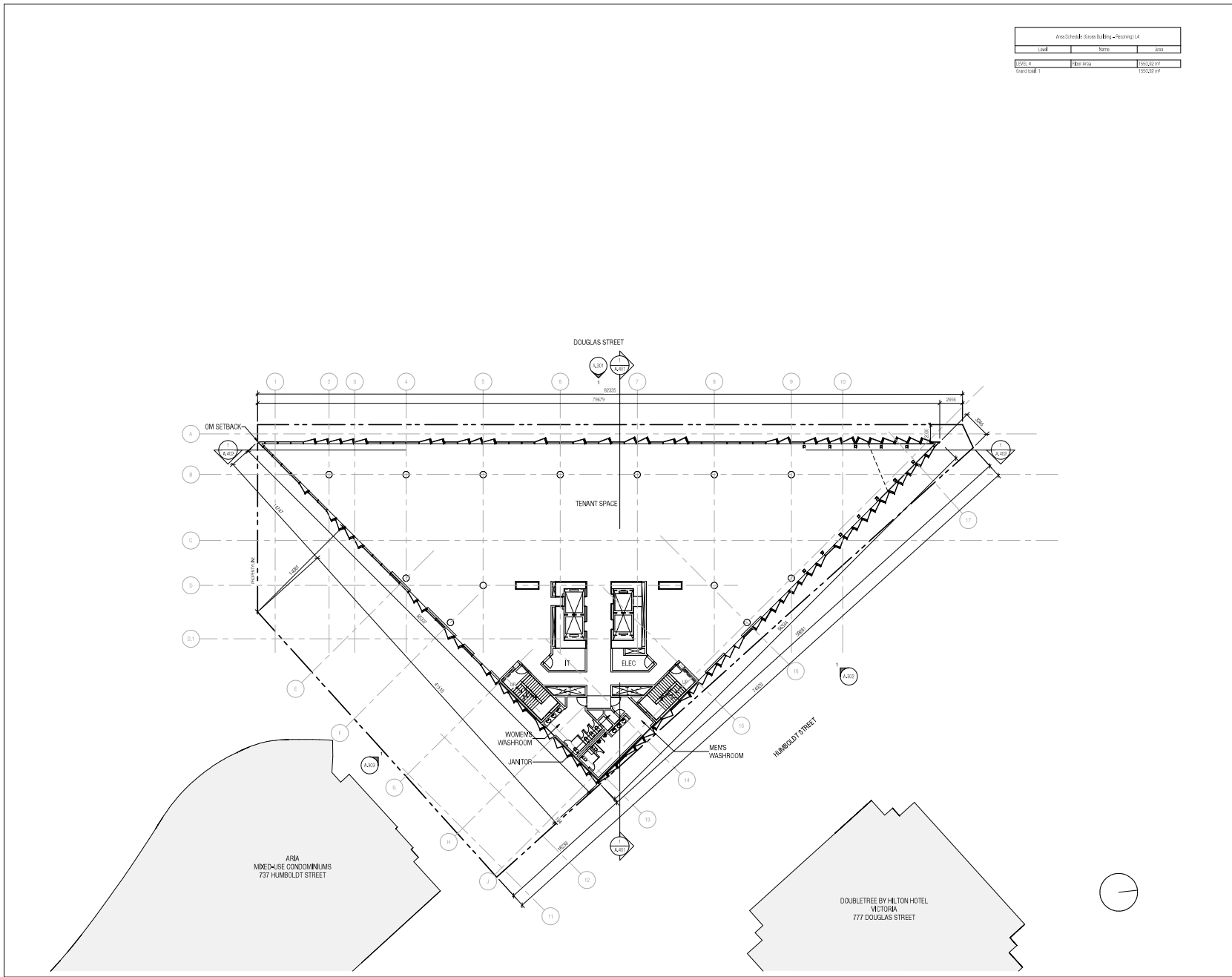
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Area Schedule (Green Building - Rezoning) of		
Level	Name	Area
LEVEL 4	Box Area	1550.32 m <sup>2</sup>
Grand Total		1550.32 m <sup>2</sup>

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ISSUED			
No.	Date	Description	
1	2019.05.10	Revising Phase 1/Revision	
2	2019.05.15	Revising Phase 2/Revision	
3	2019.07.10	Revising Phase 3/Revision	

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TELUS OCEAN

749 Douglas St, Victoria, BC

PLAN - LEVEL 4 - REZONING

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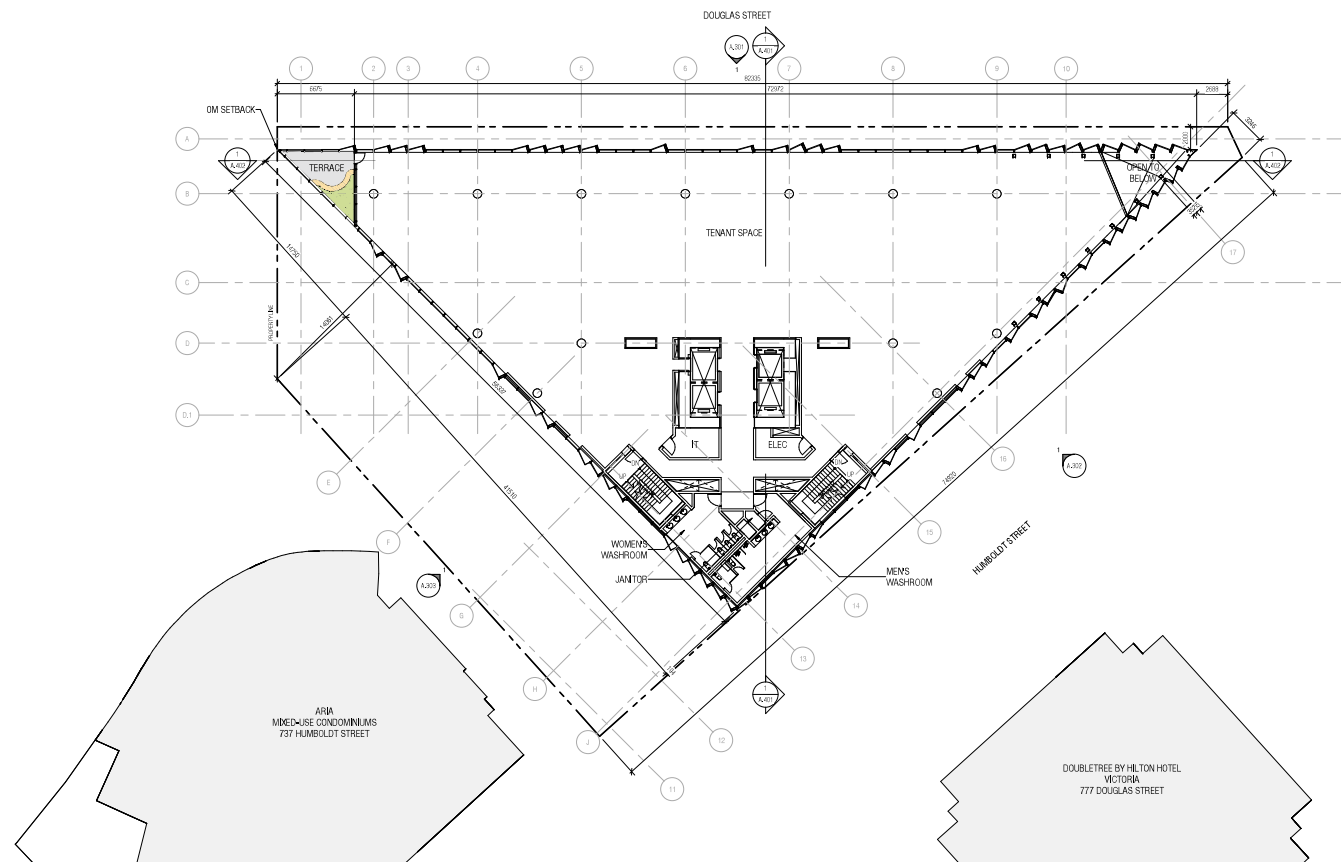
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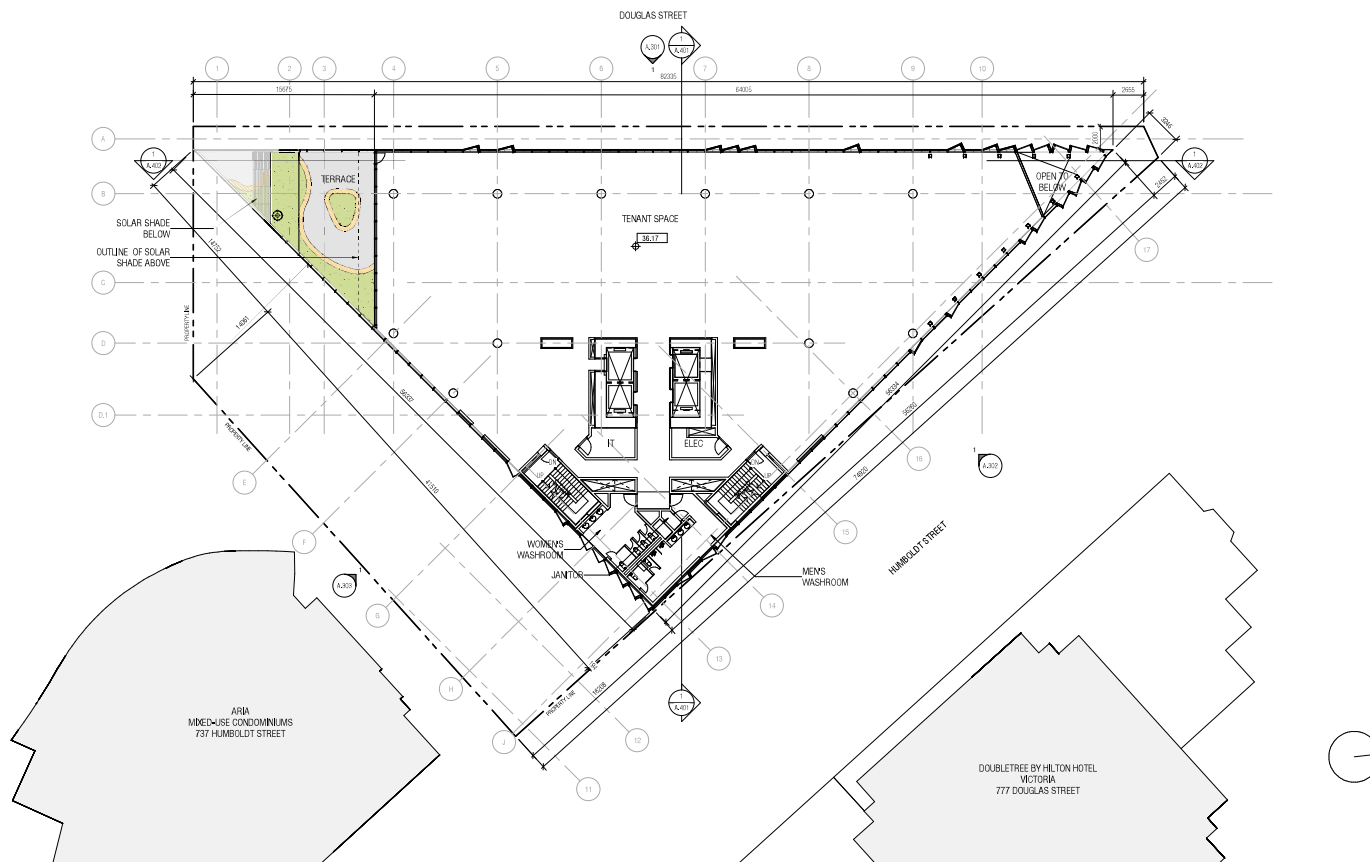
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Date:	2020/11/09

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**NOT FOR  
CONSTRUCTION**

ISSUED			
No.	Date	Description	
1	2019/05/30	Revising/Preparation	
2	2020/04/15	Revising/Preparation	
3	2020/11/09	Revising/Preparation	

**Diamond Schmitt Architects**  
366 Adelaide Street West, Suite 180, Toronto, Canada M5H 1B7  
Tel: 416 862 8888 Fax: 416 862 5508 info@dsai.ca www.dsai.ca

TELUS OCEAN

749 Douglas St, Victoria, BC

PLAN - LEVEL 7 - REZONING

Scale: 1:200  
Project No: 1011  
Date: 2020/11/09

A.111

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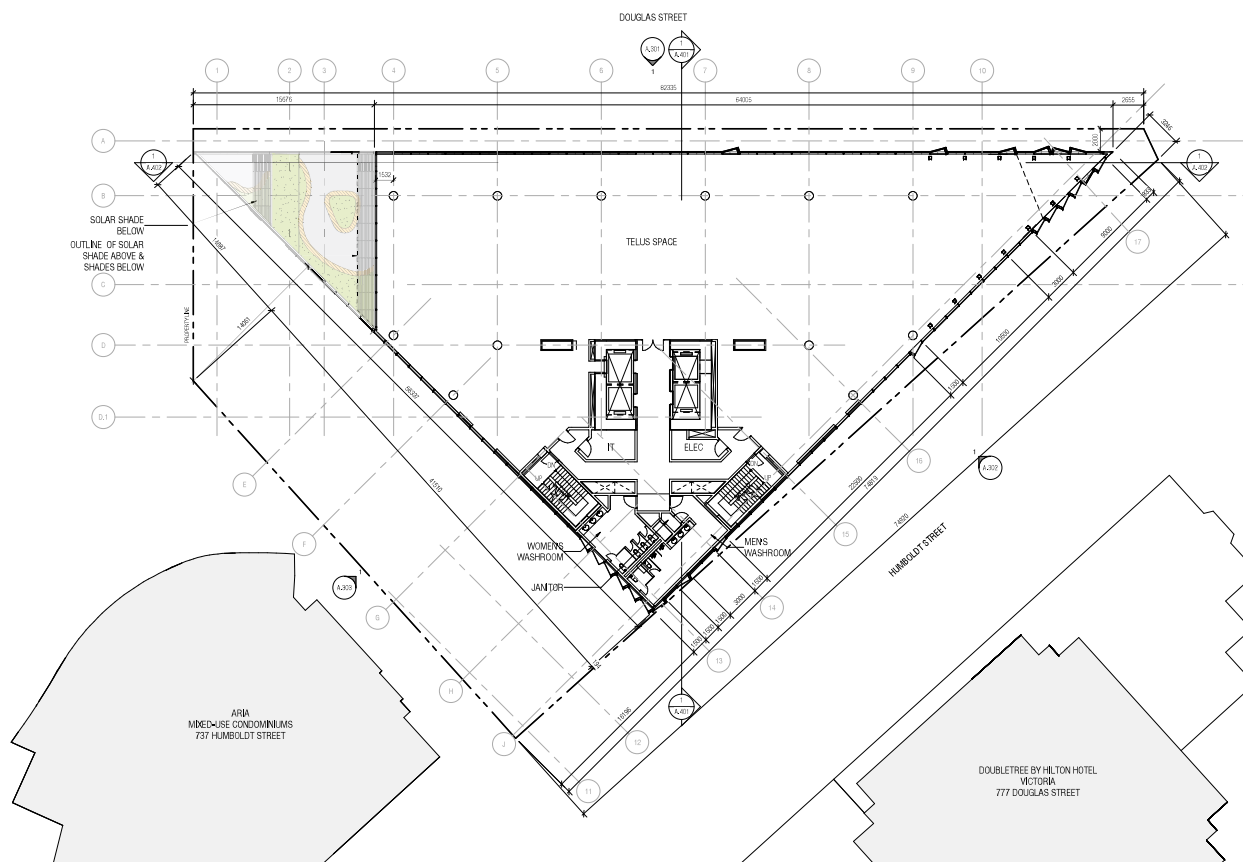
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384 Adelaide Street West, Suite 100, Toronto, Canada M5V1R7  
Tel: 416.862.8800 Fax: 416.862.5508 info@dsai.ca www.dsa.ca

749 Douglas St, Victoria, BC

Scale: 1 : 200  
Project No: 1911  
Date: 2020/11/09

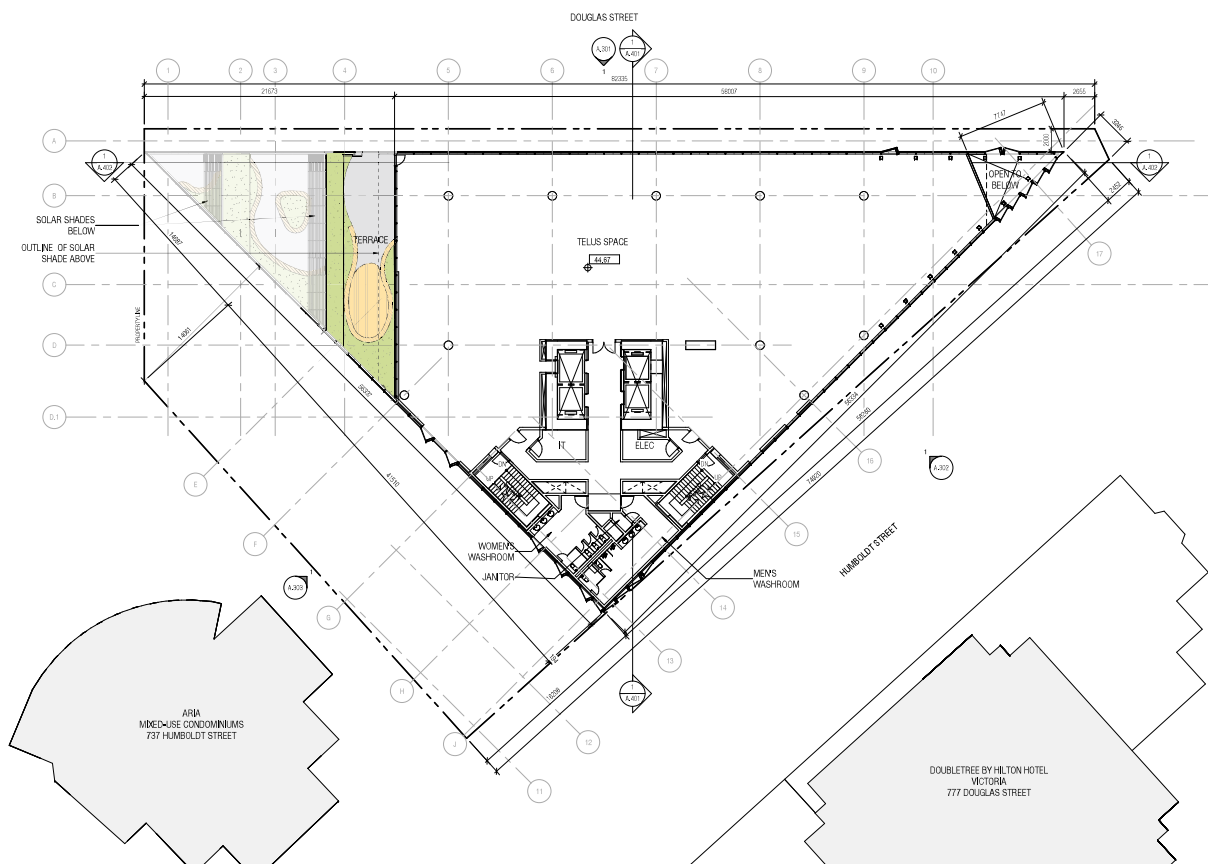
A.112



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2020-11-09 10:07:30 PM

Area Schedule (Drawn Building - Rezoning) 10		
Level	Name	Area
Level 9	1st Area	1,234.56 sq. ft.
Total Area: 1,234.56 sq. ft.		



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ISSUED			
No.	Date	Description	
1	2020/05/10	Revising/Preparation	
2	2020/05/15	Revising/Modification	
3	2020/11/09	Revising/Modification	

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266 Adelaide Street West, Suite 1800, Toronto, Canada M5H 1B7  
Tel: 416 862 8888 Fax: 416 862 5508 info@diamondschmitt.com www.diamondschmitt.com

TELUS OCEAN

749 Douglas St, Victoria, BC

PLAN - LEVEL 9 - REZONING

Scale: 1:200  
Project No: 1011  
Date: 2020/11/09

A.113

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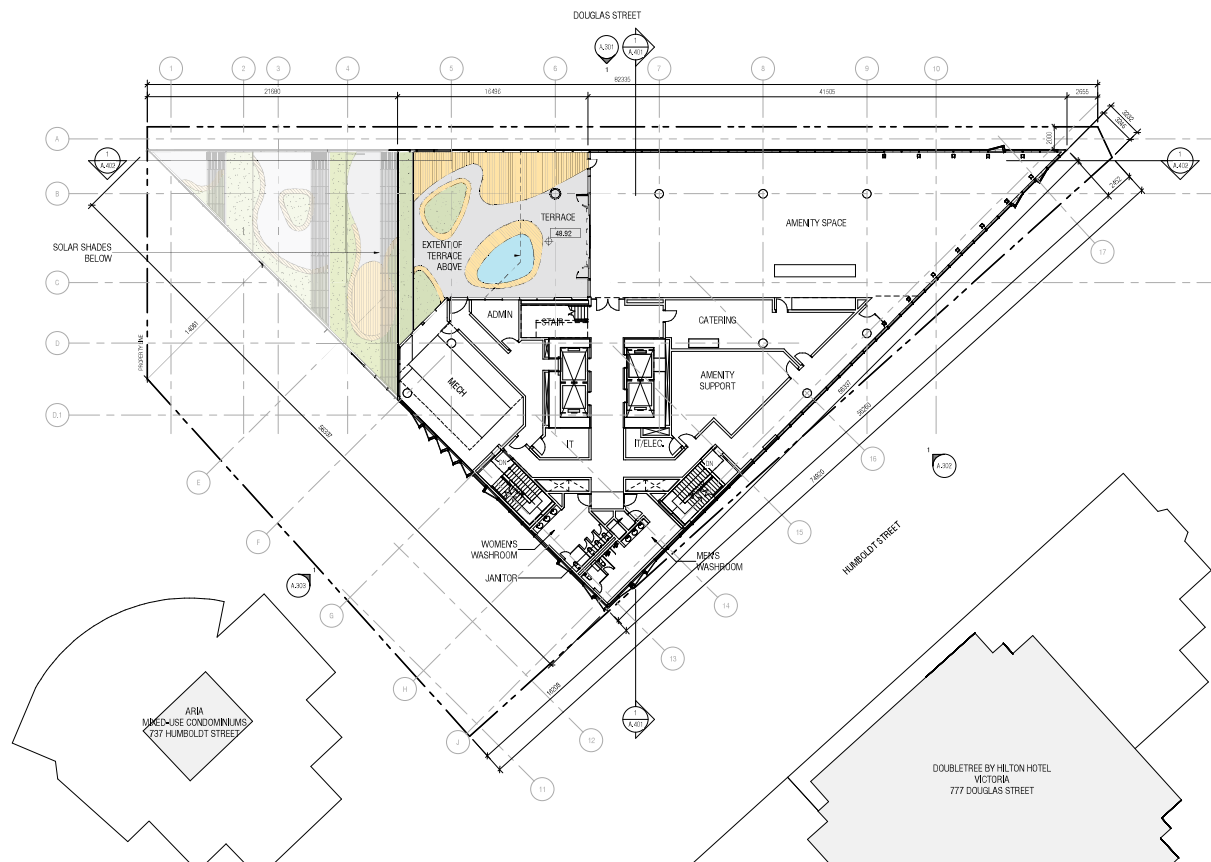
No.	Date	Description
1	2020.06.30	Reasoning Pre-application
2	2020.07.15	Reasoning-OP Application
3	2020.11.09	Reasoning-OP Application Revision

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749 Douglas St, Victoria, BC

Scale: 1 : 200  
Project No: 1911  
Date: 2020/11/09

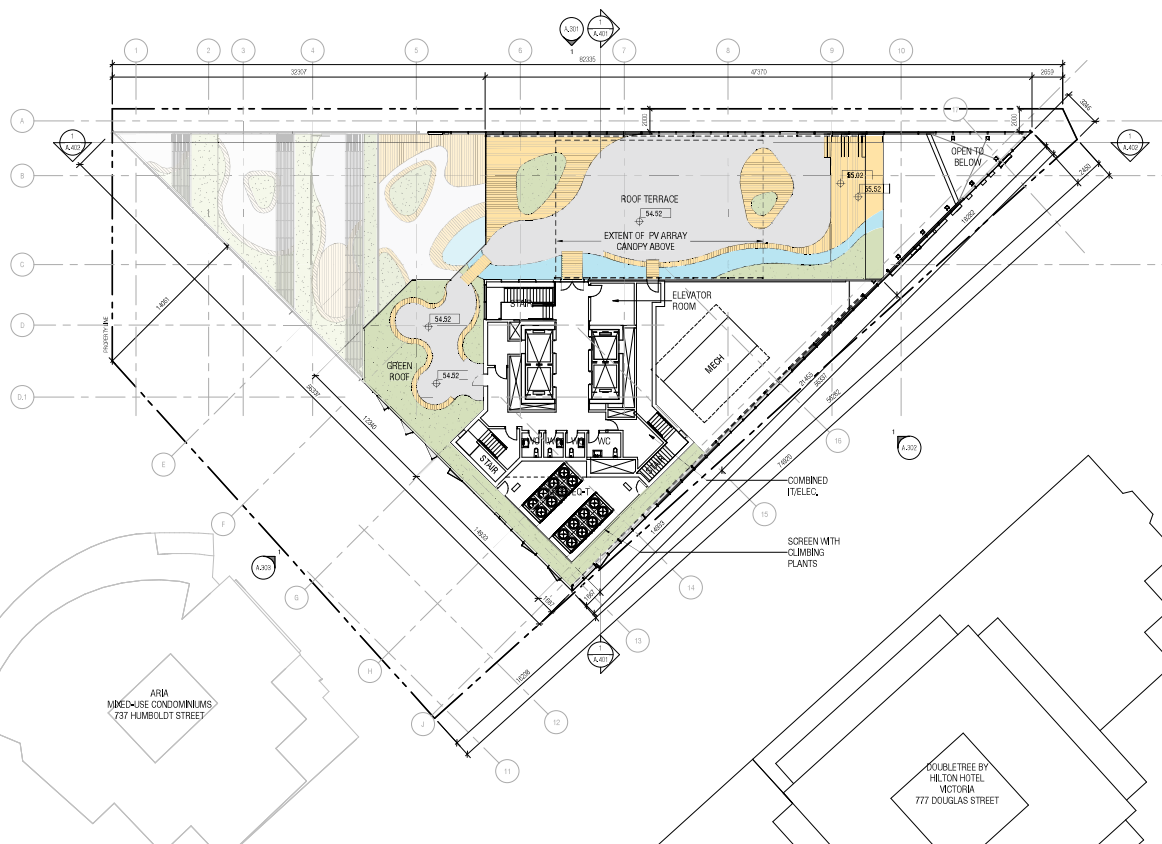
A.114



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2020-11-09 10:00:04 AM

Area Schedule (Cross-Building - Rezoning) L11		
Level	Name	Area
LEVEL 11 - LOWER ROOF	Flat Area	715.82 SQM
Grand Total		715.82 SQM



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ISSUED		
No.	Date	Description
1	2019/05/10	Revising: Phase 1/2
2	2019/05/15	Revising: Phase 1/2
3	2019/05/15	Revising: Phase 1/2

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TELUS OCEAN

749 Douglas St, Victoria, BC

PLAN - LEVEL 11 - REZONING

Scale: 1:200  
Project No: 1511  
Date: 2020/11/09

A.115





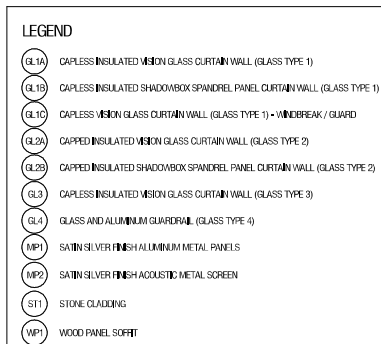


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Scale: 1 : 200  
Project No: 19/1  
Date: 2020.11.09

A.301



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CONSTRUCTION**

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Scale: 1 : 200  
Project No: 1911  
Date: 2020.11.09

A.302

2020.11.09 11:07:30 PM



**NOT FOR  
CONSTRUCTION**

No.	Date	Description
1	2020.06.30	Reasoning-Pro Application
2	2020.07.15	Reasoning-OP Application

Scale: 1 : 200  
Project No: 1911  
Date: 2020.11.09







**NOT FOR  
CONSTRUCTION**

No.	Date	Description
1	2020.06.30	Re zoning-CP Application
2	2020.07.15	Re zoning-CP Application
3	2020.11.09	Re zoning-CP Application Revision

**Diamond Schmitt Architects**  
384 Adelaide Street West, Suite 100, Toronto, Canada M5V1R7  
Tel: 416 862 8800 Fax: 416 862 5308 info@dsai.ca www.dsa.ca

TELUS OCEAN

749 Douglas St, Victoria, BC

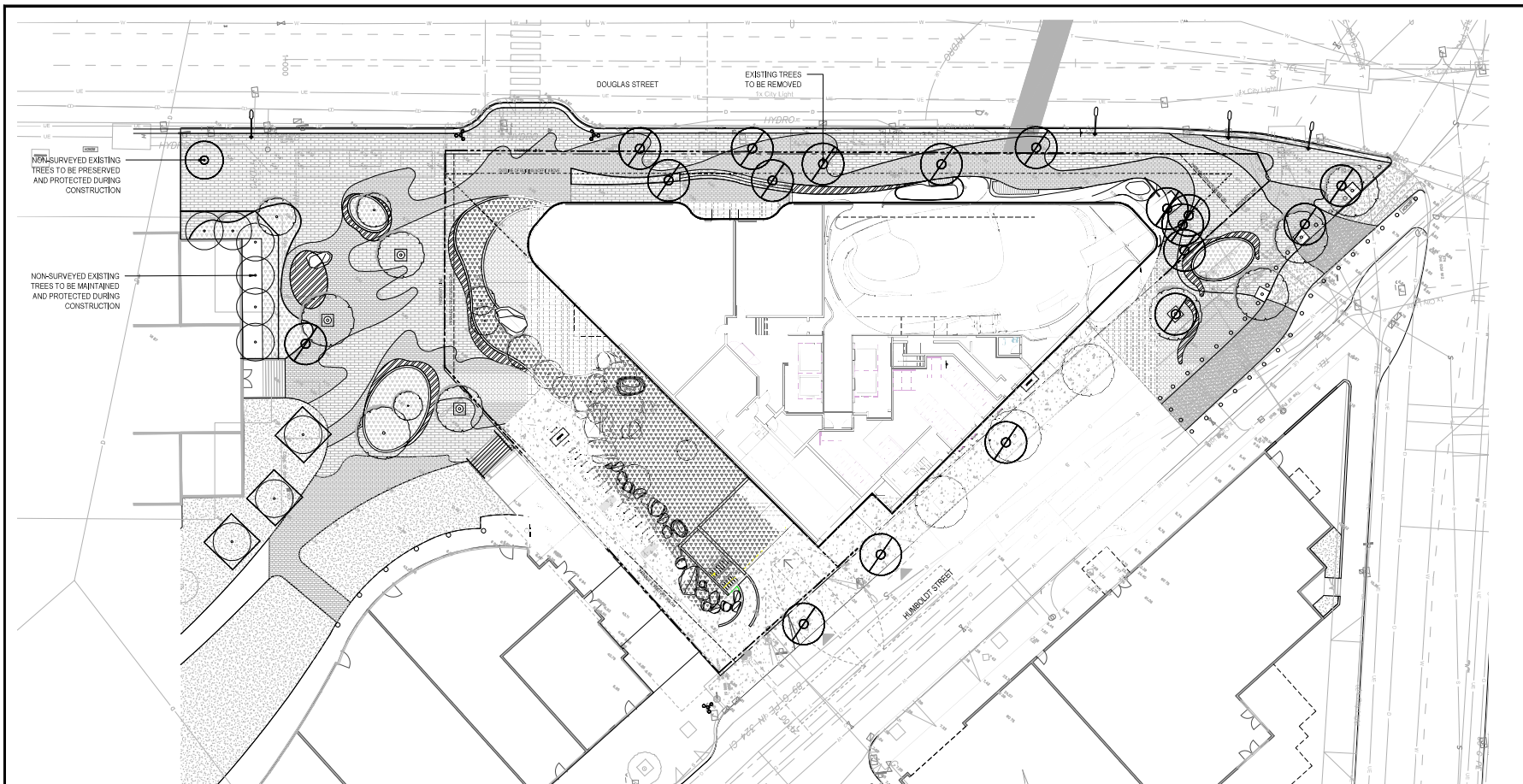
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Scale: 1 : 200  
Project No: 1911  
Date: 2020.11.09

A.402

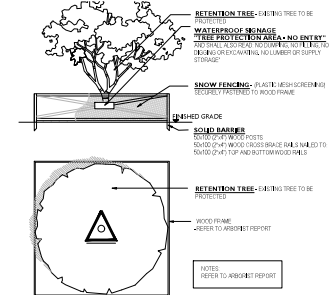






## 1 TREE MANAGEMENT PLAN

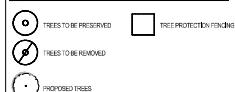
SCALE: 1:200



### NOTES:

1. ALL CONSTRUCTION WORK CLOSE TO EXISTING TREES TO BE RETAINED SHALL BE DONE UNDER THE SUPERVISION OF A CERTIFIED ARBORIST AND IN CONSULTATION WITH THE CITY OF VICTORIA. ARBORIST. SUCH WORK SHALL INCLUDE BUT NOT BE LIMITED TO ANY EXCAVATION NEAR OR WITHIN THE TREE PROTECTION ZONE, ALL MODIFICATIONS TO ETC. CARING NEAR THE TREE PROTECTION AREAS, ALL ROOT PRUNING, ANY REQUIRED BRANCH PRUNING, AND ANY OTHER NECESSARY ENCROACHMENT INTO THE TREE PROTECTION AREAS.
2. NO STORAGE OF BUILDING CONSTRUCTION MATERIALS WITHIN OR AGAINST PROTECTION BARRIER.
3. PROTECTION FENCE IS NOT TO BE LIFTED OR REMOVED AT ANY TIME FOR VEHICULAR ACCESS. VEHICLES AND HEAVY EQUIPMENT CAN CAUSE FIBRE COMPACTION IN THE ROOT ZONE DEPLETING THE AIR SPACE THAT IS ESSENTIAL TO THE TREE'S HEALTH.
4. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO LANDSCAPE FEATURES REMOVAL AND/OR RELOCATION.
5. TRENCHING FOR UTILITY CONNECTIONS TO BE COORDINATED WITH ENGINEERING DEPARTMENT TO ENSURE SAFE ROOT ZONES OF RETAINED TREES. METHODS OF TREE PROTECTION FOR STREET TREES TO BE APPROVED BY CITY OF VICTORIA.

### LEGEND



## 2 TREE PROTECTION FENCING

SCALE: NTS

CLIENT:

PROJECT TEAM:

LANDSCAPE ARCHITECT - LEAD CONSULTANT  
PFS Studio  
1777 West 3rd Avenue  
Vancouver, BC V6J 1K7

ARCHITECT:  
DIAMOND SCHMITT ARCHITECTS  
384 Adelaide Street West, Suite 100  
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### REVISIONS:

No.	Date	Details	By
1	05-05-2020	ISSUED FOR REVISION/ RFP	JW
2	06-05-2020	ISSUED FOR REVISION/ DEVELOPMENT	JW
3	10-06-2020	ISSUED FOR DEVELOPMENT PERMIT	JW

**PFS STUDIO**  
PLANNING • URBAN DESIGN • LANDSCAPE ARCHITECTURE

STAMP:

PROJECT NAME:

TELUS OCEAN

DRAWING TITLE:

TREE MANAGEMENT PLAN

PFS PROJECT NUMBER:

20007

DATE:

07/15/2020

DRAWN BY:

JW

CHECKED BY:

NM

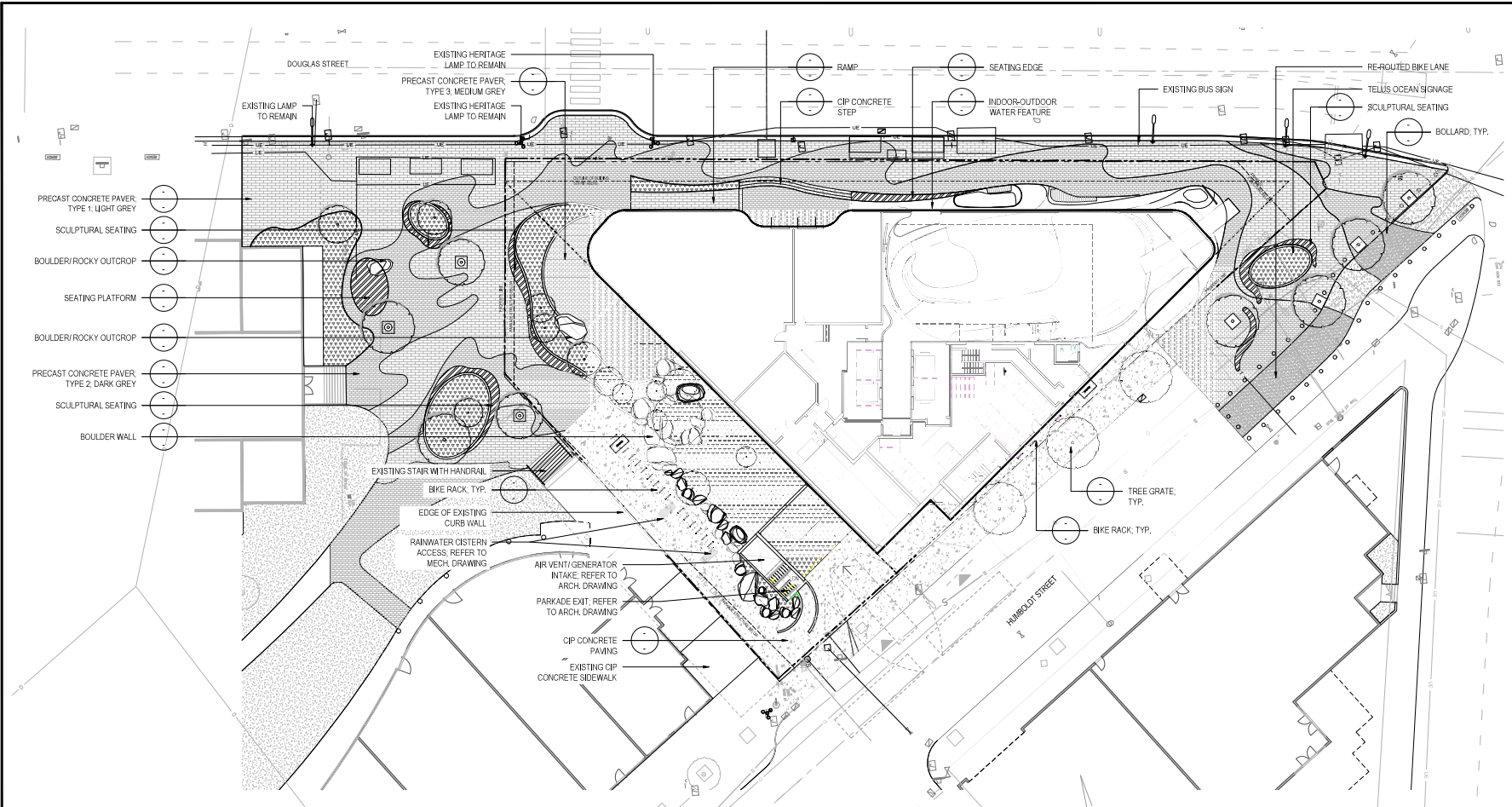
SCALE:

1:200

DWG. NO.

L2.01

OF: XX



**MATERIAL PLAN - GROUND LEVEL**  
SCALE: 1/200

LEGEND	
P1	PRECAST CONCRETE PAVER - TYPE 1
P2	PRECAST CONCRETE PAVER - TYPE 2
P3	PRECAST CONCRETE PAVER - ON PEDESTAL
P4	CIP CONCRETE
P5	WOOD DECK
	SCULPTURAL SEATING / SEATING PLATFORM
	WATER FEATURE
	PLANTING AREA

- GENERAL NOTES:**
- 1) Do not scale drawings. Use dimensional information as noted in drawings. Contact the Landscape Architect immediately if there is any ambiguity, lack of information or inconsistency. Disregard for this note and extra costs incurred will not be accepted.
  - 2) All lines and dimensions are parallel or perpendicular to the lines from which they are measured/ referenced unless noted otherwise.
  - 3) The Contractor shall verify dimensions shown on drawings and notify the Landscape Architect of any discrepancies or inconsistencies prior to construction.
  - 4) Contractor to provide a staked-out location on site for review and approval by Landscape Architect prior to any excavation or installation.
  - 5) The Contractor shall be responsible for verifying the property line.

CLIENT:

**PROJECT TEAM**

LANDSCAPE ARCHITECT - LEAD CONSULTANT  
PFS Studio  
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ARCHITECT  
DIAMOND SCHMITT ARCHITECTS  
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NO.	DATE	DESCRIPTION	BY
1	01-15-2020	ISSUED FOR PERMITS / CIP	JW
2	10-03-2020	ISSUED FOR PERMITS DEVELOPMENT	JW
3	11-05-2020	ISSUED FOR DEVELOPMENT PERMIT	JW

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STAMP:

**PROJECT NAME**  
TELUS OCEAN

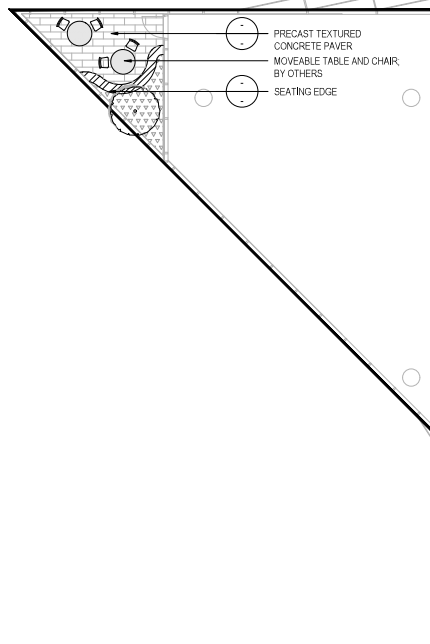
**DRAWING TITLE**  
MATERIAL PLAN  
GROUND LEVEL

PFS PROJECT NUMBER: 20007 DATE: 07/15/2020  
DRAWN BY: JW CHECKED BY: NM

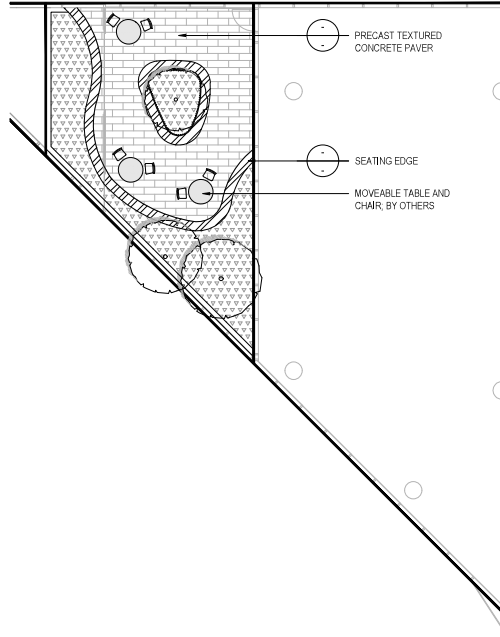
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DWG. NO.: L3.01 OF: XX

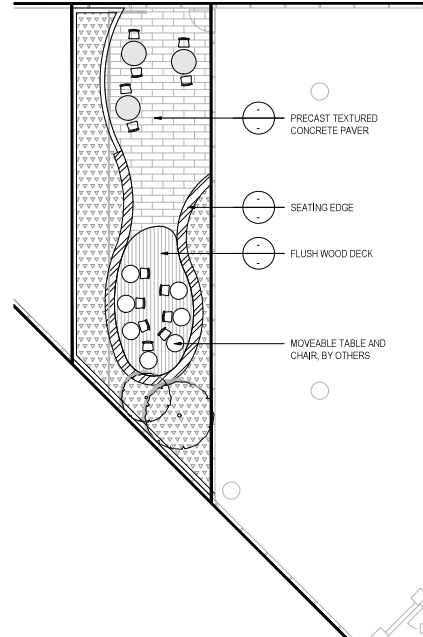
ALL SITE FURNITURE TO BE SPECIFIED BY OTHERS (TO BE DETERMINED)



1 MATERIAL PLAN - LEVEL 5  
SCALE: 1:100



2 MATERIAL PLAN - LEVEL 7  
SCALE: 1:100



3 MATERIAL PLAN - LEVEL 9  
SCALE: 1:100

#### LEGEND

P1		PRECAST CONCRETE PAVER - TYPE 1		SEATING EDGE
P2		PRECAST CONCRETE PAVER - TYPE 2		WATER FEATURE
P3		PRECAST CONCRETE PAVER - ON PEDESTAL		PLANTING AREA
P4		CIP CONCRETE		NON ACCESSIBLE GREEN ROOF PLANTING AREA
P5		FLUSH WOOD DECK - ON PEDESTAL		

#### GENERAL NOTES:

- 1) Do not scale drawings. Use dimensional information as noted in drawings. Contact the Landscape Architect immediately if there is any ambiguity, lack of information or inconsistency. Disregard for this note and extra costs incurred will not be accepted.
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- 4) Contractor to provide a staked-out location on site for review and approval by Landscape Architect prior to any excavation or installation.
- 5) The Contractor shall be responsible for verifying the property line.

CLIENT:

#### PROJECT TEAM

LANDSCAPE ARCHITECT - LEAD CONSULTANT  
PFS Studio  
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ARCHITECT  
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NO.	DATE	DESCRIPTION	BY
1	01-15-2020	ISSUED FOR PERMITS / DP	JW
2	10-05-2020	ISSUED FOR SP/DESIGN DEVELOPMENT	JW
3	11-05-2020	ISSUED FOR DEVELOPMENT PERMIT	JW

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STAMP:

#### PROJECT NAME

TELUS OCEAN

#### DRAWING TITLE:

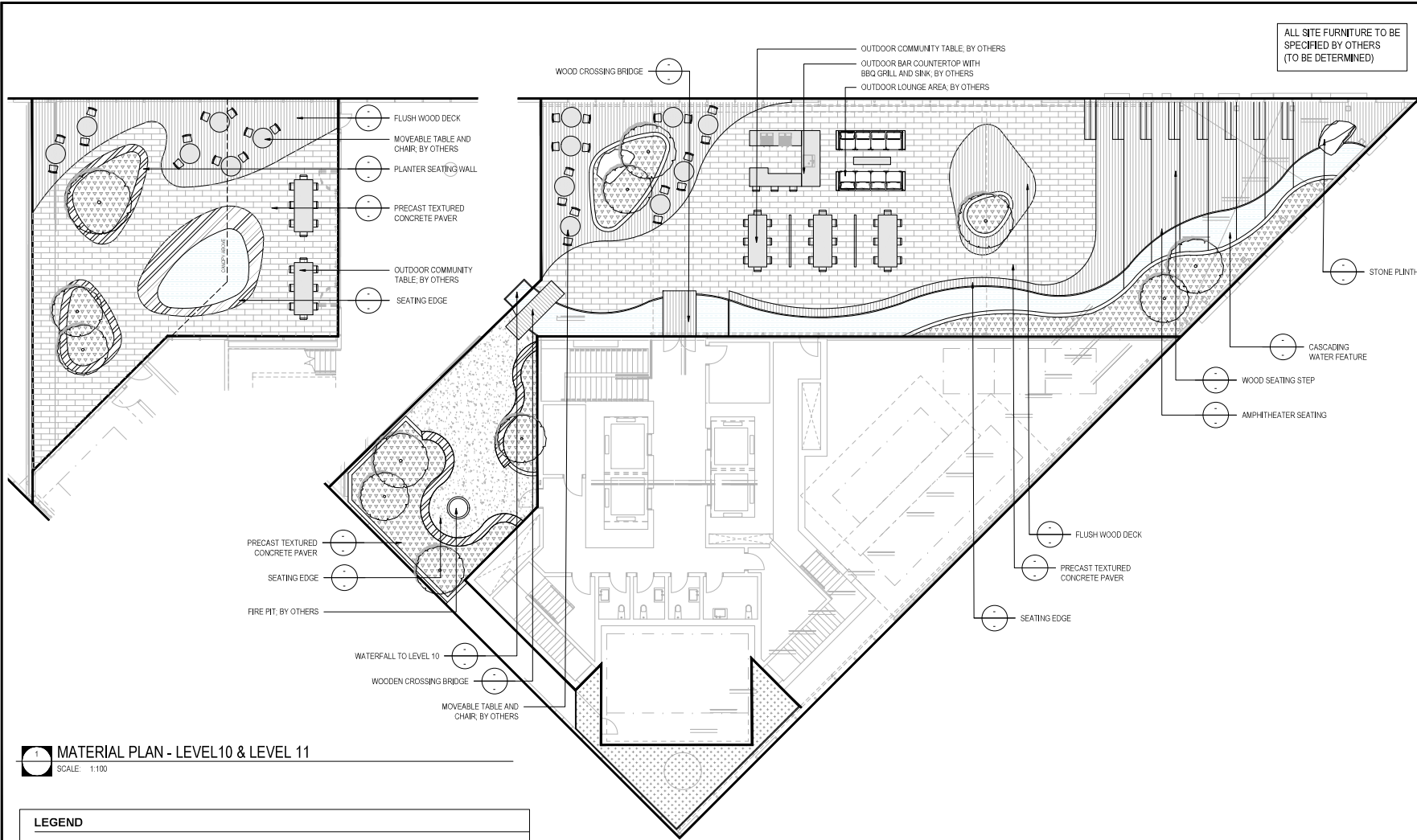
MATERIAL PLAN  
LEVEL 5, LEVEL 7, LEVEL 9

PFS PROJECT NUMBER: 22007 DATE: 07/15/2020

DRAWN BY: JW CHECKED BY: NM

SCALE:  
1:100

DWG. NO.:  
**L3.02** OF: XX



# 1 MATERIAL PLAN - LEVEL 10 & LEVEL 11

SCALE: 1:100

## LEGEND

P1		PRECAST CONCRETE PAVER - TYPE 1		SEATING EDGE
P2		PRECAST CONCRETE PAVER - TYPE 2		WATER FEATURE
P3		PRECAST CONCRETE PAVER - ON PEDESTAL		PLANTING AREA
P4		CIP CONCRETE		NON ACCESSIBLE GREEN ROOF PLANTING AREA
P5		FLUSH WOOD DECK - ON PEDESTAL		

## GENERAL NOTES:

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- The Contractor shall be responsible for verifying the property line.

CLIENT:

## PROJECT TEAM

LANDSCAPE ARCHITECT - LEAD CONSULTANT  
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## REVISIONS

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1	05-15-2020	ISSUED FOR PERMITS / DP	JW
2	10-25-2020	ISSUED FOR \$9% DESIGN DEVELOPMENT	JW
3	11-05-2020	ISSUED FOR DEVELOPMENT PERMIT	JW

**PFS STUDIO**  
PLANNING • URBAN DESIGN • LANDSCAPE ARCHITECTURE

STAMP:

## PROJECT NAME

TELUS OCEAN

## DRAWING TITLE:

MATERIAL PLAN  
LEVEL 10 - LEVEL 11

PFS PROJECT NUMBER: 22007 DATE: 07/15/2020

DRAWN BY: JW CHECKED BY: NM

SCALE:  
1:100

DWG. NO.:

L3.03

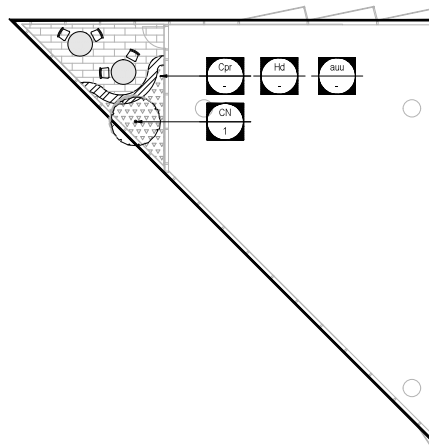
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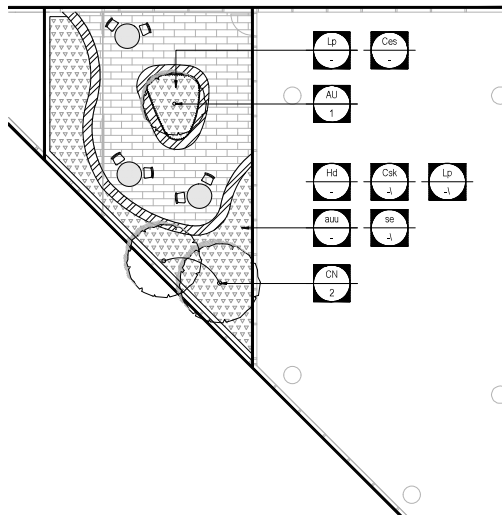


NOTE:  
FINAL SELECTION OF SOUTH PLAZA TREE AND  
PLANT SPECIES TO BE COORDINATED WITH  
CITY OF VICTORIA AND PARKS DEPARTMENT

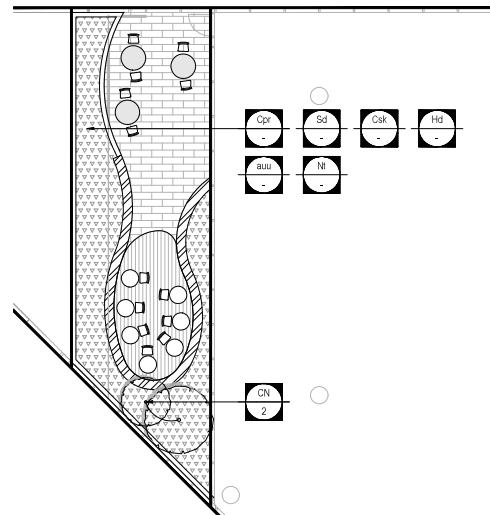
CLIENT:			
PROJECT TEAM:			
LANDSCAPE ARCHITECT - LEAD CONSULTANT			
PFS Studio 1777 West 3rd Avenue Vancouver, BC V6J 1K7			
ARCHITECT:			
DIAMOND SCHMITT ARCHITECTS 364 Adelaide Street West, Suite 100 Toronto, ON M5V 1R7			
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ISSUANCE:			
No.	Date	Details	By
1	05-05-2020	ISSUED FOR PRECONSTRUCTION	JW
2	06-03-2020	ISSUED FOR CONSTRUCTION DEVELOPMENT	JW
3	11-09-2020	ISSUED FOR DEVELOPMENT PERMITS	JW
<div><div>PFS STUDIO PLANNING • DESIGN • CONSTRUCTION • LANDSCAPE ARCHITECTURE</div><div>WE TAKE YOUR PROJECT TO THE NEXT LEVEL</div></div>			
STAMP:			
PROJECT NAME: <b>TELUS OCEAN</b>			
DRAWING TITLE: <b>PLANTING PLAN GROUND LEVEL</b>			
PFS PROJECT NUMBER: 20007		DATE: 07/15/2020	
DRAWN BY: JW		CHECKED BY: NM	
SCALE: 1:200			
DWGS. NO.: <b>L6.01</b>		OF: XX	



1 PLANTING PLAN - LEVEL 5  
SCALE: 1:100



2 PLANTING PLAN - LEVEL 7  
SCALE: 1:100



3 PLANTING PLAN - LEVEL 9  
SCALE: 1:100

#### PLANTING SCHEDULE - LEVEL 5, 7, 9

KEY	BOTANICAL NAME	COMMON NAME	QTY	COMMENTS
<strong>TREES</strong>				
CN	<i>Cornus nuttallii</i>	Pacific Dogwood	5	8cm Cal. Multi-Stem, Min. 3m Ht
AU	<i>Arbutus unedo</i>	Strawberry Tree	1	6cm Cal., Tree Form., Min. 3m Ht
<strong>SHRUBS AND GRASSES</strong>				
Sd	<i>Spiraea douglasii</i>	Red Spirea	-	#5 Pot, 750mm o.c.
Hd	<i>Hedera helix</i>	Ocean Spray	-	#5 Pot, 750mm o.c.
Csk	<i>Ceanothus velutinus</i>	Fountain Grass	-	#3 Pot, 450mm o.c.
Csk	<i>Cornus sericea 'Kelsey'</i>	Dwarf Kelsey Dogwood	-	#3 Pot, 450mm o.c.
Lp	<i>Lonicera pilosella</i>	Box-leaved Honeysuckle	-	#3 Pot, 450mm o.c.
Cpr	<i>Ceanothus glaucus 'Point Reyes'</i>	Point Reyes Creeper	-	#3 Pot, 450mm o.c.
Nt	<i>Nassella tenuissima</i>	Mexican Feathergrass	-	#3 Pot, 450mm o.c.
<strong>GROUNDCOVERS AND PERENNIALS</strong>				
Bau	<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	-	#1 Pot, 300mm o.c.
se	<i>Sedum elaeagnanum</i>	Hardy Sedum	-	#1 Pot, 300mm o.c.

#### PLANTING NOTES

- ALL PLANT MATERIAL SHALL CONFORM TO CANADIAN LANDSCAPE STANDARDS. NURSERIES SHALL BE S.O.D. CERTIFIED.
- ALL PRUNING OF EXISTING TREES & SHRUBS TO BE UNDERTAKEN WITH APPROVAL OF THE PROJECT ARBORIST.
- ALL PRUNING DURING THE MAINTENANCE PERIOD MUST BE DONE BY ANISA CERTIFIED ARBORIST.
- FINAL LOCATION OF ALL PLANTING MATERIAL TO BE APPROVED BY PROJECT LANDSCAPE ARCHITECT ON SITE.
- ALL PLANT MATERIAL MUST BE SUPPLIED AT THE SIZES INDICATED AND CONFORMS WITH THE SPECIFICATION.
- ALL PLANT MATERIAL SHALL BE WELL-ESTABLISHED AND UNIFORM IN SHAPE AND SIZE.
- ALL PLANT MATERIAL SHALL BE NURSERY GROWN UNLESS OTHERWISE NOTED.
- ALLOW 750-900 DIA. NO PLANTING ZONE/CLEAR OPENING AROUND ALL TREE BASES.
- ANY DISCREPANCIES ARE TO BE VERIFIED BY THE CONSULTANT FOR REVIEW AND RESPONSE.
- PRIOR TO START OF CONSTRUCTION, THE CONTRACTOR SHALL CONFIRM THE AVAILABILITY AND QUANTITY OF PLANT MATERIAL SPECIFIED, ALLOWING FOR ANY AND ALL REQUIRED APPROVALS. PLANTS SUBSTITUTIONS NOT CONFIRMED AND APPROVED BY THE PROJECT LANDSCAPE ARCHITECT WILL BE REJECTED.
- ALL ELM MUST BE SOURCED FROM A CERTIFIED DED FREE SOURCE.
- THE CONTRACTOR MUST MAKE AN ALLOWANCE FOR A 20% OVER SUPPLY OF PLANT MATERIAL TO ALLOW FOR FAILED STOCK DURING THE MAINTENANCE PHASE.

CLIENT:

#### PROJECT TEAM

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#### REVISIONS

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#### PROJECT NAME

TELUS OCEAN

#### DRAWING TITLE

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LEVEL 5, LEVEL 7, LEVEL 9

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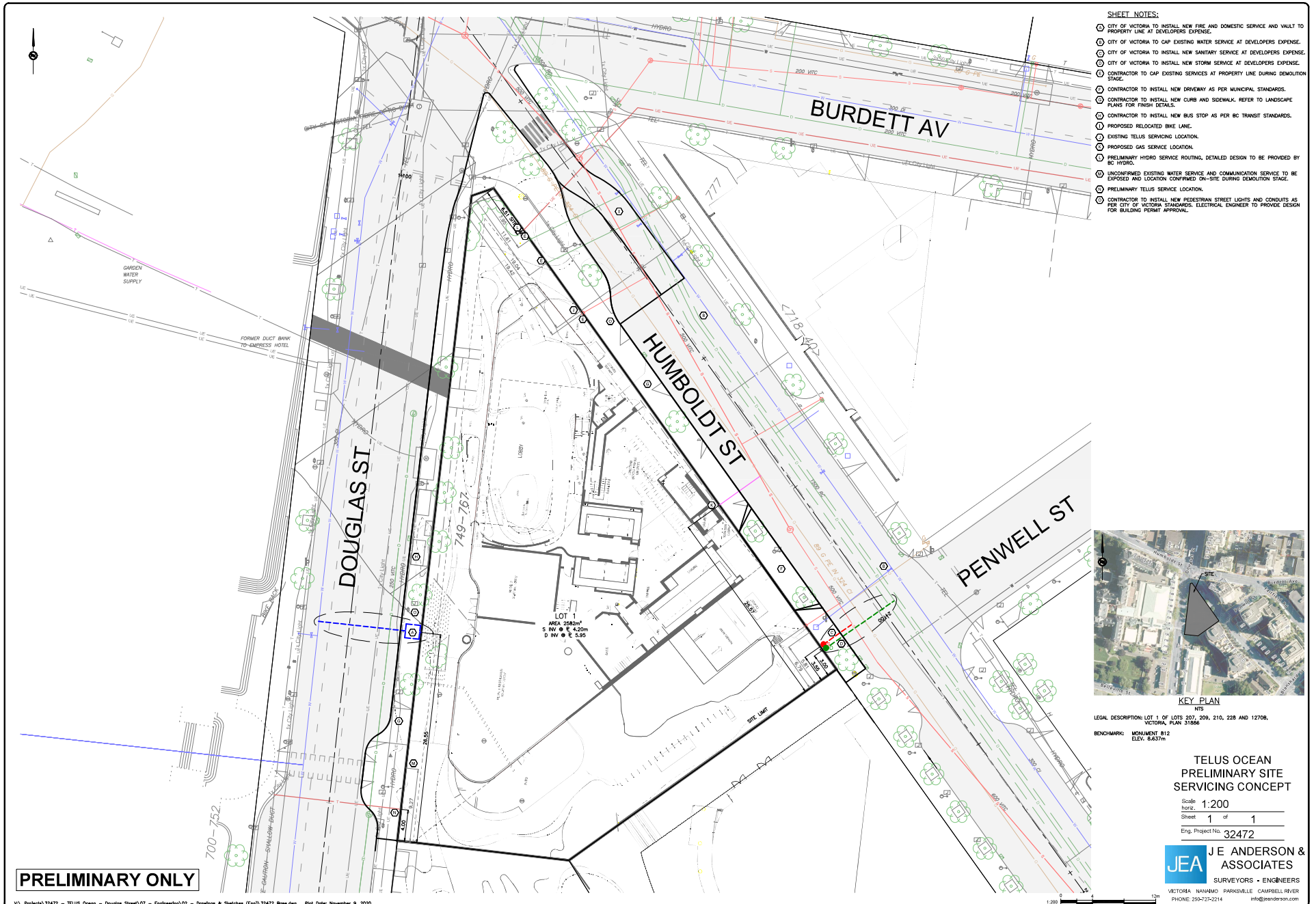
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# Application Brief 1.0

July 2020



**TELUS** ocean



# TELUS ocean

## Land Acknowledgment

We acknowledge with respect the Lekwungen peoples on whose traditional territory the TELUS Ocean property stands and the Songhees and Xwsepsum (Esquimalt) Nations whose historical relationships with the land continue to this day.

Application Brief 1.0	July 2020
Prepared by	ARYZE Developments Inc. TELUS Communications Inc.
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## About

This document outlines the development vision for TELUS Ocean, a proposed commercial office and retail building in Downtown Victoria. The document provides an overview of the proposed development concept – its planning and policy context, foundational planning and design rationale, as well as the associated City of Victoria applications processes.

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"TELUS Ocean will enrich Victoria's unique historical core with stunning, world-class architecture, and enhanced public spaces that create a truly welcoming destination for our team members, the community and indeed all British Columbians."

– Darren Entwistle  
President & CEO of TELUS



# Team

# TELUS Communications Inc.

Project Owner

TELUS is a dynamic, world-leading communications and information technology company with \$14.7 billion in annual revenue and 15.2 million customer connections spanning wireless, data, IP, voice, television, entertainment, video and security. We leverage our globally leading technology to enable remarkable human outcomes.

Our long-standing commitment to putting our customers first fuels every aspect of our business, making us a distinct leader in customer service excellence and loyalty. TELUS Health is Canada's largest healthcare IT provider, and TELUS International delivers the most innovative business process solutions to some of the world's most established brands.

Driven by our passionate social purpose to connect all Canadians for good, our deeply meaningful and enduring philosophy to give where we live has inspired our team members and retirees to contribute more than \$736 million and 1.4 million days of service since 2000. This unprecedented generosity and unparalleled volunteerism have made TELUS the most giving company in the world.



TELUS Garden - Vancouver, BC







TELUS Garden - Vancouver, BC



TELUS Sky - Calgary, AB



TELUS Harbour - Toronto, ON



# TELUS Communications Inc. Project Owner

TELUS brings past experience in the successful implementation of our commercial office projects across the country. Examples of TELUS office developments in other key Canadian cities—including Vancouver’s TELUS Garden, Calgary’s TELUS Sky, and Toronto’s TELUS Harbour—showcase the architecturally-advanced and environmentally-sustainable building design that will characterize this new project.

As the leader in social capitalism, we are committed to delivering value to all our stakeholders. That commitment is embedded in everything we do and every decision we make. We are focused on the health of our planet to make the world a better place, and every aspect of our buildings architecture, mechanical design and energy resource utilization provides next-generation energy saving solutions. We endeavour to continue implementing solutions that generate net positive benefits, socially, economically and environmentally, for our team, our company and society.





# ARYZE Developments Inc.

Local Community Development Partner & Collaborator



ARYZE is a Victoria-based infill development and construction company that approaches the built environment with a keen curiosity and ongoing search for knowledge. ARYZE blends traditional construction practices, intelligent design, and high performance building technologies—always striving to push the future forward.

The ARYZE mission is to gather the best people, use our business to create healthy, resilient places for our community to call home, and realize projects that shape our city in a positive way. Aryze today is just that—a group of educated, experienced, and skilled professionals working to create a new type of company; a constructor built on a foundation of advocacy, innovation, and performance.

We like to think of ourselves as entrepreneurs with an underlying goal of building better communities. We aim to shape the city we love and helps all Victorians find their ideal neighbourhood. This approach has naturally led us to building homes and projects that are fundamentally aligned with our creative and social values.



# Diamond Schmitt Architecture

Architecture & Building Design



Diamond Schmitt Architects (DSA) has built a culture of design excellence and innovation across a range of building types. They design buildings that elevate and enrich communities. By working collaboratively with clients, looking carefully at sites and their broader contexts, their designs improve the organizations that use them. They believe architecture can inspire and empower people to realize their full potential.

Diamond Schmitt Architects operates on the world stage but bring a Canadian understanding to their work. They respect difference, value nature, promote health and safety, work hard, and strive for compassion. Great beauty is created from these principles, and it is immediately evident how their work enhances its surroundings. Their buildings transcend client expectations—and also those of the people who use them.

As a result, Diamond Schmitt Architects has received more than 250 regional, national and international awards for design, including seven Governor General’s Awards for architecture.

# PFS Studio

Landscape & Public Realm Design



PFS Studio is a leading Canadian planning, urban design and landscape architecture firm offering consulting services nationally and internationally on a wide range of projects for both the public and private sectors. The firm has been in practice for over thirty years (formerly as Phillips Farevaag Smallerberg) and produces its award-winning work from its Vancouver studio and through a strategically allied joint enterprise in China. PFS Studio has led or been centrally involved in many large scale planning and design projects throughout Canada, the US, China and other international locations abroad.

Over our many years of practice, PFS Studio has received major recognition through numerous planning, urban design, heritage and landscape architecture awards. These awards confirm their commitment to innovation, technical advancement and cost effective design solutions as well as a keen ability to create memorable and engaging public spaces.

# Integral Group

Sustainability & Green Engineering



Integral Group is an integrated global network of design professionals collaborating under a single deep green engineering umbrella. They provide a full range of building system design and energy analysis services, with a staff widely regarded as innovative leaders in their field and a passion for sustainable design that runs deep.

Sustainability—the nexus of social, environmental, and economic factors—is imperative to the future success and resilience of our communities. Integral Group's crosscutting services focus on health and wellness, comfort and district-scale planning to reduce our use of resources like energy, water and materials, thus reducing carbon emissions. They take a whole-systems approach to buildings and communities, integrating our building simulations, passive design strategies and resource-efficient active mechanical system designs.

# RJC

Structural Engineering



Creative Thinking, Practical Results. It’s not just a tagline – thinking creatively allows RJC to consistently deliver unique and exciting projects and cost-effective, practical solutions. For over seven decades, RJC has been trusted to effectively integrate creativity and practicality to help make projects successful, specializing in structural engineering, building science, structural restoration, structural glass and façade engineering, and parking facility design.

RJC's passion for inspired green design forces them to challenge norms of energy efficiency and material choice. Once regarded as atypical and avant-garde, sustainable design has evolved into a broad-based search for harmony between nature and the built environment and has quickly emerged as the norm in the industry and RJC takes great pride in our lead role.

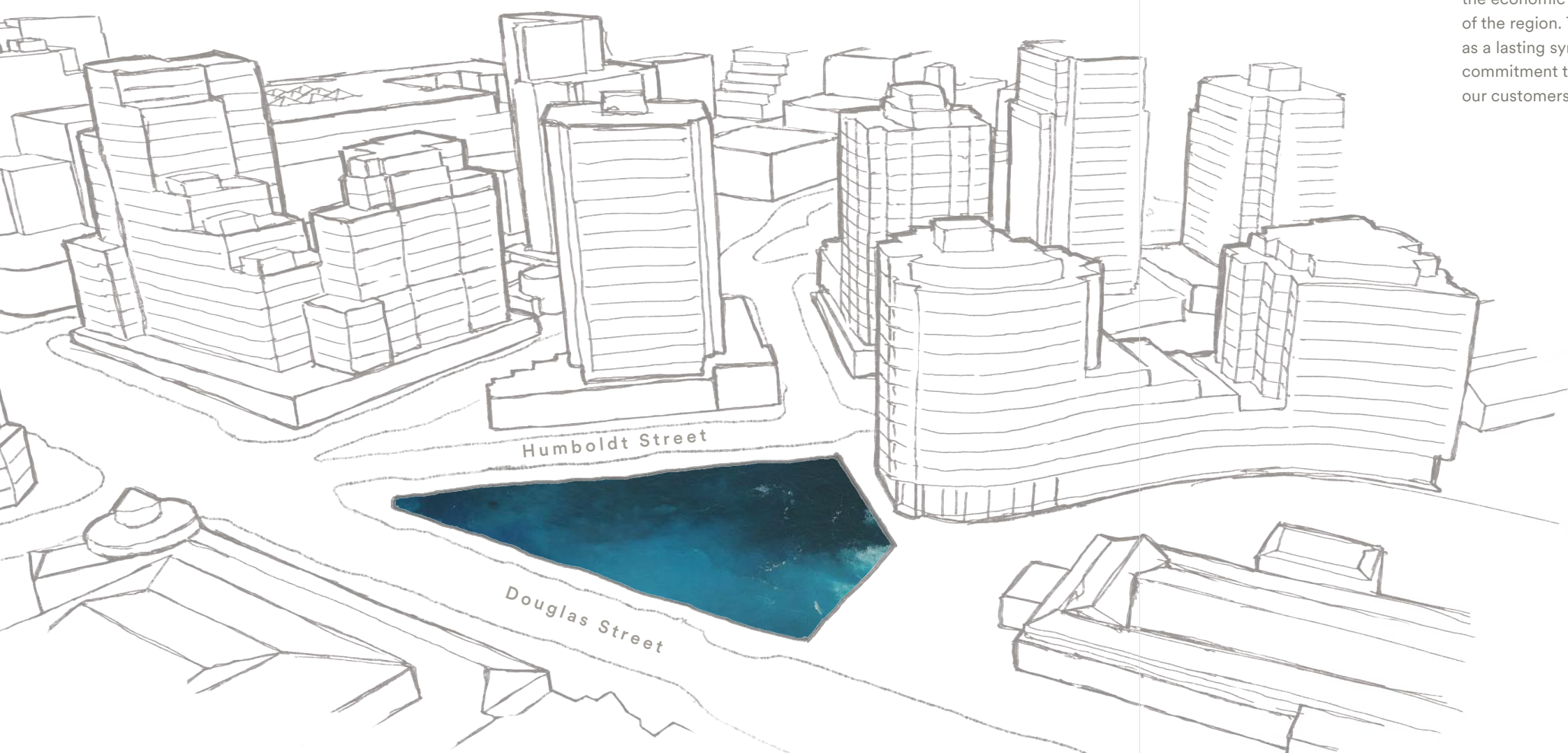




# Vision

TELUS Ocean is envisioned as an iconic architectural landmark—a centre of activity, creativity and innovation in the heart of Victoria’s Downtown and Inner Harbour.

As the future home of the TELUS Victoria team, TELUS Ocean will celebrate design excellence and leading edge sustainability practices, creating a natural sense of gravity that draws future investment, new business, people, and collaboration.



# Commitment to Victoria

TELUS Ocean will become the regional headquarters for approximately 250 TELUS employees and home to an innovation hub that will showcase advanced communications and information technology. As a leading international employer, TELUS Ocean will help support the stability and growth of family-sustaining jobs in Victoria. Including other future building tenants, TELUS Ocean is anticipated to host over 500 full and part time employees.

TELUS is committed to business innovation and continued investment in Victoria in the face of COVID-19. As British Columbia's largest private sector employer, TELUS aims to bolster Victoria's economic recovery by ensuring that its downtown continues to remain the economic and commercial heart of the region. TELUS Ocean will stand as a lasting symbol of our passionate commitment to the Victoria community, our customers and our team members.

TELUS and the City of Victoria share a common vision of creating sustainable, high-value jobs within Victoria's emerging technology sector. This major new business and innovation centre will significantly contribute to Victoria’s economic strength, culture and social vitality, while alleviating pressure for additional downtown office space. The proceeds from TELUS’ investment into the community will be used to advance priorities like affordable housing, and additional property tax revenue will help fund City programs, services and public realm improvements.

By injecting millions of dollars into the local community, TELUS Ocean will create hundreds of local jobs and generate new opportunities and economic spinoffs for the Victoria Conference Centre and surrounding Downtown businesses.

# Positioning Victoria for the Future

Victoria is quickly emerging as a future-ready global hub for technology and innovation. TELUS Ocean represents a vital step in realizing the City's 'Victoria 3.0' vision of building a new local high-value economy that will meet the needs of today and anticipate those of tomorrow.

TELUS Ocean will help build a stronger, more resilient economy, helping bring the City's recovery, reinvention and resilience plan—Victoria 3.0—to life. The plan outlines six big, bold moves that the City of Victoria plans to make as part of Victoria's evolution into a global hub of technology and innovation. The three key Victoria 3.0 goals that closely align with the TELUS Ocean development vision are detailed on the following page.



# Victoria 3.0 Vision

## 1 Tech is #1 – Tell & Sell Victoria's Tech Story

With Victoria's flourishing tech sector being the region's largest private industry, creating over \$5-billion of economic impact annually, the City plans to actively support, develop and promote its continued growth. TELUS Ocean will become a key hub in Victoria's tech and innovation ecosystem.



## 3 Redevelop Victoria's Conference Centre

Located directly across Douglas Street from the TELUS Ocean site, the Victoria Conference Centre has been identified for capacity upgrades and a digital refresh, aiming to boost economic generation in and around the centre and showcase Victoria's thriving tech ecosystem. TELUS Ocean may act as a leading catalyst to seeing these upgrades realized.



## 2 Re-imagine Victoria's Brand & Story

The City plans to further establish Victoria as a leader in technology, sustainability, innovation and continuous job growth, aligning closely with the TELUS Ocean proposal that intends to support growth by attracting and retaining local talent to high-value tech jobs.





# Design Excellence & Innovation

As the future home of the TELUS Victoria team, TELUS Ocean will celebrate design excellence and innovation. The TELUS Ocean development vision is underpinned by five key project principles that have guided the project from the outset, weaving together iconic architecture, technology, programming, and the people spaces between them.



## Design an Iconic & High Quality Building

TELUS Ocean will be defined by a celebrated, innovative and contemporary building design that complements the surrounding community and nearby landmarks like the Empress Hotel and Crystal Garden. TELUS Ocean will reflect a commitment to high quality indoor environments and healthy spaces by integrating best practices in sustainable site and building design, including water, energy, materials and resource efficiency.



## Integrate Smart & Efficient Features

TELUS Ocean will celebrate and embody innovation with cutting-edge technology integration. Smart building features will include building-wide TELUS PureFibre connectivity, automated building management systems, digital wayfinding, public Wi-Fi hubs, and smart solar-powered furniture that doubles as public charging stations. These key features improve building security, operational efficiency, and the user experience across the public and private realm.



## Enhance the Private & Public Realm

TELUS Ocean will incorporate building and site design elements that create inviting, productive, and pedestrian-friendly spaces with at-grade retail activity, green spaces, amenity areas, and high-quality streetscape features. TELUS Ocean will capitalize on the strategic site location by encouraging multi-modal transportation and by providing on-site access to bicycle storage, showers, locker facilities, and electric vehicle charging stations.



## Promote Community & Local Culture

TELUS Ocean will act as a community innovation hub, showcasing and supporting Victoria's vibrant and unique urban culture by welcoming local art exhibitions, playing host to local events, partnering with community organizations, building awareness of ocean issues and research, and facilitating start-ups and small business incubation.



## Ensure Market Relevance

TELUS Ocean will establish a thoughtful and responsive mid-rise building form that's appropriately scaled, responsive to the Victoria market, and reflective of the local and economic context.

# Principled Approach



At the junction of Douglas and Humboldt Streets, in the heart of Victoria's Inner Harbour, lies one of the last remaining large-scale development sites in downtown Victoria.

Located at 767 Douglas Street, TELUS Ocean will seize on a rare opportunity to create a new centre of gravity, where the historic meets the emergent.

# Rare Opportunity





## Where Old Meets New



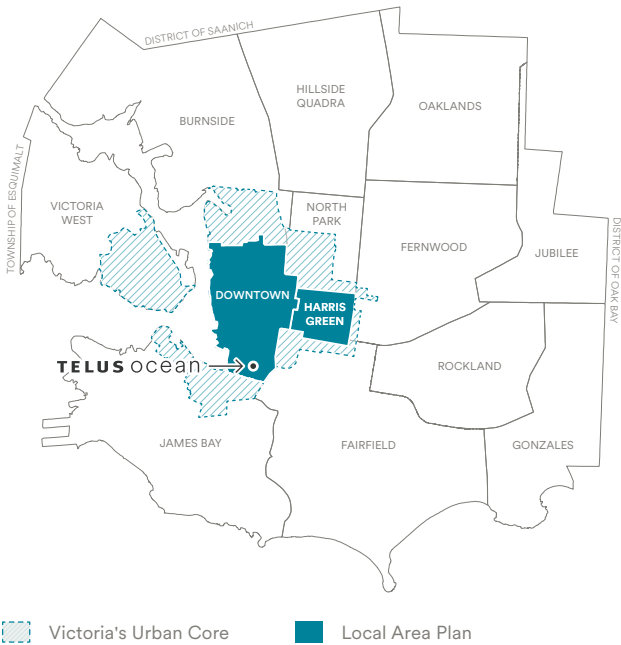
At the southern end of Victoria's Downtown, this unusually shaped site is positioned as a natural urban node and crossroads – for people, transportation networks, varied urban densities and building heights.

Contemporary and historic architecture coexist here, with uses in the area transitioning from cultural and commercial to institutional and residential, with a diverse and eclectic mix of hotels, gathering spaces, apartment buildings, and local businesses.





Official Community Plan



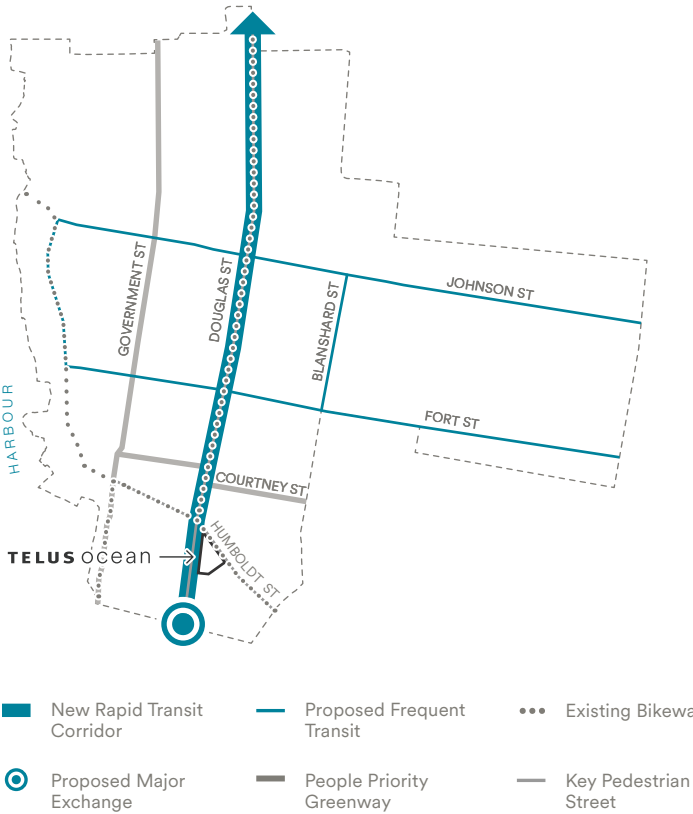
Objectives

The City of Victoria’s Official Community Plan (OCP) provides broad, overarching direction on how Victoria should grow and change over the next 30 years. It plans to position Victoria for the future, with significant population increases and an economic transition away from manufacturing and shipping toward technology anticipated to continue.

TELUS Ocean falls within the Downtown neighbourhood, which is considered by the OCP in conjunction with the Harris Green neighbourhood. This area is at the heart of Victoria’s Urban Core, a region intended to accommodate at least 50% of Victoria’s population growth and 20% of Victoria’s employment growth. TELUS Ocean will help realize the OCP’s goals for additional economic and employment growth within Victoria’s emerging technology sector.

Local Strategic Direction

The TELUS Ocean site is located within the Core Inner Harbour / Legislative Urban Place Designation, which anticipates buildings up to 15 storeys, with densities up to 4:1 considered in strategic locations. Commercial and office uses are encouraged in this district, and local planning has strategically targeted increased height and density along Douglas and Yates Streets, in addition to the general strengthening of the Core Business area by increasing office capacity.

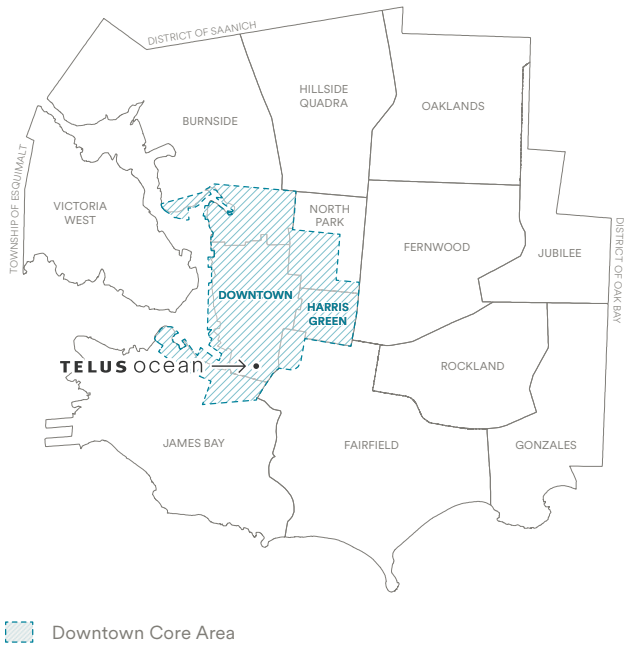


Policy Context

Transportation Planning

The TELUS Ocean site is located immediately adjacent to a planned Rapid Transit Corridor, at the apex of two Key Pedestrian Streets—Douglas and Humboldt—and less than one-block from a proposed Major Transit Exchange. There are existing Bikeways directly to the site, which are also only a stone’s throw away from a People Priority Greenway and multiple proposed Frequent Transit lines. In addition, the site is directly across Douglas Street from a Regional Bus Hub, and less than 500m from both sea plane and ferry terminals along the harbour.

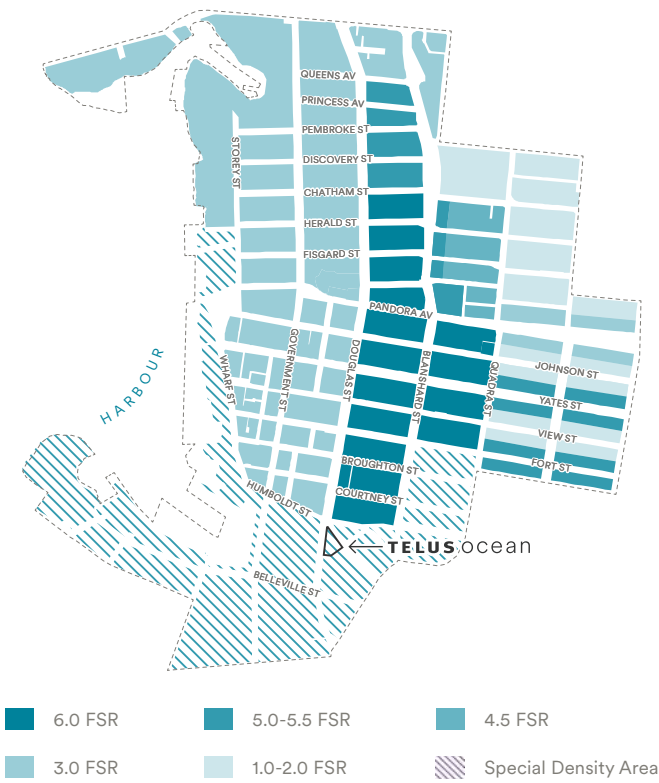
Downtown Core Area Plan



Objectives

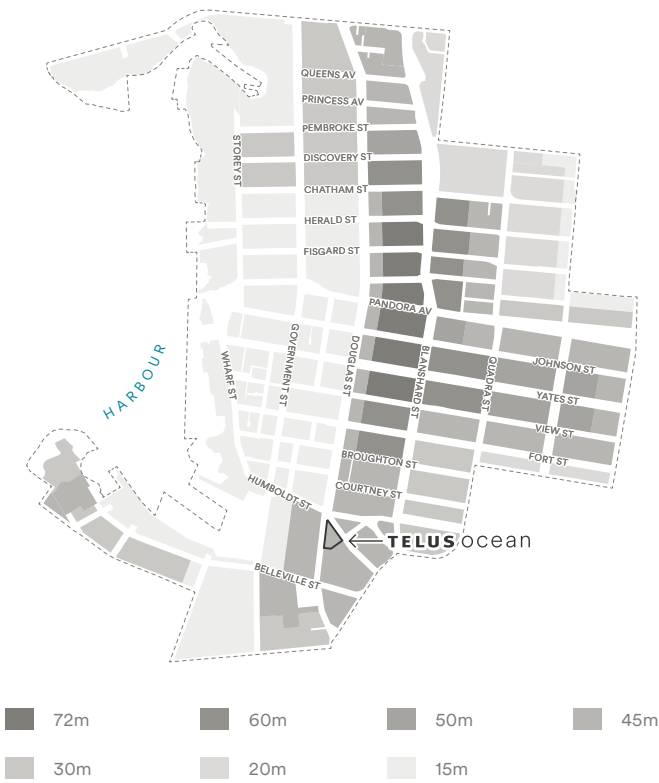
Victoria's 2011 Downtown Core Area Plan (DCAP) provides policy direction for land use, economic growth and development in the heart of the Victoria region over a 30 year time horizon. This Plan also functions as the Local Area Plan for the Downtown and Harris Green Neighbourhoods. Growth forecasts estimate that by 2026 the total demand for additional floor space in Downtown Victoria could exceed 1,000,000m<sup>2</sup> and that the Downtown neighbourhood alone may experience a shortfall of up to 616,900m<sup>2</sup> within the next 5 years.

TELUS Ocean is located within the Inner Harbour District, a celebrated world-class gateway to Victoria recognized for its picturesque quality, vitality and concentration of landmarks. This District has been identified for economic growth, public realm improvements and business activities. Bordering the Commercial Business District, the main employment centre for Victoria and the region, TELUS Ocean seeks to reinforce the economic vitality needed for the area's long-term function.



Density Framework

The Inner Harbour District falls within a Special Density Area that does not set out density objectives. Changes to density in this area are considered through rezoning applications in light of local context and other policies and design guidelines. As the site is located at the border of the Central Business District, adjacent to multiple high-density buildings and across the street from an area with a maximum Floor Space Ratio (FSR) of 6.0, TELUS Ocean proposes to support the area with a higher-density building through a rezoning application that seeks to strengthen the area's economic vitality, enhance its public realm and contribute to its employment growth.



Height Framework

The TELUS Ocean site is currently designated for a maximum height of 45m. A major goal within the DCAP is to enhance the skyline of the Inner Harbour District by placing larger buildings behind prominent heritage buildings. Utilizing the “Urban Amphitheatre Concept”, heritage buildings like the Empress Hotel frame the harbour while the City encourages taller buildings to be developed behind them, primarily concentrated along Douglas Street and within the Central Business District. The rising topography from the waterfront towards Douglas Street provides TELUS Ocean the ability to complement the Empress Hotel, emphasizing its rich detail without diminishing its visual prominence.



# Design



1

# Design Inspiration

## Great Buildings

Looking towards great buildings, TELUS Ocean is proposed as a striking yet contextually appealing form, taking advantage of its key apex terminus and framing the pedestrian experience at grade. The building's singular modern design creates a commanding 'prow', emphasizing verticality, while its unique façade animates textural detailing, reflection, transparency, and lighting to create an ever-changing appearance that responds contextually to neighbouring buildings like the Empress Hotel.

- 1 Hanzas Spire (Latvia)  
AI Studio
- 2 Kilden Performing Arts Centre (Norway)  
ALA Architects
- 3 The Crystal (Denmark)  
Schmitt Hammer Lassen Architects



2

3



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32



1



2



3



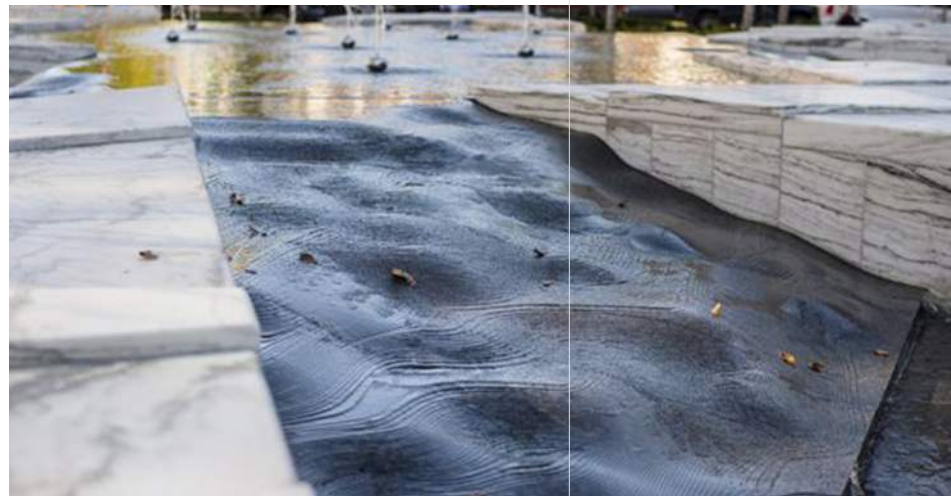
4



5



6



## Vibrant Public Spaces

The public space design for TELUS Ocean is generated by its strong relationship to the sea and the open space system that connects Beacon Hill's Finlayson Point to James Bay. The unifying design theme and inspiration for every space is the idea of the Ocean, which is referenced through multiple means.

- 1 Paving patterns evoking oceanic oscillation
- 2 Curved forms and gardens referencing bio-diverse tidal pools
- 3 Subtle 'tidal pool' LED lighting evoking the magic of oceanic phosphorescence
- 4 Undulating wood benches evoking sculptural driftwood
- 5 Mudflat and Garry Oak meadow species referencing the area's historic landscapes
- 6 Undulating water features referencing local geography and native plantings



# Key Site Strengths & Opportunities

- 1

Prominent and central Downtown location at a major crossroads, with excellent transit and cycling connections
- 2

Adjacent to one of the few public plazas in Downtown Victoria
- 3

Situated within a context of prominent heritage landmark buildings
- 4

Surrounded by an eclectic mix of modern architecture
- 5

Impressive views of the mountains, Beacon Hill Park and Victoria's Inner Harbour

# Challenges & Opportunities



## Key Site Challenges

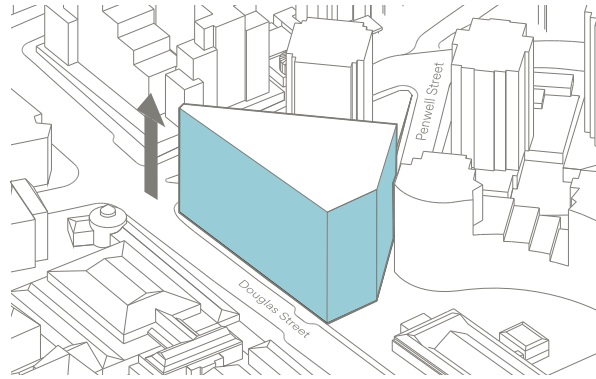
- 7

Compact, sloped and uniquely-shaped lot creates numerous constraints for both site and building design
- 8

Closure of Humboldt Street limits direct vehicular access for parking and loading
- 9

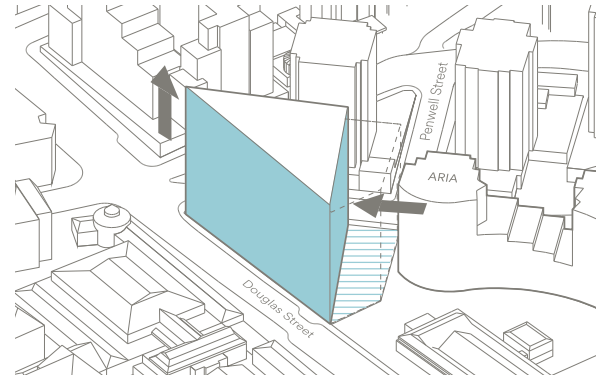
Close interface with nearby buildings requires careful design consideration of all five building façades
- 10

Creating a contemporary and complimentary backdrop to the existing high quality heritage context



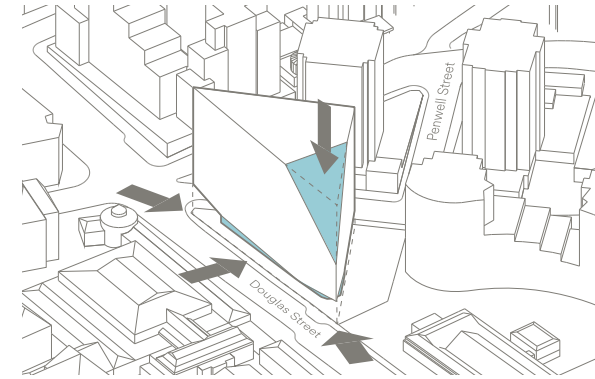
### 1 Extrude Flatiron Envelope

The triangular shape of the site's boundaries sets the framework for a prominent, flatiron style building envelope, with a strong northern prow.



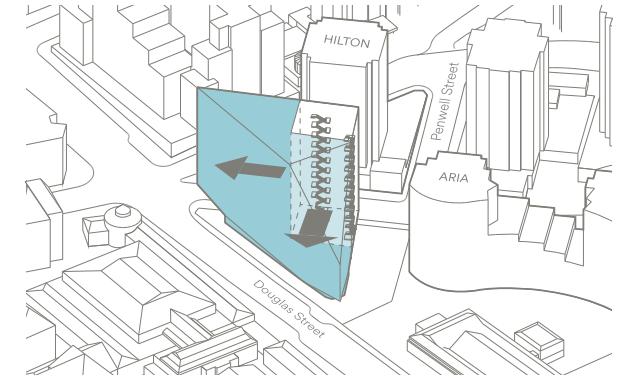
### 2 Reorganize Building Mass To Prow

The southwest portion of the building envelope is reallocated to the northern portions of the building, creating generous relief from The Aria residences.



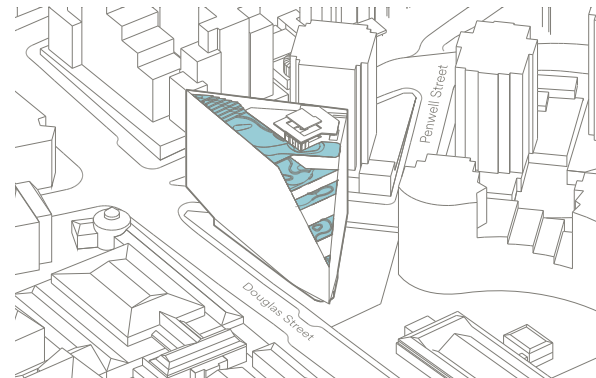
### 3 Pinch To Street Level

A welcoming public realm is created by pushing the building envelope inwards at grade, while pinching down at the southern vertex to preserve key views.



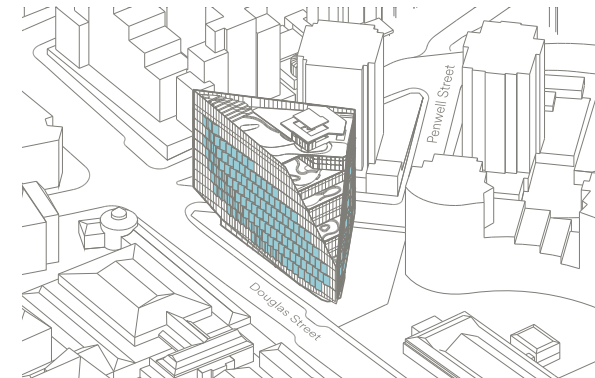
### 4 Orient Occupied Space For Privacy

Privacy for adjacent area buildings is maintained through strategic location of building core, circulation and operations spaces at the easterly corner.



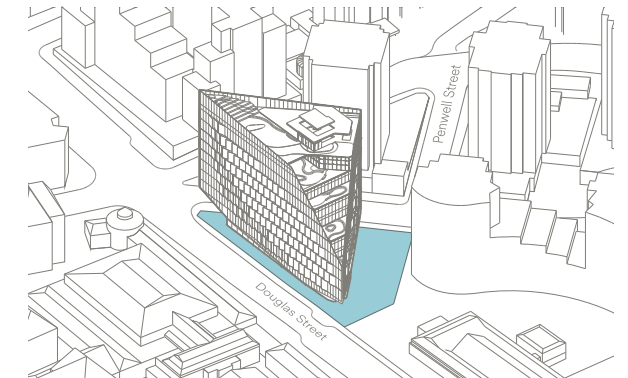
### 5 Carve Open Air Terraces & Rooftop Deck

Flexible outdoor amenity spaces emerge as more building mass is carved away, creating vibrant people places above street level.



### 6 Integrate Ocean Wave Façade Gesture

A bold thematic link to the local context is integrated into the building façade, with light shaping window wells that form the visual cue of a rolling ocean wave.



### 7 Provide A High Quality Public Realm

Generous building setbacks form the site's north and south plazas, creating an expansive and amenity-rich public realm experience.

# Big Moves



# Development Vision

The ocean is said to symbolize  
an open, unknown market;  
free from competition,  
and an optimistic outlook on the future.  
A rich ecosystem essential to life,  
with currents circulating the entire globe  
—the ocean reminds us that  
we are All Connected for Good.

→  
View from Douglas Street and  
Humboldt Street















TELUS Ocean will be a striking yet contextual form, taking advantage of its flatiron terminus on one of Victoria's most prominent intersections. The design will make a significant contribution to the public realm of the area – both outside and inside the building – and will literally and symbolically engage with the knowledge and imagery of the ocean through its architectural and landscape design, material palette, lighting, water feature and media installations.

A lively edge will be created at the site's at-grade apex, with the building's metallic soffit pulling upwards and reflecting light onto the sidewalk, providing a backdrop to reflect the new water feature's light. The 'City Room' is intentionally designed to blur the usual lines between the public and private realm, dissolving boundaries and opening up a welcoming, new social space. Spill-out activity will animate the corner, inviting people in to sit and enjoy a new art-centred media screen.

↑  
View of the main entrance  
along Douglas Street  
→  
View of the lobby 'City Room'  
(along Douglas Street)







↑  
Looking south from the  
northern prow's roof terrace  
←  
View of the terraces from  
above

TELUS Ocean's commanding 'prow' design will be amplified through considerate geometry, detailing, and lighting that will allow it to act as an alluring lantern at night. Numerous new natural spaces will be created throughout the building, including its lobby, rooftop and multiple landscaped terraces. Around the building, generous public spaces that reference the palette of a Pacific beach will be created, with the plaza that extends towards the Crystal Garden being further activated with an overlooking restaurant.

Acting as a marker of the southern edge of Victoria's Downtown, TELUS Ocean will boast high-calibre views of both the city and the harbour. The building will additionally utilize its central location by acting as a draw to people in the immediate neighbourhood and further beyond, with its unique form and functional alignment with nearby buildings establishing TELUS Ocean as an urban identifier and natural centre of gravity.







# A Landscape Inspired By Nature

The landscape design for TELUS Ocean is generated by its strong relationship to the sea and the open space system that connects Beacon Hill’s Finlayson Point to James Bay.

James Bay once extended across the TELUS Ocean site, running along the edge of Humboldt and Belleville Streets, extending to nearly Blanshard Street. The bay was a tidal mudflat rich in marine life, and the traditional territory for the Songhees First Nation who called the area “Whosaykum” or ‘Muddy Place’. Along the drier shore, camps housed people tending the camas fields of “Meegan” (Beacon Hill) or gathering rushes for mats in James Bay. The bay was fed by a creek that in the rainy season allowed travel between the Inner Harbour and Ross Bay.

James Bay



Historic Empress Hotel Gardens



Garry Oak Ecosystem



Beacon Hill Park is just south of TELUS Ocean, and was once a vast expanse of Garry Oak Savannah managed for thousands of years by Lekwungen Peoples. The Savannah is composed of rolling hills, rocky outcroppings, flowering prairie, and stands of Garry Oak. Flowers such as blue camas, chocolate and white fawn lilies, satin flower, golden paintbrush and lupines attracted over 40 species of endemic butterflies.

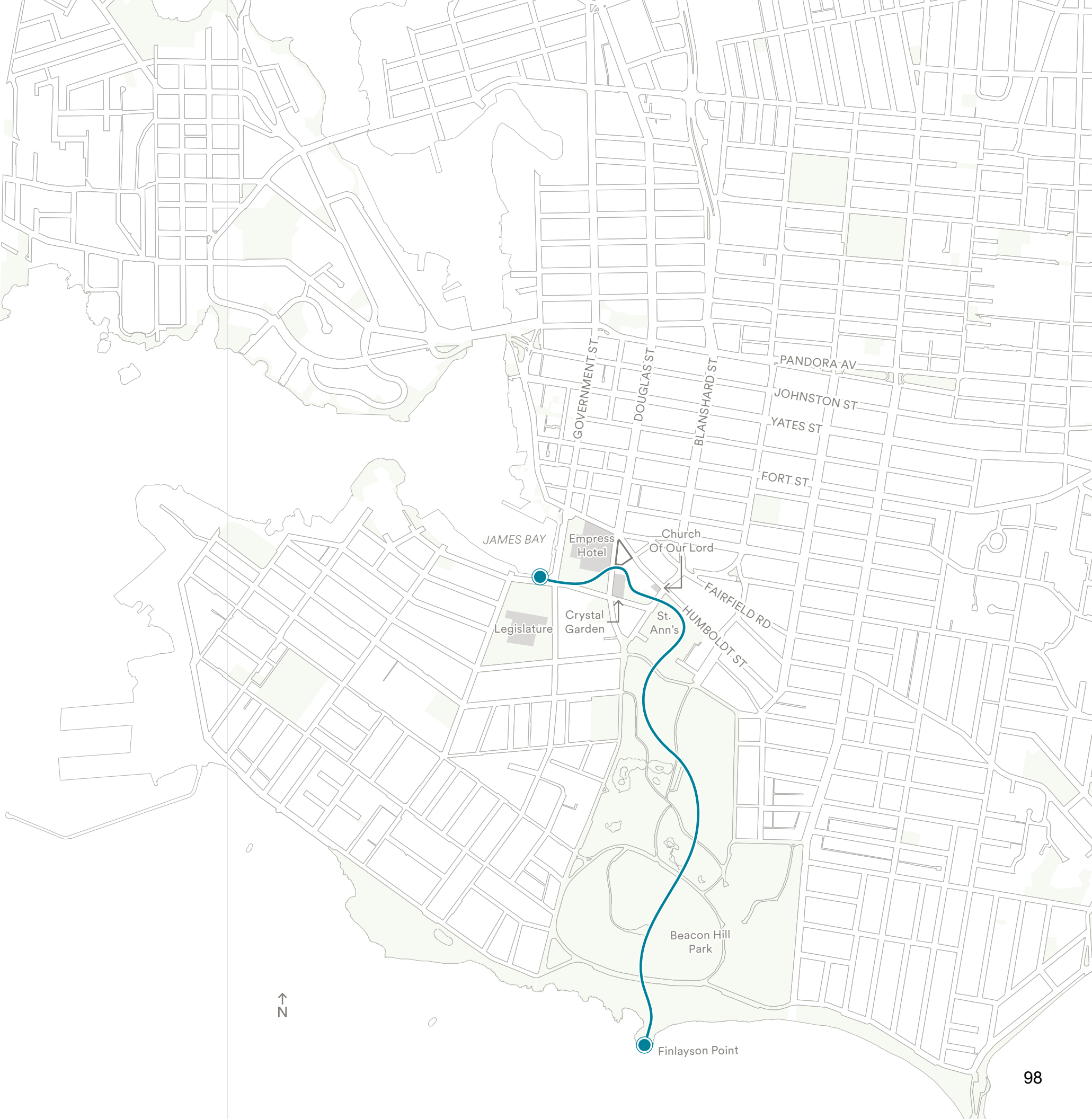
Wave-washed Beach



Tidal Mudflat



Finlayson Point



Landscape Plan



TELUS Ocean features several key public spaces that will contribute to the open space network that connects Beacon Hill Park and the Waterfront in front of the Empress Hotel.

TELUS Ocean provides generous building setbacks that are greater than standard policy and bylaw requirements, creating a spacious and high quality public realm experience. Sculptural seating, lush planting masses, high quality paving and other amenities are extended throughout the site and beyond the property line to enhance the pedestrian experience and improve the legibility, quality and vibrancy of the public spaces adjacent to the project site. A new public plaza is created by closing the northern portion of Humboldt Street to vehicular traffic to allow bicycles and pedestrians only. And the project improves the existing plaza south of the building, as well as the pedestrian extension linking Penwell Street to Douglas Street.



Key Public Spaces

North Plaza



←Z



↑  
Looking south from Humboldt Street  
←  
North Plaza Landscape Plan

TELUS' main entrance is graced with a generous forecourt punctuated by an ovoid glowing 'tidal pool' planter densely planted with massings of colourful native plants. A feature art work could be located in this area. This planter is wrapped with a sinuous sculpted under lit bench that extends out into the plaza enveloping a tree. A second storm water planter with massings of rush spans inside the building. Both planters feature pixelated blue lights. Humboldt's north end is closed to traffic and a new bike lane is delineated with bollards and a row of street trees. Beyond fixed seating, this area could accommodate temporary art and movable furnishings.

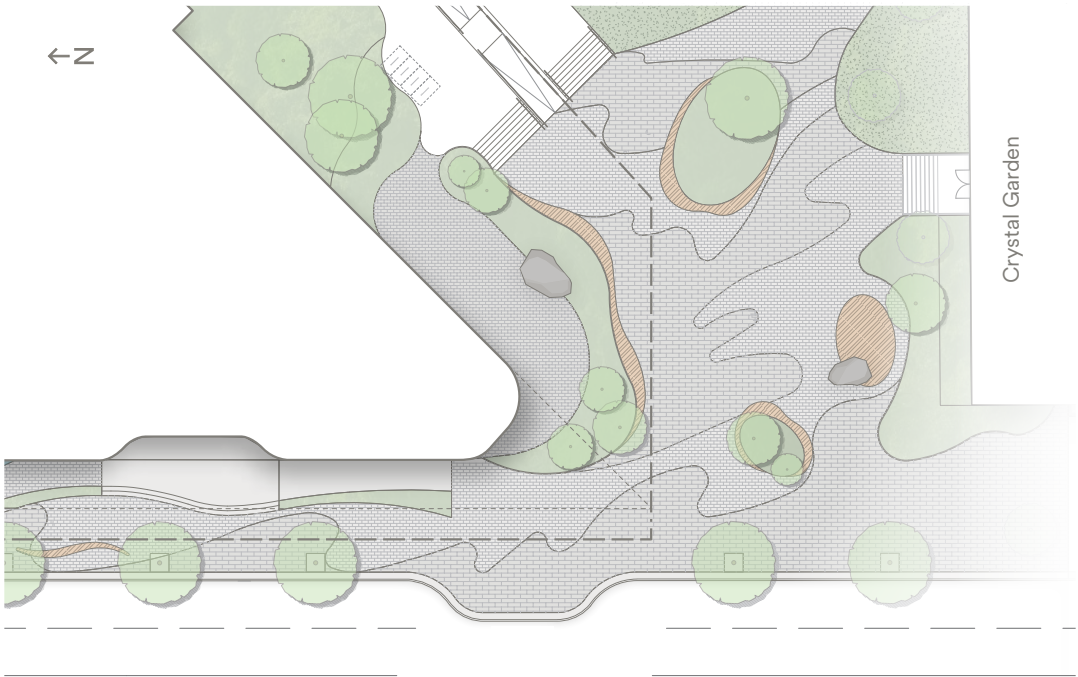






Key Public Spaces

South Plaza



↑  
South Plaza Landscape Plan  
←  
Looking north from The Aria

The renovated south plaza features a variety of gardens with sinuous underlit wood seating, a stage / platform for small performances and lounging, and a Garry Oak grove. The layout of the plaza allows for larger audiences to be seated facing the stage or the building's integrated digital display during events, or to configured accommodate movable tables and chairs, or small markets. The digital video display has been oriented away from adjacent residential units in the Aria and will only be active during specific operating hours. An adjacent restaurant terrace helps to activate the edges of the plaza. This plaza connects to the planted path in front of the Aria which leads directly to Cridge Park, and Beacon Hill beyond. Massings of Camas, Chocolate Lily and other Garry Oak meadow species will act as attractors to endemic butterflies and other pollinators.



Key Public Spaces

Penwell Extension



↑  
Looking Northeast through  
the Penwell Extension  
←  
Penwell Extension  
Landscape Plan

An enhanced pedestrian connection between Douglas and Humbolt Streets expands the existing pedestrian realm adjacent to The Aria and creates a universally accessible through connection to Penwell Street. A Garry Oak meadow landform is mounded up around the parking ramp, creating a landscaped sunny slope where visitors can watch the public life of the plaza unfold. Brick striations extend the existing paving pattern across to the meadow, and a new ramp enables universal access.

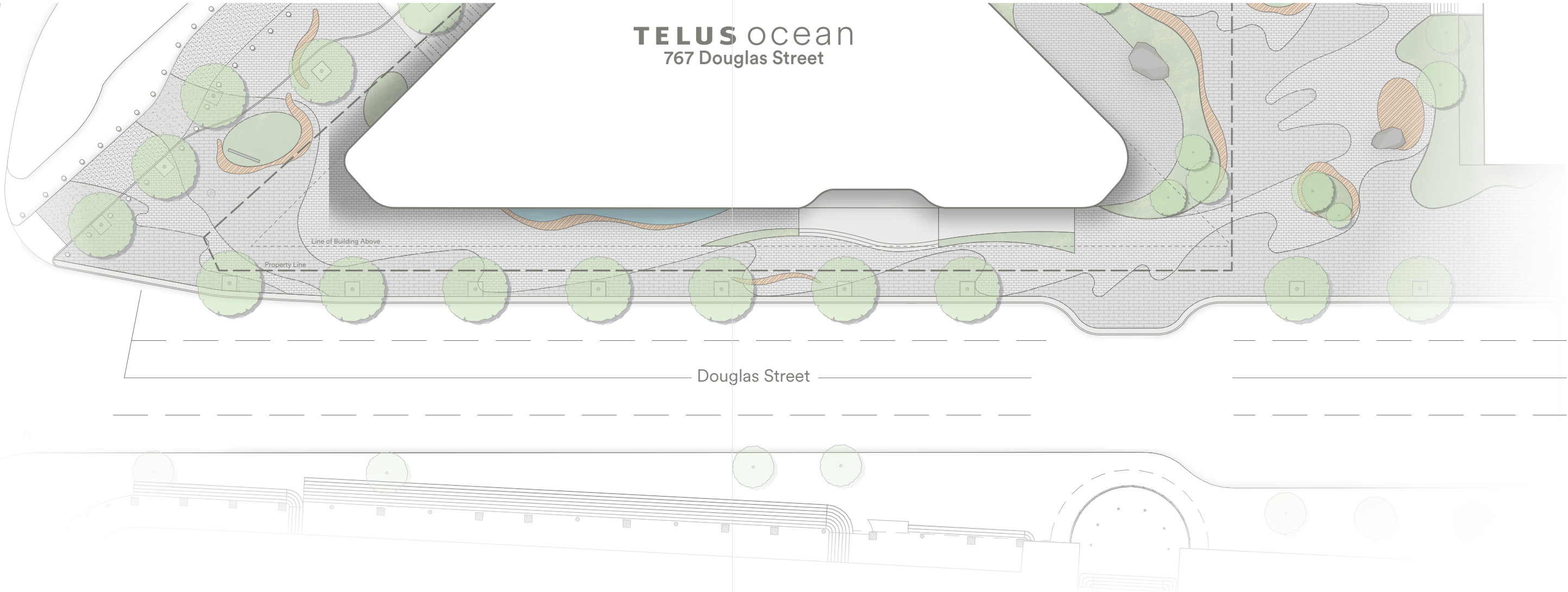
Key Public Spaces

Douglas Streetscape

Douglas Street is Victoria’s traditional ceremonial and retail main street as well as a principal transit corridor. From the north, it is a key gateway to downtown. Across the street from the site is the Empress Hotel and conference centre. The ‘Swash’ paving pattern is extended from building face to back of curb in order to express the connectivity of north plaza to south, and to extend the public realm expression inside the lobby and into its amphitheatre.

An undulating water feature spans interior to exterior and is lined with a sculpted wood bench that acts as an artful backdrop to the amphitheatre. A newly designed bus shelter is located adjacent to another bench to acknowledge the busy nature of the street and to provide seating for those waiting for the bus. New street trees are introduced to create a continuous green edge. A set of three steps lead from the sidewalk to the two commercial retail units with ramps both north and south for ease of access.

TELUS ocean  
767 Douglas Street



←Z



# A Program for People

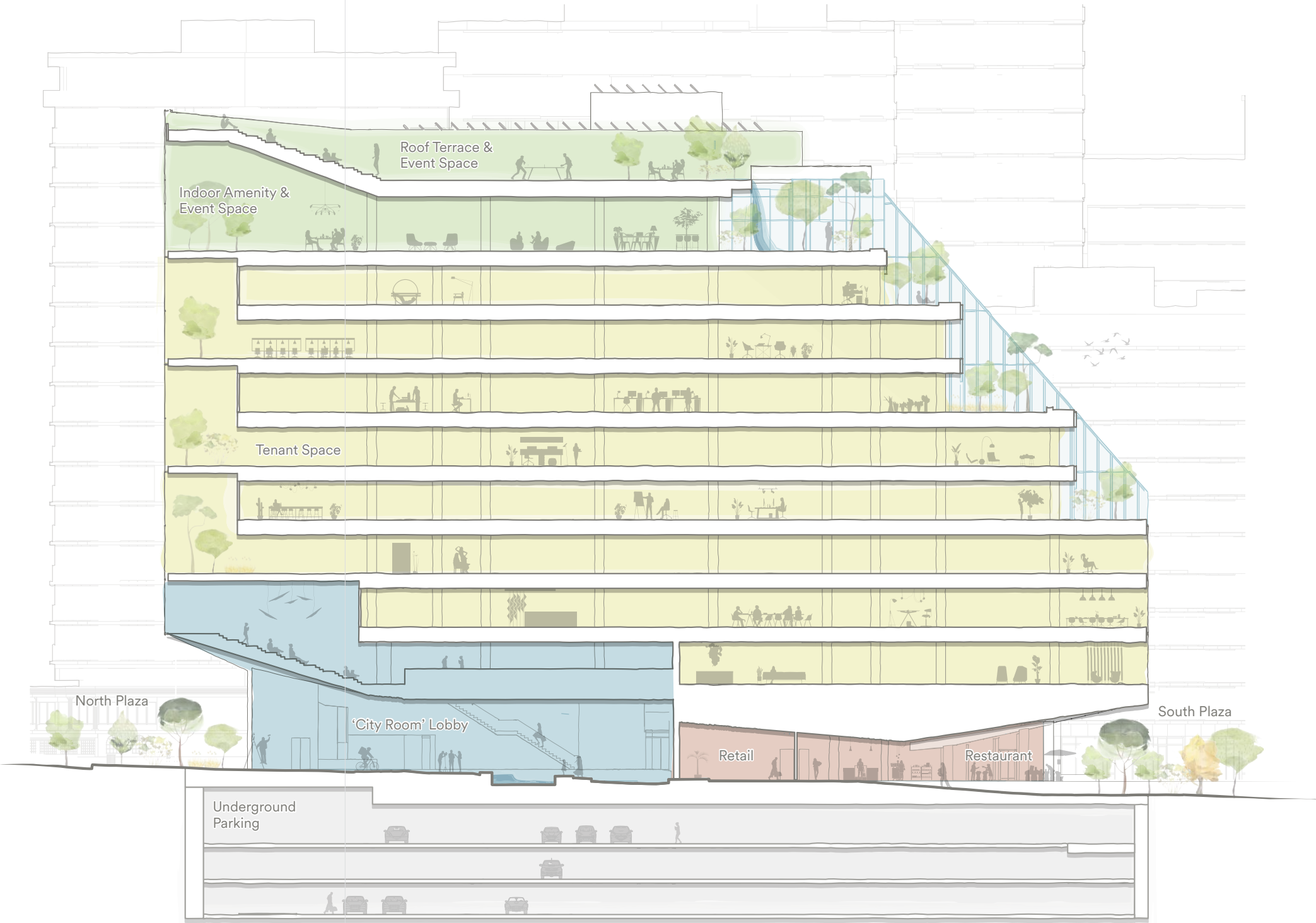
## Spaces For All

TELUS Ocean has been thoughtfully designed to integrate a variety of people spaces not only at the street level but throughout the building's interior.

The multi-level lobby acts not only as an arrival space but also a place to gather, learn and reflect. Meanwhile, retail spaces that span the remainder of the ground floor allow activity to spill out onto Douglas street and the south plaza.

Generous and light-filled tenant spaces represent an evolution of the traditional workspace, including the integration of flexible outdoor terrace workspaces that promote wellness, spark casual interaction and promote the exchange of ideas.

Various indoor and outdoor gathering spaces throughout TELUS Ocean have been designed to accommodate a variety of programming and event needs, including opportunities for community events and publicly accessible venue spaces.



Site Access & Circulation



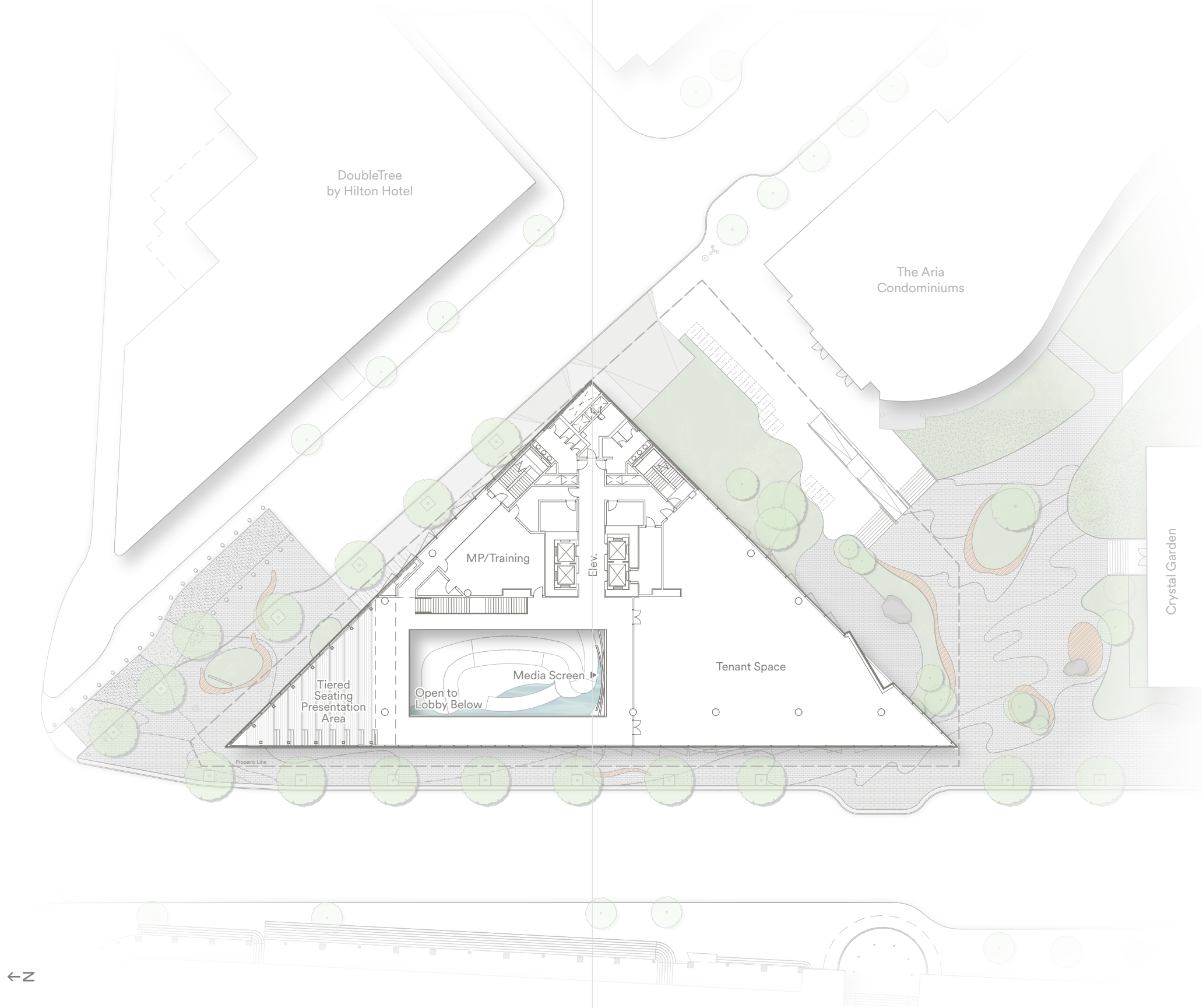




Floor Plan

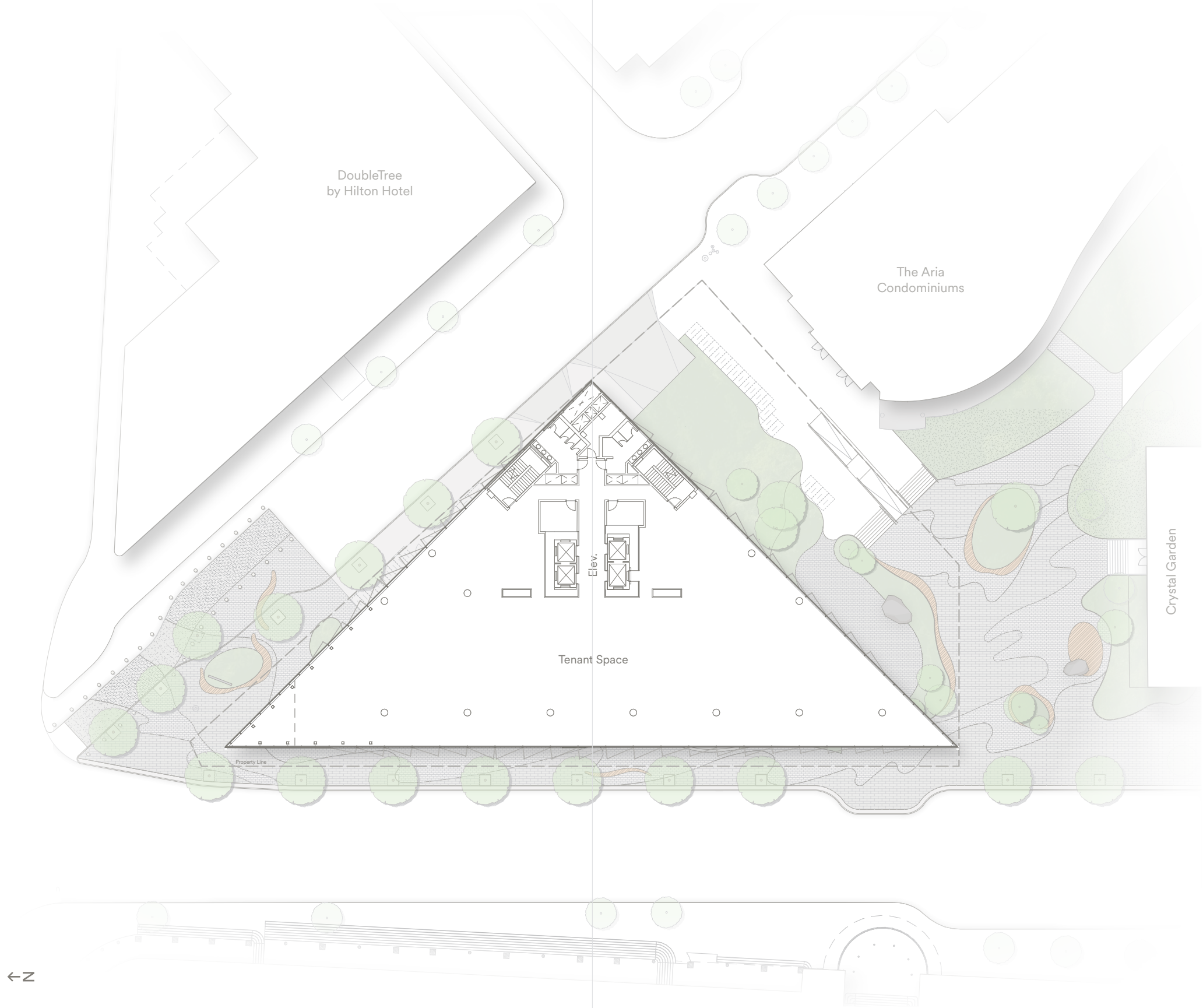
L01 Mezzanine





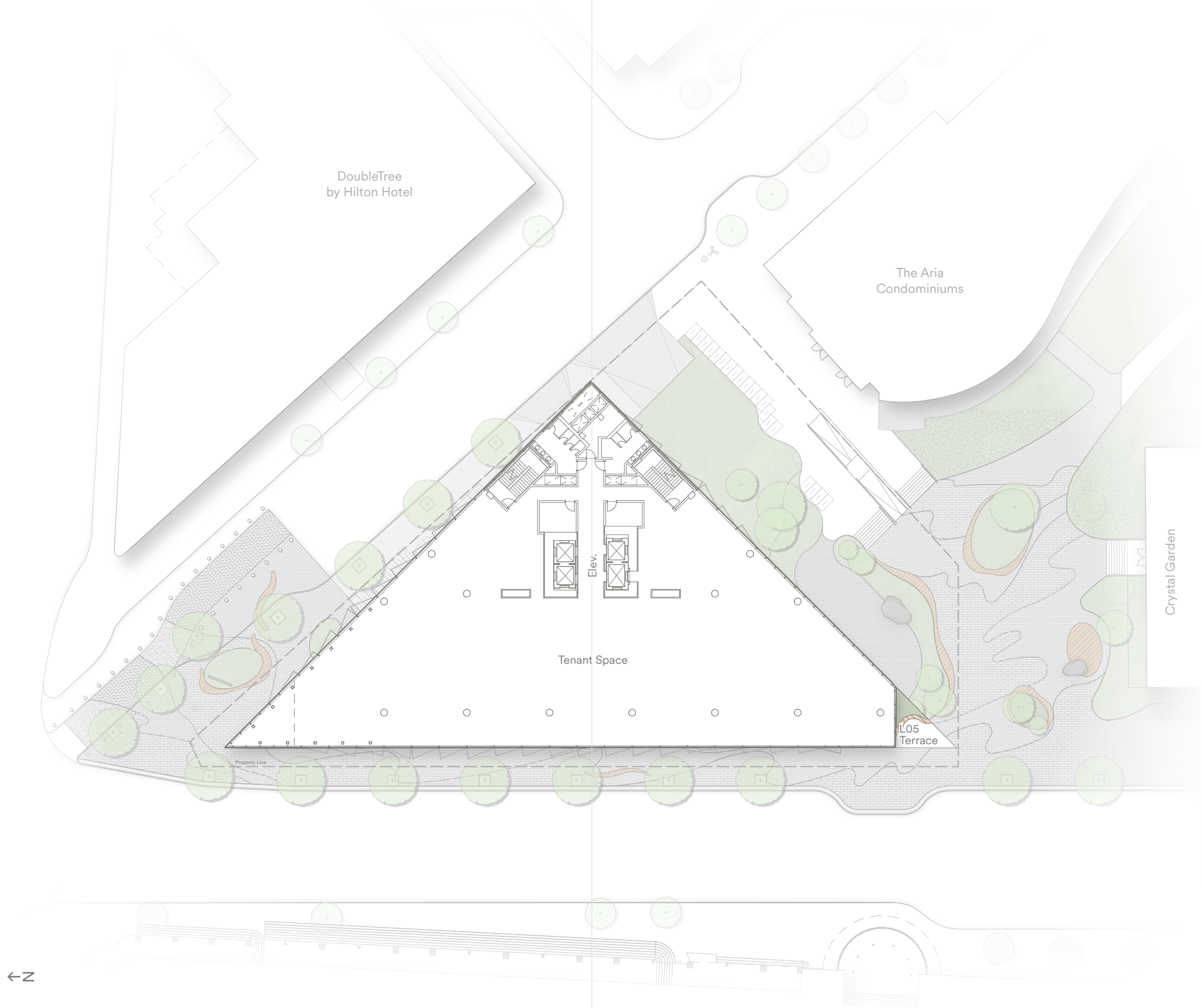






Floor Plan

L05 - L06

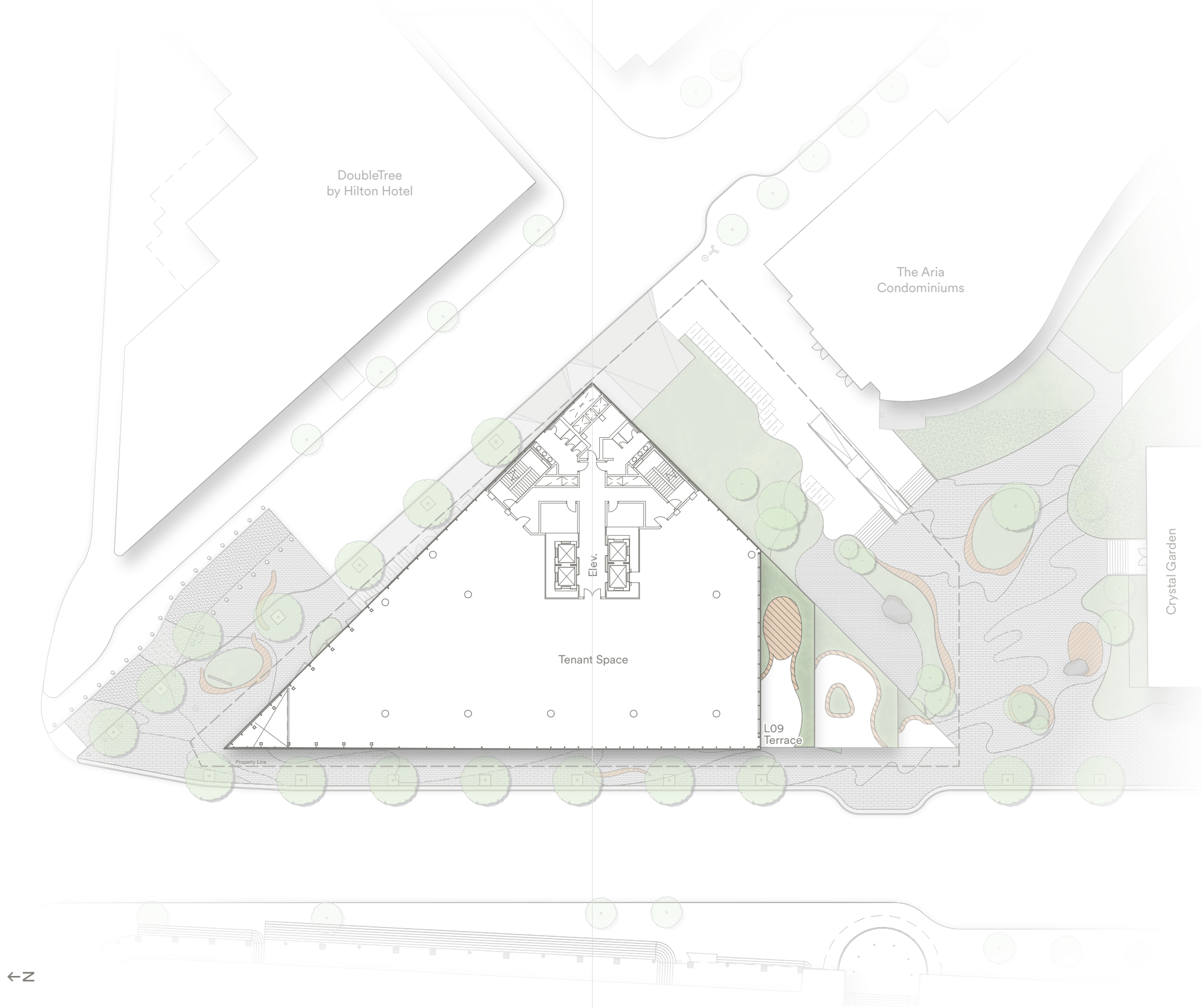


Floor Plan

L07 - L08

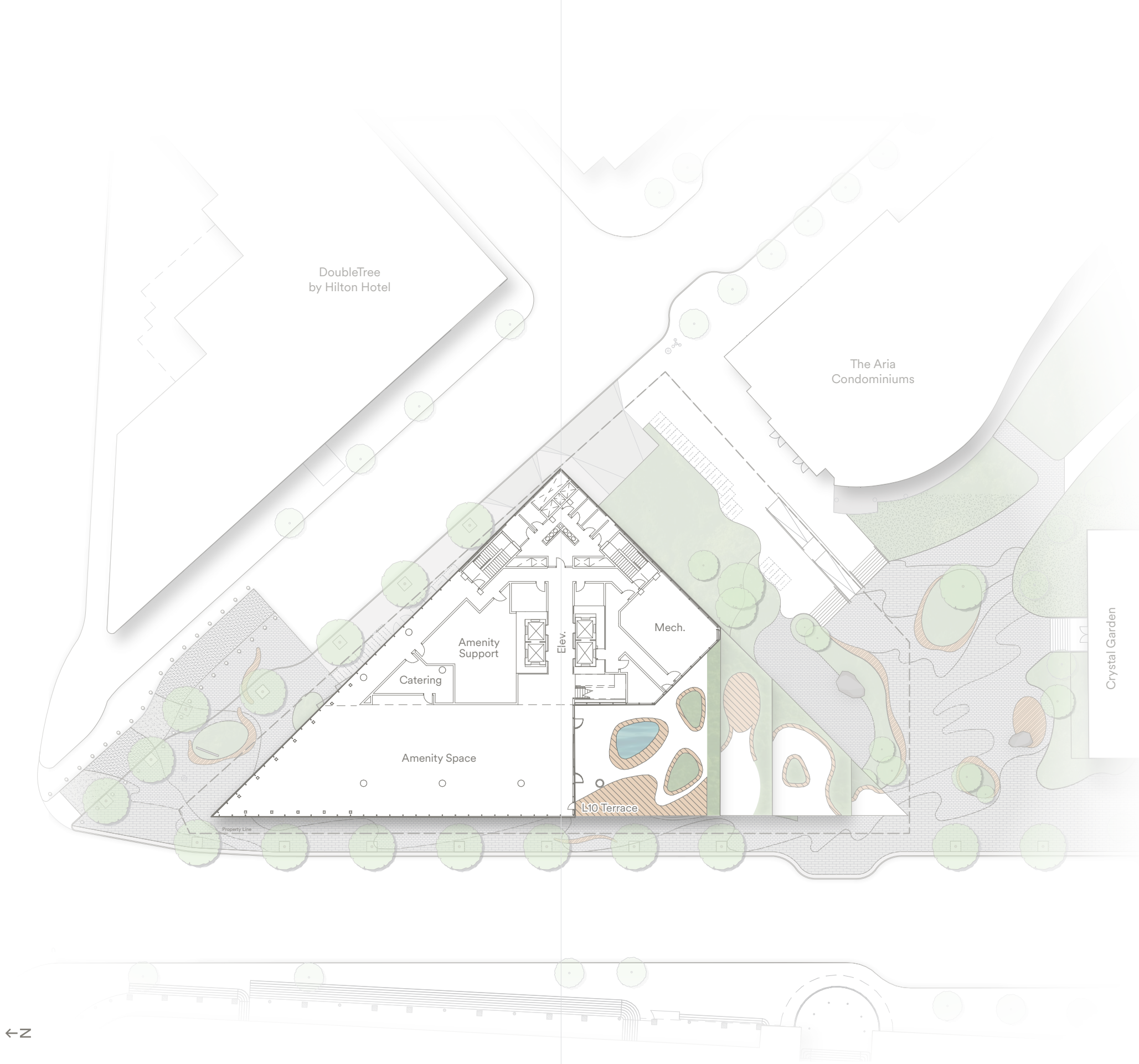






Floor Plan

L10

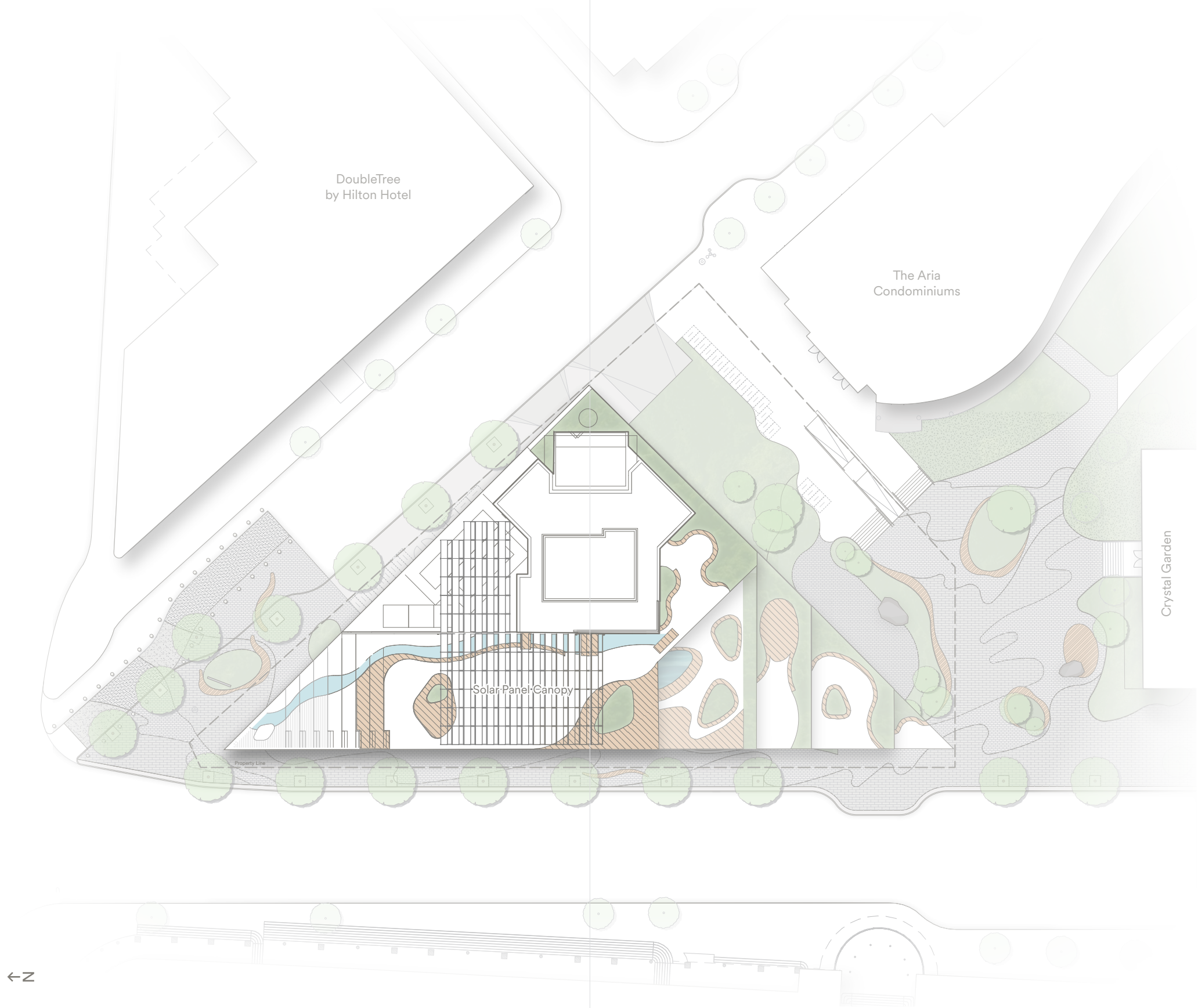






Floor Plan

Roof

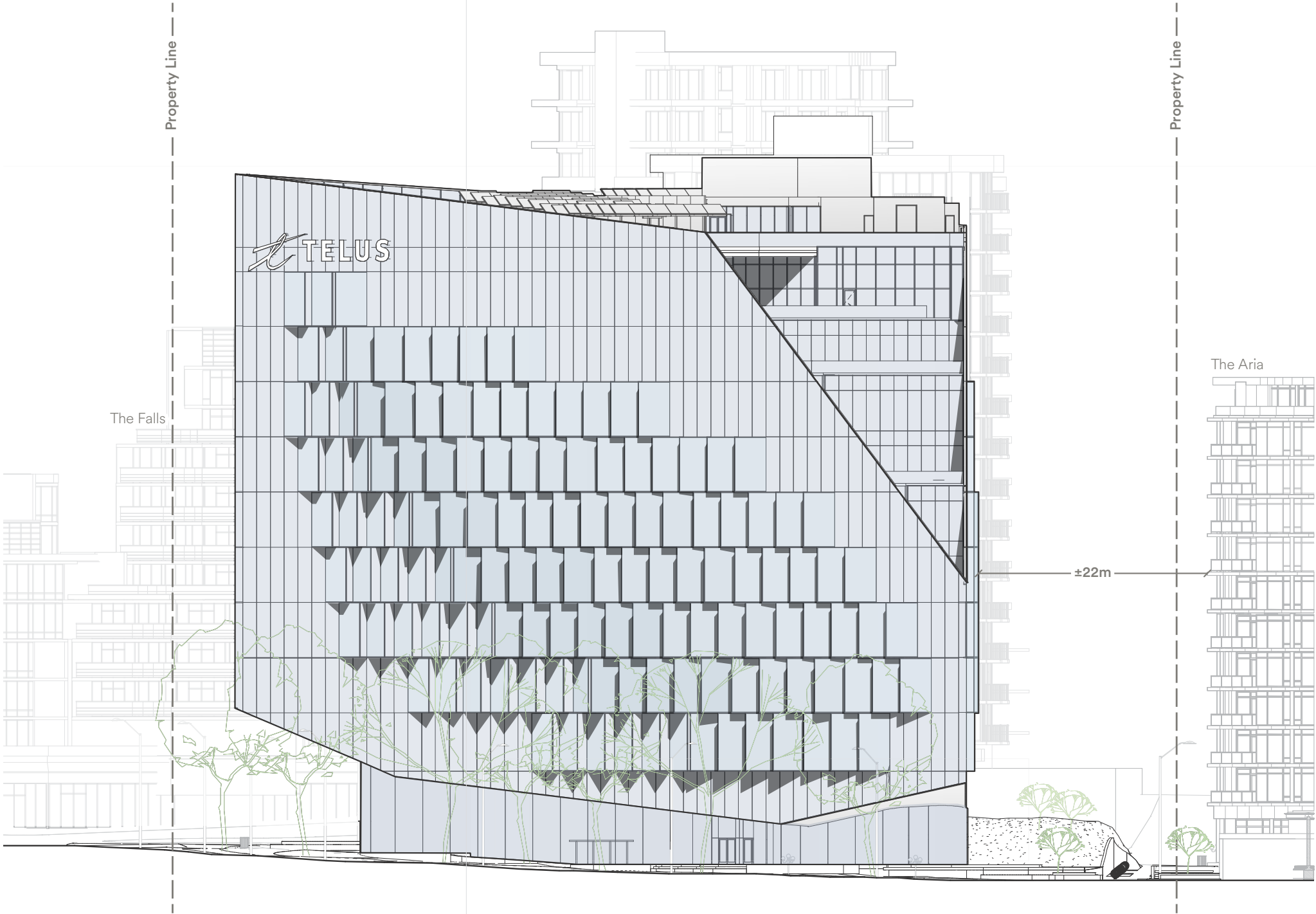


# Building Elevations

## Looking Northeast

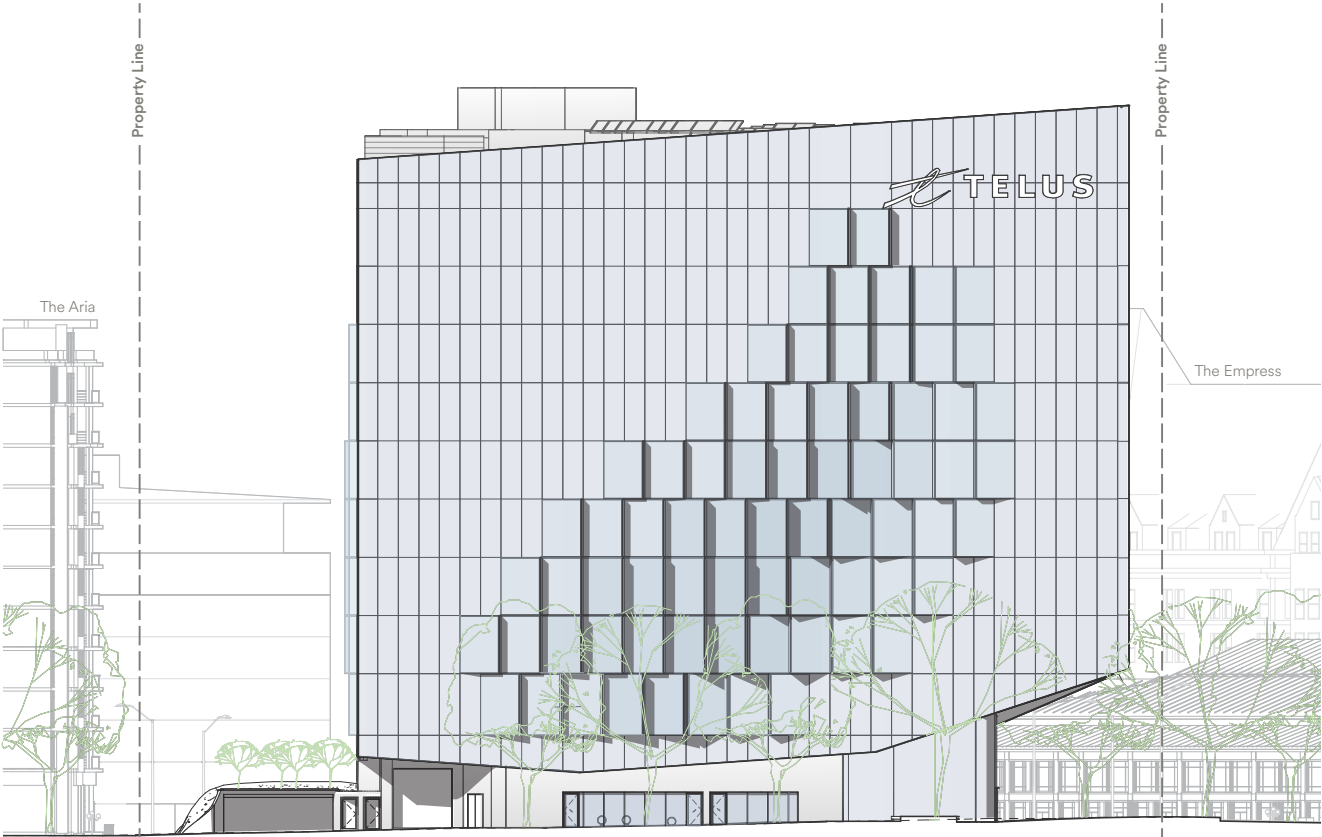
TELUS Ocean's uniquely shaped site seeks to act as an urban node and nexus that transitions itself between surrounding cultural and commercial uses to residential uses such as hotels and apartment buildings. Reflecting the nearby Falls and Aria buildings, TELUS Ocean generally slopes upwards towards the north. By placing the bulk of the building's form towards the north and drastically reducing its upper floorplates, TELUS Ocean allows more access to views at higher levels, protects the existing views from the Aria, and minimizes shadowing impacts on the nearby Falls building and the intersection, all while keeping the Penwell Extension clear and filled with daylight. In order to further preserve equitable access to light and air, the building's form is significantly stepped-back from the Aria's residential homes by ±22m — significantly exceeding existing policy and bylaw requirements.

The building's glass façade design is inspired by the rolling waves of the ocean and the site's historical inter-tidal nature. The 'waves' are detailed abstractly in the glass, eschewing simplistic depiction and creating interest and animation without competing with the form. The terraced corner is cut back and intentionally located at the south end of the building to minimize overlook of residential spaces in the Aria. In addition, terraces are significantly scaled-down and landscaped in order to frame the plaza in a manner similar to the Aria, while addressing privacy along the residential interface.



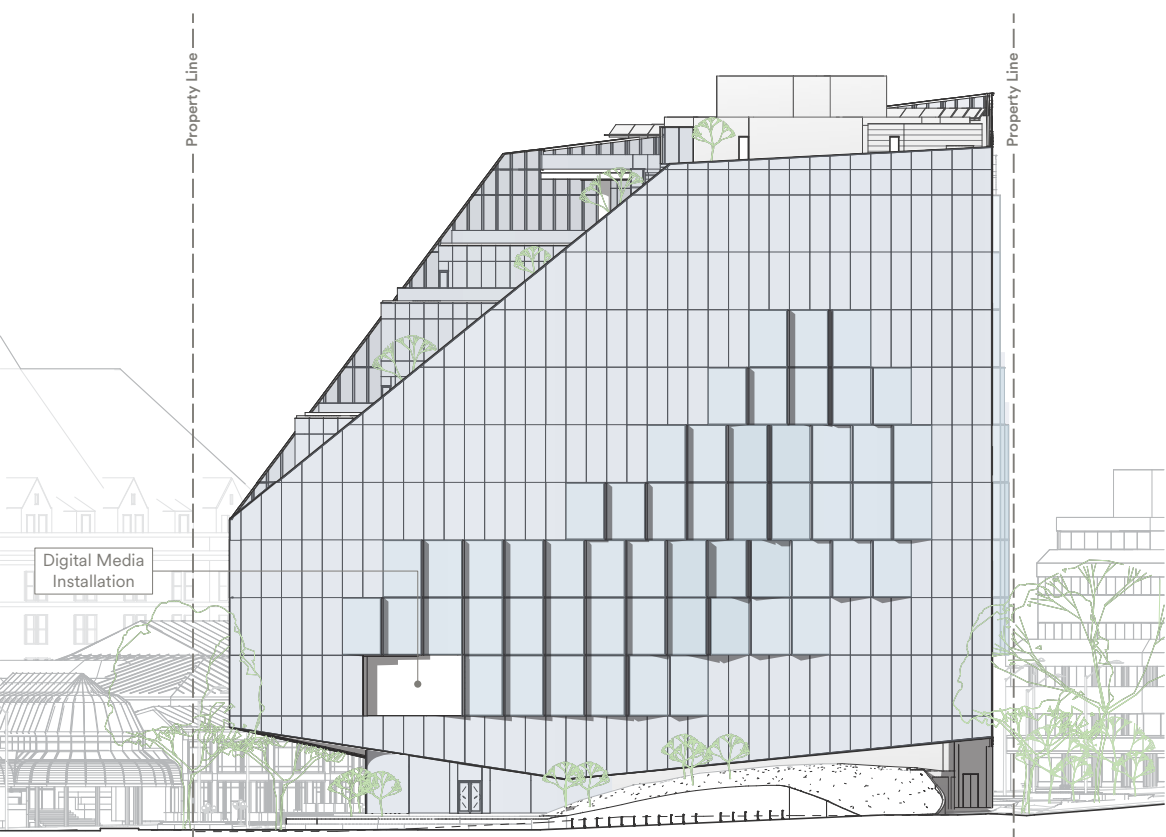
Looking West

The building's 'prow' lifts up to its apex at the north, reflecting the massing of the nearby Aria and Falls buildings, while the sloping roof parapets screen mechanical equipment. The parkade entry is placed along the site's lowest point off Humboldt Street and close to the Aria, minimizing the impact of vehicular and bicycle traffic by facing it towards existing commercial uses and aligning itself with the nearby Doubletree building's parking entry. The setback and height of this parkade and the main building at grade along Humboldt Street reflects the lines created by the Aria, with landscaping above the parkade entry providing the area with additional greenery. The height of the overhang along Douglas Street directly responds to the height of the Conference Centre, and the soffits at the north corner lift to provide a framed visual connection of the Empress when walking towards the harbour.



Looking North

TELUS Ocean's intent is to maximize the extent of pedestrian realm, to animate it, and to enhance it through good design. To achieve this, the building's mass is carved away along Douglas Street to create more pedestrian room, combined with softened landscaping and a lifted soffit that creates a friendly sense of enclosure and frames the street. Overhangs provide weather protection at these key public realm spaces, including the mid-block pedestrian crossing between Penwell Street and The Empress. The southern plaza is enlivened with a restaurant and patio space that activates and animates the edge of this public space, but is placed far enough away from nearby residential units as to not cause undue noise. In addition, the southern plaza enjoys a digital media installation that aims to add further vitality to the area by showcasing content and providing adaptive signage.





# View from the Harbour

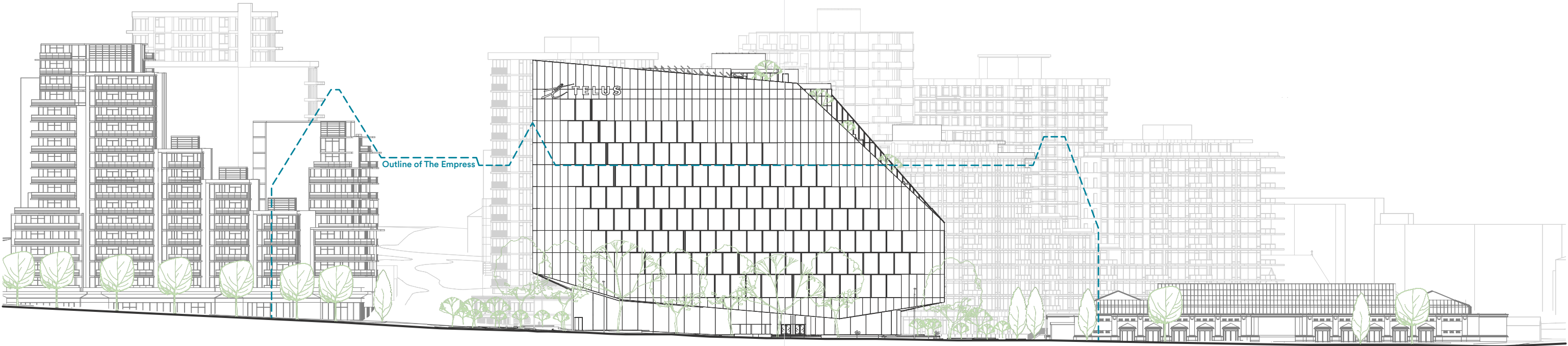
Given the site’s layered history and close proximity to acknowledged heritage buildings, special design consideration has been made to ensure that historical relationships are not only maintained, but enhanced and strengthened by TELUS Ocean. Rather than search for ways to be directly compatible, TELUS Ocean responsively uses its design to respect and complement the existing built context. Materials and detailing have been selected and designed as to stand out as differential, while mirroring the high standards set out by both the heritage and contemporary buildings in the vicinity.

Seeking to bolster the visual impact of The Empress from the harbour, TELUS Ocean creates a uniform and unimposing backdrop to highlight this historic landmark, while also referencing The Empress’ roofline as seen from the water. The height and angles of TELUS Ocean respond to the layered urban amphitheater concept, with the building’s slope specifically echoing the rise of amphitheater layers towards Downtown’s centre. The highest point of the prow’s cantilever in the north is designed in response to the rising scale of The Empress, and the building’s southern cut references the angles of The Empress’ roofline and reduces the building’s bulk seen from the harbour.

A visual and functional connection between buildings and places is intentionally maintained through reflection and uniformity. The singular character of TELUS Ocean enhances the detailed geometry of The Empress’ roofline, instead of offering competing texture, grain and varying materiality. The upper glass chosen for TELUS Ocean was specifically selected to have higher reflectivity to emphasize The Empress, reflecting the sky and taking on a background quality when viewed from the harbour, while reflecting other nearby buildings when viewed from close-by.

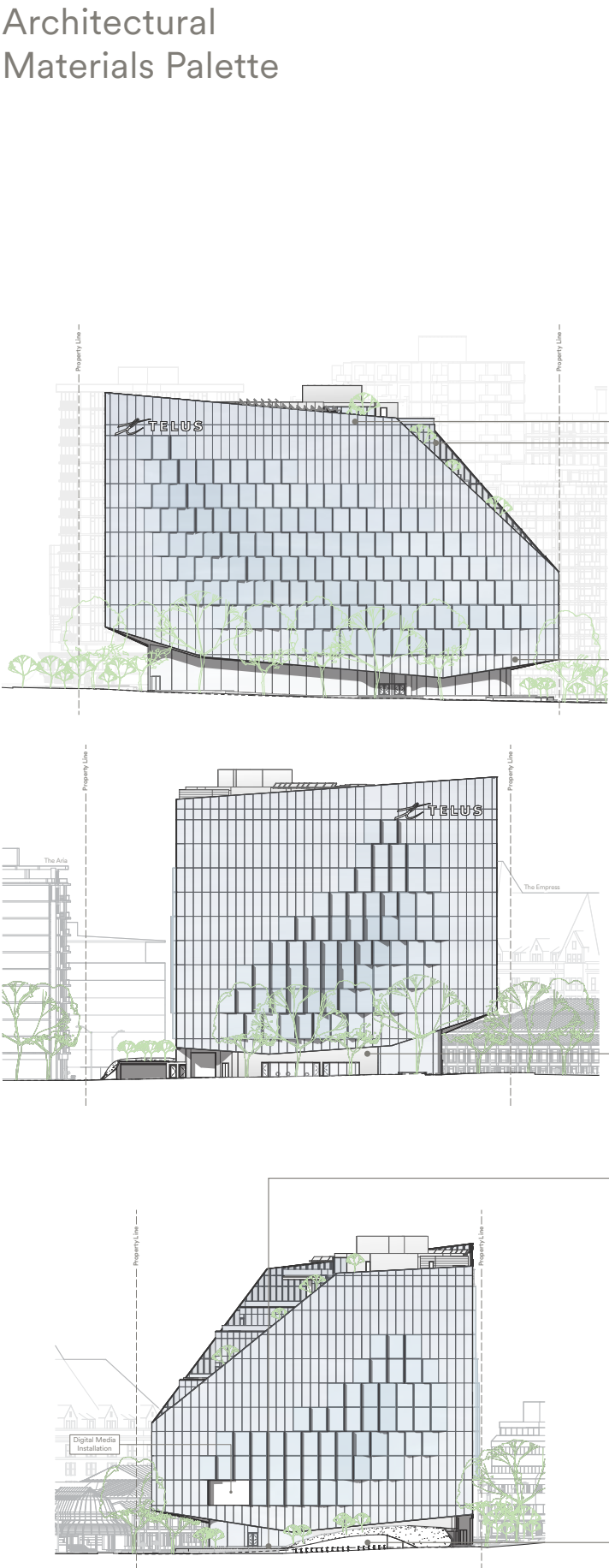


TELUS Ocean behind The Empress as viewed from Laurel Point





# Architectural Materials Palette



- 1 High Reflectance Glass  
High Performance Capless Curtain Wall



- 2 High Reflectance Glass  
High Performance Capped Curtain Wall



- 3 Low Reflectance Glass  
High Performance Capless Curtain Wall



- 4 Composite Metal Panels  
Silver Metallic Finish



- 5 Wood Plank  
Cedar or Composite Branch



- 6 Smooth Slabs and Veneer  
Haddinton Stone with Anti-Graffiti Coating





A Holistic Approach  
to Future Growth

TELUS has taken a holistic approach to protect biodiversity and support the well-being of communities by designing this building and planning its construction to support climate change mitigation and adaptation. TELUS Ocean will celebrate biodiversity and restore ecosystems, foster a culture of wellness to drive meaningful social change, and reduce emissions through low carbon and resilient design. Some of TELUS Ocean's key green building features are highlighted here.

Sustainable  
Design



Achieve Low Carbon Compliance

Smart building technology, passive design, efficient heating and energy recovery systems, and airtightness will improve building performance, with a target to meet or exceed Step 2 of the BC Energy Step Code.



Bolster Biodiversity

Lush tree canopies will support urban habitat corridors and carbon sequestration, supporting local biodiversity connectivity and strengthening urban forest conditions.



Inspire and Educate

Art and digital interaction will convey ecosystem health and building performance data to celebrate biodiversity, and inspire and educate the community.



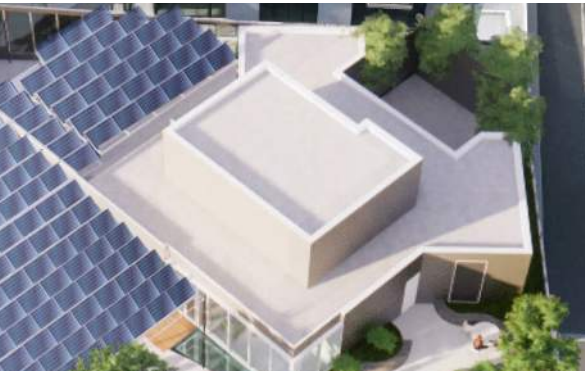
Restore Ecosystems

Pollinator ecosystems with native flowering plants from Garry Oak Meadows will be integrated throughout the plaza and rooftops.



Provide Fresh Indoor Air

Optimum indoor air quality will be promoted using dedicated outdoor air systems with demand-controlled ventilation.



Harvest & Recycle Rainwater

To reduce potable water use, rainwater will be harvested and reused for greywater, landscaping irrigation and topping-up the lobby's water feature.



# Sustainable Business & Environmental Responsibility

TELUS Ocean will align with the company’s sustainability goals including social purpose governance, workplace wellness, active carbon footprint mitigation and achieving carbon-neutral operations by 2030.



## Generate Renewable Energy

On-site renewable energy production will be showcased via solar photo-voltaic panels that capture energy from the sun and help power exterior lighting.



## Provide Electric Charging

Electric charging capabilities will be provided throughout TELUS Ocean's parkade, as well as its indoor bicycle room, with wiring to allow for further electric charging as demand increases.



## Introduce Energy-Efficient Heating

Deep operational carbon emission reductions will be pursued using electric heat pumps, radiant heating and cooling systems, and heat recovery technology with the highest efficiency commercially available for Victoria's climate.



## Enhance Cycling Amenities

Short- and long-term bicycle parking will be available on-site, contributing to neighbourhood bikeability and enabling sustainable modes of transportation.



## Design Passively & Resiliently

The building's terraces carve away from the south and provide opportunities for shading from tree canopies, and the sawtooth façade delivers solar shading, all while providing access to nature and maintaining valuable views of the City and Ocean.

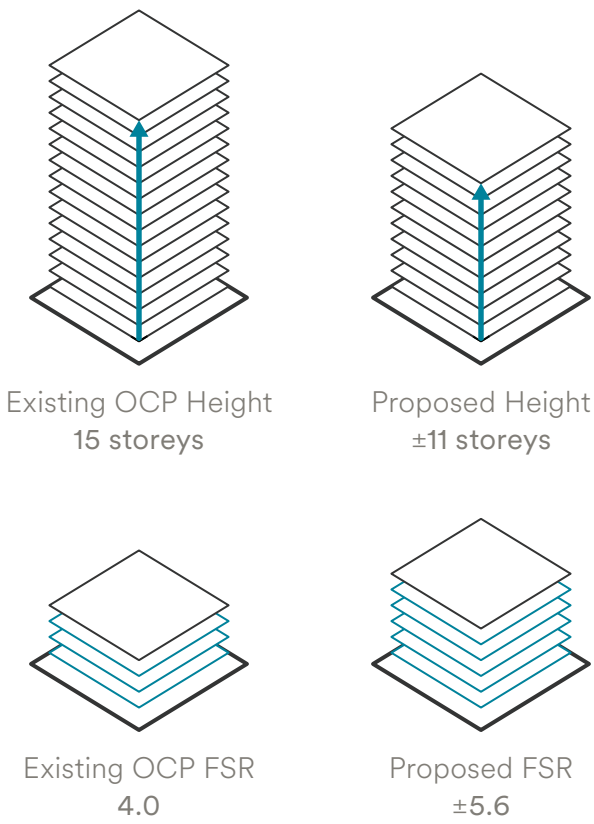


## Optimize Natural Daylighting

Daylighting opportunities have been optimized utilizing modeling, allowing access to natural light while controlling glare to improve comfort.

# Supporting Info

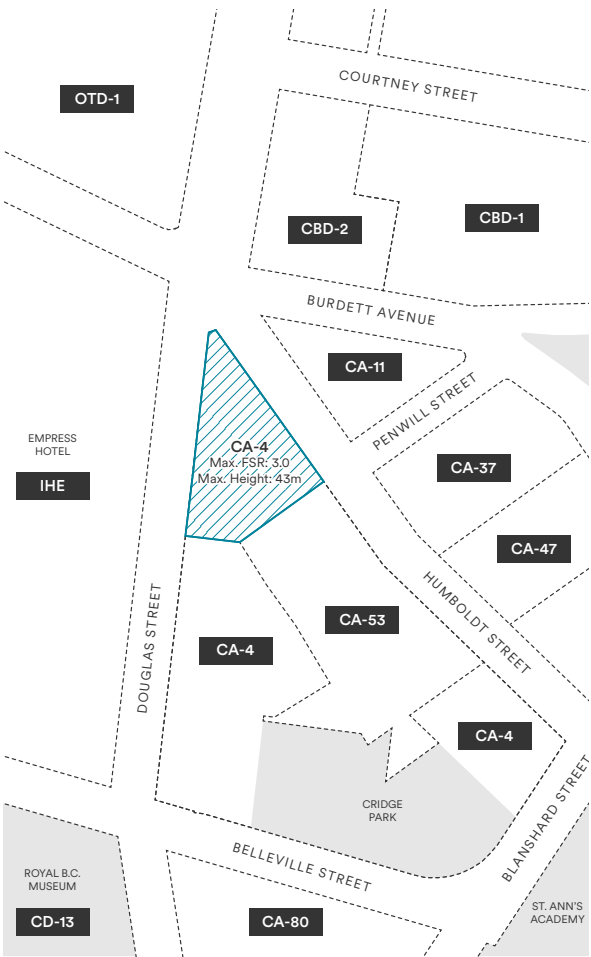
# Proposed Change



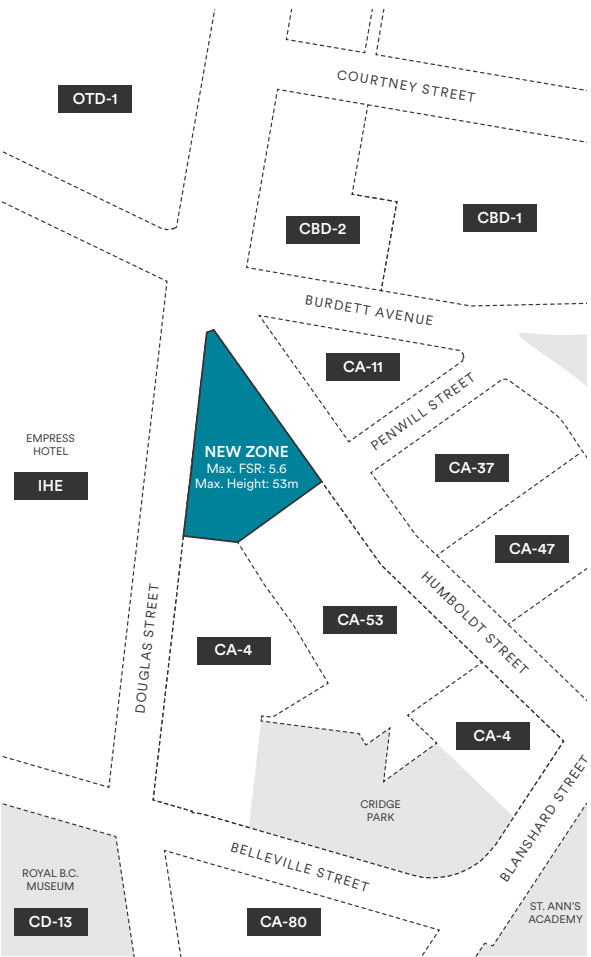
## Concurrent Development Process

The site’s current zoning (CA-4 Central Area Commercial Office District) does not contemplate the advanced building design features proposed by the TELUS Ocean development vision. As a result, the project team is seeking a Rezoning and supporting Official Community Plan (OCP) amendment to transition the subject lands to a Site Specific New Zone. The proposed zoning change will allow a maximum building height of ±54m and a maximum Floor Space Ratio (FSR) of ±5.6. To provide additional certainty to stakeholders and ensure a high quality outcome that is directly aligned with the proposed zoning change, the project team has submitted a supporting Development Permit application concurrently, allowing both the zoning change and detailed architectural design of TELUS Ocean to be reviewed together by City of Victoria Staff and local area stakeholders.

## Existing Zoning









## Proposed Zoning





By The Numbers




 <div><div>±53m</div><div>11 Storeys</div></div>	 <div><div>±48%</div><div>Open Site Space (1,238m²)</div></div>
<div>±2,582m² Site Area (±27,792ft²)</div> <div>±14,379m² Gross Floor Area (±154,774ft²)</div> <div>±5.6FSR Max. Floor Space Ratio</div>	<div>4 Open Terraces</div> <div>4 Enhanced Outdoor Spaces</div> <div>2 Storeys Amenity Space</div>
 <div><div>±10,903m²</div><div>Office / Medical (±117,356ft²)</div></div>	 <div><div>±140</div><div>Bicycle Stalls</div></div>
<div>6 Storeys Tenant Space</div> <div>2 Storeys TELUS Space</div>	<div>±100 Class 1 stalls</div> <div>±40 Class 2 Stalls</div>
 <div><div>±453m²</div><div>Retail / Restaurant (±4,876ft²)</div></div>	 <div><div>±127</div><div>Vehicle Stalls</div></div>
<div>1 Storey Retail / Restaurant</div>	<div>3 Levels Underground Parkade</div>
	 <div><div>±250</div><div>TELUS Employees</div></div>



Introduction

In support of the proposed rezoning and associated development vision, Bunt & Associates completed a Transportation Impact Assessment (TIA). This investigation included an analysis of the expected impact that TELUS Ocean will have on local area traffic, its parking demand, its mobility context, its proposed site access and circulation, and its Transportation Demand Management (TDM) strategies for lowering traffic and parking demands. The study has been submitted for review by the City of Victoria as part of the application process. Some of the key conclusions of the TIA are outlined here.

Traffic & Parking By The Numbers

	<div>70</div> <div>Peak Hour Trips</div>	<div>70 Evening Peak Trips</div> <div>52 Morning Peak Trips</div>
	<div>127</div> <div>Vehicle Stalls</div>	<div>3 Level Underground Parkade</div>
	<div>140</div> <div>Bicycle Stalls</div>	<div>100 Class 1 Stalls</div> <div>40 Class 2 Stalls</div>

Traffic Analysis

TELUS Ocean is anticipated to have minimal impact on the adjacent road network, with all nearby intersections expected to continue to operate below their designed capacity thresholds post-development.

The impact of the vehicle trips that the building is forecasted to generate is considered negligible, highlighting the near indiscernible impact of TELUS Ocean in terms of adjacent intersection operation.

Parking Demand

TELUS Ocean is proposed with 127 parking spaces located in a three-level underground parkade. This vehicle parking supply is anticipated to be greater than the building’s demand, and is in fact expected to add to the downtown parking pool, allowing for parking spaces to be available to external vehicles. TELUS Ocean's office and commercial-retail uses are expected to have different peak demand times, allowing parking spaces to be efficiently shared and occupied, with actual parking demand anticipated to generally be in the range of 30-80 vehicle spaces.

As a TDM strategy, TELUS Ocean's bicycle parking significantly exceeds bylaw guidance. One-hundred and six (106) long-term, well-managed, secure, accessible and covered bicycle parking stalls will be provided in a priority-located bicycle storage room on the building's first-level. Sixty-four (64) short-term bicycle stalls will be provided near the building’s main entry and within sight of the Humboldt Street cycling route, in well-lit and highly visible areas.

Walking

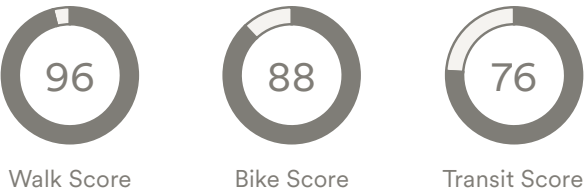
TELUS Ocean is well connected to Victoria's pedestrian network and within walking distance of nearly all typical amenities and services. Two key pedestrian streets—Douglas and Humboldt—intersect at the site's apex, and a People Priority Greenway is located only one-block away. Due to this site's pedestrian-friendliness, the location boasts a "walker's paradise" Walk Score of 96 out of 100.

Cycling

The Humboldt Street cycle track directly connects TELUS Ocean with Victoria’s regional cycling network, assisting Victoria's endeavour to have 70% of all trips to work by 2041 by bike, walking or transit.

Transit

Located adjacent to the planned Douglas Street Rapid Transit Corridor, nearby multiple proposed Frequent Transit lines, and with bus stops located along Douglas Street and Fairfield Road serving local, frequent and regional routes, the site is well serviced by public transit both now and into the future. TELUS Ocean also proposes strong transit integration through a custom bus stop planned along its Douglas Street frontage with weather-protected areas for passengers. In addition, a Major Transit Exchange is proposed one-block to the site's south, a Regional Bus Hub is located across Douglas Street from the site, and both sea plane and ferry terminals are less than 500m from the site.





# Outreach






The Commitment to Outreach

In all we do, we remain committed to being good neighbours and working with the communities where we build. The project team’s community engagement and outreach process is designed to provide opportunities for stakeholders to learn about the vision for the site early on and to share their thoughts—all with the intent of maintaining a respectful and transparent conversation.

Through all of our various engagement channels, TELUS and the project team would like to invite community members to share their ideas. We look forward to working with you to realize our vision.

TELUS and the project team are committed to an equitable, inclusive and transparent process, and make the following commitments to all who want to participate in our process:

-  We will provide you with clear, concise, transparent and accurate information about TELUS Ocean.
-  We will listen to your thoughts on key areas of the TELUS Ocean project.
-  We will broadly share what we have heard and our team’s response to it.



Outreach & Engagement

Digital & Distanced Outreach Strategy









In light of the evolving global response to COVID-19, the TELUS Ocean project team has adapted our stakeholder engagement and outreach process to focus primarily on digital and distanced strategies.

Digital outreach strategies that focus on web-based experiences reach a broad audience by inviting participants to learn and contribute in ways that are customized to their own interests, abilities, and convenience.







Distanced outreach strategies employ more traditional communications channels, like news media, mail and telephone — often favoured by participants who are not comfortable receiving information or contributing feedback through online or digital channels.

Ways We’re Staying in Touch

Digital Outreach Strategies

-  **Project Web Portal**  
Dedicated project website, providing convenient 24-hour access to up-to-date project information.
-  **Project E-mail Inbox**  
Submit questions and comments via email and receive direct responses from the project team.
-  **Online Feedback Form**  
Share questions, comments and feedback with the project team via the project web portal.
-  **Virtual Events**  
Participate in virtual events to learn about key project details and share your thoughts.
-  **Social Media Content**  
Key project details and engagement opportunities shared via TELUS Ocean social media channels.
-  **E-News**  
Subscribe to the TELUS Ocean e-newsletter to receive information and key project status updates.

Distanced Outreach Strategies

-  **Project Media Release**  
Project launch media release, with key details about the TELUS Ocean and upcoming outreach process.
-  **Project Mailers**  
Project postcards delivered via Canada Post to share key project information with the community.
-  **Project Advertorial**  
Key project information and progress updates shared in local area newspapers and publications.
-  **Project On-site Signage**  
Large scale signage with key project information and digital and distanced team contact details.
-  **Project Callback Line**  
Submit questions and comments via voicemail, with callbacks from the project team.
-  **Project Information Package**  
Information-rich project information package available by request and delivered via Canada Post.











**767 Douglas Street (Downtown)**

*All feedback received from the Development Tracker online comment form.*

<b>Name</b>	<b>Position</b>	<b>Comments</b>	<b>Address</b>	<b>Date</b>
Ryan Mueller	Oppose		N1106-737 Humboldt Street	2020-10-08 4:24
Diane Chimich	Oppose		788 Humboldt St. #1601	2020-10-08 16:32
Peter Chimich	Oppose	<p>This building is far too large. It is important that developments are required to stay within the guidelines that are established. This building exceeds every zoning restriction, height setbacks, land density. It does not support the heritage context of the community and will be detrimental to the downtown area in its present plan. It does not align with the City of Victoria planning objectives.</p> <p>It is imperative that the mayor and council do not accept this development plan in the present state. The hotels, businesses, and residents of the downtown area should have their voices respected. We are adamant that this development can not proceed without significant changes. Telus and Aryze Developments must revise the plan so that it is in compliance with the City of Victoria's current building development and zoning regulations for the Inner Harbour District.</p> <p>This development can not be allowed to proceed at the expense of the Doubletree Hotel, the Marriott Hotel, the Empress Hotel, the Crystal Gardens, the residents in the Humboldt Valley and the businesses in this area also. Scale back the Telus Ocean project and stay within the zoning guidelines for this area.</p>	#1601 788 Humboldt	2020-10-08 16:47
Laurence Mackett	Oppose	The proposed development is a large business operation being situated in among a number of residential buildings....five condos and a hotel. The business activity and accompanying traffic would not be suitable in that location.	788 Humboldt Street.	2020-10-08 20:10
Dr. Patricia J Tait	Oppose	This building is too tall and bulky. It dwarfs the historic sites in the area and diminishes quality of life for Humboldt Valley residents and tourists, the life blood of our economy. The Telus building would be better located away from the downtown core.	1403, 788 Humboldt Street, Victoria, V8W 4A2	2020-10-08 20:13
Edward Berry	Oppose	<p>The building is far too big for the site and does not follow city guidelines.</p> <p>Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process.</p> <p>Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza.</p>	805-788 Humboldt Street	2020-10-08 20:13

Name	Position	Comments	Address	Date
Douglas Lester	Oppose	This is too big a project for the character of the neighborhood	603-788 Humboldt Street	2020-10-08 20:23
Steven Harold Tuck	Oppose	The proposed building is too large. Please do not grant any exceptions to the existing zoning regulations.	788 Humboldt	2020-10-08 22:19
Wayne Carlow	Support		788 Humboldt	2020-10-09 2:41
Robert Forbes	Oppose	Am opposed to the current proposal as I feel it is too intrusive on the site. Would accept a proposal presenting a shorter building. Am an owner of a condo on Humboldt Street. Condo is rented out at present but I fully intend to retire to the building in the very near future.	1304 -18 st. S Cranbrook, BC V1C 5Y1	2020-10-09 2:49
Myron Wu	Support		502 - 788 Humboldt St	2020-10-09 3:57
Ivan McPhee	Oppose	Based on the plans and artist impressions submitted by Telus, the construction of the building as proposed would overpower the area, change the cityline, and ruin the visual beauty and heritage of the Empress Hotel as seen from the water.	788 Humboldt St., Victoria, BC, V8W 4A2	2020-10-09 15:39
Thomas Park	Oppose	Proposed Telus building is way too tall and design does not belong to Victoria	737 Humboldt Street	2020-10-09 16:33
Susan Read	Oppose	Height of the building needs to be lowered.	737 Humboldt Street	2020-10-09 16:33
Ian Stockdill	Oppose	The proposed development overwhelms the surrounding historic buildings and would fundamentally change the character of the neighborhood. The development should be downsized significantly.	737 Humboldt St	2020-10-09 16:34
Lorena	Oppose	This building does not fit the character of the city. It will dwarf the Empress Hotel and diminish the beauty of the Crystal Pool building. It is also presents a sidewalk interface that is not supportive of a sense of safety to pedestrians.	828 Rupert Terrace	2020-10-09 16:43
Donna Evans	Support	I think the one lane for vehicle traffic on this already very busy street needs to be changed to reflect the numerous vehicles coming to the two hotels and 3 strata buildings and this will only increase with the addition of the Telus building and it's underground parking. The cycling route needs to be diverted to another roadway before there is a serious accident.	N903-737 Humboldt St	2020-10-09 16:43

Name	Position	Comments	Address	Date
Andrew Maitland	Support		737 Humboldt St	2020-10-09 16:44
Kevin Aschenbrenner	Support with reservations about traffic patterns.	<p>In general, I support this project. However, I have serious concerns about how the increase in traffic on Humboldt -- which is already a recipe for accidents with the recent shared lane changes -- will be managed. I've seen nothing in the documents from the builders that suggests this is being dealt with in a realistic way. I'm also concerned about the impact on surrounding buildings, such as the Aria.</p> <p>Mostly, however, I would like to see the traffic issues addressed. I don't think that the current set up of Humboldt will provide a safe means for the Telus workers and others going to the new building to go to and from. It will also make getting in and out of the Aria parkade and onto the street a lot more difficult, particularly with the shared lane arrangement that currently exists. At the very least, Humboldt should be put back to being a normal street, or access to the Telus building should be from Douglas and not Humboldt.</p>	S203-737 Humboldt Street, Victoria, B.C. V8W 1B1	2020-10-09 16:46
Gary Roberts	I have some concerns (see Comments)	I am concerned about the height (over 53m) and that more priority should be given to the public south plaza by cutting back the second "prow" that extends over that plaza.	737 Humboldt Street, Victoria	2020-10-09 16:49
Larry Neal Willmore	Oppose	In my opinion, the proposed building is too tall, and will obstruct rather than add to to skyline of our city.	s404-737 Humboldt Street.	2020-10-09 16:50



Name	Position	Comments	Address	Date
Bruce Porter	I support a Telus building that adheres to existing height limits and has a building facade with more traditional building materials and design features that enhance the surrounding historic buildings and neighbourhood.	The proposed height is totally inappropriate for a downtown residential neighbourhood. The building needs to adhere to existing height limitations which are in place for good reasons. The all glass modern design is too incongruous with the nearby historic buildings. It picks up absolutely no common design elements from the surrounding buildings and historic neighbourhood. It will stick out like a sore thumb for decades to come. I support a Telus building that adheres to existing height limits and has a building facade with more traditional building materials and design features that enhance the surrounding historic buildings and neighbourhood.	S206 737 Humboldt Street	2020-10-09 16:52
Jennifer Baynton	support with adherence to OCP heights/setbacks	We support the proposed Telus tower but feel that a reduced height and mass, to something more graceful is warranted. The "blockiness" of their design doesn't relate to anything in the area and is really kind of "in your face" architecture. Please ensure that their adhere to the OCP guidelines. thank you	S1201 - 737 Humboldt St	2020-10-09 16:55

Name	Position	Comments	Address	Date
Kathryn Jane Otton	Oppose	<p>I am in agreement with the recommendations in the Humboldt Valley Committee Bulletin. The signature buildings downtown Victoria are the Empress and the Legislature buildings. That is what makes Victoria unique for both residents and tourists. Having the Telus building overpower the Empress with their TELUS sign above the Empress is wrong, caters to commercialism and, I feel, does nothing to “bolster the visual impact of the Empress”.</p> <p>I have no problem with Telus building on the Apex site and welcome a new unique building there, however, the current building plans are too overpowering for the inner harbour landscape and I feel, should to be scaled down.</p>	S507, 737 Humboldt Street	2020-10-09 16:58
Ara Balabanian	Support	it's a BIT too tall otherwise it's better than the car lot the city has allowed to exist there for SO long!	828 Rupert Terr.	2020-10-09 17:13
Pat fehr	Oppose	Too tall and too large foot print.	N708 737 humboldt st	2020-10-09 17:35
Edmund John Button	Oppose	Too many requests by the developer to raise this property's specifications.	N801- 737 Humboldt Street	2020-10-09 17:43
Deanne Paulson	Oppose	Concern over increase in traffic and over adding another tall structure to a relatively high density block	737 Humboldt Street	2020-10-09 17:48
Scott Green	Oppose	I don't believe that this is the best site for this proposed building. The height of 54 meters is simply too tall. The city has spent a lot of money quieting traffic, and introducing a bicycle corridor on Humboldt Street. How will the extra traffic affect these improvements? Does Victoria really need more office space at this time, when more people are working from home? I don't see hoe this giant glass wedge will "complements the surrounding community".	606-788 Humboldt Street	2020-10-09 17:51
Bob Bardagy	Oppose	The building is way too tall and TELUS has misled The public by declaring it an 11 story building. Which it is except 11 commercial stories equates to 17 residential stories. It is totally out of place. And traffic at the intersection of Fairfield and Penwell is dangerous enough now. With added traffic it will be a nightmare.	737 Humboldt	2020-10-09 17:54
Rhya Lornie	Oppose	Too high & overwhelms the surroundings.	737 Humboldt Street, suite S-306	2020-10-09 18:11

Name	Position	Comments	Address	Date
Jacqueline and Kerry Rudd	We object to the proposal to include a large screen on the exterior of the building for public celebrations.	The most recent proposal included a large screen on the exterior of the building. We feel this is inappropriate or the residential location. It is not a suitable place for public gatherings.	N608 737 Humboldt St, Victoria, BC V8W 1B1	2020-10-09 18:38
Melanie RObb	Oppose	Telus Ocean is too tall! Will overpower our heritage Empress Hotel in a heritage location. Also, your traffic analysis is very flawed. Expecting cars, with only one lane to share in two directions! to compete with bikes going both ways on Humboldt is crazy. The morning and evening commute with traffic exiting three apartment buildings and a Hotel between Douglas and Blanchard is an accident waiting to happen. Close off Humboldt in front of The Marriot Hotel to cars! , between Penwell and Blanchard! Use Penwell for the Ocean Telus traffic..a traffic circle there would be a better choice..please! Do something about these problems before you steam roll ahead! Think!!	737 Humboldt Street, Apt.S-1101, Victoria B.C.	2020-10-09 18:38
Peter Bonyun	Oppose	The building is too big for the space available. It will diminish our iconic landmark, the Empress, by its height and its sign will be an ugly blemish on our skyline. Its design is entirely contradictory to the historical designation of the area in which it is located. Further, the traffic pattern it creates will create chaos on Humboldt St, and likely endanger lives, despite the traffic study submitted.	737 Humboldt St, Unit S707	2020-10-09 19:01
Ch	Oppose	This proposed building is simply too big for the space available!	S1106-737 Humboldt	2020-10-09 19:21
Duncan James frater	but with conditions	I feel the Telus tower should be, maximum, the same height as the Aria. Anyone taking pictures of the Empress shouldn't see Telus sticking up behind the hotel. Plus, the shadows these big towers create (in an already dense neighborhood) isn't great for mental health.	737 humboldt st	2020-10-09 19:34



Name	Position	Comments	Address	Date
Charlotte and Robert Cronin	Oppose	The building has been reviewed by Miko B., Senior Planner. His comments seemed to have been dismissed by the Design panel?? Reasons?? Traffic flow is even a concern with the use of Penwell and Blanshard access! Why would City Council not review and discuss the City Planner's work on this project and the Traffic study. Height is not the only concern by a long shot.	S308 737 Humboldt St. V8W 1B1	2020-10-09 20:28
Carol Urchison	Support	This will be a welcome asset to the community. No mess involved with loading docks, that might occur with an example of a grocery store, etc. Therefore, business hours, & no loitering. Further, it brings us into the 21 st. Century in design, public access and concern for landscape. TELUS has proven itself to be community aware and brings a positivity in supporting local cause while managing a complicated business. Onwards & Upwards!	737 Humboldt St.	2020-10-09 20:37
Steve and Karen Sharlow	Support	We think this development looks beautiful and would be a welcome addition to the Humboldt street corridor. We realize it is taller has a larger footprint than some local residents might prefer, and that there are concerns about increased traffic. But having read a great deal of the material that the proposer and city officials have provided, we do not think those concerns outweigh the aesthetic value of the completed building, and what we believe will be its positive economic effect on the area. We note as well the concerns about increased traffic, but since the existing, recently imposed traffic pattern is a terrible hodge-podge that is very difficult to comprehend (a development on which we were not consulted), we think that most traffic issues could be ameliorated by returning to a normal traffic configuration for all of Humboldt Street.	406 -- 788 Humboldt Street, Victoria BC. V8W 4A2	2020-10-09 21:39
Marielle Desjardins	Support	I am concerned about the new two bike lanes and only one lane for 2-way traffic for cars on Humboldt. It is a dangerous hazard for everyone because there are 3 condo buildings and 2 hotels. Traffic will be even worse with the TELUS building.	N702-737 Humboldt St	2020-10-09 21:44
Shamim Mohtadi	Oppose	I do not oppose the building itself. However, the height in respect to the surrounding buildings needs to be addressed as well as the proximity to the West side of the Aria building.	737 Humboldt St	2020-10-09 22:26
Rita Button	Oppose	While I like the idea of the building and its dramatic desire to create a post-modern character to downtown Victoria, it exceeds the zoning requirements in four areas. I think that drama can be created in a smaller size.	N801-737 Humboldt Street	2020-10-09 22:59
Michelle Parks	Oppose		S805-737 Humboldt St.	2020-10-09 23:32

Name	Position	Comments	Address	Date
Margaret E. Berry	Oppose	The building is far too big for the site and does not follow city guidelines. Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. Give more priority to the public south plaza by cutting back the second “prow” that extends over that plaza.	805-788 Humboldt St.	2020-10-10 2:10
M. Hosny El-Lakany and Safaa Hussein	Support		N1107-737 Humboldt Street, Victoria, BC	2020-10-10 2:21
Ann Lohner	Oppose	<p>Outlined below are some concerns about/objections to various aspects of the Telus project proposed for the Apex lot at the corner of Douglas and Humboldt Streets.</p> <ul style="list-style-type: none"> <li>• As proposed, the Telus building will loom over the plaza by the Crystal Garden (internal side lot). To avoid stifling this rare public open space, we want to see: <ul style="list-style-type: none"> <li>o A. application of the set back requirement of 4.5 meters to ALL FLOORS of that side of the Telus building; and</li> <li>o B. the Telus building cut back and the edge terraced as of the second floor (per the DCAP, 6.187, p94).</li> </ul> </li> </ul> <p>§ (Note: We understand that in Telus’s proposal the terracing doesn’t start until the eighth floor of the Telus building. If this is so, the Telus building, which is marketed as a landmark project, will not impress, but oppress.)</p> <ul style="list-style-type: none"> <li>• We don't want the Telus building to reflect light and heat around the neighbourhood, to include into our unit in the adjacent residential building, through Telus's use of metal and “high-reflectance glass” as well as the mirroring effect on the façade of the Telus building.</li> <li>• We don't want light beamed into our unit from the Telus building acting as an “alluring lantern at night,” per the Telus marketing literature.</li> <li>• We don't want our privacy being violated by individuals having a view into our unit from the Telus building, its terraces/tiers, and its restaurants.</li> </ul>	N501-737 Humboldt St., Victoria, BC V8W 1B1	2020-10-10 12:55
Paul Hames	Oppose	<p>I do not support the request for additional height and change in density.</p> <p>I believe the original height of 43 m is also too high for the neighbourhood.</p>	707Courtne y Street	2020-10-10 16:21

Name	Position	Comments	Address	Date
Barb MacLean	Oppose	Too high for neighbourhood.	707 Courtney	2020-10-10 16:22
Harlow Maclean	Oppose	Too high.	707 Courtney	2020-10-10 16:23
Miranda Jones	This building is too large and overwhelming	I think a statement building could be achieved without the height variance requested. It is deceptive and devious to call this an 11 or 12 storey building when in fact it TOWERS above the 12 storey residential building next door to it! I realise commercial buildings have more height per floor, but the fact that the logo shines brightly above the roofline of the Empress (along with much of the building) seems to overwhelm the site and surrounding buildings.	South 1006 737 Humboldt Street Victoria, BC V8W 1B1	2020-10-10 19:28
Tara Hall	Oppose	Little consideration is being given to the fact that this is a very residential area that is valued for its existing green spaces and open areas. It's also an area that is valued for being close to yet tucked away from downtown and is generally quiet after dusk. Not enough consideration is being given to the impact the proposed building will have on residents and hotel guests after dusk in relation to light pollution. Additionally, the proposed height and scale of this building will over shadow and greatly impose upon the existing businesses and residences.	737 Humboldt Street	2020-10-10 23:33
Allison Barnes	Support	I am opposed to a large screen and telus sign. Otherwise, I am happy that the regional Telus building will be in this location as it will benefit our local business sector.	737 Humboldt Street	2020-10-11 19:27
Natasha Smith	Support	I think the addition of the TELUS building is an improvement over the existing rental car lots on such a prominent street corner in the downtown core. Obviously, the construction for the duration of the time required to complete this project will be a nuisance; however, I believe the overall benefit of the result of the project outweighs the negative aspects. The biggest concern I have is to ensure the pedestrian spaces are maintained and the safety for those who bike through this route. I do hope that there will not be any gaudy signage or any light up billboards or screens. Otherwise, I am in support of this building.	737 Humboldt Street, Victoria BC	2020-10-11 20:10
Jared Smith	Support	I think it will be a great improvement compared to a car lot. One thing I would like to see is improved public/ pedestrian spaces as a result of this development. I do believe that bringing in some architecturally unique is key to the future and present health of the city, as well will promote density vs endless, uninspiring sprawl that we are seeing in the Westshore	737 Humboldt street	2020-10-11 20:10



Name	Position	Comments	Address	Date
Chantelle Fortin	Oppose	The proposed building is far too large and the Telus sign will be seen right overtop of the Empress from the view of the harbour. The City staff's report has raised a number of important questions and I ask that Council review that report.	N904-737 Humboldt St	2020-10-11 21:42
Linda Bosela	Less height please to blend with other buildings	Concerned about traffic flow since Humboldt does not connect to Douglas except for bikes	788 Humboldt Street	2020-10-12 2:28
Alexander Stewart Ballantyne	Oppose	As currently proposed, this project would have an overwhelming presence in the neighborhood thereby diminishing the presence of existing structures. It should be required to conform to existing height bylaws. If not, what's the purpose of a bylaw?	1205-788 Humboldt St., Victoria V8W 4A2	2020-10-12 16:46
Peter Pham	Support	The "scales" on the fascade to reduce the wind is a nice design feature. The all glass façade is uninspiring and lacks the richness, warmth and variations found in surrounding heritage buildings. But by far, if one could wish for one thing, are to have the presences of soft corners / forms to be more be interesting of a building to look at. The sharp angles appeals more to construction practicality and business as usual rather than art and curiosity.	777 Blanshard St.	2020-10-12 16:50
Tyler Goodale	Oppose	The building is far to large for the space. This building will needlessly impact it's neighbors in negative ways.	788 Humboldt Street	2020-10-12 20:31
Derek Baker	Support	Largest concern is the parking entrance. The whole point of blocking off Humboldt S treet from direct access to Douglas Street was to reduce the traffic going up and down Humboldt Street. Additional bike lanes were installed all last year to facilitate reducing the car traffic up and down this street. It is entirely counterproductive to have access to parking for this building on Humboldt Street. If access to parking for this building is on Humboldt Street, the newer barrier to car access directly off Douglas should be removed. Otherwise, you are going to have a significant increase in vehicle traffic using the already tight Humboldt Street or Penwell Street.	737 Humboldt Street	2020-10-12 22:35

Name	Position	Comments	Address	Date
Maria Adamczyk	Oppose	<p>This is a high density area already.</p> <p>Withing a short walking distace there are several hotels: Hilton, The Marriott, and the Chateau Victoria.</p> <p>On the same street, withng a very short walking distance, there are condominium buildings: Aria, Astoria, Belvedere, The Falls.</p> <p>In addition, there are restaurants and pubs.</p> <p>To change the zoning to accommodate the proposal, will result in a much higher density area than we already have. The site coverage, 69.45% leaves a small area for green space. The traffic, which is high density now, will be much worse, considering the movement that the new office building will experience, The pollution will increase, a very serious concern.</p> <p>Thank you for the attention you have given to my comments.</p>	751 Fairfield Road, Suite 606, V8W 4A4	2020-10-13 22:01
D Foster	Oppose	<p>This building is too high and will overwhelm other buildings around it.</p> <p>Development should stay within the current zoning height requirements.</p>	751 Fairfield Road	2020-10-13 22:10
Paul and Rolande Vaillancourt	Oppose	<p>Firstly the development as proposed is a nice project but wrong for the proposed location which is the start of the residential area of the Humboldt valley. This is a quiet street with condos and hotels. An office building of this size is just not a good fit for our community. Secondly if Telus and the city are determined to build this high floor space density, glass (terrible hazard for birds) monster then the guidelines for this location should be adhered to and the height should be 43m or less. Also construction traffic on Humboldt should be held to a minimum. We are terribly disappointed in the city and our elected officials for encouraging this type of development at this location.</p>	1501-788 Humboldt Street, Victoria BC V8W4A2	2020-10-13 23:09
Sarah Truelson	Oppose	<p>Opposition to requested height increase; 43 m is sufficient for an 11-12 storey building. A height increase would have a negative impact on surrounding commercial and residential property owners, who invested in their properties expecting building regulations in the area to be adhered to. Conversely, maintaining the current height restriction would have minimal impact on the function and views of Telus Ocean.</p>	1906-751 Fairfield Rd, Victoria BC, V8W 4A4	2020-10-14 2:10
Catherine Campbell	Oppose	<p>To the council, please review and consider the entire staff report which is far more than the the Design Panel rubber stamping the Telus/Aryze proposal.</p> <p>The size of this building would have a huge negative impact on us in the immediate area.</p>	N310 737 Humboldt St Victoria, V8w 1B1	2020-10-14 16:10
Ryszard Adamczyk	Oppose		751 Fairfield	2020-10-14 16:28

Name	Position	Comments	Address	Date
Sherry Kir	Oppose	The proposed floor space ratio is nearly double what is permitted for this site. Presumably we have regulations that were put in place for a reason. The height variance should not be allowed. Developers seem to think they can propose whatever they want and not keep within what they are supposed to be working with.	6-1231 McKenzie St Victoria BC V8V 2W6	2020-10-14 17:14
Andrea Rolston	Oppose	<p>My husband and I live in south tower of the Falls. When we bought our home we knew that something would eventually be built at the Apex site and that, given the zoning, we might lose some of our view to the south and be looking at, or slightly up towards, the roof line of the new structure.</p> <p>The proposed Telus Ocean building is beyond anything we could have imagined in height, width, and potential for lighting our home at all hours of the day and night. It would occupy our full southern view; we see neither over it, nor around it. We would need to crane our necks to even see the sky. We are on a high floor and are fortunate to also have a view to the West. Other units in our building would be impacted even more severely. It would be our constant companion, greeting us in the morning and being the last thing we would see at night.</p> <p>Telus has obviously designed a building whose M.O. is to be visible from the Inner Harbour, with the Telus Logo dominating the Empress and the skyline. To meet those ends, they have proposed a hulking structure that would be out of place and substantially change the nature of Humboldt Valley.</p> <p>I urge you to not approve the proposed Telus Ocean building as designed. If they want a billboard, they should put it somewhere else. Otherwise, they should be a good neighbour and build something congruent with the surrounding area.</p>	1105-708 Burdett Ave., Victoria, BC v8w0a8	2020-10-14 20:52



Name	Position	Comments	Address	Date
Kristopher Radford	Oppose	<p>Hello,</p> <p>I would like to lodge my opposition to this project. After reviewing the documents put forward by the developers and Telus, it is clear to me that this building will dwarf the surrounding buildings and fundamentally distort the character of this heritage neighbourhood. I have no doubt that a better location for this large building could be found elsewhere in the city, or failing that a smaller building that conforms to existing zoning regulations. I am also concerned about a significant uptick of traffic on Humboldt Street, as well as increased light pollution from the planned screens.</p> <p>Sincerely,</p> <p>Kristopher Radford</p>	788 Humboldt Street	2020-10-14 22:10
Robyn Radford	Oppose		201 - 788 Humboldt St	2020-10-15 1:32
Robert Newton	Oppose	<p>When I moved into this neighbourhood I full expected this property to be developed within a few years. What I didn't expect was for a rezoning application doubling the density and floor area. This proposal in what is now a residential area is as large as anyone could have imagined for the site. I would have applauded city council if they had consulted with us before approving this project in principal. It is as if we don't count when it comes to decisions about OUR neighbourhood. To put this eyesore in the middle of several condo towers and hotels is an idea too late to the table. When the condos and hotels were built ten to fifteen years ago, that was what was decided to be the use of the land. To inject a new building that will block several of the existing buildings is a bad idea. We did not vote in this council and mayor to ruin our lives and devalue our investment in Victoria. We chose to live here based on what was zoned for the area and we happily pay taxes to keep the area for what it was intended. I implore the council and mayor to maintain the zoning guidelines as decided.</p>	405 - 708 Burdett Avenue	2020-10-15 21:07
Edward Berry	Oppose	The size of the building should be scaled down and kept within existing city requirements and guidelines. It is far too big for the site.	788 Humboldt St (unit 805)	2020-10-16 18:32

Name	Position	Comments	Address	Date
Mary Ellen Horner	Oppose	<p>This Telus Ocean Building, as proposed, is far too large, both in height and overall dimensions, which obviously they know because of the variances requested. It will not be at all in keeping with anything near by. It's height will dwarf the iconic Empress hotel, ruin the sightlines of several other key hotels along with several local condominium towers. The issues of the reflective quality, excessive lighting at night for "trees" growing inside, lack of foresight for wildlife (bird-strike) have not been addressed nor has the total enjoyment of open spaces currently existing that will be crowded out and over shadowed, especially the taxpayer funded closure of Humboldt Street, brand new bike lanes and creation of the new seating area. Both the Convention Centre, built in keeping with the style of the area and the Crystal Garden will also be negatively impacted but such a huge, inappropriate looking building.</p> <p>The proposal also does not adequately address then overuse of Humboldt and Penwell Streets for excessive traffic. The "Transport Impact Assessment" presented on July 8, 2020 was obviously done during not only during on-going construction on Humboldt Street before it was narrowed even more by more bike lanes but in the midst of almost total lock-down due the COVID-19 pandemic! There were no workers or tourists in the area at all to -generated "traffic".</p> <p>"4. Our analysis indicates that the proposed development will have minimal impact to the adjacent road network. Most vehicle trips generated by the development will travel through signalized intersections that are currently operating well within operational capacity thresholds."</p> <p>How can this possibly be a valid study?</p> <p>With the number of "expected" offices planned, both service vehicles (recycling, deliveries, etc) will obviously increase significantly. The expectation that BC Transit Passes "may" be issued, and the thoughts that everyone who might work in that building actually will live nearby enough to bike to work seems a bit of a dream.</p> <p>The last issue I wish to address is what seems to be the proposed excessive number of "offices" and "workers" expected to be employed in this building. Even long before the COVID-19 pandemic took hold, there already was a lot of empty office space due mostly to high rents and adding to that trend when it appears more work-from-home, downsizing etc. is being encouraged, it does not seem to make any sense to just add more empty, expensive office space.</p>	N1001-737 Humboldt Street	2020-10-17 22:23

Ken Mennell	Telus Ocean must be redesigned to have all vehicles enter/leave via Douglas Street.	<p>Telus Ocean, as currently proposed, would generate an enormous additional volume of vehicles onto the portion of Humboldt St. which runs between Blanshard and Douglas Streets. Included would be the vehicles of workers in the building, visitors, clients, etc. The loading docks and waste areas accessed off Humboldt will also generate significant traffic from trucks and vans involved in the delivery of supplies and the removal of trash and recycling.</p> <p>All of this vehicular traffic should access Telus Ocean from Douglas St. which is designed for heavy traffic use.</p> <p>Humboldt Street, specifically between Blanshard and Douglas Streets, has just undergone a major reconfiguration resulting in a single lane for vehicular traffic going east and west. Humboldt's second vehicular lane has been reallocated to two bike lanes, one going east, the other west.</p> <p>In the short block and a half of this section of Humboldt there are three large condo buildings (Belvedere, Aria and Biltmore) with hundreds of cars/trucks used by residents and various suppliers, waste disposal companies, etc., the Marriott Hotel with 236 rooms which generates considerable vehicular traffic by guests, staff, taxis, tour buses and supply trucks, also a church, a pub, several businesses (real estate offices, jewellers, medical and dental clinics, financial advice office, mortgage brokers, and skin clinic. Most importantly this stretch of road also services a day care centre with parents constantly dropping off and picking up children. In short there is a lot of vehicle use over this small stretch of Humboldt and drivers are still getting used to the dramatic change in the new layout of the street. It will take time to assess the impact, good or bad.</p> <p>Victoria has been developing a network of biking lanes in an attempt to encourage commuters to give up vehicle usage in favour of transit, walking or biking. Studies supporting this goal have emphasized the need for cyclists to feel safe in using city streets. If Telus Ocean is allowed to create a whole new vehicular traffic problem on Humboldt Street, the result will not be safe for cyclists or the drivers of vehicles already making use of this road on a daily basis.</p> <p>If Council allows the Telus Ocean development to proceed as proposed. The additional traffic load on Humboldt Street between Blanshard and Douglas Streets, will turn this small section of road into a major artery and, in so doing, defeat Council's goal of providing a safe cycling route through this neighbourhood. Council has spent a lot of money to close off</p>	788 Humboldt St., Victoria, BC	2020-10-18 22:46
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Name	Position	Comments	Address	Date
		access from Humboldt St. onto Douglas, introduce speed bumps and reconfigure the road to encourage cyclists. It wouldn't make sense to reverse all that by inviting the users of Telus Ocean to commute down a one-lane road flanked on both sides by cyclists. Please insist that Telus change its plans to allow vehicle access from Douglas only.		
Jo Ann Dionne	I don't support the current plan for the building, but have no problem with Telus being there.	The current plan for the Telus building at 767 Douglas seems too tall for the site. Having the Telus logo visible above the Fairmont Hotel from the harbour is a BIG mistake. It will ruin and corporatize that iconic view. Also, it is my understanding that the lot is not currently zoned for a building this tall, but that City Hall is considering changing the zoning for Telus' sake. Why can't Telus change its plan? Try a little harder to fit in with the neighbourhood?	737 Humboldt Street	2020-10-19 18:05
Martin Segger	Oppose	WHERE IS THE THE 3D ANALYSIS OF THE IMPACT OF THIS BUILDING ON THE VICTORIA SKYLINE, PARTICULARLY THE PROTECTED VIEWS FROM THE HARBOUR EASTWARD, ALSO AT NIGHT WHEN A BRILLIANTLY LIT TOWER WOULD SERIOUSLY DOMINATE THIS VIEW AND DETRACT FROM THE HARBOUR-SCAPE.	1760 Patly Place, Victoria	2020-10-19 19:23
Jennifer Walton	Oppose	the proposed building is to large for the site. It should follow city bylaws. It should be shorter, have much larger setbacks and be a friendlier building to walk around.	#1401 - 751 Fairfield Rd	2020-10-20 18:16
Rick Dowdall	with modifications	The site could be improved by a Telus development but its current design will cause far too much traffic during construction especially on Humboldt Street. Humboldt is narrow, often clogged with garbage and other bins in mornings and is supposed to be a major bike artery! Mayfair shopping centre has direct access off Douglas. What is there not direct access fo here? If that is impossible at least make left turns onto Humboldt from Blanshard illegal. Even after completion the extra traffic will be too much for this corridor. Reduce parking and office space.	suite 805-788 Humboldt Street	2020-10-21 0:14

Name	Position	Comments	Address	Date
Brenda Dean	Scope of building is too large	The scope of this building is too large. When it was brought forward we were led to believe it was going to be 12 stories high. The actual height is 17 stories high. It will wipe out view for established businesses and residences in the Marriott, doubletree and the Falls. These buildings have been paying taxes and supporting this community for a very long time.	1008-751 Fairfield Road	2020-10-21 15:38
Riley Trottier	Support	We need more densification and development downtown, and I am in support of this project replacing a current ground level parking / car rental area.	751 Fairfield Road	2020-10-21 16:44
Claudia Senkiw	Oppose	I feel that the proposed building is out of place for the surrounding area and will affect a large residential population.	1006-788 Humboldt Street, Victoria, B.C. V8W4A2	2020-10-21 18:59
Niels & Dorothy Agger-Gupta	We like the general concept but want Telus Ocean to be scaled down to be closer to the zoning guidelines	The developer is asking permission for the Telus Ocean building to relax zoning to allow a floor space almost twice what the zoning regulations allow for this property. If built, this building would overshadow everything else in the surrounding neighbourhood, including the Empress. Those of us down Humboldt in the Belvedere building, just over 100 m from the proposal, would see significant shadowing, particularly in late afternoon and evening from April to the end of August (see <a href="https://www.suncalc.org">https://www.suncalc.org</a> to verify). We agree with many of the concerns about this development presented in the Humboldt Valley report on the Telus Ocean proposal, and believe this will still be an iconic and important building in Victoria even when it is scaled down in size. Thanks, and good luck!	788 Humboldt St., Suite 706	2020-10-22 0:46
Trevor	Support		3381 Cook St	2020-10-23 0:04
Alan Brown	Oppose	That corner should not have anything constructed higher than the surrounding buildings in thst block on Douglas Street.	309 751 Fairfield Road	2020-10-23 0:14

Name	Position	Comments	Address	Date
Mathew Moore	I oppose if there the intent is to not have counter measures to prevent birds hitting the building and also I don't think the building should be lit up at night as it could disturb the units facing he building	I think the idea of bringing jobs to the area is good as long as there are environmental assessments are made and considerations made for the units facing the building.	751 Fairfield rd	2020-10-23 0:21
Martin J Model	Support		402-751 Fairfield Rd, Victoria	2020-10-23 0:31
Yuki Kurozumi	Oppose	The proposed building appears quite imposing in a currently nice mixed-use area. I do object to the proposed changes to the density and height zoning requirements.	751 Fairfield Road	2020-10-23 0:54
Janet Lee Hiebert	Oppose	I would support this application if it were smaller, and consistent with existing height guidelines. As it is, the application is contrary to many of the guidelines and the reasons for them in the Community Plan. It is too high for this plot, and should be kept to 43 m. If it proceeds as proposed, at 51 meters, it will fail to respect the visual prominence and character of important heritage landmark buildings such as the Empress Hotel; it will be inconsistent with guidelines for setbacks, particularly at its upper storeys; and it will be far too intrusive to neighbouring residential condo homes, and impact unnecessarily on light and on views. It also exceeds recommended density levels and for the above reasons, is inconsistent with the otherwise residential character of the Humboldt Valley.	1704 - 751 Fairfield Road	2020-10-23 1:07



Name	Position	Comments	Address	Date
Frank Arellano	Support	I appreciate the way it meets the street, and how it pays homage to the flat iron building shape. I only wish it was taller. It seems a shame for such a prime location to have such a short building. I also hope the project doesn't cheap out and use spandrel glass.	785 Caledonia Ave	2020-10-23 3:29
Becky	Oppose	Everything about this is wrong. The size and the height are way above what is allowed by the city. Why are the restrictions there in the first place if they can easily be changed or broken? Looks like the city is being bought. This project should be stopped.	751 Fairfield Road	2020-10-23 4:19
Katie Fillion	Support	Excited to see such an architecturally interesting proposal for this space. Looking forward to a splash of vibrancy in this section of the city. It's a great location and deserves a great project.	937 Caledonia Ave Victoria BC	2020-10-23 4:46
John Van Vliet	Oppose	While I support the anticipated positive aspects of the Tellus plan, I note the plan requires existing zoning limits on building height to be relaxed. My family and I do not approve of relaxing the height restrictions. We value light and air and view.	1007-751 Fairfield Road, Victoria BC.	2020-10-23 17:15

Sarah Cunningham	Oppose	<p>My primary concern is that at the scale planned the Telus Ocean development is too big for the neighbourhood in which it is to be situated.</p> <p>The Humboldt Valley neighbourhood, is a relatively high density residential neighbourhood that acts as a border, or transition zone, between downtown Victoria and the lower density residential neighbourhoods of James Bay and Cook St Village. It provides value as a border area by contributing the population needed for a vibrant downtown, through its pleasant, public walking areas to and from downtown, and as a backdrop to the beautiful inner harbour.</p> <p>The large scale of the proposed Telus Ocean Development has two main impacts that negatively affect the unique character of this neighbourhood and the overall feel of the heart of Victoria:</p> <ol style="list-style-type: none"> <li>1. The Telus Ocean building seriously risks overwhelming the human scale developments that have currently been achieved in the Humboldt Valley neighbourhood, with existing zoning requirements. For example, the building proportions and heights increase as one moves east on Humboldt Street and away from the Inner Harbour. These are currently proportionate to both the Fairmont Empress Hotel and the Provincial Legislature buildings - the most significant buildings in the area. The proposed Telus Building will detract from both of these iconic buildings and will undermine the critical balance that has been achieved by City Planners and elected officials up until this time. Maintaining the current zoning requirements would protect the Empress from being overshadowed and prevent a potential corporate logo from piggybacking on its roof line.</li> <li>2. At the proposed size, the Telus Ocean building will significantly reduce the quality of life for both the residents and visitors. Because the building is so big it will create a very large shadow on Humboldt street with areas where sunlight will never reach. Much of the street will be in near-constant shadows. Such dark, cold areas are not inviting for tourists or residents. The area is at risk of becoming dank and empty for the better part of each day. At the same time such a huge building will be overly lit and bright at night - also very disruptive to residential life.</li> </ol> <p>Therefore, assuming the City of Victoria Development Plan is built upon valuing and respecting both the contribution the Humboldt Valley neighbourhood makes to the overall feel of downtown Victoria, and the specific residential nature of the neighbourhood, then the issues raised here are significant. To address them we urge the City of Victoria to hold the Telus Ocean</p>	#806 - 788 Humboldt Street	2020-10- 23 20:19
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Name	Position	Comments	Address	Date
		<p>building project to current zoning requirements. Specifically we urge the City to compel Telus to :</p> <ol style="list-style-type: none"> <li>1. Reduce the storeys/height to the 43m as allowed in the current zoning;</li> <li>2. Decrease the proposed floor space ratio/density from 5.57:1 to the 3:1 ratio allowed in current zoning; and</li> <li>3. Reduce the total floor area from 14379m<sup>2</sup> to that which is allowed in the current zoning - 7746m<sup>2</sup></li> </ol>		
Kimie Saeki	An adjustment to reduce the building size is necessary .	Building height needs to be reduced to maintain the iconic downtown view and the silhouette of beautiful Empress Hotel.	751 Fairfield Rd.	2020-10-23 22:22
Vernon Dean	Oppose	I purchased my property knowing that the zoning requirements for this area would only be at a certain height. Now, with this application for rezoning, my view will be lost. Not to mention the loss of real estate value and the noise that will come. A big corporate company enters the downtown core and city hall buckles. What about ordinary citizens concerns or, are you simply looking at the taxes that will be generated from this very large building? A very upset taxpayer	1008-751 Fairfield Rd	2020-10-24 15:14



Name	Position	Comments	Address	Date
Mark Dyck	Oppose	<p>I have two concerns with the proposed zoning application. First, removal of a Residential component to the zoning. We have an affordable housing crisis and this is a missed opportunity to provide additional housing units downtown.</p> <p>Second, I am concerned with the proposed adjustment to the height limits. Douglas Street is already a very windy street and tall buildings, narrowly spaced will channel more gusts down the street. The existing 43m limit is already too high in my opinion; I do not agree with going even taller.</p>	#404 - 655 Douglas Street, Victoria	2020-10-25 18:15
Niels R. King	Oppose	Permanent damage to the iconic Empress skyline and encroachment on several existing residential buildings. The proposed height is just too tall.	1801-707 Courtney Street, Victoria BC	2020-10-25 20:19

Nancy Sherwood and Terry G Sherwood	Oppose	<p>The request to rezone the triangular lot at 767 Douglas Street is shocking in the amount of variance that is requested compared with the Official Community Plan.</p> <p>As to height, the Telus plan states 53 m in their booklet, but 51 m in the development notice. Either height is 11-12 commercial storeys, but over 18 residential storeys. It will be higher than the Hilton and much higher than the Falls or Aria condominiums. All light will be blocked from the South for the Falls condominium and the Hilton, an inhumane situation. The Telus building will tower above the Empress; as one enters from the harbour, the TELUS sign and building will rise above the Empress. This is unacceptable. Even 45 m will overshadow the Neighbourhood and Empress.</p> <p>As to total floor area, Telus requests almost double the amount that the current zone allows. This massive building will destroy the Heritage/Neighbourhood feel of this vital area for residents and tourists alike. At present, the neighbourhood is small businesses and condo/hotel buildings. Telus only needs 2 floors for their employees, so what possible justification explains the need for the massive building with so many office spaces on a small area of land.</p> <p>The design presents a massive and unattractive wall along Burdett Avenue. With the high density and huge floor area, there will be traffic and pedestrian problems. Humboldt Street was closed for a bike path, which is good, but the traffic moved to Burdett. Now, in late afternoon one sometimes has to wait for the light at Burdett and Douglas to change 4 times before one can cross the intersection in a car. The addition of 500 more people in the Telus building will not help. On Douglas Street at present it is very difficult at times to pass on the sidewalk as people waiting for city buses accumulate on the sidewalks. Telus pedestrian traffic won't help as the building is very close to the property line (sidewalk).</p> <p>The point of the building to the North with its 18 story height is particularly offensive as little floor space is gained, but light to surrounding buildings is cut. The Hilton is on a triangle, but the bulk is in the widest part of the triangle. The point of the lot has only a two-storey building.</p> <p>We argue that the Telus Proposal should be rejected. They could achieve all their aims if they move the building toward the Downtown by 3 or 4 blocks into the HA-2 zone where they could have more land and build up to 60 m. Then their only disappointment would be that they could not dominate the</p>	708 Burdett Avenue (Condo 1005, The Falls)	2020-10-26 0:15
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Name	Position	Comments	Address	Date
		skyline behind the Empress. But they could improve Douglas Street.		
Shannon Bews	Oppose	Building is too tall and obtrusive	603 - 708 Burdett Ave.	2020-10-26 20:10
Grant Bryden	Oppose	The building does not fit in with the landscape and is much too high	1002 - 751 Fairfield Rd	2020-10-26 20:11
Talina Barsalou	Oppose	The proposed development is in opposition to Victoria's Official Community Plan because it does not respect the historic neighbourhood. The proposed building's massive size will dominate the area and diminish its appeal. The developer should be required to follow the existing zoning regulations (height, density, and setback), as set out by the City of Victoria, to proceed.	347 Windermere Place	2020-10-27 1:58
Karen Burton	see below	There is a tremendous amount of vacant office space downtown. The proposed building should be set back 5 metres instead of 2 from Douglas Street and 3 metres instead of .19 from Humboldt. We have to have breathing space.  Height of building should be reduced to 27 metres. Again, breathing space and views for current residential buildings.	805 - 751 Fairfield Rd	2020-10-27 3:24
Jan-Marie Tognela	Oppose	The proposal for the Telus Ocean Building does not follow Victoria's Official Community Plan because it does not sensitively integrate into the neighbourhood. The development, as proposed, will dominate the area and reduce its appeal for both visitors and local owners. The developer should not be able to proceed unless they adhere to the existing zoning regulations (height, density, and setback).	526 St Charles St	2020-10-27 17:17
Sylvia Antonescu	Oppose	We really should not permit more high rise buildings in downtown Victoria as this would take away the special old town feeling of this beautiful city. If we let this get out of hand, then Victoria will become another Vancouver and large cities will end up costing the city a lot of money to deal with big city issues.	751 Fairfield, Victoria, BC	2020-10-27 20:12



Name	Position	Comments	Address	Date
Andy Wachtel	Oppose	<p>In other correspondence to Mayor and Council, I stated my opposition to TELUS Ocean plans because the mass of the building was so out of scale in its context. The developer's rationale for rezoning to permit a density almost twice what the current zoning permits involves systematic self-serving distortion of the OCP.</p> <p>Here, I would like to comment briefly on a rationale the Developers use to try to bolster their case, the alignment of TELUS Ocean with the City's "Victoria 3.0" vision. It is not clear that the development will stimulate the creation of high-tech jobs. For TELUS, the building allows them to centralize a number of existing local worksites. For other tech companies, it represents very high-priced office space, certainly not what much of the sector is looking for. It is not clear that any of the publicly available amenities that the building proposes complement the conference and event meeting services offered by the Conference Centre and Crystal Gardens. And TELUS Ocean's design affects the Public Plaza next to the Crystal Gardens by disrupting the sense of flow across Douglas from the Conference Centre and by reorienting the plaza to serve the building predominantly.</p>	737 Humboldt Street	2020-10-28 2:00

Name	Position	Comments	Address	Date
Francis D. Mairet	Oppose	The Telus Ocean building as currently proposed is not in compliance with the City of Victoria's building development and zoning regulations for the Inner Harbour District, including the City's "Downtown Core Area Plan", and the City's "Official Community Plan. The proposed building design exceeds current zoning regulations - and would require multiple zoning variances - related to building height, building density, building setback, and as such creates an enormous mass that will overwhelm the site and the City's Inner Harbour skyline. In addition, the proposed building design does not respect, or sensitively integrate into, the historic context of the neighbourhood. As currently proposed the Telus Ocean Building design will result in numerous negative impacts to the residents, businesses and overall look and feel of the Inner Harbour District neighbourhood, Tourism Industry and the City of Victoria. Perhaps the most concern zoning variance request related to the Telus Ocean Building proponents is the building height. The currently proposed building height will forever change the Inner Harbour District skyline, historic character of the neighbourhood and diminish light quality for existing residents, businesses and tourists to this area. Executive House Limited would like to work with the City of Victoria, Telus and Aryze Developments to identify and secure some design modifications to the currently proposed Telus Ocean Building to mitigate against the worst neighbourhood and business impacts of the proposed building design, in a manner that would still enable a modified Telus Ocean Building development to proceed.	777 Douglas St. Victoria BC, V8W 2B5	2020-10-28 17:49
Paul Rushton	Support	I am in favour only IF the building proposed by Telus is changed to satisfy the current zoning restrictions (i.e. the total height, including logo, does not exceed the allowable height). Telus must not be granted an exception.	802 - 788 Humboldt Street	2020-10-28 23:22
Stafford Bingham	Needs Modification	The Telus Ocean Proposal is too large for the site and needs to be down scaled significantly to not only meet City Restrictions but neighborhood impact and scaling.	1602-707 Courtney Street	2020-10-29 0:00
Joan Elizabeth Rushton	Oppose	I would support this proposal if they kept within the height limit defined in the official community plan for downtown Victoria.	802 - 788 Humboldt St	2020-10-29 3:43

Name	Position	Comments	Address	Date
Ruth Annis	require changes before considering	<p>I believe that the TELUS Ocean plans must be modified before being considered for rezoning. A minimal list of changes would include:</p> <p>Addressing the overall scale (density and height) of the building to be more in line with the site – without decreasing the proposed setback from the ARIA and the resulting partial view corridor for the Doubletree.</p> <p>Pulling the corner of the building back from the South Plaza so the existing crosswalk across Douglas continues to connect the Conference Centre main entrance with the plaza and the Crystal Garden, and maintains the southwest corner of the plaza. Pulling the building back along the line proposed for the cutback terrace at floor 7 would reduce the building size by only about 10% but significantly reduce the inordinate size of the building façade facing Douglas Street.</p> <p>Ensuring that no signage appears above the Empress roofline as viewed from the Inner Harbour.</p> <p>Proposing an effective strategy for minimizing bird strikes.</p>	737 Humboldt Street	2020-10-29 20:54

Name	Position	Comments	Address	Date
Astrid Frayne	Oppose	<p>To: Victoria City Council</p> <p>Dear City of Victoria Council Members</p> <p>I have read the extensive report compiled by the Humboldt Valley Committee and wholeheartedly concur with their observations and recommendations.</p> <p>I agree that the Telus proposed building is much to big for that small plot of land. To erect a building of that magnitude one would need a property 2-3 times that size. Telus is attempting to accommodate the property and make it appear smaller by referring to it as “triangular “ etc. However in the final analysis it is a humongous building on a very small plot of land.</p> <p>An analogy would be of a person who wears a size 12 shoe trying to wear a size 8 shoe. It could be done but should not be done because permanent foot problems will occur. The same holds true for trying to put an over sized building on a small piece of land. It can be done but shouldn’t because permanent problems will follow ie: ...traffic congestion ( Humboldt being a very small, one way street is not designed to accommodate the influx of car/foot traffic that a building of that magnitude would bring. ...the area is already overwhelmed and over populated. Victorians and tourists alike would be better served if that small piece of land could be used to reduce stress and create a sense of balance and harmony not increase it.</p> <p>The existing rules and guidelines by the city have been created to serve all at many levels. I trust these will not be broken to serve a few.</p> <p>Sincerely, and with respect A. Frayne</p>	504-708 Burdett	2020-10-29 23:19



Name	Position	Comments	Address	Date
Erin Frayne	Oppose	<p>We attended an info session hosted by the developer of Telus Ocean. The fellow hosting it did little to satisfy any question asked by the audience, and answered condescendingly. He left everyone with the impression that they are building their building and all residents in surrounding areas have to just live with it. He had absolutely no answer as to shadows and darkness imposed by the new building, sound from large fans on the roof, or lighting creating by the building at night, and many more.</p> <p>This is a residential neighbourhood, with streets that are not equipped to hold the increase in traffic, and hundreds of taxpaying citizens who will lose their light and views if the City gives them the green light to violate building codes and extend the building height.</p> <p>I truly don't know why there are limits to buildings, as the City seems to approve any and all applications for developers to violate the codes. A restaurant is hounded to license their sandwich board on the street, while all of these buildings can be taller and larger than is set out in the bylaws. It makes no sense, and only seems to serve the developers.</p> <p>I trust City Council will do the right thing, and ensure Telus Ocean adheres to current code. It would be refreshing, appreciated, and go very far in keeping good neighbour relations between this new Telus head office and all of the surrounding residential homes.</p> <p>Sincerely, Erin</p> <p>I trust the city has received a copy of the 'Elephant in the room' in relation to this building. It was researched and written by Andy Wachtel Which summarized: This review finds that the TELUS Ocean proposal, in its ambition to build a landmark office tower at the south end of the downtown, misconstrues or distorts existing rules and guidance on building height, density, setbacks and overall massing. If neighbours built or purchased property in the expectation that the Official Community Plan and its more elaborated Downtown Core Area Plan offered them some assurance that they could foresee the potential impact of further building, this proposal comes as a bad surprise. The proposal needs to be reworked to better respect the context in this historic district.</p>	504-708 Burdett	2020-10-29 23:47

Name	Position	Comments	Address	Date
Logan Phillips	Oppose	<p>The proposed Telus Ocean Building does not respect the City's Downtown Core Area Plan because it does not adequately integrate into the neighbourhood and it exceeds the area's zoning regulations. The Downtown Core Area Plan values the sensitive integration of new developments within this desirable, historic environment. It would be dishonourable for a development to proceed that does not follow the Plan, which has been put forth and agreed upon by our City's political leaders.</p> <p>The Inner Harbour District is a unique area that provides a significant draw for visitors to Victoria. The City's iconic skyline and the local area's old-world vitality will be harmed if the prescribed Plan is not followed. This will result in irreparable damage to the City's second largest economic driver, the tourism industry. In order to show some semblance of regard for the City's Plan, the building's massive size should be pared back to reduce its dominant impact on the surrounding area.</p> <p>The proposed building surpasses current zoning regulations in all major areas – height, density, and setback. This lack of compliance, if approved, would be very concerning for individuals and businesses who have invested in the area with the fundamental expectation that the community plan put forth by our City officials would be respected. This disregard for basic process would damage the City's reputation and dissuade future investment.</p> <p>In order to attempt to integrate into the neighbourhood, the Telus Ocean Building should be constructed within the height, density, and setback parameters contemplated in the City of Victoria's zoning regulations for the Inner Harbour District.</p>	349 Windermere Place	2020-10-30 19:40

Name	Position	Comments	Address	Date
Garry Barsalou	Oppose	<p>The design proposal for the Telus Ocean Building is a modern glass and steel facades that reflect sunlight like a magnifying glass. This creates unbearable microclimate conditions to neighbourhood buildings, pedestrians and vehicles. This style of design is energy inefficient and contributes to global warming. Major cities in the Northern hemisphere have restricted modern glass and steel construction.</p> <p><a href="https://theconversation.com/glass-skyscrapers-a-great-environmental-folly-that-could-have-been-avoided-116461">https://theconversation.com/glass-skyscrapers-a-great-environmental-folly-that-could-have-been-avoided-116461</a></p> <p>If the City finds this design acceptable then minimizing size and height by adhering to the existing zoning would be the best direction going forward. The developer should not be able to proceed unless they adhere to the existing zoning regulations (height, density, and setback).</p>	St. Charles Street	2020-10-30 20:40
Sandra Beard	Oppose	Too modern of architecture. Too dense for the size of the lot. Too high. Locals are in need of more amenities to make downtown living more convenient and attractive (ie: cafes, restaurants and of most importance, a small grocery store).	N707 - 737 Humboldt Street, Victoria	2020-11-01 18:43
Elizabeth Cooper	building should not be as tall or massive as development plan indicates	As indicated above I would like to see a smaller (height and width) building planned for this lot. I am also totally opposed to the large video screen showing sporting events etc. (This had been discussed at the outdoor meeting held in the summer.) I would like the lighting of this new building to be subdued as this is a residential neighbourhood.	1106-788 Humboldt Street	2020-11-02 1:08
Wendy Bowkett	Oppose	Telus is asking that the permitted density be increased to 5.56:1 (+39%) and then is applying a storey height 60% taller than the norm which will require a height variance from the DCAP maximum. There are also significant setback variances from DCAP guidelines. The combination of a taller storey and the increase in density will result in the bulk of the building over double what the OCP maximum and the standard storey height for a hotel/condo would produce. Additionally, the Aria was developed next door at a density of 3.6:1 and provided a significant financial amenity contribution of \$275 K to the city. The request for a substantial departure from our OCP and DCAP for a national corporation, is not in the public's interest. I cannot support this project as proposed.	1715 Government Street	2020-11-02 2:01

Name	Position	Comments	Address	Date
Paul Harker	Not really in favour due to its huge size, but realize it will ultimately go ahead.	<p>I live in 737 Humboldt, but do not face the site of the Telus development. However, I am very concerned about traffic in and out of the construction site. I have some suggestions:</p> <ol style="list-style-type: none"> <li>1. Truck traffic should use Douglas whenever possible.</li> <li>2. If it does use Humboldt and Penwell, a number of things must be done: <ul style="list-style-type: none"> <li>- have a traffic signal at Humboldt/Penwell as vehicles descending Penwell will face a blind corner and will inevitably have a collision with cyclists.</li> <li>- have a traffic signal at Penwell/Fairfield. This intersection is already a problem as parked buses block the view of traffic trying go across Fairfield: with vehicles going up Penwell (a steep climb), doing either a left or right turn onto Fairfield or to Burdett, there would be very poor sightlines so a traffic signal is essential.</li> <li>- If traffic goes along Humboldt to Blanshard, it should turn right so as to meet Douglas. (Turning left would mean going up the steep Blanshard Hill).</li> <li>- as Humboldt between Douglas and Blanshard has been ripped up three times in the past year, it would be VERY desirable that heavy trucks stay off this part of Humboldt.</li> </ul> </li> <li>3. Consider a bicyclist education program so that they have mandatory flashers so that they can be seen when when motorists do left turns across Humboldt from Penwell - at present, it is exceptionally difficult to see oncoming bicycles when doing this turn.</li> <li>4. If the staging area must be on the Humboldt side of the building site, keep it as small as possible as pedestrians heading to Douglas use this part of Humboldt, as do a lot of bicyclists, and also patrons of Bart's Pub.</li> </ol>	737 Humboldt, S1004, Victoria, V8W 1B1	2020-11-02 4:40
Scott Fletcher	Oppose	<p>Glass wall more suited to Toronto, not beautiful Victoria. Tourists will NOT be impressed.</p> <p>Construction rumbling down Humboldt will destroy any prospect of retaining the bike lanes — thus destroying another tourist attraction.</p> <p>This building will kill thousands of birds over it's life span.</p> <p>Does this design really respect the Lekwungen people as they claim. Really? This shameful design COULD NOT be more disrespectful.</p>	702-788 Humboldt Street, Victoria B.C.	2020-11-02 23:49



Name	Position	Comments	Address	Date
Andrea Nunns, Humboldt Valley Residents Association	Oppose	Victoria Harbour is a Migratory Bird Sanctuary. The first bird sanctuary in Pacific Canada. This glass building will kill thousands and thousands of birds. Please see our website: <a href="https://hvra.ca">https://hvra.ca</a> for extensive details.	751 Fairfield Road Victoria	2020-11-03 1:47
Kimberley Fletcher	Oppose	1. The building design is not congruous with the balance of the architecture in its surround. Paris tried to go modern and high, and it was a disaster, the La Défense area an eyesore to this day. The City of Victoria has done an amazing job maintainng much of the historic architecture, and this would stomp on that, not least The Empress Hotel. 2. The entrance on Humboldt, with parking, delivery and every day car traffic would seriously endanger the wonderful bike corridor Victoria is building, an important part of the city going green, critical to combat the climate crisis. If the building must exist, why not move this vehicle traffic to enter off Douglas, that street can handle it. 3. Birds are going to be killed hitting this totally glass building, which would be a travesty, since this is just next to a bird sanctuary and migration route. 4. And finally, why not have a design that embraces the island culture and heritage, particularly something representing native Lekwungen people. Again the city of Victoria has done an amazing job incorporating this culture in other areas of the city. Doing so for this new building would be something tourists and Canadians, and Islanders would want to come and see.	702-788 Humboldt Street, Victoria B.C.	2020-11-03 2:08
Terri King	Oppose	I am opposed to the changes in zoning requirement. If the building were to be built as zoned I would not oppose. The height is my biggest concern as the Fairmont Empress will be ruined and its beauty diminished and cheapened by the corporate logo they are trying to put above it with the request to raise the height of the building. The height is my only opposition.	1801-707 Courtney St	2020-11-03 5:29



Mayor Helps and Council  
City of Victoria  
No.1 Centennial Square  
Victoria, BC V8W 1P6

26 February 2021

**Re: 767 Douglas – Telus Ocean: Rezoning and OCP Amendment/Development Permit with Variance**

Dear Mayor Helps and Council,

The DRA LUC has reviewed the proposal for a twelve-storey (53.21m) office building with ground floor commercial with an FSR of 5.47:1. We understand that the project requires an Official Community Plan (OCP) amendment for density as well as a Rezoning for density and a Development Permit with Variances for height and setbacks.

In accordance with the City's alternate CALUC process during the provincial PHO, no in-person or virtual CALUC meeting has been held for this project. Instead, the community was asked to provide feedback on the Telus Ocean proposal based on documents provided by the applicant posted to the Development Tracker.

**Timeline**

On 04 August 2020, several members of the DRA LUC met on-site with a representative of Telus' Community Partner, Luke Mari of Aryze, for a brief overview of the proposal. On 06 August 2020, the two-document Telus Ocean submission was posted to the Development Tracker. Between 08 October and 03 November 2020, members of the public submitted feedback on the proposal and that feedback was subsequently provided to the DRA LUC. Of the 128 responses recorded, 11 people voiced unqualified support for the project as presented. (A summary of the public's comments and a review of detailed public comments are appended to this letter.) On 04 December 2020, revised plans and a document labeled "Applicant Response" were posted to the Development Tracker. Revised plans show minor changes to the proposal that do not substantially address or resolve the major concerns expressed by members of the community. The Applicant Response reiterated justifications for their project approach as originally submitted.

The applicant has not provided the following requested information, materials, or public engagement:

- No view studies for Humboldt Valley residents: On 05 August 2020 at meetings with the Humboldt Valley Committee (HVC), Aryze committed to conducting drone studies to show how residents in neighbouring buildings will experience the project.
- No demonstration of the footprint of building: On 05 August 2020 at the HVC meetings, Aryze committed to painting the outline of the triangular cross-section of the building (its footprint) on the site to help stakeholders understand its placement on the site, the wall length, and separation from neighbouring buildings.
- No scale model of the project has been made available for the community to view.
- No online community meeting as committed to by Aryze on 05 August 2020 – We understand that an online meeting was held extremely late in the application process (23 February 2021) but was limited to only those individuals who had signed up for information on the Telus Ocean website. The DRA was not informed of this meeting and no public notification was provided through an official city mail out so all the people in the 200 m-notification could have an opportunity to participate in that meeting.

**Response from the LUC:**

Having reviewed the proposal relative to the City's core planning documents and the public feedback the DRA LUC notes the following:

- There are several overlapping and complementary components of the OCP and DCAP that apply to the subject property to inform design and massing considerations for any proposal at this site. According to the Applicant Response, many of these policies and guidelines were considered but the applicant chose to take an alternate approach that represents a departure from what was envisioned for this site. This approach fails to achieve the objectives and goals outlined in the City's planning documents.
- The subject property is within the Core Inner Harbour Legislative Urban Place Designation in the Official Community Plan, which envisions building up to 45 m in height with a maximum density of 4:1 FSR. The designation also promotes formal building and public realm design to respect the form and character of neighbouring heritage buildings of historic significance. The applicant is seeking an 18% increase in height and a 37% increase in density over what is prescribed without meeting the objectives and goals of the OCP or fulfilling the intent of the Urban Place Designation.
- The site is within the Heritage Conservation Area: Inner Harbour. The objectives of this area include conserving and enhancing the heritage value of the area as well as the special character and significant historic buildings. The overall scale and massing of the proposal relative to the heritage landmark policies do not respect the visual prominence and character-defining importance of heritage landmark buildings.
- The subject property is within the 180m Heritage Landmark radius of the Empress Building. This proximity protection was established in the OCP to maintain the visual prominence and character-defining importance of 16 significant heritage buildings in the City of Victoria while development continues around them. The proposal is not consistent with design guideline considerations in terms of its general fit, character and materiality within a heritage landmark area.

- It is unfortunate that the Advisory Design Panel did not comment on the specific areas of significant concern highlighted by City staff. These areas included such issues as:
  - Overall scale and massing relative to the heritage landmark policies that seek to respect the visual prominence and character defining importance of heritage landmark buildings
  - Overall scale and massing with respect to building floor plate and street setback policies aimed to reduce the bulkiness of buildings and shadowing impacts
  - Impact on protected views to the harbour in terms of policies that seek to ensure new developments complement and respond to the surrounding context
  - Massing along Douglas street in terms of the length of building relative to policies that promote a human scale and visual interest through building articulation
  - Materiality approach with respect to the extent of proposed glazing within a heritage landmark radius and in terms of the general form and character of the area

In addition, when the applicant was questioned about how they had chosen to respond to the applicable policies in the OCP and the Design Guidelines they stated that the site was unique and should not be considered in the context of the surrounding areas or relevant guidelines. It appears that the ADP considered the application within a complete vacuum in terms of policy.

- The massing along Douglas Street, in combination with the orientation of the building, will function as a wall of glass and spandrel without distinct articulation that will block the protected view corridor to the Olympic Mountains. The protected view is referenced in the OCP and described in DCAP Appendix One: Public Outward View Guidelines, View 5: Olympic Mountains from Douglas Street. Design Guideline 2 states, “Ensure that new development along the Douglas Street corridor is designed to help frame and enhance this view corridor.” The Telus Ocean proposal contradicts the goals of this bylaw and should require an additional OCP Amendment along with the associated public consultation process if it proceeds as proposed.
- The sheer bulk of this proposal will negatively impact adjacent buildings, their residents and occupants, in addition to the experience of people on the street through excess shadowing and a massing that is nearly double that of what is envisioned for the site. The OCP for Core Inner Harbour/Legislative, clearly states density up to a total of 4:1 may be considered in strategic locations for the advancement of plan objectives. This is consistent with neighbouring properties including the Aria 3.6:1, Marriott 4.3:1, Astoria 4.7:1, Belvedere 3.1:1. This application is requesting an increase of 37% over the OCP maximum to 5.47:1. Telus is also requesting an average storey height 60% taller than what is typical of its residential and hotel neighbours. The result is a compounding of the buildings bulk by an additional 60% over a residential building of a similar density. Neighbouring Humboldt Valley buildings are effectively half as bulky and will be overshadowed and overwhelmed by the Telus Ocean Building.
- The local area is dominated by hotel, tourism, ground floor commercial and residential uses. The proposed office use will provide little vitality after hours other than evening light pollution. The proposed giant media screen facing the Crystal Garden, originally promoted by the applicant for broadcasting events like the Stanley Cup playoffs,



highlights the inappropriateness of this proposal and the proponents being tone-deaf to the interests and concerns of hundreds of immediately adjacent residents. Whether the media screen is intended for sporting events, art displays, or advertising, it would be intrusive and utterly noxious to permit a situation where moving video is broadcast immediately adjacent to this heritage/museum/residential area much as it is at the Save on Foods Memorial Arena.

- The developer has offered to provide 127 parking spots within the building. Bylaw (Schedule C) requires 221 parking spaces for the proposed development. Despite conjecture that building occupants will utilize public transit or cycle, this shortfall will instead likely create additional parking pressures in the surrounding residential neighbourhoods. Bike parking has not been increased proportionally beyond the minimum requirements in compensation for this 43% shortfall in required parking.
- The purchase price for this land from the City is \$8.1 million, plus up to an additional \$1.1 million purchase price adjustment depending on the final proposal submitted and approved as part of the rezoning process. Assuming this proposal will net the City the full \$9,200,000 contract price for the 152,000 sq ft of floor area proposed, this represents \$60 per square foot of buildable floor area. Recent sales of development property in Harris Green of property with similar geotechnical difficulties has repeatedly confirmed the land price of around \$80 per square foot of buildable density for highrise residential rental development. Land value for residential development on this site should yield at minimum a 30% higher price than currently negotiated. Site remediation aside, it is obvious offices are not the “highest and best use” for this property and will contribute far lower funding for City priorities such as affordable housing. If the property were sold for residential development, it would yield the same net price to the City for a building of half the size and bulk of what is now proposed which could comply with all of the OCP and DCAP regulations.

The DRA has obtained through a Freedom of Information request a redacted copy of the original Request For Expressions of Interest application pitch letter from Jawl Properties and Telus outlining the proposal. This original proposal states:

*“As proposed the Project complies with the 45 metre height guideline contained in both the OCP urban place designation and DCAP’s urban design directions applicable to the Site... Specifically when viewed from key perspectives to the west identified in the DCAP, the Project is not visible over the Empress Hotel’s roofline and this has been confirmed by digital modeling. Additionally, the Project substantially complies with the urban design guidelines contained in the DCAP with respect to street wall configuration and upper floor setbacks and the Project’s place making, open space and urban design strategies are in sync with the principles and specific strategies outlined in the OCP”.*

We know that the application now before us abides by none of these early commitments made to secure the contract of purchase and sale from the City and that the highly respected local partner, Jawl Properties, has since withdrawn from the project.

We find ourselves again asking why City-led initiatives are permitted to be politically leveraged by applicants to become the most egregious violators of our core planning documents while at the same time providing little benefit for the community. The public feedback on what appears to be a corporate vanity project is unambiguous in its opposition to the height and bulk of this

proposal yet the application moves forward with no substantive mitigating revisions. Telus will only be a tenant, occupying two floors, and the rest of the building will be made available for lease, just like any other speculative development. In our opinion the re-deployment of a few hundred existing Telus office workers from around the city to an office building inappropriately placed in a residential and tourism enclave is hardly a sound economic argument in support of Victoria 3.0 or one sufficient to risk the potential for catastrophic damage to the city's most important tourist and heritage precinct.

We strongly advise that Council decline this project as proposed.

Sincerely,

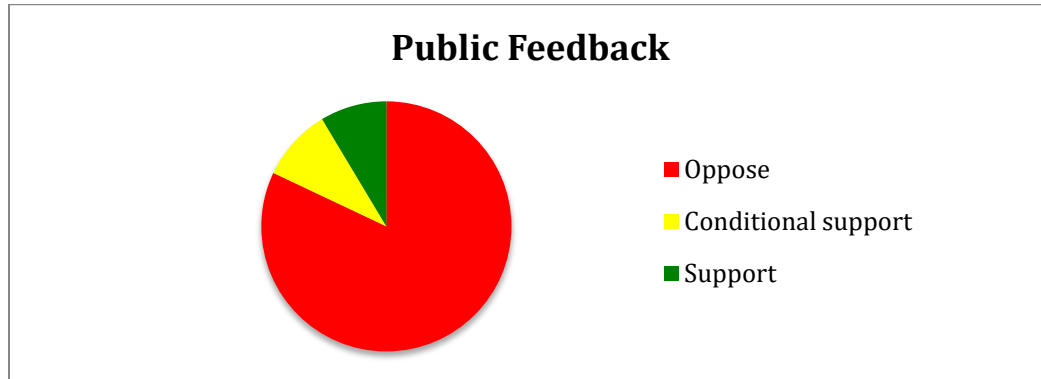
A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a large loop at the start and a trailing flourish.

Ian Sutherland

Chair Land Use Committee - Downtown Residents Association

**Comments and concerns raised by the public via the City's Development Tracker:**

During the 30-day period available on the City's Development Tracker, there were 128 responses from members of the public, the majority of who live in the Humboldt Valley.



From those responses:

- Eleven people (8.6%) offered unqualified support. Three of the ten responses were from individuals who registered an address outside the notification area and did not indicate that they have an interest in property in the area.
- Twelve people (9.4%) offered conditional support requesting changes to a variety of aspects of the project. Traffic (vehicles, bikes, congestion, patterns, design) concerns were most referenced as well as concerns around the illuminated screen and signage. Concerns were also raised about wanting improvements to public/pedestrian spaces.
- One hundred and five people (82%) registered opposition to the project, or offered support only if substantial changes to the building's height and massing were made.

An overview of the concerns raised by the public is outlined below with the full comments appended.

- Does not align with City of Victoria planning objectives
- Not compliant with requirements of the City of Victoria's Inner Harbour District
- Fails to comply to Official Community Plan
- Proposal is inconsistent with the Downtown Core Area Plan
- Absolute height of Telus building – too tall for site
- Insufficient setbacks on Douglas
- Insufficient setbacks on Humboldt
- Too tall relative to other residential buildings
- Too tall relative to Empress Hotel
- Height & massing will obstruct/have negative impact on downtown views and silhouette of Empress
- Building mass is too large/bulky
- Density is too high

- Proposed total floor area is too high
- Building does not sensitively integrate into the neighbourhood
- Building design is incongruous within historic context
- Proposed development overwhelms the surrounding historic buildings and would change the character of the neighbourhood
- Telus building would occupy entire views of many units in adjacent buildings without relief
- Increased shadowing: adjacent buildings need access to light and air
- Concerns about potential loss in value of real estate in adjacent units that are negatively impacted by proposed building
- Too much traffic along the Humboldt corridor. This project will compound the issue.
- Concerns about traffic flow (bikes, vehicles, construction, buses)
- Safety concerns regarding traffic volumes in area and recently redesigned Humboldt with shared single lane for vehicles going two directions and two bikes lanes
- Large video screen on exterior for public events not supported
- Nighttime lighting “lantern” of building not supported as proposed – light pollution
- Telus sign visible above the Empress is not supported
- More priority for public space
- Insufficient consideration for public space
- Environmental assessments needed
- Concerns regarding glass walls and impacts on environment & energy efficiency
- Need counter measures to prevent bird impacts
- Concerns re developer’s rationale that project aligns with “Victoria 3.0” to create high-tech jobs as Telus plans to centralize existing offices and rent out remaining space



## 767 Douglas Street - Telus Ocean - Public Feedback Review

	Position	Comments	Address
1	but with conditions	I feel the Telus tower should be, maximum, the same height as the Aria. Anyone taking pictures of the empress shouldn't see Telus sticking up behind the hotel. Plus, the shadows these big towers create (in an already dense neighborhood) isn't great for mental health.	737 Humboldt
2	see below	There is a tremendous amount of vacant office space downtown. The proposed building should be set back 5 metres instead of 2 from Douglas Street and 3 metres instead of .19 from Humboldt. We have to have breathing space. Height of building should be reduced to 27 metres. Again, breathing space and views for current residential buildings. The proposal for the Telus Ocean Building does not follow Victoria's Official Community Plan because it does not sensitively integrate into the neighbourhood. The development, as proposed, will dominate the area and reduce its appeal for both visitors and local owners. The developer should not be able to proceed unless they adhere to the existing zoning regulations (height, density, and setback).	751 Fairfield
3	with modifications	The site could be improved by a Telus development but its current design will cause far too much traffic during construction especially on Humboldt Street. Humboldt is narrow, often clogged with garbage and other bins in mornings and is supposed to be a major bike artery! Mayfair shopping centre has direct access off Douglas. What is there not direct access fo here? If that is impossible at least make left turns onto Humboldt from Blanshard illegal. Even after completion the extra traffic will be too much for this corridor. Reduce parking and office space.	788 Humboldt
4	An adjustment to reduce the building size is necessary.	Building height needs to be reduced to maintain the iconic downtown view and the silhouette of beautiful Empress Hotel.	751 Fairfield
5	building should not be as tall or massive as development plan indicates	As indicated above I would like to see a smaller (height and width) building planned for this lot. I am also totally opposed to the large video screen showing sporting events etc. (This had been discussed at the outdoor meeting held in the summer.) I would like the lighting of this new building to be subdued as this is a residential neighbourhood.	788 Humboldt
6	I don't support the current plan for the building, but have no problem with Telus being there.	The current plan for the Telus building at 767 Douglas seems too tall for the site. Having the Telus logo visible above the Fairmont Hotel from the harbour is a BIG mistake. It will ruin and corporatize that iconic view. Also, it is my understanding that the lot is not currently zoned for a building this tall, but that City Hall is considering changing the zoning for Telus' sake. Why can't Telus change its plan? Try a little harder to fit in with the neighbourhood?	737 Humboldt
7	I have some concerns (see Comments)	I am concerned about the height (over 53m) and that more priority should be given to the public south plaza by cutting back the second "prow" that extends over that plaza.	737 Humboldt
8	I oppose if there the intent is to not have counter measures to prevent birds hitting the building and also I don't think the building should be lit up at night as it could disturb the units facing he building	I think the idea of bringing jobs to the area is good as long as there are environmental assessments are made and considerations made for the units facing the building.	751 Fairfield

9	I support a Telus building that adheres to existing height limits and has a building facade with more traditional building materials and design features that enhance the surrounding historic buildings and neighbourhood.	The proposed height is totally inappropriate for a downtown residential neighbourhood. The building needs to adhere to existing height limitations which are in place for good reasons. The all glass modern design is too incongruous with the nearby historic buildings. It picks up absolutely no common design elements from the surrounding buildings and historic neighbourhood. It will stick out like a sore thumb for decades to come. I support a Telus building that adheres to existing height limits and has a building facade with more traditional building materials and design features that enhance the surrounding historic buildings and neighbourhood.	737 Humboldt
10	Less height please to blend with other buildings	Concerned about traffic flow since Humboldt does not connect to Douglas except for bikes	788 Humboldt
11	Needs Modification	The Telus Ocean Proposal is too large for the site and needs to be down scaled significantly to not only meet City Restrictions but neighborhood impact and scaling.	707 Courtney
12	Not really in favour due to its huge size, but realize it will ultimately go ahead.	I live in 737 Humboldt, but do not face the site of the Telus development. However, I am very concerned about traffic in and out of the construction site. I have some suggestions: 1. Truck traffic should use Douglas whenever possible. 2. If it does use Humboldt and Penwell, a number of things must be done: - have a traffic signal at Humboldt/Penwell as vehicles descending Penwell will face a blind corner and will inevitably have a collision with cyclists. - have a traffic signal at Penwell/Fairfield. This intersection is already a problem as parked buses block the view of traffic trying go across Fairfield: with vehicles going up Penwell (a steep climb), doing either a left or right turn onto Fairfield or to Burdett, there would be very poor sightlines so a traffic signal is essential. - If traffic goes along Humboldt to Blanshard, it should turn right so as to meet Douglas. (Turning left would mean going up the steep Blanshard Hill). - as Humboldt between Douglas and Blanshard has been ripped up three times in the past year, it would be VERY desirable that heavy trucks stay off this part of Humboldt. 3. Consider a bicyclist education program so that they have mandatory flashers so that they can be seen when when motorists do left turns across Humboldt from Penwell - at present, it is exceptionally difficult to see oncoming bicycles when doing this turn. 4. If the staging area must be on the Humboldt side of the building site, keep it as small as possible as pedestrians heading to Douglas use this part of Humboldt, as do a lot of bicyclists, and also patrons of Bart's Pub.	737 Humboldt
13	Oppose		737 Humboldt
14	Oppose		788 Humboldt
15	Oppose	This building is far too large. It is important that developments are required to stay within the guidelines that are established. This building exceeds every zoning restriction, height setbacks, land density. It does not support the heritage context of the community and will be detrimental to the downtown area in its present plan. It does not align with the City of Victoria planning objectives. It is imperative that the mayor and council do not accept this development plan in the present state. The hotels, businesses, and residents of the downtown area should have their voices respected. We are adamant that this development can not proceed without significant changes. Telus and Aryze Developments must revise the plan so that it is in compliance with the City of Victoria's current building development and zoning regulations for the Inner Harbour District. This development can not be allowed to proceed at the expense of the Doubletree Hotel, the Marriott Hotel, the Empress Hotel, the Crystal Gardens, the residents in the Humboldt Valley and the businesses in this area also. Scale back the Telus Ocean project and stay within the zoning guidelines for this area.	788 Humboldt

16	Oppose	The proposed development is a large business operation being situated in among a number of residential buildings....five condos and a hotel. The business activity and accompanying traffic would not be suitable in that location.	788 Humboldt
17	Oppose	This building is too tall and bulky. It dwarfs the historic sites in the area and diminishes quality of life for Humboldt Valley residents and tourists, the life blood of our economy. The Telus building would be better located away from the downtown core.	788 Humboldt
18	Oppose	The building is far too big for the site and does not follow city guidelines. Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza.	788 Humboldt
19	Oppose	This is too big a project for the character of the neighborhood	788 Humboldt
20	Oppose	The proposed building is too large. Please do not grant any exceptions to the existing zoning regulations.	788 Humboldt
21	Oppose	Am opposed to the current proposal as I feel it is too intrusive on the site. Would accept a proposal presenting a shorter building. Am an owner of a condo on Humboldt Street. Condo is rented out at present but I fully intend to retire to the building in the very near future.	1304 -18 st. S Cranbrook
22	Oppose	Based on the plans and artist impressions submitted by Telus, the construction of the building as proposed would overpower the area, change the cityline, and ruin the visual beauty and heritage of the Empress Hotel as seen from the water.	788 Humboldt
23	Oppose	Proposed Telus building is way too tall and design does not belong to Victoria	737 Humboldt
24	Oppose	Height of the building needs to be lowered.	737 Humboldt
25	Oppose	The proposed development overwhelms the surrounding historic buildings and would fundamentally change the character of the neighborhood. The development should be downsized significantly.	737 Humboldt
26	Oppose	This building does not fit the character of the city. It will dwarf the Empress Hotel and diminish the beauty of the Crystal Pool building. It is also presents a sidewalk interface that is not supportive of a sense of safety to pedestrians.	828 Rupert Terrace
27	Oppose	In my opinion, the proposed building is too tall, and will obstruct rather than add to to skyline of our city.	737 Humboldt
28	Oppose	I am in agreement with the recommendations in the Humboldt Valley Committee Bulletin. The signature buildings downtown Victoria are the Empress and the Legislature buildings. That is what makes Victoria unique for both residents and tourists. Having the Telus building overpower the Empress with their TELUS sign above the Empress is wrong, caters to commercialism and, I feel, does nothing to "bolster the visual impact of the Empress". I have no problem with Telus building on the Apex site and welcome a new unique building there, however, the current building plans are too overpowering for the inner harbour landscape and I feel, should to be scaled down.	737 Humboldt
29	Oppose	Too tall and too large foot print.	737 Humboldt
30	Oppose	Too many requests by the developer to raise this property's specifications.	737 Humboldt
31	Oppose	Concern over increase in traffic and over adding another tall structure to a relatively high density block	737 Humboldt
32	Oppose	I don't believe that this is the best site for this proposed building. The height of 54 meters is simply too tall. The city has spent a lot of money quieting traffic, and introducing a bicycle corridor on Humboldt Street. How will the extra traffic affect these improvements? Does Victoria really need more office space at this time, when more people are working from home? I don't see hoe this giant glass wedge will "complements the surrounding community".	788 Humboldt

33	Oppose	The building is way too tall and TELUS has misled the public by declaring it an 11 story building. Which it is except 11 commercial stories equates to 17 residential stories. It is totally out of place. And traffic at the intersection of Fairfield and Penwell is dangerous enough now. With added traffic it will be a nightmare.	737 Humboldt
34	Oppose	Too high & overwhelms the surroundings.	737 Humboldt
35	Oppose	Telus Ocean is too tall! Will overpower our heritage Empress Hotel in a heritage location. Also, your traffic analysis is very flawed. Expecting cars, with only one lane to share in two directions! to compete with bikes going both ways on Humboldt is crazy. The morning and evening commute, with traffic exiting three apartment buildings and a Hotel between Douglas and Blanchard is an accident waiting to happen. Close off Humboldt in front of The Marriot Hotel to cars! ,between Penwell and Blanchard! Use Penwell for the Ocean Telus traffic..a traffic circle there would be a better choice..please! Do something about these problems before you steam roll ahead! Think!!	737 Humboldt
36	Oppose	The building is too big for the space available. It will diminish our iconic landmark, the Empress, by its height and its sign will be an ugly blemish on our skyline. Its design is entirely contradictory to the historical designation of the area in which it is located. Further, the traffic pattern it creates will create chaos on Humboldt St, and likely endanger lives, despite the traffic study submitted.	737 Humboldt
37	Oppose	This proposed building is simply too big for the space available!	737 Humboldt
38	Oppose	The building has been reviewed by Miko B., Senior Planner. His comments seemed to have been dismissed by the Design panel?? Reasons?? Traffic flow is even a concern with the use of Penwell and Blanchard access! Why would City Council not review and discuss the City Planner's work on this project and the Traffic study. Height is not the only concern by a long shot.	737 Humboldt
39	Oppose	The building has been reviewed by Miko B., Senior Planner. His comments seemed to have been dismissed by the Design panel?? Reasons?? Traffic flow is even a concern with the use of Penwell and Blanchard access! Why would City Council not review and discuss the City Planner's work on this project and the Traffic study. Height is not the only concern by a long shot.	737 Humboldt
40	Oppose	I do not oppose the building itself. However, the height in respect to the surrounding buildings needs to be addressed as well as the proximity to the West side of the Aria building.	737 Humboldt
41	Oppose	While I like the idea of the building and its dramatic desire to create a post-modern character to downtown Victoria, it exceeds the zoning requirements in four areas. I think that drama can be created in a smaller size.	737 Humboldt
42	Oppose		737 Humboldt
43	Oppose	The building is far too big for the site and does not follow city guidelines. Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza.	788 Humboldt



44	Oppose	<p>Outlined below are some concerns about/objections to various aspects of the Telus project proposed for the Apex lot at the corner of Douglas and Humboldt Streets. • As proposed, the Telus building will loom over the plaza by the Crystal Garden (internal side lot). To avoid stifling this rare public open space, we want to see: o A. application of the set back requirement of 4.5 meters to ALL FLOORS of that side of the Telus building; and o B. the Telus building cut back and the edge terraced as of the second floor (per the DCAP, 6.187, p94). § (Note: We understand that in Telus's proposal the terracing doesn't start until the eighth floor of the Telus building. If this is so, the Telus building, which is marketed as a landmark project, will not impress, but oppress.) • We don't want the Telus building to reflect light and heat around the neighbourhood, to include into our unit in the adjacent residential building, through Telus's use of metal and "high-reflectance glass" as well as the mirroring effect on the façade of the Telus building. • We don't want light beamed into our unit from the Telus building acting as an "alluring lantern at night," per the Telus marketing literature. • We don't want our privacy being violated by individuals having a view into our unit from the Telus building, its terraces/tiers, and its restaurants.</p>	737 Humboldt
45	Oppose	I do not support the request for additional height and change in density. I believe the original height of 43 m is also too high for the neighbourhood.	707 Courtney
46	Oppose	Too high for neighbourhood.	707 Courtney
47	Oppose	Too high.	707 Courtney
48	Oppose	<p>Little consideration is being given to the fact that this is a very residential area that is valued for its existing green spaces and open areas. It's also an area that is valued for being close to yet tucked away from downtown and is generally quiet after dusk. Not enough consideration is being given to the impact the proposed building will have on residents and hotel guests after dusk in relation to light pollution. Additionally, the proposed height and scale of this building will over shadow and greatly impose upon the existing businesses and residences.</p>	737 Humboldt
49	Oppose	The proposed building is far too large and the Telus sign will be seen right overtop of the Empress from the view of the harbour. The City staff's report has raised a number of important questions and I ask that Council review that report.	737 Humboldt
50	Oppose	As currently proposed, this project would have an overwhelming presence in the neighborhood thereby diminishing the presence of existing structures. It should be required to conform to existing height bylaws. If not, what's the purpose of a bylaw?	788 Humboldt
51	Oppose	The building is far to large for the space. This building will needlessly impact it's neighbors in negative ways.	788 Humboldt
52	Oppose	<p>This is a high density area already. Withing a short walking distace there are several hotels: Hilton, The Marriott, and the Chateau Victoria. On the same street, withng a very short walking distance, there are condominium buildings: Aria, Astoria, Belvedere, The Falls. In addition, there are restaurants and pubs. To change the zoning to accommodate the proposal, will result in a much higher density area than we already have. The site coverage, 69.45% leaves a small area for green space. The traffic, which is high density now, will be much worse, considering the movement that the new office building will experience, The pollution will increase, a very serious concern. Thank you for the attention you have given to my comments.</p>	751 Fairfield
53	Oppose	This building is too high and will overwhelm other buildings around it. Development should stay within the current zoning height requirements.	751 Fairfield
54	Oppose	<p>Firstly the development as proposed is a nice project but wrong for the proposed location which is the start of the residential area of the Humboldt valley. This is a quiet street with condos and hotels. An office building of this size is just not a good fit for our community. Secondly if Telus and the city are determined to build this high floor space density, glass (terrible hazard for birds) monster then the guidelines for this location should be adhered to and the height should be 43m or less. Also construction traffic on Humboldt should be held to a minimum. We are terribly disappointed in the city and our elected officials for encouraging this type of development at this location.</p>	788 Humboldt

55	Oppose	Firstly the development as proposed is a nice project but wrong for the proposed location which is the start of the residential area of the Humboldt valley. This is a quiet street with condos and hotels. An office building of this size is just not a good fit for our community. Secondly if Telus and the city are determined to build this high floor space density, glass (terrible hazard for birds) monster then the guidelines for this location should be adhered to and the height should be 43m or less. Also construction traffic on Humboldt should be held to a minimum. We are terribly disappointed in the city and our elected officials for encouraging this type of development at this location.	788 Humboldt
56	Oppose	Opposition to requested height increase; 43 m is sufficient for an 11-12 storey building. A height increase would have a negative impact on surrounding commercial and residential property owners, who invested in their properties expecting building regulations in the area to be adhered to. Conversely, maintaining the current height restriction would have minimal impact on the function and views of Telus Ocean.	751 Fairfield
57	Oppose	To the council, please review and consider the entire staff report which is far more than the the Design Panel rubber stamping the Telus/Aryze proposal. The size of this building would have a huge negative impact on us in the immediate area.	737 Humboldt
58	Oppose		751 Fairfield
59	Oppose	The proposed floor space ratio is nearly double what is permitted for this site. Presumably we have regulations that were put in place for a reason. The height variance should not be allowed. Developers seem to think they can propose whatever they want and not keep within what they are supposed to be working with.	1231 McKenzie
60	Oppose	My husband and I live in south tower of the Falls. When we bought our home we knew that something would eventually be built at the Apex site and that, given the zoning, we might lose some of our view to the south and be looking at, or slightly up towards, the roof line of the new structure. The proposed Telus Ocean building is beyond anything we could have imagined in height, width, and potential for lighting our home at all hours of the day and night. It would occupy our full southern view; we see neither over it, nor around it. We would need to crane our necks to even see the sky. We are on a high floor and are fortunate to also have a view to the West. Other units in our building would be impacted even more severely. It would be our constant companion, greeting us in the morning and being the last thing we would see at night. Telus has obviously designed a building whose M.O. is to be visible from the Inner Harbour, with the Telus Logo dominating the Empress and the skyline. To meet those ends, they have proposed a hulking structure that would be out of place and substantially change the nature of Humboldt Valley. I urge you to not approve the proposed Telus Ocean building as designed. If they want a billboard, they should put it somewhere else. Otherwise, they should be a good neighbour and build something congruent with the surrounding area.	708 Burdett
61	Oppose	I would like to lodge my opposition to this project. After reviewing the documents put forward by the developers and Telus, it is clear to me that this building will dwarf the surrounding buildings and fundamentally distort the character of this heritage neighbourhood. I have no doubt that a better location for this large building could be found elsewhere in the city, or failing that a smaller building that conforms to existing zoning regulations. I am also concerned about a significant uptick of traffic on Humboldt Street, as well as increased light pollution from the planned screens.	788 Humboldt
62	Oppose		788 Humboldt

63	Oppose	When I moved into this neighbourhood I full expected this property to be developed within a few years. What I didn't expect was for a rezoning application doubling the density and floor area. This proposal in what is now a residential area is as large as anyone could have imagined for the site. I would have applauded city council if they had consulted with us before approving this project in principal. It is as if we don't count when it comes to decisions about OUR neighbourhood. To put this eyesore in the middle of several condo towers and hotels is an idea too late to the table. When the condos and hotels were built ten to fifteen years ago, that was what was decided to be the use of the land. To inject a new building that will block several of the existing buildings is a bad idea. We did not vote in this council and mayor to ruin our lives and devalue our investment in Victoria. We chose to live here based on what was zoned for the area and we happily pay taxes to keep the area for what it was intended. I implore the council and mayor to maintain the zoning guidelines as decided.	708 Burdett
64	Oppose	The size of the building should be scaled down and kept within existing city requirements and guidelines. It is far too big for the site.	788 Humboldt
65	Oppose	This Telus Ocean Building, as proposed, is far too large, both in height and overall dimensions, which obviously they know because of the variances requested. It will not be at all in keeping with anything near by. It's height will dwarf the iconic Empress hotel, ruin the sightlines of several other key hotels along with several local condominium towers. The issues of the reflective quality, excessive lighting at night for "trees" growing inside, lack of foresight for wildlife (bird-strike) have not been addressed nor has the total enjoyment of open spaces currently existing that will be crowded out and over shadowed, especially the taxpayer funded closure of Humboldt Street, brand new bike lanes and creation of the new seating area. Both the Convention Centre, built in keeping with the style of the area and the Crystal Garden will also be negatively impacted but such a huge, inappropriate looking building. The proposal also does not adequately address then overuse of Humboldt and Penwell Streets for excessive traffic. The "Transport Impact Assessment" presented on July 8, 2020 was obviously done during not only during on-going construction on Humboldt Street before it was narrowed even more by more bike lanes but in the midst of almost total lock-down due the COVID-19 pandemic! There were no workers or tourists in the area at all to -generated "traffic". "4. Our analysis indicates that the proposed development will have minimal impact to the adjacent road network. Most vehicle trips generated by the development will travel through signalized intersections that are currently operating well within operational capacity thresholds." How can this possibly be a valid study? With the number of "expected" offices planned, both service vehicles (recycling, deliveries, etc) will obviously increase significantly. The expectation that BC Transit Passes "may" be issued, and the thoughts that everyone who might work in that building actually will live nearby enough to bike to work seems a bit of a dream. The last issue I wish to address is what seems to be the proposed excessive number of "offices" and "workers" expected to be employed in this building. Even long before the COVID-19 pandemic took hold, there already was a lot of empty office space due mostly to high rents and adding to that trend when it appears more work-from-home, downsizing etc. is being encouraged, it does not seem to make any sense to just add more empty, expensive office space.	737 Humboldt
66	Oppose	WHERE IS THE THE 3D ANALYSIS OF THE IMPACT OF THIS BUILDING ON THE VICTORIA SKYLINE, PARTICULARLY THE PROTECTED VIEWS FROM THE HARBOUR EASTWARD, ALSO AT NIGHT WHEN A BRILLIANTLY LIT TOWER WOULD SERIOUSLY DOMINATE THIS VIEW AND DETRACT FROM THE HARBOUR-SCAPE.	1760 Patly Place
67	Oppose	the proposed building is to large for the site. It should follow city bylaws. It should be shorter, have much larger setbacks and be a friendlier building to walk around.	751 Fairfield
68	Oppose	I feel that the proposed building is out of place for the surrounding area and will affect a large residential population.	788 Humboldt
69	Oppose	That corner should not have anything constructed higher than the surrounding buildings in thst block on Douglas Street.	751 Fairfield
70	Oppose	The proposed building appears quite imposing in a currently nice mixed-use area. I do object to the proposed changes to the density and height zoning requirements.	751 Fairfield

71	Oppose	I would support this application if it were smaller, and consistent with existing height guidelines. As it is, the application is contrary to many of the guidelines and the reasons for them in the Community Plan. It is too high for this plot, and should be kept to 43 m. If it proceeds as proposed, at 51 meters, it will fail to respect the visual prominence and character of important heritage landmark buildings such as the Empress Hotel; it will be inconsistent with guidelines for setbacks, particularly at its upper storeys; and it will be far too intrusive to neighbouring residential condo homes, and impact unnecessarily on light and on views. It also exceeds recommended density levels and for the above reasons, is inconsistent with the otherwise residential character of the Humboldt Valley.	751 Fairfield
72	Oppose	Everything about this is wrong. The size and the height are way above what is allowed by the city. Why are the restrictions there in the first place if they can easily be changed or broken? Looks like the city is being bought. This project should be stopped.	751 Fairfield
73	Oppose	While I support the anticipated positive aspects of the Tellus plan, I note the plan requires existing zoning limits on building height to be relaxed. My family and I do not approve of relaxing the height restrictions. We value light and air and view.	751 Fairfield
74	Oppose	My primary concern is that at the scale planned the Telus Ocean development is too big for the neighbourhood in which it is to be situated. The Humboldt Valley neighbourhood, is a relatively high density residential neighbourhood that acts as a border, or transition zone, between downtown Victoria and the lower density residential neighbourhoods of James Bay and Cook St Village. It provides value as a border area by contributing the population needed for a vibrant downtown, through its pleasant, public walking areas to and from downtown, and as a backdrop to the beautiful inner harbour. The large scale of the proposed Telus Ocean Development has two main impacts that negatively affect the unique character of this neighbourhood and the overall feel of the heart of Victoria: 1. The Telus Ocean building seriously risks overwhelming the human scale developments that have currently been achieved in the Humboldt Valley neighbourhood, with existing zoning requirements. For example, the building proportions and heights increase as one moves east on Humboldt Street and away from the Inner Harbour. These are currently proportionate to both the Fairmont Empress Hotel and the Provincial Legislature buildings - the most significant buildings in the area. The proposed Telus Building will detract from both of these iconic buildings and will undermine the critical balance that has been achieved by City Planners and elected officials up until this time. Maintaining the current zoning requirements would protect the Empress from being overshadowed and prevent a potential corporate logo from piggybacking on its roof line. 2. At the proposed size, the Telus Ocean building will significantly reduce the quality of life for both the residents and visitors. Because the building is so big it will create a very large shadow on Humboldt street with areas where sunlight will never reach. Much of the street will be in near-constant shadows. Such dark, cold areas are not inviting for tourists or residents. The area is at risk of becoming dank and empty for the better part of each day. At the same time such a huge building will be overly lit and bright at night - also very disruptive to residential life. Therefore, assuming the City of Victoria Development Plan is built upon valuing and respecting both the contribution the Humboldt Valley neighbourhood makes to the overall feel of downtown Victoria, and the specific residential nature of the neighbourhood, then the issues raised here are significant. To address them we urge the City of Victoria to hold the Telus Ocean building project to current zoning requirements. Specifically we urge the City to compel Telus to: 1. Reduce the storeys/height to the 43m as allowed in the current zoning; 2. Decrease the proposed floor space ratio/density from 5.57:1 to the 3:1 ratio allowed in current zoning; and 3. Reduce the total floor area from 14379m <sup>2</sup> to that which is allowed in the current zoning - 7746m <sup>2</sup>	788 Humboldt
75	Oppose	I purchased my property knowing that the zoning requirements for this area would only be at a certain height. Now, with this application for rezoning, my view will be lost. Not to mention the loss of real estate value and the noise that will come. A big corporate company enters the downtown core and city hall buckles. What about ordinary citizens concerns or, are you simply looking at the taxes that will be generated from this very large building? A very upset taxpayer	751 Fairfield
76	Oppose	I have two concerns with the proposed zoning application. First, removal of a Residential component to the zoning. We have an affordable housing crisis and this is a missed opportunity to provide additional housing units downtown. Second, I am concerned with the proposed adjustment to the height limits. Douglas Street is already a very windy street and tall buildings, narrowly spaced will channel more gusts down the street. The existing 43m limit is already too high in my opinion; I do not agree with going even taller.	655 Douglas



77	Oppose	Permanent damage to the iconic Empress skyline and encroachment on several existing residential buildings. The proposed height is just too tall.	707 Courtney
78	Oppose	The request to rezone the triangular lot at 767 Douglas Street is shocking in the amount of variance that is requested compared with the Official Community Plan. As to height, the Telus plan states 53 m in their booklet, but 51 m in the development notice. Either height is 11-12 commercial storeys, but over 18 residential storeys. It will be higher than the Hilton and much higher than the Falls or Aria condominiums. All light will be blocked from the South for the Falls condominium and the Hilton, an inhumane situation. The Telus building will tower above the Empress; as one enters from the harbour, the TELUS sign and building will rise above the Empress. This is unacceptable. Even 45 m will overshadow the Neighbourhood and Empress. As to total floor area, Telus requests almost double the amount that the current zone allows. This massive building will destroy the Heritage/Neighbourhood feel of this vital area for residents and tourists alike. At present, the neighbourhood is small businesses and condo/hotel buildings. Telus only needs 2 floors for their employees, so what possible justification explains the need for the massive building with so many office spaces on a small area of land. The design presents a massive and unattractive wall along Burdett Avenue. With the high density and huge floor area, there will be traffic and pedestrian problems. Humboldt Street was closed for a bike path, which is good, but the traffic moved to Burdett. Now, in late afternoon one sometimes has to wait for the light at Burdett and Douglas to change 4 times before one can cross the intersection in a car. The addition of 500 more people in the Telus building will not help. On Douglas Street at present it is very difficult at times to pass on the sidewalk as people waiting for city buses accumulate on the sidewalks. Telus pedestrian traffic won't help as the building is very close to the property line (sidewalk). The point of the building to the North with its 18 story height is particularly offensive as little floor space is gained, but light to surrounding buildings is cut. The Hilton is on a triangle, but the bulk is in the widest part of the triangle. The point of the lot has only a two-storey building. We argue that the Telus Proposal should be rejected. They could achieve all their aims if they move the building toward the Downtown by 3 or 4 blocks into the HA-2 zone where they could have more land and build up to 60 m. Then their only disappointment would be that they could not dominate the skyline behind the Empress. But they could improve Douglas Street.	708 Burdett
79	Oppose	Building is too tall and obtrusive	708 Burdett
80	Oppose	The building does not fit in with the landscape and is much too high	751 Fairfield
81	Oppose	The proposed development is in opposition to Victoria's Official Community Plan because it does not respect the historic neighbourhood. The proposed building's massive size will dominate the area and diminish its appeal. The developer should be required to follow the existing zoning regulations (height, density, and setback), as set out by the City of Victoria, to proceed.	347 Windermere Place
82	Oppose	We really should not permit more high rise buildings in downtown Victoria as this would take away the special old town feeling of this beautiful city. If we let this get out of hand, then Victoria will become another Vancouver and large cities will end up costing the city a lot of money to deal with big city issues.	751 Fairfield
83	Oppose	In other correspondence to Mayor and Council, I stated my opposition to TELUS Ocean plans because the mass of the building was so out of scale in its context. The developer's rationale for rezoning to permit a density almost twice what the current zoning permits involves systematic self-serving distortion of the OCP. Here, I would like to comment briefly on a rationale the Developers use to try to bolster their case, the alignment of TELUS Ocean with the City's "Victoria 3.0" vision. It is not clear that the development will stimulate the creation of high-tech jobs. For TELUS, the building allows them to centralize a number of existing local worksites. For other tech companies, it represents very high-priced office space, certainly not what much of the sector is looking for. It is not clear that any of the publicly available amenities that the building proposes complement the conference and event meeting services offered by the Conference Centre and Crystal Gardens. And TELUS Ocean's design affects the Public Plaza next to the Crystal Gardens by disrupting the sense of flow across Douglas from the Conference Centre and by reorienting the plaza to serve the building predominantly.	737 Humboldt

84	Oppose	<p>The Telus Ocean building as currently proposed is not in compliance with the City of Victoria's building development and zoning regulations for the Inner Harbour District, including the City's "Downtown Core Area Plan", and the City's "Official Community Plan. The proposed building design exceeds current zoning regulations - and would require multiple zoning variances - related to building height, building density, building setback, and as such creates an enormous mass that will overwhelm the site and the City's Inner Harbour skyline. In addition, the proposed building design does not respect, or sensitively integrate into, the historic context of the neighbourhood. As currently proposed the Telus Ocean Building design will result in numerous negative impacts to the residents, businesses and overall look and feel of the Inner Harbour District neighbourhood, Tourism Industry and the City of Victoria. Perhaps the most concern zoning variance request related to the Telus Ocean Building proponents is the building height. The currently proposed building height will forever change the Inner Harbour District skyline, historic character of the neighbourhood and diminish light quality for existing residents, businesses and tourists to this area. Executive House Limited would like to work with the City of Victoria, Telus and Aryze Developments to identify and secure some design modifications to the currently proposed Telus Ocean Building to mitigate against the worst neighbourhood and business impacts of the proposed building design, in a manner that would still enable a modified Telus Ocean Building development to proceed.</p>	777 Douglas
85	Oppose	<p>I would support this proposal if they kept within the height limit defined in the official community plan for downtown Victoria.</p>	788 Humboldt
86	Oppose	<p>I have read the extensive report compiled by the Humboldt Valley Committee and wholeheartedly concur with their observations and recommendations. I agree that the Telus proposed building is much to big for that small plot of land. To erect a building of that magnitude one would need a property 2-3 times that size. Telus is attempting to accommodate the property and make it appear smaller by referring to it as "triangular " etc. However in the final analysis it is a humongous building on a very small plot of land. An analogy would be of a person who wears a size 12 shoe trying to wear a size 8 shoe. It could be done but should not be done because permanent foot problems will occur. The same holds true for trying to put an over sized building on a small piece of land. It can be done but shouldn't because permanent problems will follow ie: ...traffic congestion ( Humboldt being a very small, one way street is not designed to accommodate the influx of car/foot traffic that a building of that magnitude would bring. ...the area is already overwhelmed and over populated. Victorians and tourists alike would be better served if that small piece of land could be used to reduce stress and create a sense of balance and harmony not increase it. The existing rules and guidelines by the city have been created to serve all at many levels. I trust these will not be broken to serve a few.</p>	708 Burdett
87	Oppose	<p>We attended an info session hosted by the developer of Telus Ocean. The fellow hosting it did little to satisfy any question asked by the audience, and answered condescendingly. He left everyone with the impression that they are building their building and all residents in surrounding areas have to just live with it. He had absolutely no answer as to shadows and darkness imposed by the new building, sound from large fans on the roof, or lighting creating by the building at night, and many more. This is a residential neighbourhood, with streets that are not equipped to hold the increase in traffic, and hundreds of taxpaying citizens who will lose their light and views if the City gives them the green light to violate building codes and extend the building height. I truly don't know why their are limits to buildings, as the City seems to approve any and all applications for developers to violate the codes. A restaurant is hounded to license their sandwich board on the street, while all of these buildings can be taller and larger than is set out in the bylaws. It makes no sense, and only seems to serve the developers. I trust City Council will do the right thing, and ensure Telus Ocean adheres to current code. It would be refreshing, appreciated, and go very far in keeping good neighbour relations between this new Telus head office and all of the surrounding residential homes. I trust the city has received a copy of the 'Elephant in the room' in relation to this building. It was researched and written by Andy Wachtel Which summarized: This review finds that the TELUS Ocean proposal, in its ambition to build a landmark office tower at the south end of the downtown, misconstrues or distorts existing rules and guidance on building height, density, setbacks and overall massing. If neighbours built or purchased property in the expectation that the Official Community Plan and its more elaborated Downtown Core Area Plan offered them some assurance that they could foresee the potential impact of further building, this proposal comes as a bad surprise. The proposal needs to be reworked to better respect the context in this historic district.</p>	708 Burdett

88	Oppose	<p>The proposed Telus Ocean Building does not respect the City's Downtown Core Area Plan because it does not adequately integrate into the neighbourhood and it exceeds the area's zoning regulations. The Downtown Core Area Plan values the sensitive integration of new developments within this desirable, historic environment. It would be dishonourable for a development to proceed that does not follow the Plan, which has been put forth and agreed upon by our City's political leaders. The Inner Harbour District is a unique area that provides a significant draw for visitors to Victoria. The City's iconic skyline and the local area's old-world vitality will be harmed if the prescribed Plan is not followed. This will result in irreparable damage to the City's second largest economic driver, the tourism industry. In order to show some semblance of regard for the City's Plan, the building's massive size should be pared back to reduce its dominant impact on the surrounding area. The proposed building surpasses current zoning regulations in all major areas – height, density, and setback. This lack of compliance, if approved, would be very concerning for individuals and businesses who have invested in the area with the fundamental expectation that the community plan put forth by our City officials would be respected. This disregard for basic process would damage the City's reputation and dissuade future investment. In order to attempt to integrate into the neighbourhood, the Telus Ocean Building should be constructed within the height, density, and setback parameters contemplated in the City of Victoria's zoning regulations for the Inner Harbour District.</p>	349 Windermere Place
89	Oppose	<p>The design proposal for the Telus Ocean Building is a modern glass and steel facades that reflect sunlight like a magnifying glass. This creates unbearable microclimate conditions to neighbourhood buildings, pedestrians and vehicles. This style of design is energy inefficient and contributes to global warming. Major cities in the Northern hemisphere have restricted modern glass and steel construction. <a href="https://theconversation.com/glass-skyscrapers-a-great-environmental-folly-that-could-have-been-avoided-116461">https://theconversation.com/glass-skyscrapers-a-great-environmental-folly-that-could-have-been-avoided-116461</a> If the City finds this design acceptable then minimizing size and height by adhering to the existing zoning would be the best direction going forward. The developer should not be able to proceed unless they adhere to the existing zoning regulations (height, density, and setback).</p>	St. Charles Street
90	Oppose	<p>Too modern of architecture. Too dense for the size of the lot. Too high. Locals are in need of more amenities to make downtown living more convenient and attractive (ie: cafes, restaurants and of most importance, a small grocery store).</p>	737 Humboldt
91	Oppose	<p>Telus is asking that the permitted density be increased to 5.56:1 (+39%) and then is applying a storey height 60% taller than the norm which will require a height variance from the DCAP maximum. There are also significant setback variances from DCAP guidelines. The combination of a taller storey and the increase in density will result in the bulk of the building over double what the OCP maximum and the standard storey height for a hotel/condo would produce. Additionally, the Aria was developed next door at a density of 3.6:1 and provided a significant financial amenity contribution of \$275 K to the city. The request for a substantial departure from our OCP and DCAP for a national corporation, is not in the public's interest. I cannot support this project as proposed.</p>	1715 Government Street
92	Oppose	<p>Glass wall more suited to Toronto, not beautiful Victoria. Tourists will NOT be impressed. Construction rumbling down Humboldt will destroy any prospect of retaining the bike lanes — thus destroying another tourist attraction. This building will kill thousands of birds over it's life span. Does this design really respect the Lekwungen people as they claim. Really? This shameful design COULD NOT be more disrespectful.</p>	788 Humboldt
93	Oppose	<p>Victoria Harbour is a Migratory Bird Sanctuary. The first bird sanctuary in Pacific Canada. This glass building will kill thousands and thousands of birds. Please see our website: <a href="https://hvra.ca">https://hvra.ca</a>. for extensive details.</p>	751 Fairfield

94	Oppose	<p>1. The building design is not congruous with the balance of the architecture in its surround. Paris tried to go modern and high, and it was a disaster, the La Défense area an eyesore to this day. The City of Victoria has done an amazing job maintaining much of the historic architecture, and this would stomp on that, not least The Empress Hotel. 2. The entrance on Humboldt, with parking, delivery and every day car traffic would seriously endanger the wonderful bike corridor Victoria is building, an important part of the city going green, critical to combat the climate crisis. If the building must exist, why not move this vehicle traffic to enter off Douglas, that street can handle it. 3. Birds are going to be killed hitting this totally glass building, which would be a travesty, since this is just next to a bird sanctuary and migration route. 4. And finally, why not have a design that embraces the island culture and heritage, particularly something representing native Lekwungen people. Again the city of Victoria has done an amazing job incorporating this culture in other areas of the city. Doing so for this new building would be something tourists and Canadians, and Islanders would want to come and see.</p>	788 Humboldt
95	Oppose	<p>I am opposed to the changes in zoning requirement. If the building were to be built as zoned I would not oppose. The height is my biggest concern as the Fairmont Empress will be ruined and its beauty diminished and cheapened by the corporate logo they are trying to put above it with the request to raise the height of the building. The height is my only opposition.</p>	707 Courtney
96	Oppose	<p>The request to rezone the triangular lot at 767 Douglas Street is shocking in the amount of variance that is requested compared with the Official Community Plan. As to height, the Telus plan states 53 m in their booklet, but 51 m in the development notice. Either height is 11-12 commercial storeys, but over 18 residential storeys. It will be higher than the Hilton and much higher than the Falls or Aria condominiums. All light will be blocked from the South for the Falls condominium and the Hilton, an inhumane situation. The Telus building will tower above the Empress; as one enters from the harbour, the TELUS sign and building will rise above the Empress. This is unacceptable. Even 45 m will overshadow the Neighbourhood and Empress. As to total floor area, Telus requests almost double the amount that the current zone allows. This massive building will destroy the Heritage/Neighbourhood feel of this vital area for residents and tourists alike. At present, the neighbourhood is small businesses and condo/hotel buildings. Telus only needs 2 floors for their employees, so what possible justification explains the need for the massive building with so many office spaces on a small area of land. The design presents a massive and unattractive wall along Burdett Avenue. With the high density and huge floor area, there will be traffic and pedestrian problems. Humboldt Street was closed for a bike path, which is good, but the traffic moved to Burdett. Now, in late afternoon one sometimes has to wait for the light at Burdett and Douglas to change 4 times before one can cross the intersection in a car. The addition of 500 more people in the Telus building will not help. On Douglas Street at present it is very difficult at times to pass on the sidewalk as people waiting for city buses accumulate on the sidewalks. Telus pedestrian traffic won't help as the building is very close to the property line (sidewalk). The point of the building to the North with its 18 story height is particularly offensive as little floor space is gained, but light to surrounding buildings is cut. The Hilton is on a triangle, but the bulk is in the widest part of the triangle. The point of the lot has only a two-storey building. We argue that the Telus Proposal should be rejected. They could achieve all their aims if they move the building toward the Downtown by 3 or 4 blocks into the HA-2 zone where they could have more land and build up to 60 m. Then their only disappointment would be that they could not dominate the skyline behind the Empress. But they could improve Douglas Street.</p>	708 Burdett
97	require changes before considering	<p>I believe that the TELUS Ocean plans must be modified before being considered for rezoning. A minimal list of changes would include: Addressing the overall scale (density and height) of the building to be more in line with the site – without decreasing the proposed setback from the ARIA and the resulting partial view corridor for the Doubletree. Pulling the corner of the building back from the South Plaza so the existing crosswalk across Douglas continues to connect the Conference Centre main entrance with the plaza and the Crystal Garden, and maintains the southwest corner of the plaza. Pulling the building back along the line proposed for the cutback terrace at floor 7 would reduce the building size by only about 10% but significantly reduce the inordinate size of the building façade facing Douglas Street. Ensuring that no signage appears above the Empress roofline as viewed from the Inner Harbour. Proposing an effective strategy for minimizing bird strikes.</p>	737 Humboldt



98	Scope of building is too large	The scope of this building is too large. When it was brought forward we were led to believe it was going to be 12 stories high. The actual height is 17 stories high. It will wipe out view for established businesses and residences in the Marriott, doubletree and the Falls. These buildings have been paying taxes and supporting this community for a very long time.	751 Fairfield
99	Support	The "scales" on the fascade to reduce the wind is a nice design feature. The all glass façade is uninspiring and lacks the richness, warmth and variations found in surrounding heritage buildings. But by far, if one could wish for one thing, are to have the presences of soft corners / forms to be more be interesting of a building to look at. The sharp angles appeals more to construction practicality and business as usual rather than art and curiosity.	777 Blanshard
100	Support	I am in favour only IF the building proposed by Telus is changed to satisfy the current zoning restrictions (i.e. the total height, including logo, does not exceed the allowable height). Telus must not be granted an exception.	788 Humboldt
101	support with adherence to OCP heights/setbacks	We support the proposed Telus tower but feel that a reduced height and mass, to something more graceful is warranted. The "blockiness" of their design doesn't relate to anything in the area and is really kind of "in your face" architecture. Please ensure that their adhere to the OCP guidelines. thank you	737 Humboldt
102	Telus Ocean must be redesigned to have all vehicles enter/leave via Douglas Street.	Telus Ocean, as currently proposed, would generate an enormous additional volume of vehicles onto the portion of Humboldt St. which runs between Blanshard and Douglas Streets. Included would be the vehicles of workers in the building, visitors, clients, etc. The loading docks and waste areas accessed off Humboldt will also generate significant traffic from trucks and vans involved in the delivery of supplies and the removal of trash and recycling. All of this vehicular traffic should access Telus Ocean from Douglas St. which is designed for heavy traffic use. Humboldt Street, specifically between Blanshard and Douglas Streets, has just undergone a major reconfiguration resulting in a single lane for vehicular traffic going east and west. Humboldt's second vehicular lane has been reallocated to two bike lanes, one going east, the other west. In the short block and a half of this section of Humboldt there are three large condo buildings (Belvedere, Aria and Biltmore) with hundreds of cars/trucks used by residents and various suppliers, waste disposal companies, etc., the Marriott Hotel with 236 rooms which generates considerable vehicular traffic by guests, staff, taxis, tour buses and supply trucks, also a church, a pub, several businesses (real estate offices, jewellers, medical and dental clinics, financial advice office, mortgage brokers, and skin clinic. Most importantly this stretch of road also services a day care centre with parents constantly dropping off and picking up children. In short there is a lot of vehicle use over this small stretch of Humboldt and drivers are still getting used to the dramatic change in the new layout of the street. It will take time to assess the impact, good or bad. Victoria has been developing a network of biking lanes in an attempt to encourage commuters to give up vehicle usage in favour or transit, walking or biking. Studies supporting this goal have emphasized the need for cyclists to feel safe in using city streets. If Telus Ocean is allowed to create a whole new vehicular traffic problem on Humboldt Street, the result will not be safe for cyclists or the drivers of vehicles already making use of this road on a daily basis. If Council allows the Telus Ocean development to proceed as proposed. The additional traffic load on Humboldt Street between Blanshard and Douglas Streets, will turn this small section of road into a major artery and, in so doing, defeat Council's goal of providing a safe cycling route through this neighbourhood. Council has spent a lot of money to close off access from Humboldt St. onto Douglas, introduce speed bumps and reconfigure the road to encourage cyclists. It wouldn't make sense to reverse all that by inviting the users of Telus Ocean to commute down a one-lane road flanked on both sides by cyclists. Please insist that Telus change its plans to allow vehicle access from Douglas only.	788 Humboldt
103	This building is too large and overwhelming	I think a statement building could be achieved without the height variance requested. It is deceptive and devious to call this an 11 or 12 storey building when in fact it TOWERS above the 12 storey residential building next door to it! I realise commercial buildings have more height per floor, but the fact that the logo shines brightly above the roofline of the Empress (along with much of the building) seems to overwhelm the site and surrounding buildings.	737 Humboldt

104	We like the general concept but want Telus Ocean to be scaled down to be closer to the zoning guidelines.	The developer is asking permission for the Telus Ocean building to relax zoning to allow a floor space almost twice what the zoning regulations allow for this property. If built, this building would overshadow everything else in the surrounding neighbourhood, including the Empress. Those of us down Humboldt in the Belvedere building, just over 100 m from the proposal, would see significant shadowing, particularly in late afternoon and evening from April to the end of August (see <a href="https://www.suncalc.org">https://www.suncalc.org</a> to verify). We agree with many of the concerns about this development presented in the Humboldt Valley report on the Telus Ocean proposal, and believe this will still be an iconic and important building in Victoria even when it is scaled down in size. Thanks, and good luck!	788 Humboldt
	We like the general concept but want Telus Ocean to be scaled down to be closer to the zoning guidelines.	The developer is asking permission for the Telus Ocean building to relax zoning to allow a floor space almost twice what the zoning regulations allow for this property. If built, this building would overshadow everything else in the surrounding neighbourhood, including the Empress. Those of us down Humboldt in the Belvedere building, just over 100 m from the proposal, would see significant shadowing, particularly in late afternoon and evening from April to the end of August (see <a href="https://www.suncalc.org">https://www.suncalc.org</a> to verify). We agree with many of the concerns about this development presented in the Humboldt Valley report on the Telus Ocean proposal, and believe this will still be an iconic and important building in Victoria even when it is scaled down in size. Thanks, and good luck!	788 Humboldt
1	Support	I think the one lane for vehicle traffic on this already very busy street needs to be changed to reflect the numerous vehicles coming to the two hotels and 3 strata buildings and this will only increase with the addition of the Telus building and it's underground parking. The cycling route needs to be diverted to another roadway before there is a serious accident.	737 Humboldt
2	Support	it's a BIT too tall otherwise it's better than the car lot the city has allowed to exist there for SO long!	828 Rupert Terr.
3	Support with reservations about traffic patterns.	In general, I support this project. However, I have serious concerns about how the increase in traffic on Humboldt -- which is already a recipe for accidents with the recent shared lane changes -- will be managed. I've seen nothing in the documents from the builders that suggests this is being dealt with in a realistic way. I'm also concerned about the impact on surrounding buildings, such as the Aria. Mostly, however, I would like to see the traffic issues addressed. I don't think that the current set up of Humboldt will provide a safe means for the Telus workers and others going to the new building to go to and from. It will also make getting in and out of the Aria parkade and onto the street a lot more difficult, particularly with the shared lane arrangement that currently exists. At the very least, Humboldt should be put back to being a normal street, or access to the Telus building should be from Douglas and not Humboldt.	737 Humboldt
4	Support	We think this development looks beautiful and would be a welcome addition to the Humboldt street corridor. We realize it is taller has a larger footprint than some local residents might prefer, and that there are concerns about increased traffic. But having read a great deal of the material that the proposer and city officials have provided, we do not think those concerns outweigh the aesthetic value of the completed building, and what we believe will be its positive economic effect on the area. We note as well the concerns about increased traffic, but since the existing, recently imposed traffic pattern is a terrible hodge-lodge that is very difficult to comprehend (a development on which we were not consulted), we think that most traffic issues could be ameliorated by returning to a normal traffic configuration for all of Humboldt Street.	788 Humboldt
5	Support	We think this development looks beautiful and would be a welcome addition to the Humboldt street corridor. We realize it is taller has a larger footprint than some local residents might prefer, and that there are concerns about increased traffic. But having read a great deal of the material that the proposer and city officials have provided, we do not think those concerns outweigh the aesthetic value of the completed building, and what we believe will be its positive economic effect on the area. We note as well the concerns about increased traffic, but since the existing, recently imposed traffic pattern is a terrible hodge-lodge that is very difficult to comprehend (a development on which we were not consulted), we think that most traffic issues could be ameliorated by returning to a normal traffic configuration for all of Humboldt Street.	788 Humboldt

6	Support	I am opposed to a large screen and telus sign. Otherwise, I am happy that the regional Telus building will be in this location as it will benefit our local business sector.	737 Humboldt
7	We object to the proposal to include a large screen on the exterior of the building for public celebrations.	The most recent proposal included a large screen on the exterior of the building. We feel this is inappropriate or the residential location. It is not a suitable place for public gatherings.	737 Humboldt
8	We object to the proposal to include a large screen on the exterior of the building for public celebrations.	The most recent proposal included a large screen on the exterior of the building. We feel this is inappropriate or the residential location. It is not a suitable place for public gatherings.	737 Humboldt
9	Support	I think the addition of the TELUS building is an improvement over the existing rental car lots on such a prominent street corner in the downtown core. Obviously, the construction for the duration of the time required to complete this project will be a nuisance; however, I believe the overall benefit of the result of the project outweighs the negative aspects. The biggest concern I have is to ensure the pedestrian spaces are maintained and the safety for those who bike through this route. I do hope that there will not be any gaudy signage or any light up billboards or screens. Otherwise, I am in support of this building.	737 Humboldt
10	Support	I think it will be a great improvement compared to a car lot. One thing I would like to see is improved public/ pedestrian spaces as a result of this development. I do believe that bringing in some architecturally unique is key to the future and present health of the city, as well will promote density vs endless, uninspiring sprawl that we are seeing in the Westshore	737 Humboldt
11	Support	Largest concern is the parking entrance. The whole point of blocking off Humboldt S street from direct access to Douglas Street was to reduce the traffic going up and down Humboldt Street. Additional bike lanes were installed all last year to facilitate reducing the car traffic up and down this street. It is entirely counterproductive to have access to parking for this building on Humboldt Street. If access to parking for this building is on Humboldt Street, the newer barrier to car access directly off Douglas should be removed. Otherwise, you are going to have a significant increase in vehicle traffic using the already tight Humboldt Street or Penwell Street.	737 Humboldt
12	Support	I am concerned about the new two bike lanes and only one lane for 2-way traffic for cars on Humboldt. It is a dangerous hazard for everyone because there are 3 condo buildings and 2 hotels. Traffic will be even worse with the TELUS building.	737 Humboldt
1	Support		788 Humboldt
2	Support		737 Humboldt
3	Support	This will be a welcome asset to the community. No mess involved with loading docks, that might occur with an example of a grocery store, etc. Therefore, business hours, & no loitering. Further, it brings us into the 21 st. Century in design, public access and concern for landscape. TELUS has proven itself to be community aware and brings a positivity in supporting local cause while managing a complicated business. Onwards & Upwards!	737 Humboldt
4	Support		737 Humboldt
5	Support		737 Humboldt
6	Support	We need more densification and development downtown, and I am in support of this project replacing a current ground level parking / car rental area.	751 Fairfield
7	Support		3381 Cook
8	Support		751 Fairfield

9	Support	I appreciate the way it meets the street, and how it pays homage to the flat iron building shape. I only wish it was taller. It seems a shame for such a prime location to have such a short building. I also hope the project doesn't cheap out and use spandrel glass.	785 Caledonia
10	Support	Excited to see such an architecturally interesting proposal for this space. Looking forward to a splash of vibrancy in this section of the city. It's a great location and deserves a great project.	937 Caledonia
11	Support		788 Humboldt

**Notes:**

- 1 Respondents that indicated "Support" but requested changes in form, shape, massing, etc that would amount to a building redesign, were marked as NOT in support.
- 2 Respondents that indicated "Support" but requested changes to peripheral aspects of the project (traffic, lighting, signage) and not related to a building redesign were marked as QUALIFIED support.
- 3 Respondents that indicated "Oppose" but requested changes to peripheral aspects of the project (traffic, lighting, signage) and not related to a building redesign were marked as QUALIFIED support.





**GYE + ASSOCIATES**

Consultants in Urban Forestry and Arboriculture

## **Summary Arborist Report**

### **Telus Place 749 – 767 Douglas Street, Victoria, BC**

Date of Report: December 18, 2020

Dates of Field Work: June 11, 2020

Prepared by Jeremy Gye, Senior Consultant  
Gye and Associates, Urban Forestry Consultants Ltd.  
Tel: (250) 544-1700  
Email: [jgye@gyeandassociates.ca](mailto:jgye@gyeandassociates.ca)

## EXECUTIVE SUMMARY

The Telus Ocean project is a midrise (10 storey) commercial building development that includes extensive works along the street frontage.

- All of the trees within the site boundaries (eight in total, six of which are bylaw-protected) will be cleared and replaced at landscape phase to make way for the building and parkade excavation.
- In addition, seven public boulevard trees will be removed and replaced to make way for improvements within the road right-of-way along both Douglas and Humboldt.
- Five off-site trees and three boulevard trees shall be retained and protected.
- A minimum of twelve new replacement trees shall be planted at landscape phase in compliance with the 2:1 replacement ratio in the City's Tree Preservation Bylaw. In addition, numerous well-sized boulevard tree plantings are proposed. (See the Landscape Planting Plan prepared by PFS Studio)

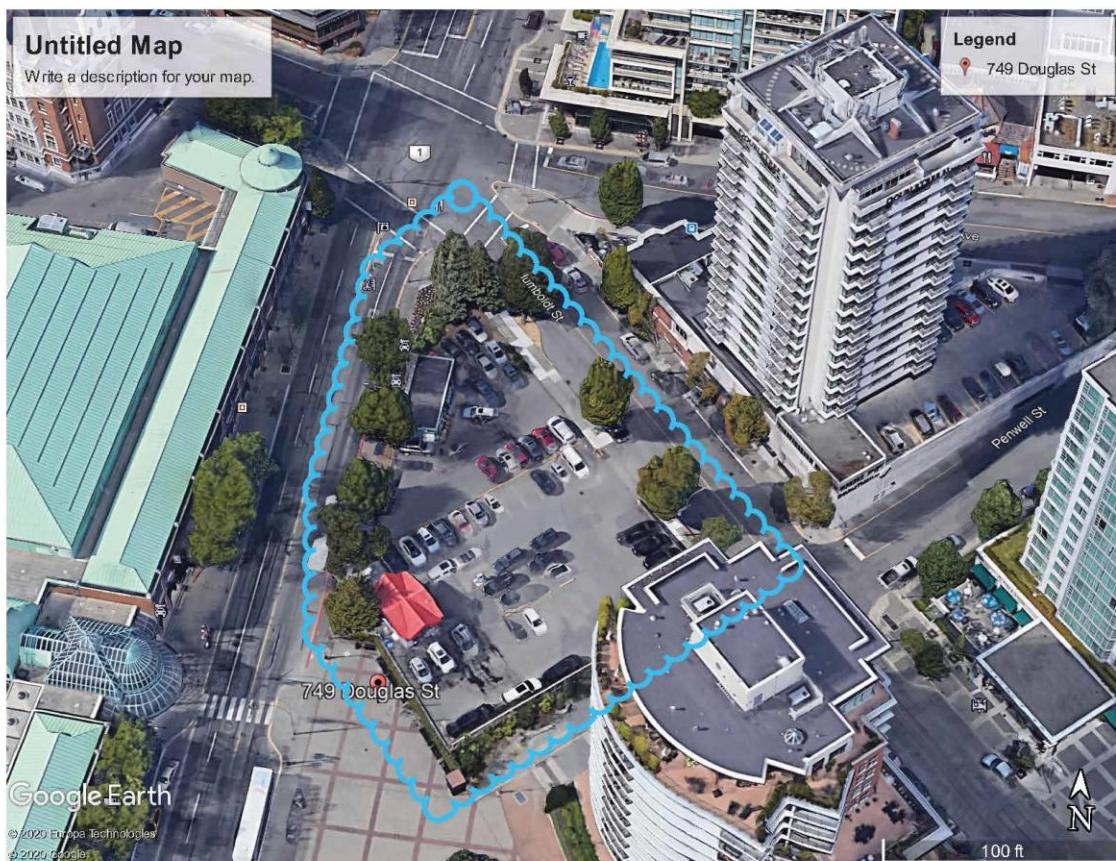


Figure-1 Site context image



## **BACKGROUND**

Telus BC is applying for rezoning and a development permit for a midrise (10 storey) commercial building at 749 and 767 Douglas Street. The development anticipates extensive works along the street frontages of both Douglas and Humboldt streets.

## **ASSIGNMENT**

Gye and Associates (G&A) have been retained to Prepare a Tree Preservation Plan (TPP) and written summary for the project, in accordance with the City's published Terms of Reference. The TPP addresses all phases of the development requiring tree protection, including site preparation, on-site servicing, construction, landscaping and post-construction care.

## **METHODOLOGY**

A visual assessment of the site and associated trees was completed in June of 2020. Trees growing on the site, boulevard trees and trees growing on private land immediately adjacent to the site were inventoried, measured and assessed for health and structural integrity. Site conditions associated with these trees were also assessed, including impervious surface, topography, and indications of prior land use and disturbance.

The species, age and condition of the trees, along with their associated site conditions, were considered in assessing constraints to the growing environments of the trees affecting the extent, configuration and productivity of their root systems.

A legal topographic survey plan and architectural site plan drawings were used as a base to develop the tree plan drawing to scale in CAD and analyse potential conflicts between trees and built elements, including site grading. G&A consulted with the project design consultants and staff from the City of Victoria Parks department in assessing opportunities for tree retention.

## **OBSERVATIONS**

The site has been used for many years to as a location for an automotive rental business. Most of the site is covered in asphalt or concrete. The grade of the site drops by approximately 2m from north to south and east to west.

Most of the trees associated with the site are located around the periphery and include both on-site, private off-site and boulevard trees. Tree genera are non-native and diverse, including oak, maple, honeylocust, hornbeam, pine and false-cypress. Stem size ranges from 6 – 54cm diameter, measured 1.4m above grade. Most of the trees are in fair - good condition.





Figure-2 Boulevard maples looking north along Humboldt Street



Figure-3 Neighbouring trees along south boundary of site





#### Site plan review:

The proposed site plan proposes a “boundary-to-boundary” build out to make way for underground parking beneath a 10 storey commercial building. The amount of disturbance and soil removal associated with excavating for the parkade and building foundation, as well as associated underground servicing and street-frontage improvements, minimizes opportunities for mature tree preservation.

- All of the trees within the site boundaries (eight in total, six of which are bylaw-protected) will be cleared and replaced at landscape phase to make way for the building and parkade excavation.
- In addition, seven public boulevard trees will be removed and replaced to make way for improvements within the road right-of-way along both Douglas and Humboldt.
- Five off-site trees and three boulevard trees shall be retained and protected.
- A minimum of twelve new replacement trees shall be planted at landscape phase (see PFS Landscape Planting Plan).

## DISCUSSION

While opportunities for tree preservation with this project are limited, it presents opportunities to establish viable planting environments within which to grow medium-sized trees that will be well-suited to the new land use, the challenges of a highly built urban environment and a changing climate. Irrigated Planting vaults, interconnected where possible, with generous volumes of a sandy-loam mineral soil will support new tree plantings to thrive and develop to their full mature potential.

## TREE MANAGEMENT MEASURES

#### Role of the Arborist

- **Design and permitting:** During the design and permitting phase of this project, the role of the arborist is to assist the design team to take account of the existing tree resource in their site planning and design, as required by the City’s Tree Preservation Bylaw. The arborist does this by providing scaled renderings of the trees’ canopies and root zones in plan view and noting points of potential conflict.
- **On-site Services:** During construction, the role of the arborist is to ensure that the general contractor is aware of the building permit’s requirements to protect existing trees, where indicated, and to review the tree protection measures specified on the Tree Preservation Plan drawing. Prior to demolition or site preparation, the contractor shall meet with the arborist to review the tree plan, including the layout and standard for tree protection fencing, any soil armoured that may be required and to clearly identify trees designated for removal.
- **Blasting and rock removal:** Should rock blasting be required as part of site preparation in the vicinity of existing trees, the arborist will meet again with the general contractor and the blasting contractor to develop a blasting plan that will minimize impacts to the tree habitat. Special measures may include modifying



the type of explosive, size of charges, detonation timing, pre-shearing and order of rock removal to create relief for the blast wave away from the protected trees.

- **Excavating around trees:** The arborist shall supervise all excavation adjacent to protected tree areas. Any impacted tree roots will be pruned cleanly back to undamaged tissue. Excavated cuts will be securely covered by the contractor with an impermeable fabric to prevent dessication and erosion of the soils.
- **Landscaping:** The limited opportunities for mature tree preservation and the City's Urban Forest policies for re-greening (see the City of Victoria Urban Forest Master Plan) place significant onus on the project and its landscape design to ensure generous levels of new tree planting where space allows.

This goal includes the need to ensure that the growing environments needed to support the development of the trees to maturity are also designed and constructed. The project arborist shall work with the Landscape Architect to ensure that these performance outcomes are met. This includes oversight of tree selection, placement, planting, irrigation, mulching and periodic monitoring during the establishment period (2 dry seasons).

At landscape construction stage, the arborist shall meet with the general contractor, the landscape architect and the landscape contractor to review proposed landscaping and best practices within or adjacent to protected trees.

- **Site inspections:** The arborist will conduct regular site inspections throughout the duration of the project to ensure that tree protection measures are being complied with and any deficiencies are remedied in a timely manner.
- **A complete list of tree protection measures is included in the Tree Plan drawing.**

## CERTIFICATION

This report and the opinions expressed within it have been prepared in good faith and to accepted arboricultural standards within the scope afforded by its terms of reference and the resources made available to the consultant.

## APPENDICE Tree Management Plan drawing

Respectfully submitted,

Jeremy Gye – Senior Consultant

Gye and Associates, Urban Forestry Consultants Ltd.

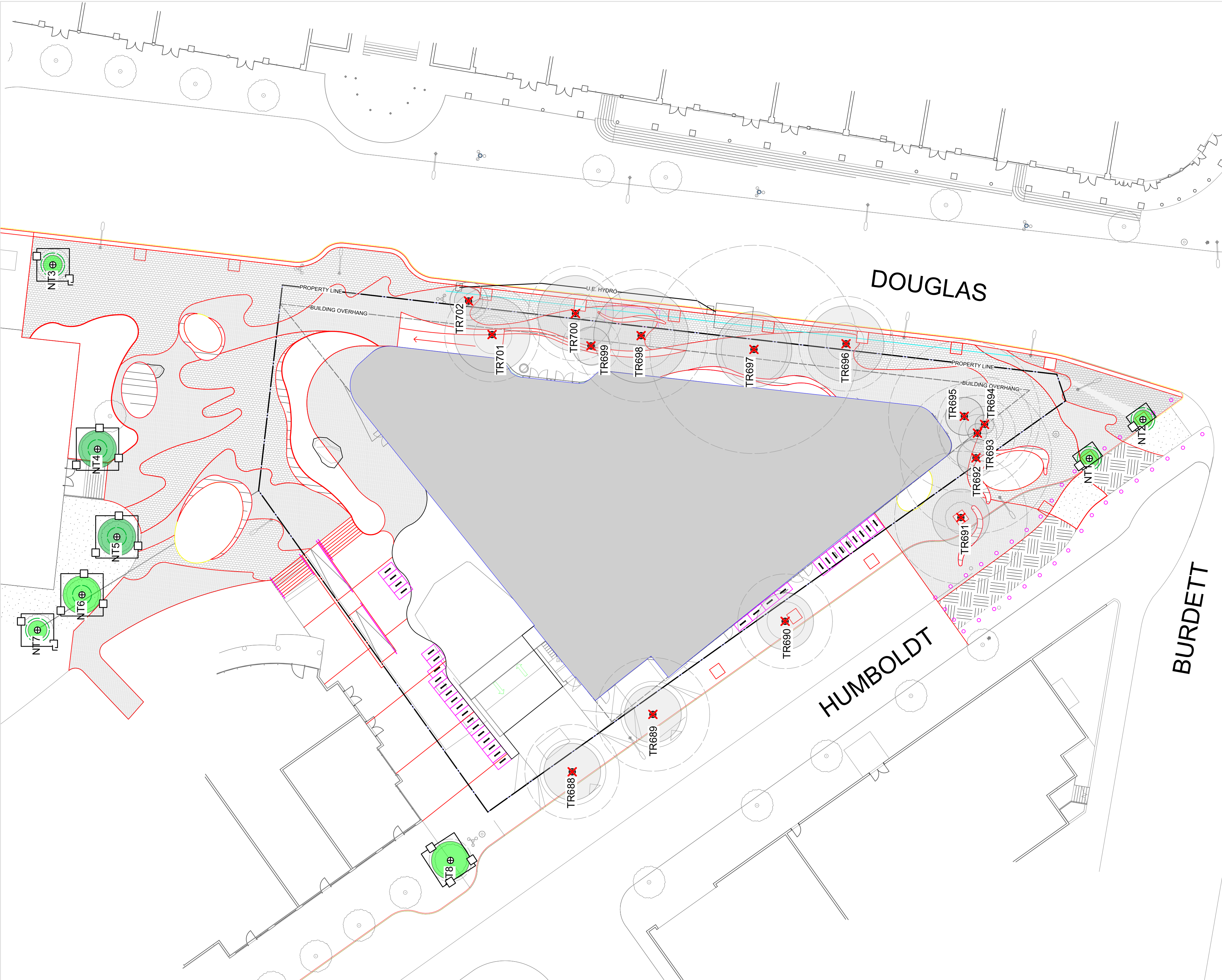
**Consulting Arborist** (Diploma, American Society of Consulting Arborists, 1997)

**ISA Certified Arborist** (Certification No. PN-0144A)

**ISA Municipal Specialist** (Certification No. PN-0144AM)

**ISA Tree Risk Assessment Qualified**





TREE INVENTORY TABLE									
Tree Tag No.	Common Name	DBH (cm)	PRZr (m)	Crown Radius (m)	Health	Structural Condition	Bylaw or Public Tree?	Notes	Action
688	Bohall red maple	33	5	3	Fair	Good	Public	Tree is in state of early decline; possible root damage by sidewalk adjustment.	Remove - construction conflict
689	Bohall red maple	38	6	3	Good	Good	Public	Indications of recent sidewalk adjustment	Remove - construction conflict
690	Bohall red maple	35	5	3	Good	Good	Public	Indications of recent sidewalk adjustment	Remove - construction conflict
691	Bohall red maple	48	7	3	Good	Good	Public	Indications of recent sidewalk adjustment	Remove - construction conflict
692	Lawson cypress	54	8	2	Good	Poor	Yes	Codominant stems with included bark; moderate defect	Remove - construction conflict
693	Lawson cypress	26	4	1	Fair	Good	No		Remove - construction conflict
694	Lawson cypress	35	5	1	Good	Good	Yes		Remove - construction conflict
695	Lawson cypress	53	8	2	Good	Fair	Yes	Two stems	Remove - construction conflict
696	English oak 'Fasitigiata'	34	5	4	Fair	Fair	Public		Remove - construction conflict
697	European hornbeam 'Fastigata'	73	11	4	Good	Good	Yes	Mult-stemmed	Remove - construction conflict
698	European hornbeam 'Fastigata'	44	7	5	Good	Good	Yes	Three stems	Remove - construction conflict
699	Red cedar	22	3	2	Good	Poor	No	Topped for sign clearance	Remove - construction conflict
700	English oak 'Fasitigiata'	31	5	4	Good	Good	Public		Remove - construction conflict
701	Red cedar	36	5	4	Good	Good	Yes		Remove - construction conflict
702	Flowering cherry	15	2	1.5	Dead	n/a	Public		Remove - construction conflict
NT1	Honey locust	6	1	1	Fair	Good	Public	Newly planted tree	Retain
NT2	Honey locust	6	1	1	Fair	Good	Public	Newly planted tree	Retain
NT3	Persian ironwood 'Vanessa'	6	1	1	Good	Fair	No	Recent stem wound	Retain
NT4	Pinus contorta	8	1	2	Good	Good	No		Retain
NT5	Pinus contorta	8	1	2	Good	Good	No		Retain
NT6	Arbutus 'Maritima'	7	1	2	Good	Good	No		Retain
NT7	Arbutus 'Maritima'	9	1	1	Good	Fair	No	Two stems	Retain
NT8	Arbutus 'Maritima'	15	2	2	Good	Good	Public	Two stems	Retain

TREE PRESERVATION MEASURES

1. **Pre-construction meeting:** Before demolition or site preparation begins, the owner and contractor shall meet with the arborist to review the placement of fencing and other tree protection measures within this plan. The Project Arborist shall clearly mark the boundaries of all areas to be fenced and protected.

2. **Tree Fencing:**

a) Tree protection fencing and all-weather signage shall be installed to City of Victoria standards at the locations indicated on this drawing prior to demolition or building permit being issued (see fencing and signage detail on plan).

b) Tree protection fencing shall be maintained in good condition throughout the duration of the project.

c) Requests to temporarily remove or move tree fencing must be reviewed by the project arborist for approval.

3. **Root & branch pruning and protection:**

a) Any tree roots or branches damaged during site work shall be pruned back to undamaged tissue by the arborist.

b) The vertical face of excavated cuts adjacent to the TPAs shall be securely covered with non-permeable fabric by the project arborist to prevent soil desiccation and erosion.

4. **Irrigation:** Retained trees shall be irrigated twice weekly during the dry summer period to a minimum effective depth of 30cm.

5. **Temporary access:** If temporary access is required within a tree protection area (TPA), the contractor shall notify the project arborist in advance and review the access requirements and any additional protective measures prescribed by the arborist.

6. **Soil armouring:** If it is not possible to fence the entire PRZ, the unprotected portion of the PRZ shall be armoured with a double-layer of 3/4" plywood or 1/2" metal plate.

7. **Storage restrictions:** No equipment, materials or excavated soil shall be placed or stored within the TPA.

8. **Procedure for rock removal near tree root zones:**

a) The general contractor will convene a meeting with the arborist and blasting contractor prior to drilling to develop a work plan that minimizes rock removal impacts to protected trees.

b) Where considered necessary by the arborist, alternate rock removal techniques, such as hoe-ramming, shall be used in place of blasting.

c) Blasting vibrations in the vicinity of the Tree Protection Areas are not to exceed a measured peak particle velocity of 25 mm/sec.

Tree Protection Fencing Detail

Modular steel panel fencing is recommended in order to reduce land-fill waste post-construction. Fencing panels shall be secured to the ground with rebar wired to panel frame.

16 x 24" all-weather signage will be attached with the following wording:  
For protected trees: **DO NOT ENTER** – Tree Protection Zone  
For replacement/landscape tree planting sites: **DO NOT ENTER** – Future Tree Planting Zone

In cases where steel-panel fencing is not practical or available, fencing shall be constructed with a wooden 2x4 frame (side, top and bottom rails) and back-bracing supports as required to ensure robust placement. Snow-fencing will then be affixed to the frame using battens, zip-ties, staples, wire or nails.



TREE PROTECTION FENCING SIGNAGE

(Signs shall be 16x24" and made to sustain all weather conditions)



SUMMARY TREE STATISTICS	
CATEGORY	# OF TREES
Total number of trees indicated on Tree Management Plan	23
(Boulevard Trees)	10
(Adjacent Off-site Trees)	5
(On-site Unprotected Trees)	2
(On-site Bylaw-Protected Trees)	6
Requested Protected Tree Removals from site	6
Requested Public Tree Removals	7
Requested Tree Removals from adjacent properties	0
Total Residual Number of On-site Protected Trees	0
Replacement Trees Required by Tree Bylaw	12
See Landscape Plan for proposed street tree plantings	

LEGEND

CONIFER

TREE CANOPY

TREE CENTRE

PROTECTED ROOT ZONE

DECIDUOUS

TREE TAG #

REMOVE TREE SYMBOL

20

20

20

20

20

20

20

Trees to be retained undisturbed

Trees to be removed

GyeandAssociates.ca

PROJECT  
TELUS OCEAN  
749 - 767 Douglas Street  
Victoria, BC

SHEET TITLE  
Tree Management Plan

0	FOR REVIEW	
REV NO	DESCRIPTION	DATE

PROJECT NO.

20-027

DATE

December 18, 2020

SCALE

1:250

DRAWN BY

JG

SHEET NO.

T - 1





# 767 Douglas Street Transportation Impact Assessment

Final Report

---

Prepared for

Telus Corporate Real Estate

Date

January 28, 2021

Project No.

04-20-0068



January 28, 2021

04-20-0068

Manasweeta Bhatia  
Senior Program Manager  
Telus Corporate Real Estate  
Email: Manasweeta.Bhatia@telus.com

Dear Manasweeta:

**Re: 767 Douglas Street, Transportation Impact Assessment  
Final Report**

Bunt & Associates Engineering Ltd. (Bunt) has completed our Transportation Impact Assessment (TIA) for the proposed office and commercial development at 767 Douglas Street, Victoria, BC. Our report is provided herewith which reviews the development's on- and off-site transportation impacts.

We trust that our input will be of assistance. Please do not hesitate to contact us should you have any questions.

Best regards,  
**Bunt & Associates**



Jason Potter, M.Sc. PTP  
Senior Transportation Planner / Associate

## CORPORATE AUTHORIZATION

Prepared By: Jason Potter, PTP  
Professional Transportation  
Planner

Bunt & Associates Engineering Ltd.  
Suite 530, 645 Fort Street  
Victoria, BC V8W 1G2  
Canada

Reviewed By: Simon Button, P.Eng., PMP  
Transportation Engineer

Telephone: +1 250 592 6122

Date: January 28, 2021

Project No. 04-20-0068

Status: Final



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## EXECUTIVE SUMMARY

Telus Corporate Real Estate is proposing to develop an 11-storey office building with 392 m<sup>2</sup> of ground-level commercial space at 767 Douglas Street in Victoria, BC.

The site is currently occupied with a car rental office and parking lot. The study area intersections currently operate within vehicle capacity thresholds during the weekday AM and PM peak hour periods.

High-end assumptions result in the proposed development generating approximately 51 vehicle trips (inbound and outbound combined) during the weekday AM and 66 trips during the PM peak hour, but likely less than this given its downtown location with shops and services within walking and cycling distance and good transit access.

Our analysis indicates that the proposed development will have minimal impact on the adjacent road network. Most vehicle trips generated by the development will travel through intersections that are currently operating well within operational capacity thresholds. The study area is anticipated to remain well within operational capacity thresholds after completion and full occupation of the proposed development.

The proposed supply of 127 parking spaces is considered appropriate for this development. Actual parking demand for the building which is dependent on pricing and employed Transportation Demand Management (TDM) initiatives, is anticipated to be below the 127 offered spaces. This presents the opportunity for additional parking spaces beyond building demand to accommodate external building parking demand in Victoria's downtown area.

Telus Corporate Real Estate will be exceeding Victoria Bylaw bicycle parking requirements with 100 Long-term bicycle spaces and 41 Short-term spaces as well as end-of-trip facilities to further enable active transportation.

The development's focus on the surrounding public realm area is a progressive step toward enabling walking in this important public area. The site plan also indicates strong integration with transit with a custom bus stop along the site's Douglas Street frontage and weather protected areas for transit passengers.

Telus Corporate Real Estate will also provide electric charging ability to a portion of the development's vehicle parking spaces as well as the proposed bicycle room with wiring to allow for further electric charging as the demand increases.

## 1. INTRODUCTION

### 1.1 Study Purpose & Objectives

Telus Corporate Real Estate is proposing to develop an 11-storey office rental building in downtown Victoria at 767 Douglas Street. The project will feature over 14,122 square meters of office space and approximately 392 square meters of ground level, neighbourhood serving, commercial space. The commercial space is anticipated to include a restaurant.

Bunt & Associates was retained by Telus Corporate Real Estate to assess the transportation and parking implications of the proposed development. This Transportation Impact Assessment (TIA) will accompany Telus Corporate Real Estate's rezoning application. The purpose of this study is to:

- Evaluate the transportation impacts of the proposed development on the adjacent road network;
- Review the development's parking strategy;
- Evaluate the proposed site plan, its proposed access and internal vehicle circulation; and,
- Present Transportation Demand Management (TDM) strategies for lowering the site's vehicle demand.

The location of the proposed development is illustrated in **Exhibit 1.1**.



## Exhibit 1.1 Site Location

Telus Ocean  
July 2020

04-20-0068



## 1.2 Proposed Development

The proposed land uses are summarized in **Table 1.1**.

**Table 1.1: Proposed Land Uses**

LAND USE	SQUARE METERS	SQUARE FEET
Office	12,714	136,852
Medical Office	1,408	15,156
Restaurant	298	3,208
Retail	94	1,012
<b>TOTAL</b>	<b>14,513</b>	<b>156,228</b>

The building's ground-level commercial spaces are intended to consist of two to three neighbourhood-serving retail units, one of which is anticipated to be a restaurant.

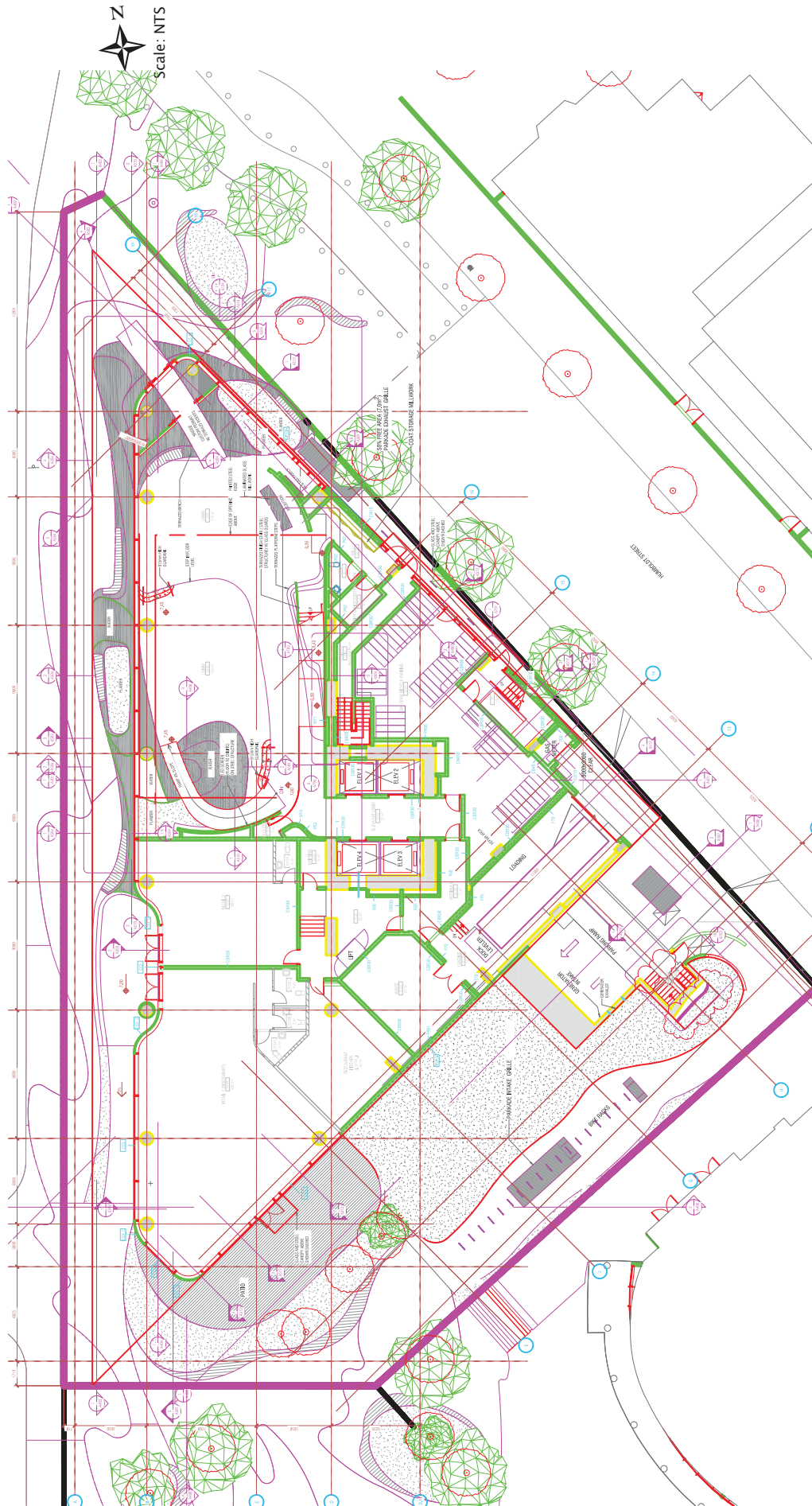
The development will be supported with 127 parking spaces located in a three-level underground parkade. The management of the parking spaces is unknown at this time however the proposed parking supply is anticipated to be greater than the building's demand, allowing for parking spaces to be available to people unrelated to the building.

The vehicle access to the parkade is on Humboldt Street, along the north edge of the site.

The site is currently zoned as CA-4 (Central Area Commercial Office District).

The proposed site plan (level 1) is shown in **Exhibit 1.2**.





Source: Diamond Schmitt Architects

## Exhibit 1.2 Site Plan

Telus Ocean  
January 2021

04-20-0068

## 2. EXISTING CONDITIONS

### 2.1 Land Use

767 Douglas Street is currently occupied with a car rental office and surface parking lot. It is accessed from two driveways on Humboldt Street with no vehicle access from Douglas Street.

### 2.2 Existing Transportation Network

#### 2.2.1 Road Network

The site is located in the heart of Victoria's Harbour area. The study area was confirmed in consultation with City of Victoria Engineering Department (Transportation) staff. The adjacent road network and its laning configuration are illustrated in **Exhibit 2.1**.

Douglas Street is a two-way north/south major arterial and transit route. It has two travel lanes in each direction however the curbside lane adjacent to the development site accommodates a BC Transit bus stop. Further to the south, Douglas Street's curbside lane is used by regional buses as Victoria's Bus Terminal is located south of the development site in the Victoria Conference Centre's Crystal Garden building.

Humboldt Street is a two-way local road with connections north to Burdett Avenue along Penwell Street, and east to Blanshard Street. Humboldt Street was disconnected from Douglas Street to vehicles in 2019 as part of Victoria's cycling network program where a buffered bike route now runs along the south side of Humboldt Street to the west of Douglas Street. As Humboldt Street is no longer a through street, it encounters local street levels of vehicle volumes.

Humboldt Street adjacent to the development site extending to Blanshard Street was converted into an advisory bike route in 2020. The advisory bike lane pavement markings act as a traffic calming measure as bike lanes pavement markings cause a narrowed two-way vehicle lane. The narrowed two-way drive aisle forces vehicles to move into the adjacent bike lanes as they drive pass a vehicle traveling in the opposite direction.

#### 2.2.2 Transit Network

The site is well serviced by public transit. There are bus stops on site's Douglas Street frontage that services northbound passengers and a bus stop across Douglas Street for southbound passengers.

The northbound bus stop accommodates seven bus routes. The transit routes and service details are provided in **Table 2.1**. The area's transit network is presented in **Exhibit 2.2**.



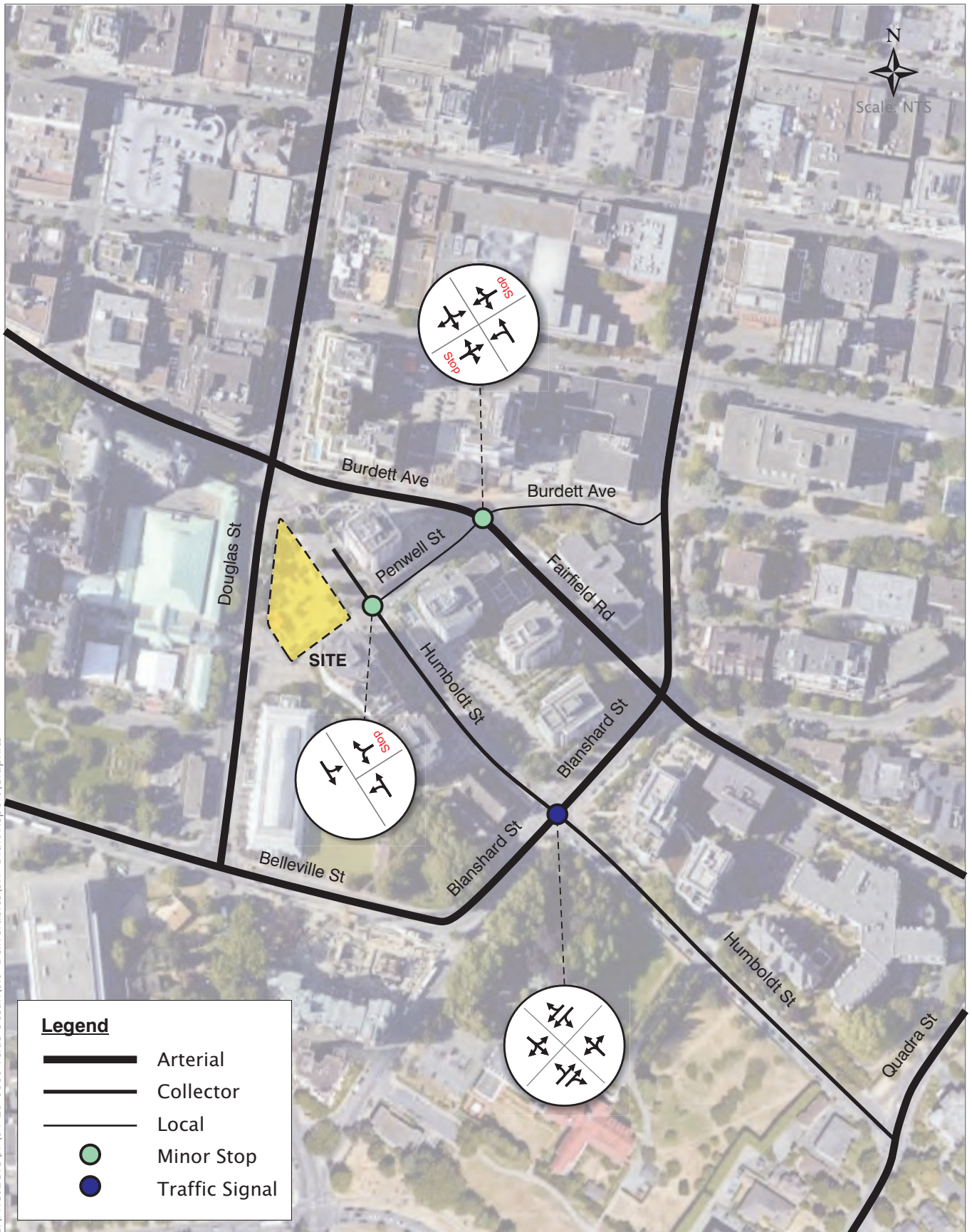
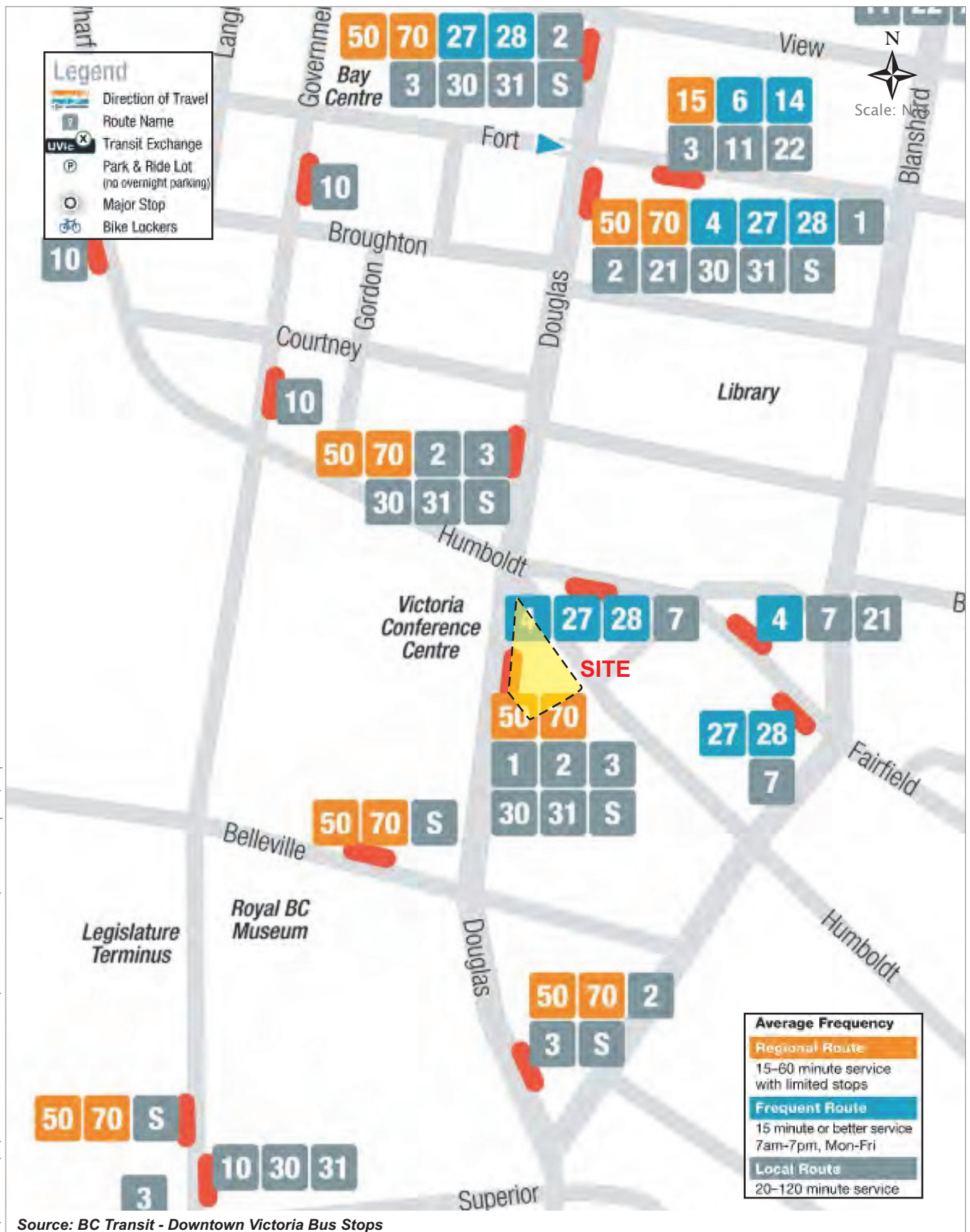


Exhibit 2.1  
Study Area Laning & Traffic Control



## Exhibit 2.2 Transit Routes & Stops

04-20-0068

Telus Ocean  
July 2020



**Table 2.1: Transit Service at Adjacent Bus Stops**

Bus Route No.	Description	Weekday AM Peak Frequency	Weekday PM Peak Frequency	Saturday Mid-Day Peak Frequency
<b>North-South on Douglas Street</b>				
1	South Oak Bay / Downtown	40 min	40 min	n/a
2	James Bay / South Oak Bay / Willows	15-20 min	15-20 min	15 min
3	James Bay / Royal Jubilee	30-35 min	25-35 min	30-35 min
30	Royal Oak Exch / Downtown	10-15 min	10 min	10 min
31	Royal Oak Exch / Downtown	10 min	10 min	10 min
50	Langford / Downtown	15-20 min	15-20 min	15 min
70	Swartz Bay / Downtown	10-30 min	10-30 min	10-30 min
<b>East-West on Burdett Avenue / Fairfield Road</b>				
4	UVic / Downtown	15 min	15 min	15 min
7	Uvic / Downtown	20 min	30 min	10 min
21	Interurban / Downtown	20 min	20 min	30 min
27	Gordon Head / Downtown	5-10 min	10-20 min	15 min
28	Majestic / Downtown	5-10 min	10-20 min	15 min

### 2.2.3 Cycling & Pedestrian Networks

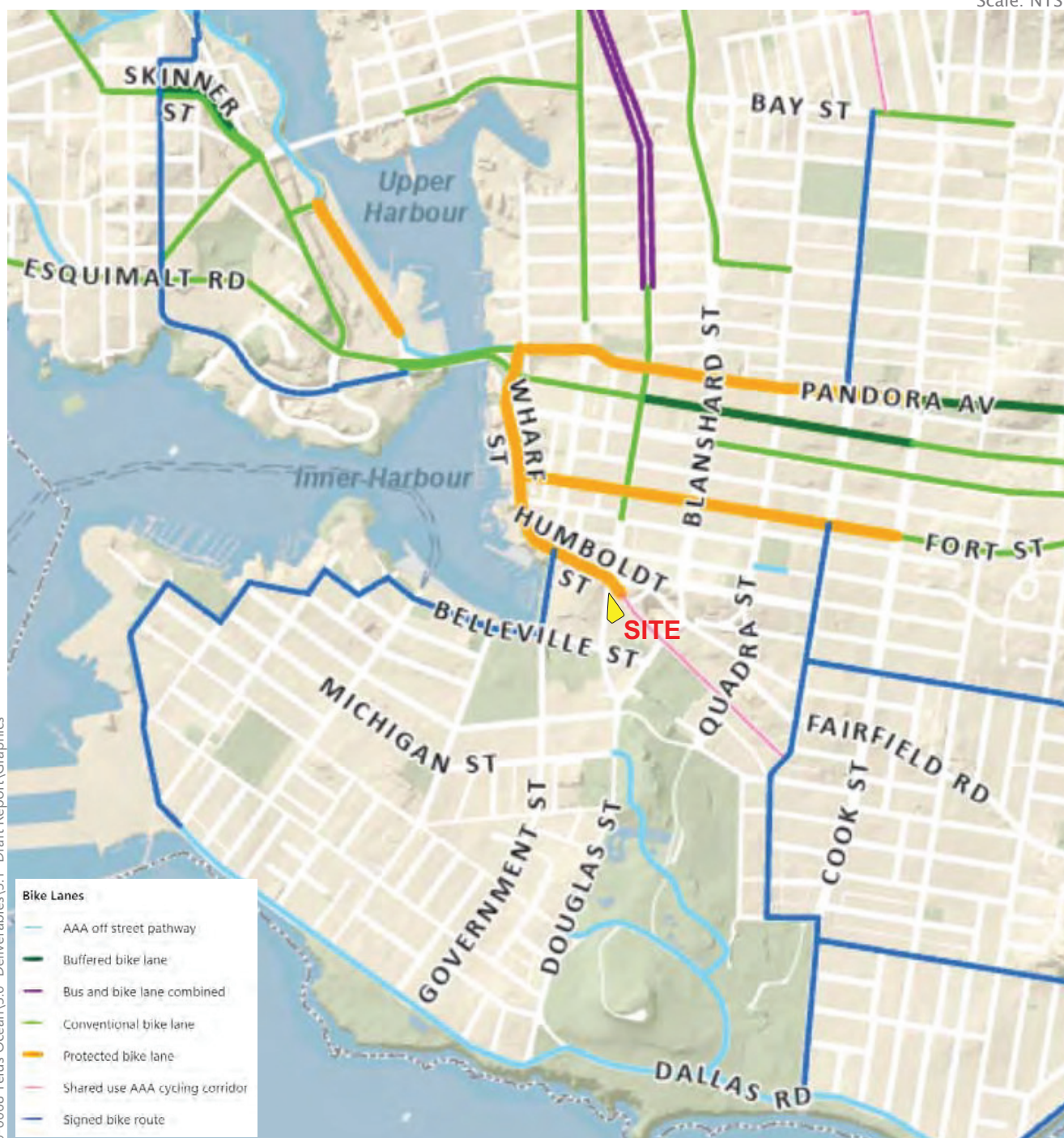
The site is well connected to both walking and cycling networks. It is connected to Victoria's regional cycling network through the Humboldt Street cycling route adjacent to the site. The City of Victoria's surrounding cycling network is illustrated in **Exhibit 2.3**.

All streets surrounding the development site have sidewalks as well as controlled pedestrian crossings at signalized intersections.

The Humboldt Street & Penwill Street intersection has a pedestrian crosswalk along its east leg.

An existing pathway currently exists east of the development site connecting Humboldt Street with the Plaza area south of the development site.

The site is within a walking distance of nearly all typical amenities and services, and daily errands do not require a car. The location receives a Walk Score of 96 out of 100, placing it in Walk Score's "walker's paradise" category. Walk Score is an online tool that assesses the walkability of a location-based on distances to a wide variety of amenities and services.



Source: Vicmap

## Exhibit 2.3 Cycling Network

04-20-0068

Telus Ocean  
January 2021

## 2.3 Data Collection

Due to COVID-19, it was determined that collecting study area traffic data would not represent typical conditions. Instead of new data, the City of Victoria provided the following weekday AM and PM peak hour datasets:

- Blanshard Street & Humboldt Street, Tuesday and Wednesday, June 28, 29, 2017;
- Blanshard Street & Fairfield Street, Tuesday and Wednesday, June 28, 29, 2017;
- Douglas Street & Burdett Avenue, Tuesday and Wednesday, July 31 and August 1, 2018.

Bunt extrapolated data from these datasets to obtain volumes for the Burdett Avenue & Penwell Street and the Humboldt Street & Penwell Street intersections. Humboldt Street volumes were adjusted to account for its closure from Douglas Street.

The weekday AM and PM peak hour traffic volumes obtained through this assembly of intersection traffic count data are presented in **Exhibit 2.4**.

## 2.4 Existing Traffic Operations

### 2.4.1 Performance Thresholds

The existing operations of study area intersections and access points were assessed using the methods outlined in the 2000 Highway Capacity Manual (HCM), using the Synchro 10 analysis software. The traffic operations were assessed using the performance measures of Level of Service (LOS) and volume-to-capacity (V/C) ratio.

The LOS rating is based on average vehicle delay and ranges from “A” to “F” based on the quality of operation at the intersection. LOS “A” represents optimal, minimal delay conditions while a LOS “F” represents an over-capacity condition with considerable congestion and/or delay. Delay is calculated in seconds and is based on the average intersection delay per vehicle.

**Table 2.2** below summarizes the LOS thresholds for the five Levels of Service, for both signalized and unsignalized intersections.

**Table 2.2: Intersection Level of Service Thresholds**

LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	
	SIGNALIZED	UNSIGNALIZED
A	≤10	≤10
B	>10 and ≤20	>10 and ≤15
C	>20 and ≤35	>15 and ≤25
D	>35 and ≤55	>25 and ≤35
E	>55 and ≤80	>35 and ≤50
F	>80	>50

Source: Highway Capacity Manual

The volume to capacity (V/C) ratio of an intersection represents the ratio between the demand volume and the available capacity. A V/C ratio less than 0.85 indicates that there is sufficient capacity to accommodate demands and generally represents reasonable traffic conditions in suburban settings. A V/C value between 0.85 and 0.95 indicates an intersection is approaching practical capacity; a V/C ratio over 0.95 indicates that traffic demands are close to exceeding the available capacity, resulting in saturated conditions. A V/C ratio over 1.0 indicates a very congested intersection where drivers may have to wait through several signal cycles. In downtown and Town Centre contexts, during peak demand periods, V/C ratios over 0.90 and even 1.0 are not uncommon.

The performance thresholds that were used to trigger consideration of roadway or traffic control improvements employed in this study are listed below:

**Signalized Intersections:**

- Overall intersection Level of Service = LOS D or better;
- Overall intersection V/C ratio = 0.85 or less;
- Individual movement Level of Service = LOS E or better; and,
- Individual movement V/C ratio = 0.90 or less.

**Unsignalized Intersections:**

- Individual movement Level of Service = LOS E or better, unless the volume is very low in which case LOS F is acceptable.

In interpreting the analysis results, note that the HCM methodology reports performance differently for various types of intersection traffic control. In this report, the performance reporting convention is as follows:

- For signalized intersections: HCM 2000 output for overall LOS and V/C as well as individual movement LOS and V/C are reported. 95<sup>th</sup> Percentile Queues are reported as estimated by Synchro; and,
- For unsignalized two-way stop-controlled intersections: HCM 2000 LOS and V/C output is reported just for individual lanes as the HCM methodology does not report overall performance.

The performance reporting conventions noted above have been consistently applied throughout this document.

## 2.4.2 Existing Operational Analysis Results

As shown in **Exhibits 2.5** and **2.6**, all intersections currently operate within described operational thresholds for the weekday AM and PM peak hour periods. The Synchro model applied obtained signal timing plans and default heavy vehicle and peak hour factors.



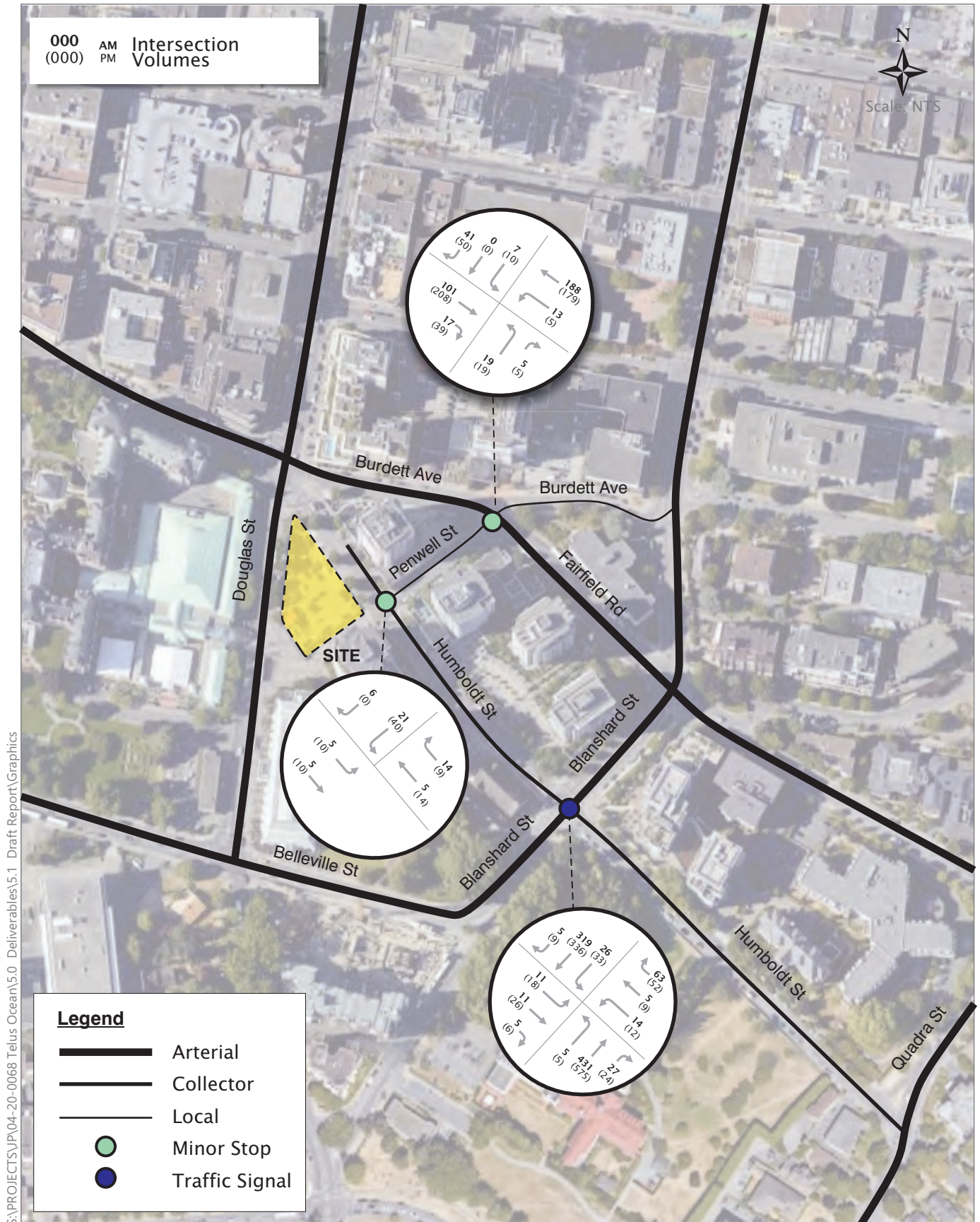
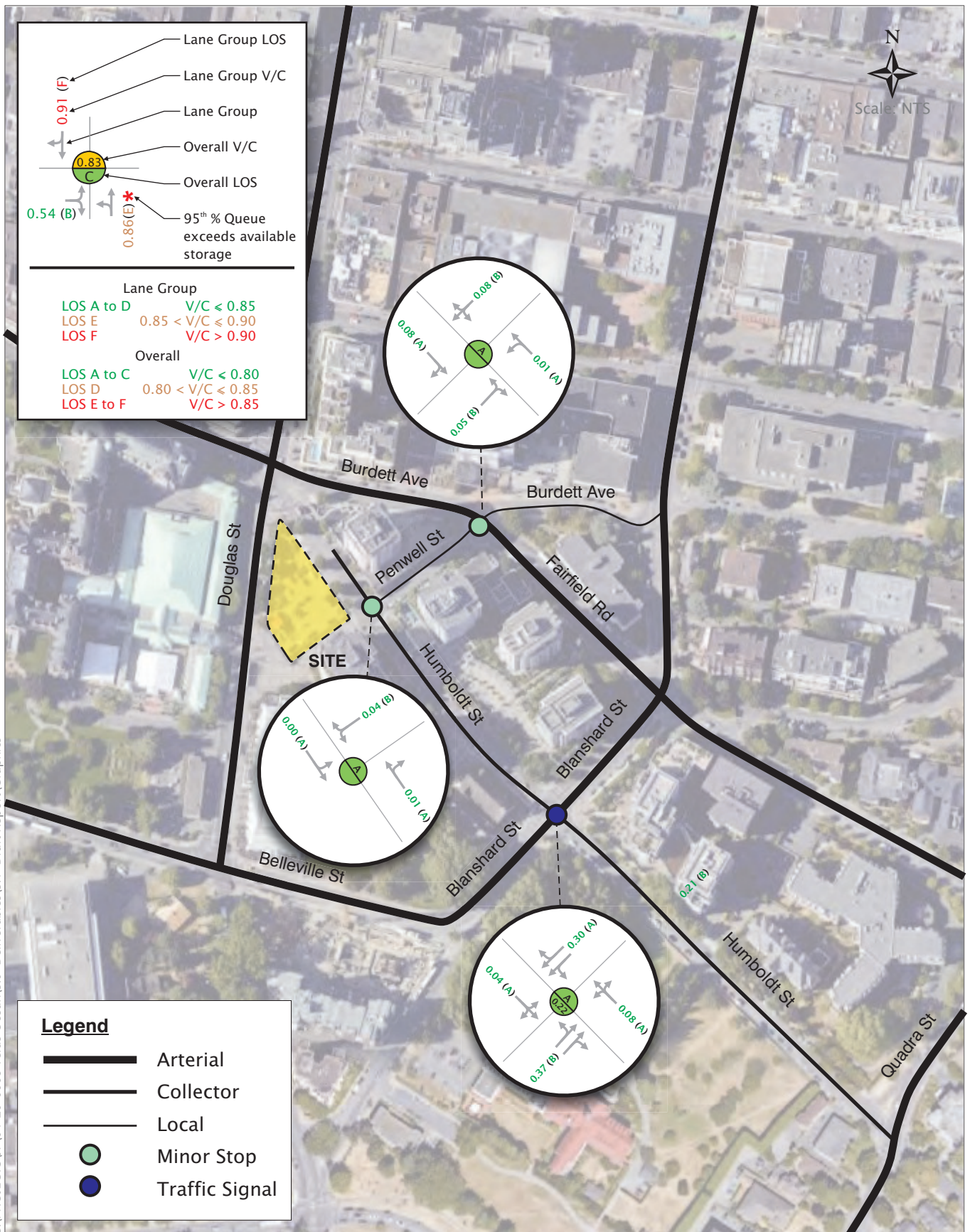


Exhibit 2.4  
2020 Peak Hour Vehicle Traffic Volumes



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## Exhibit 2.5 2020 AM Peak Hour Traffic Operations

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Telus Ocean  
July 2020



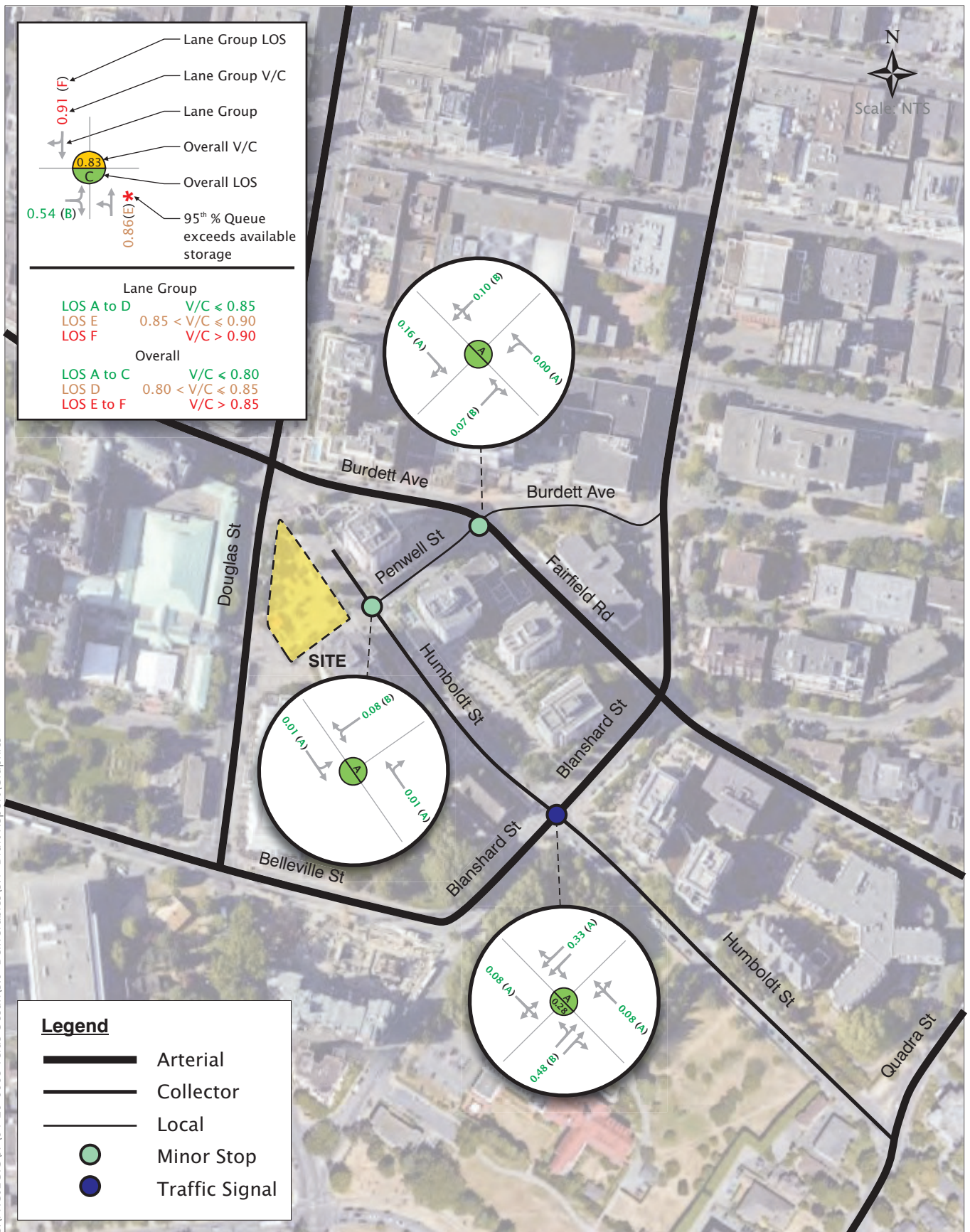


Exhibit 2.6  
2020 PM Peak Hour Traffic Operations

### 3. FUTURE TRAFFIC CONDITIONS

#### 3.1 Traffic Forecasts

##### 3.1.1 Site Traffic

###### *Trip Generation*

The vehicle trip generation was calculated for each proposed land use. For retail and restaurant land uses, the trip generation was based on trip rates provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10<sup>th</sup> Edition.

The office land use has a wide range of potential trip rates which is tied to a building's supply of spaces as well as location factors and applied TDM initiatives. The ITE Manual suggests trip generation rates of 1.16 vehicles per 1000 ft<sup>2</sup> of Gross Floor Area (GFA) in the AM Peak Hour and 1.15 in the PM peak hour for General Urban/ Suburban areas. This rate would imply more office-related vehicles arriving in the morning and leaving in the evening than proposed available parking spaces. As this rate was established by observing office buildings with higher parking supply ratios, this generalized trip rate was not considered appropriate for this specific context. Instead, Bunt applied office trip rate data from its own database where the trip rates for three office buildings in the Downtown Vancouver area were calculated based on available parking spaces. This data provides arrival and departure flow rates based on supplied parking spaces and is therefore considered transferable to this study despite the subject site being in Victoria. These rates result in approximately half of the available spaces being accessed or departed during the AM and PM peak hours.

To be conservative it is assumed that 120 of the site's 127 spaces would be used to service the office components of the development. To account for the remaining seven retail parking spaces accounting for up to 29 vehicle trips per peak hour, is noted that some of the office parking spaces may be shared for restaurant or retail use as peak periods for the office and restaurant land uses do not coincide.

The vehicle trip generation for the proposed development is summarized in **Table 3.1** below.

**Table 3.1: Peak Hour Site Trip Generation**

Use	Size (sf or parking spaces)	AM				PM			
		Rate (per 1k sf or unit)	Trips In	Trips Out	Total Trips	Rate (per 1k sf or unit)	Trips In	Trips Out	Total Trips
Office	120 parking spaces	0.39	45	2	47	0.31	4	33	37
Restaurant (ITE 931)	3,208 square feet	0.73	3	0	3	7.80	17	8	25
Retail (ITE 820)	1,012 square feet	0.94	1	0	1	3.81	2	2	4
<b>Total</b>			<b>49</b>	<b>2</b>	<b>51</b>	<b>Total</b>	<b>24</b>	<b>44</b>	<b>66</b>



For more urban context locations with office and commercial uses within convenient walking and cycling distance and good public transit access, our experience at Bunt has been that the proportion of vehicle trips is reduced in favour of increase walking/cycling and transit trips. As mentioned previously, the 767 Douglas Street site in Downtown Victoria achieves a Walk Score of 96 “Walker’s Paradise” rating. However, as a conservative measure for the traffic impact assessment component of this report, no downward adjustment has been applied to the vehicle trip estimates to account for reduced vehicle use or internal trip reductions to account for the site's mixed land uses.

#### *Trip Distribution & Assignment*

Trips generated by the proposed development were assigned to the study area based primarily on existing travel patterns observed for the area as well as patterns obtained from the obtained volume datasets.

Access to the site will come from Humboldt Street which is located along the site’s north edge. The assumed site traffic distribution on the area street system is presented in **Table 3.2** and illustrated in **Exhibit 3.1**.

**Table 3.2: Assumed Trip Distribution**

ROUTE	AM		PM	
	IN	OUT	IN	OUT
Douglas Street to/from North	20%	15%	25%	15%
Douglas Street to/from South	0%	15%	0%	10%
Fairfield Road to/from East	15%	10%	10%	10%
Humboldt Street to/from East	5%	5%	5%	5%
Humboldt Street to/from West	0%	5%	0%	5%
Blanshard Street to/from North	45%	30%	35%	40%
Blanshard Street to/from South	15%	20%	25%	15%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

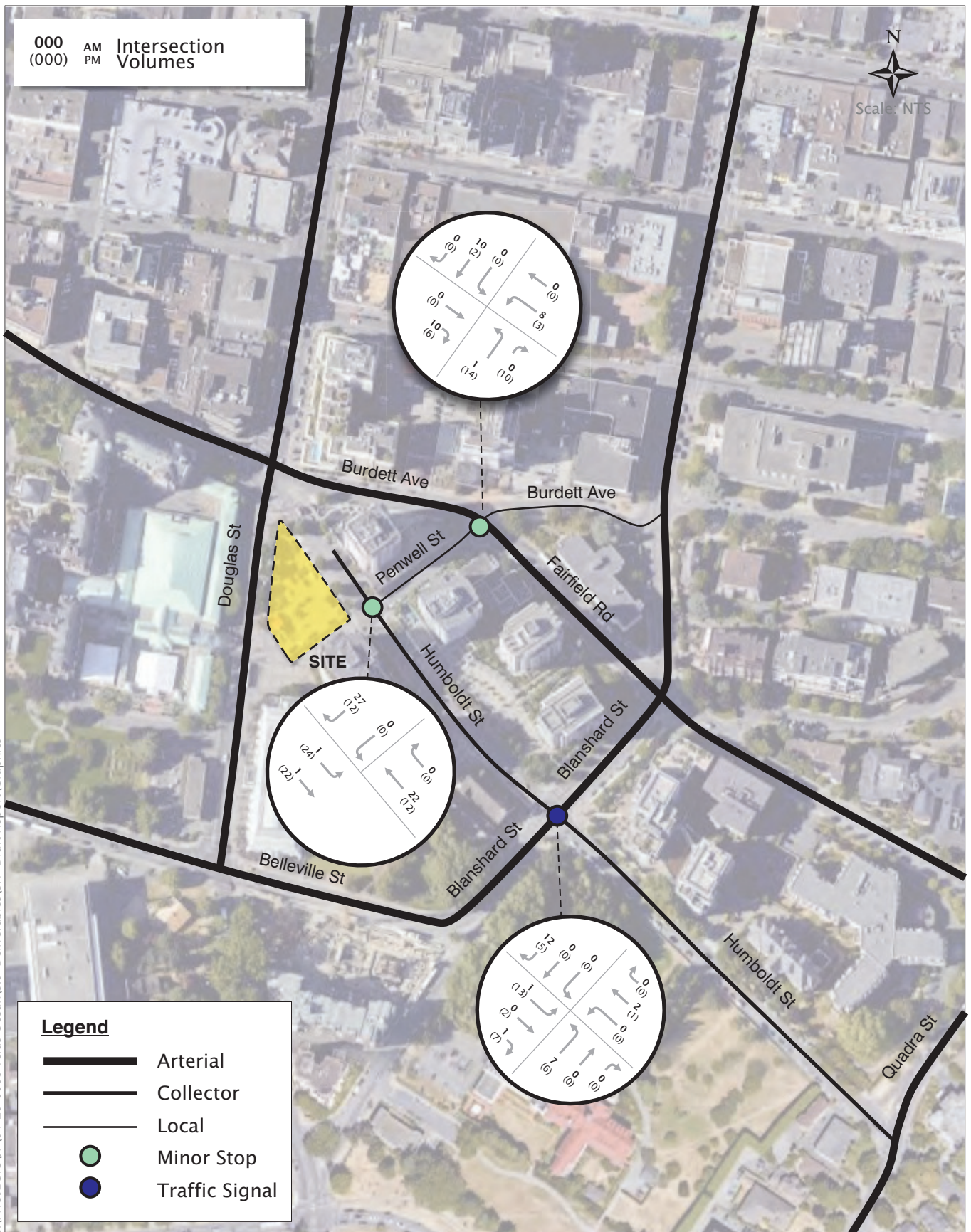
#### **3.1.2 Total Traffic**

Total future traffic consists of the proposed development’s net new site-generated traffic volumes added to the background traffic volumes. No additional changes to vehicle volumes were assumed as is standard practice for TIA’s in Victoria. This is also consistent with the development of the area where the immediate location will essentially be built out regarding vehicle traffic on Humboldt Street.

**Exhibit 3.2** presents the forecasted future traffic volumes for the total AM and PM peak hour scenario. Corresponding traffic operations are presented in **Exhibit 3.3** and **3.4**.

As shown in **Exhibit 3.3** and **3.4**, the additional vehicle trips forecasted to be generated by the proposed development result in study area vehicle operations within performance thresholds. As such, no road infrastructure mitigation is recommended.

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### Exhibit 3.1 Site Traffic Forecasts

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Telus Ocean  
July 2020



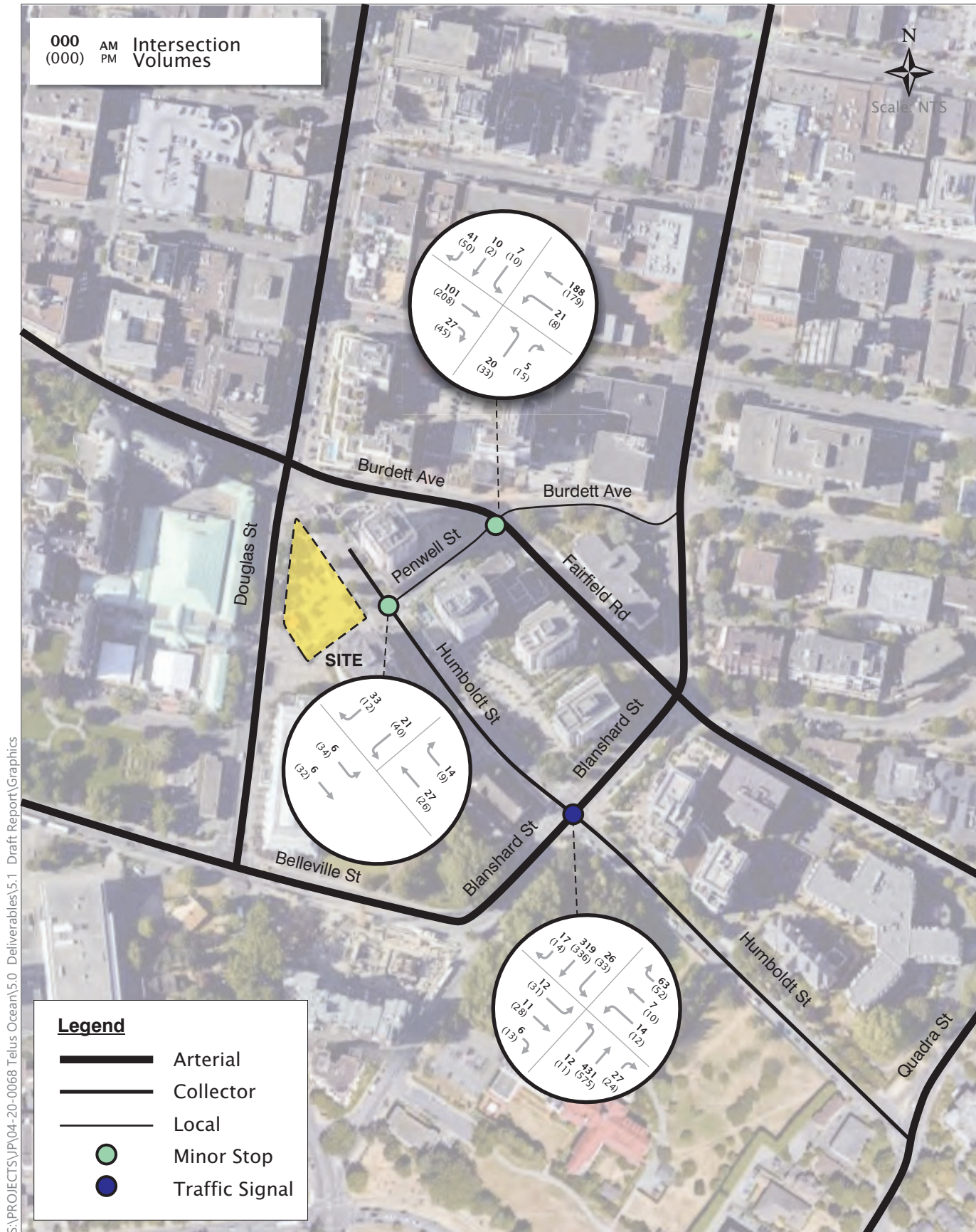


Exhibit 3.2  
Total Peak Hour Vehicle Traffic Volumes



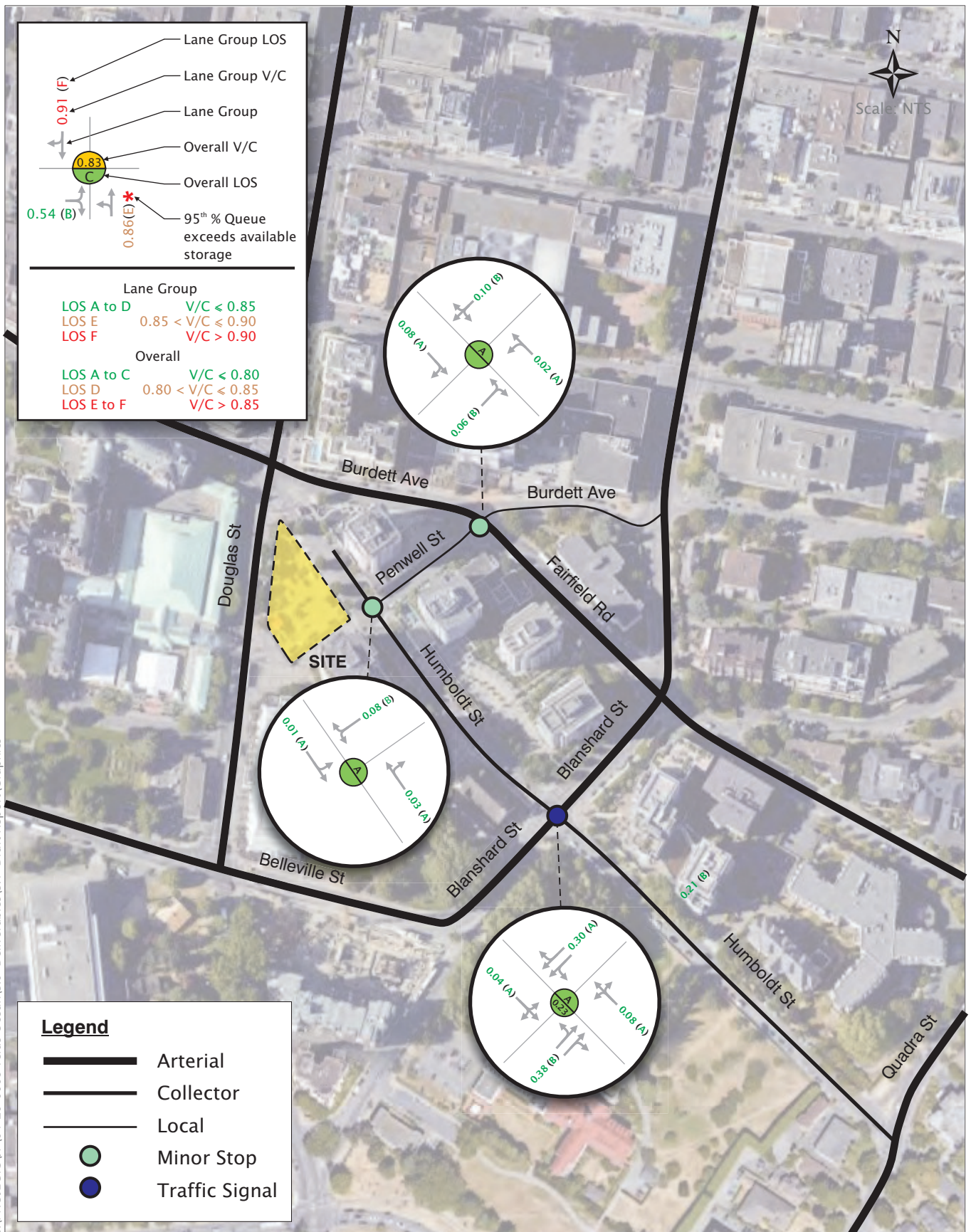


Exhibit 3.3  
Total AM Peak Hour Traffic Operations



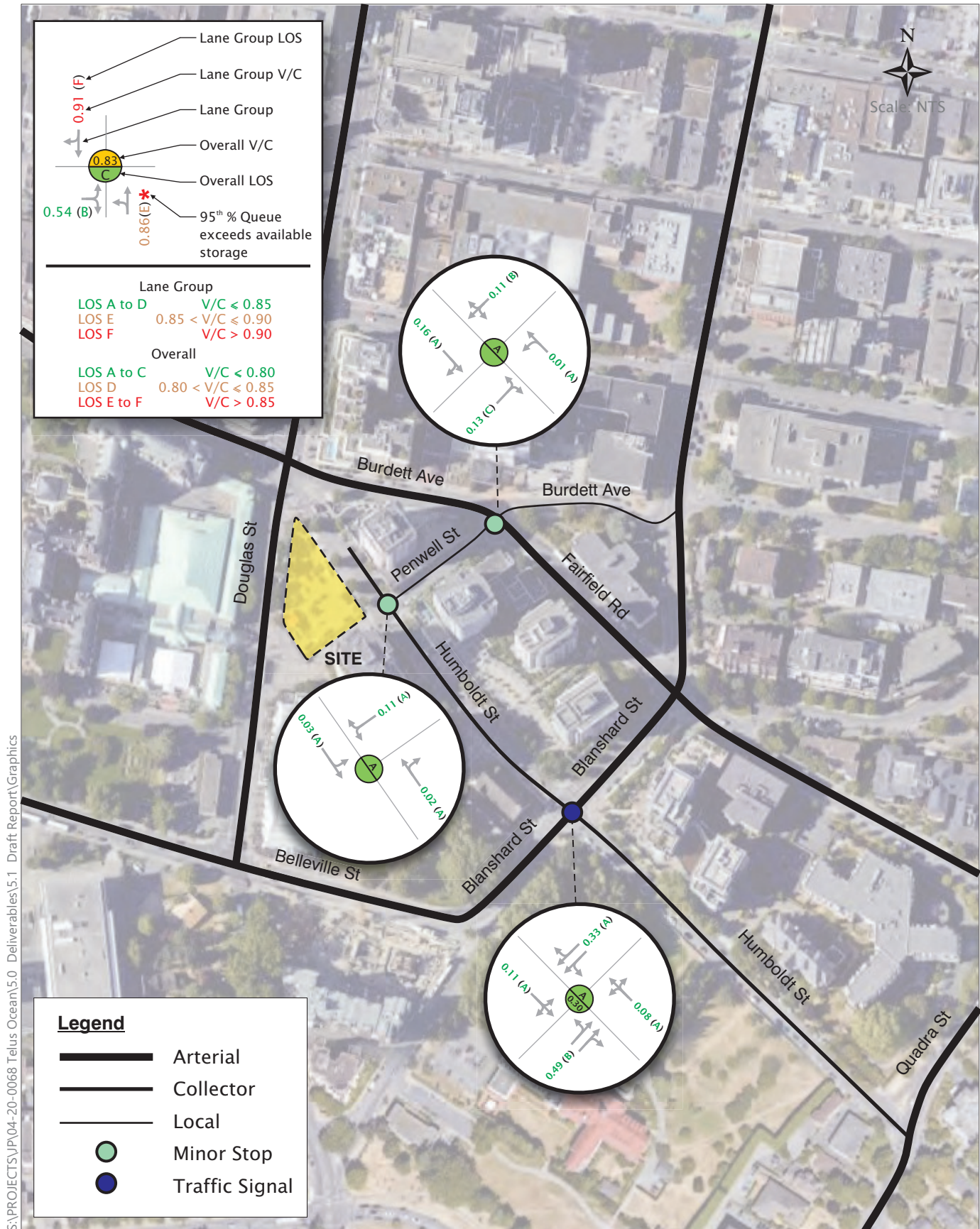


Exhibit 3.4  
Total PM Peak Hour Traffic Operations

## 4. DEVELOPMENT PLAN REVIEW

### 4.1 Site Access Design

The proposed development will have one vehicle access point from Humboldt Street. Loading vehicles will also access the site from Humboldt Street. Pedestrian access to the site's main office entry will be from Douglas Street. The two retail outlets will face Douglas Street and the plaza area to the south of the site.

### 4.2 Parking Supply

#### 4.2.1 Vehicle Parking

The site is within Victoria's Core Area, and is currently zoned as CA-4. As per City of Victoria zoning requirements (Schedule C, Zoning Regulation Bylaw) the development does not have off-street parking requirements for its CA-4 zone. However, the development is seeking to be rezoned to its own zone.

In lieu of parking rates for the subject zone, Bylaw requirements for Victoria's Core Area (where the development is located) are summarized in **Table 4.1** which may provide a perspective for the site's parking supply.

**Table 4.1: Vehicle Parking Supply Bylaw Using Core Area Rate & Proposed Supply**

LAND USE	DENSITY (M <sup>2</sup> )	BYLAW RATE	SUPPLY REQUIREMENT	PROVIDED
Office	12,714	1 space per 70m <sup>2</sup> floor area	182	-
Medical Office	1,408	1 space per 50m <sup>2</sup> floor area	29	-
Restaurant	298	1 space per 40m <sup>2</sup> floor area	8	-
Retail	94	1 space per 80m <sup>2</sup> floor area	2	-
			<b>221</b>	<b>127</b>

As shown in Table 4.1, the proposed parking supply of 127 spaces is 94 spaces below Victoria's Bylaw requirements if the site were to adhere to Victoria's rates for its Core area.

The actual parking demand of the building is anticipated to be lower than that required by Bylaw and the quantity supplied due to the development's downtown location with strong transit service, and bikability depending on management and pricing of the stalls and employed Transportation Demand Management (TDM) initiatives.

The forecasted oversupply of parking spaces may present the opportunity for the additional parking spaces beyond the building's forecasted demand to accommodate external building parking demand in Victoria's downtown area.

It is also noted that the development's proposed mixed land uses can take advantage of the office and restaurant land uses typically having different peak demand times by sharing parking spaces.

#### 4.2.2 Electric Charging

Telus will provide future electric charging abilities to 100% of the development's parking spaces. To ensure the electrical demand of the charging does not exceed the building's capacity, a building demand load management system can be installed. This system monitors the building's spare capacity and distributes that amount to each electric vehicle connected to a charging station.

#### 4.2.3 Bicycle Parking

Well managed, secure, accessible and covered bicycle parking will be provided as part of the development plan. The development includes a total of 100 long-term bicycle spaces in one, priority-located, first-level bicycle storage room.

The development also includes the provision of 41 outside short-term spaces. The short-term cycling racks will be provided near the building's main entry and within sight of the Humboldt cycling route, in well lit and highly visible areas.

The development will supply electric outlets for a portion of the bicycle parking spaces and rough-in electrical to allow for further additional charging ability if demand increases.

The City of Victoria Bylaw requirements for bicycle parking in the Core area is provided in **Table 4.2**.

**Table 4.2: Bicycle Parking Supply Requirement & Provision**

LAND USE	DENSITY (M <sup>2</sup> )	BYLAW RATE	BYLAW SUPPLY REQUIREMENT	PROVIDED	DIFFERENCE
Office	12,714	Long Term: 1 space per 150m <sup>2</sup> of floor area, or part thereof	85 Long Term	Shared between lands uses	-
		Short Term: 1 space per 400m <sup>2</sup> of floor area, or part thereof	32 Short Term		
Medical Office	1,408	Long Term: 1 space per 200m <sup>2</sup> of floor area, or part thereof	8 Long Term		
		Short Term: 1 space per 300m <sup>2</sup> of floor area, or part thereof	5 Short Term		
Restaurant	298	Long Term: 1 space per 400m <sup>2</sup> of floor area, or part thereof	1 Long Term		
		Short Term: 1 space per 100m <sup>2</sup> of floor area, or part thereof	3 Short Term		
Retail	94	Long Term: 1 space per 200m <sup>2</sup> of floor area, or part thereof	1 Long Term		
		Short Term: 1 space per 200m <sup>2</sup> of floor area, or part thereof	1 Short Term		
<b>TOTAL</b>	-	-	<b>95 LONG TERM 41 SHORT TERM 136 TOTAL</b>	<b>100 LONG TERM 41 SHORT TERM 141 TOTAL</b>	<b>+5 LONG TERM 0 SHORT TERM +5 PROVIDED</b>

As summarized in Table 4.2, the proposed bicycle parking supply exceed bylaw minimum requirement by 5 long term space over bylaw requirements.

### 4.3 Service Vehicle Operations

The City of Victoria Zoning Bylaw does not stipulate a requirement for off-street loading spaces for office land use.

The office area, retail and restaurant spaces are relatively small and are not anticipated to require loading by vehicles larger than a Medium Single Unit (Transportation Association of Canada MSU design vehicle). To accommodate anticipated loading (including garbage and recycling pick-up) activity, one MSU sized loading space is proposed on site, accessed from Humboldt Street.

The loading bay is situated within 10m of the parkade parking ramp due to the unique layout of the site and ramp sloping that render a single, parkade and loading entry difficult to achieve from Humboldt Street. Having two driveways within 10 m of each other requires a variance from Victoria's Highway Access Bylaw. Bunt supports the site plan's proposed vehicle access bylaw variance because:

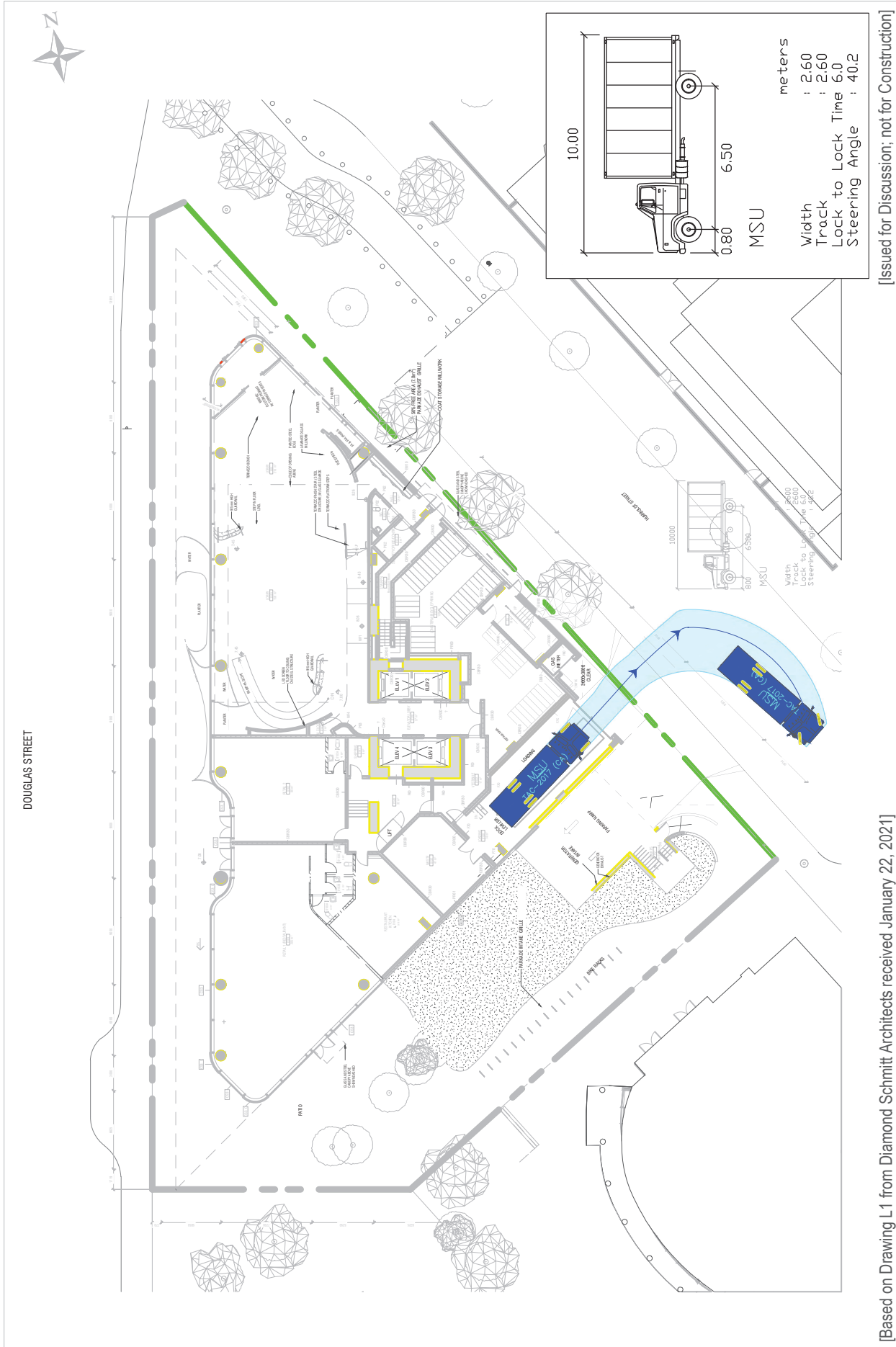
- The loading bay is anticipated to encounter very low vehicles volumes;
- The accesses are set back from the sidewalk and roadway allowing existing vehicles to see pedestrians on the sidewalk before they cross the sidewalk; and,
- Its location at the east portion of the site on Humboldt Street allows for an expanded pedestrian plaza area on Humboldt Street, between Humboldt Street and Douglas Street.

The ability of a MSU design vehicle to access the loading area was assessed with AutoTURN turn path analysis. The turn path is illustrated in **Exhibit 4.1** and **4.2**.

Maneuverability within the parkade structure for a passenger vehicle was also examined by Bunt using AutoTURN turn path analysis. Example turn paths are provided in **Exhibit 4.3** and **4.4**.







[Based on Drawing L1 from Diamond Schmitt Architects received January 22, 2021]

[Issued for Discussion; not for Construction]

## Exhibit 4.2 MSU Loading Vehicle Turn Path - Outbound







## 5. TRANSPORTATION DEMAND MANAGEMENT

Transportation Demand Management (TDM) is defined as the “application of strategies and policies to reduce travel demand (specifically that of single-occupancy private vehicles), or to redistribute this demand in space or in time”<sup>1</sup>. A successful TDM program can influence travel behaviour away from Single Occupant Vehicle (SOV) travel during peak periods towards more sustainable modes such as High Occupancy Vehicle (HOV) travel, transit, cycling or walking. The responsibility for implementation of TDM measures can range across many groups, including regional and municipal governments, transit agencies, private developers, residents/resident associations or employers.

### 5.1 Recommended TDM Measures for Site

#### 5.1.1 Marketing Materials & Transportation Information

Travel patterns are most pliable when visitors first begin to commute to a location. New developments can assist in influencing travel behaviours, through the distribution of marketing materials to potential tenants that emphasize the attractiveness and ease of non-single occupant vehicle travel modes. Telus has agreed to provide this to its future tenants.

#### 5.1.2 Promote Cycling

The development will be providing 100 Long Term bicycle parking spaces which exceeds bylaw requirements. In addition, its highly visible short-term bicycle spaces will further promote cycling and cycling to transit activity.

#### 5.1.3 Placemaking

The site plan offers significant pedestrian amenities and placemaking with seating and building overhang weather protection. The site plan provides considerable transit integration with a proposed custom bus stop design along the Douglas Street frontage and an adjacent water feature.

<sup>1</sup> <http://ops.fhwa.dot.gov/tdm/index.htm> FHWA Travel Demand Management home page

## 6. CONCLUSIONS & RECOMMENDATIONS

### 6.1 Conclusions

1. The proposed development at 767 Douglas Street consists of approximately 12,714 square meters of office space, 1,408 square meters of medical office space, 298 square meters of restaurant space and 94 square metres of ground-level retail space. The proposed vehicle parkade with 127 vehicle spaces is accessed from Humboldt Street along the north edge of the site.
2. All intersections currently operate within capacity and acceptable level of service thresholds during both the weekday AM and PM peak hour periods.
3. The proposed development could potentially generate approximately 51 two-way vehicle trips in the weekday AM peak hour and 66 two-way trips during the PM peak hour
4. Our analysis indicates that the proposed development will have minimal impact on the adjacent road network. Most vehicle trips generated by the development will travel through intersections that are currently operating well within operational capacity thresholds and are anticipated to remain within operational capacity thresholds after full occupation of the proposed Telus Ocean development.
5. The 127 proposed vehicle parking supply is anticipated to accommodate the building's vehicle parking demand.
6. Maneuverability within the parkade structure for a large passenger vehicle was confirmed by Bunt using AutoTURN turn path analysis.
7. The proposed bicycle parking supply exceed bylaw guidance by 5 long term spaces.
8. The site plan offers significant pedestrian amenities and placemaking with seating, water features and overhang weather protection.
9. The site plan provides considerable transit integration with a custom bus stop design along the Douglas Street frontage.
10. The development includes electric charging and the ability to increase the quantity of electric charging for both the development's vehicle and Long-Term bicycle spaces.

## 6.2 Recommendations

11. It is recommended that bylaw variance pertaining to vehicle access, which stipulates distance between driveways, be supported because:
  - a) The loading bay is anticipated to encounter low vehicles volumes;
  - b) The sidewalk and vehicle route crossing areas are well set back from the Humboldt bike route; and
  - c) The location of the driveways at the east portion of the site on Humboldt Street allows for an expanded pedestrian plaza area on Humboldt Street, between Humboldt Street and Douglas Street.
12. It is recommended that marketing materials to prospective tenants highlight the site's non-private vehicle transportation mode amenities.



# FINAL REPORT TELUS OCEAN

Victoria, British Columbia

## PEDESTRIAN WIND ASSESSMENT

PROJECT # 2004582

AUGUST 24, 2020

### SUBMITTED TO

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# 1. INTRODUCTION

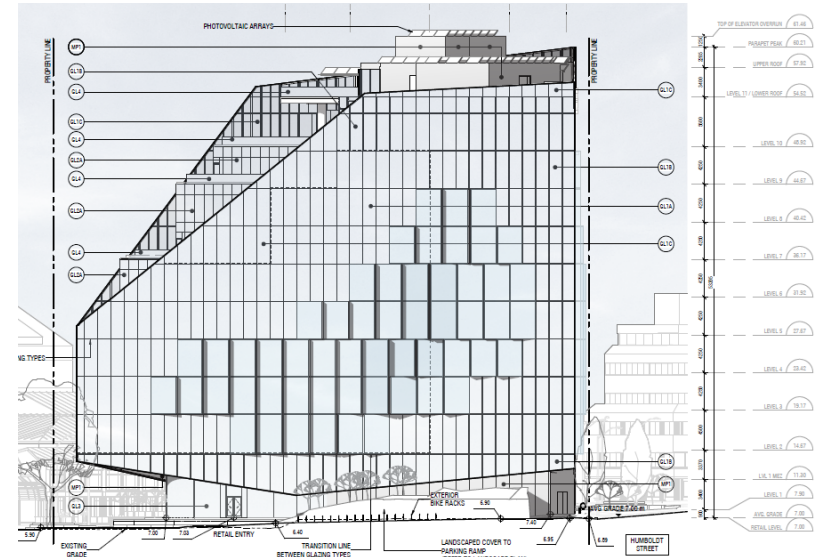


Rowan Williams Davies & Irwin Inc. (RWDI) was retained to assess the pedestrian wind conditions for the proposed TELUS Ocean in Victoria, British Columbia. (see **Image 1**). This qualitative assessment is based on the following:

- a review of the regional long-term meteorological data from Victoria Harbour Seaplane Airport;
- design drawings and documents received by RWDI on July 2<sup>nd</sup>, 2020;
- Wind-tunnel studies and desktop assessments undertaken by RWDI for similar and nearby projects in Victoria;
- our engineering judgement and knowledge of wind flows around buildings<sup>1-3</sup>; and,
- use of 3D software developed by RWDI (Windestimator<sup>2</sup>) for estimating the potential wind conditions around generalized building forms.

This qualitative approach provides a screening-level estimation of potential wind conditions. Conceptual wind control measures to improve wind comfort are recommended, where necessary. To quantify these conditions or refine any conceptual wind control measures, physical scale model tests in a boundary-layer wind tunnel would typically be required.

Note that other wind issues such as those relating to cladding and structural wind loads, snow drifting and loading, door operability, air quality, etc. are not part of the scope of this assessment.



**Image 1: South Elevation of the Proposed Project**

1. H. Wu and F. Kriksic (2012). "Designing for Pedestrian Comfort in Response to Local Climate", *Journal of Wind Engineering and Industrial Aerodynamics*, vol.104-106, pp.397-407.
2. H. Wu, C.J. Williams, H.A. Baker and W.F. Waechter (2004), "Knowledge-based Desk-Top Analysis of Pedestrian Wind Conditions", *ASCE Structure Congress 2004*, Nashville, Tennessee.
3. C.J. Williams, H. Wu, W.F. Waechter and H.A. Baker (1999), "Experience with Remedial Solutions to Control Pedestrian Wind Problems", *10th International Conference on Wind Engineering*, Copenhagen, Denmark.

## 2. BUILDING AND SITE INFORMATION



The proposed project site is located at 767 Douglas Street, between Humboldt Street and Douglas Street, to the south of Burdett Avenue (see aerial view of site and surroundings in **Image 2**). The site is located at the south end of Downtown Victoria.

The project site is generally surrounded by low-rise buildings to the south and west and mid-rise buildings to the north and east. Victoria Harbour is approximately 200 m to the west of the project site.

The proposed development consists of one 10-storey building (see **Image 1**). The proposed project will be a mixed-use development that will act as an innovation and employment hub for 250 TELUS employees. Key pedestrian areas on and around the site include main entrances, public open space on-site at grade level, terraces at Levels 5, 7, 9, 10 and 11 and sidewalks adjacent to the site.



**Image 2: Aerial View of Site And Surroundings (Credit: Google™ Earth)**

### 3. METEOROLOGICAL DATA



Meteorological data from Victoria Harbour Seaplane Airport recorded between 1994 and 2015 was used as reference for wind conditions.

The distributions of wind frequency and directionality for the summer (May through October) and winter (November through April) seasons are shown in the wind roses in **Image 3**. When all winds are considered (regardless of speed), winds from the southwest are predominant during the summer. During the winter, winds are predominant from the southwest through west, southeast and north directions.

Strong winds of a mean speed greater than 30 km/h measured at the airport (at an anemometer height of 10 m) occur more often in the winter than in the summer. They are most frequent from the west-southwest, north and southeast directions, as shown in the winter wind rose.



**Image 3: Directional Distribution of Winds Approaching Victoria Harbour Seaplane Airport (1994 – 2015)**

## 4. PEDESTRIAN WIND CRITERIA



The RWDI pedestrian wind criteria are used in the current study. These criteria have been developed by RWDI through research and consulting practice since 1974. They have also been widely accepted by municipal authorities and by the building design and city planning community.

### 4.1 Pedestrian Safety

Pedestrian safety is associated with excessive gust wind speeds that can adversely affect a pedestrian's balance and footing. If strong winds that can affect a person's balance (**90 km/h**) occur more than 0.1% of the time or 9 hours per year, the wind conditions are considered severe.

### 4.2 Pedestrian Comfort

Wind comfort levels can be categorized by typical pedestrian activities:

- **Sitting ( $\leq 10$  km/h):** Calm or light breezes desired for outdoor seating areas where one can read a paper without having it blown away;
- **Standing ( $\leq 14$  km/h):** Gentle breezes suitable for main building entrances and bus stops;
- **Strolling ( $\leq 17$  km/h):** Moderate winds that would be appropriate for window shopping and strolling along a downtown street, plaza or park;
- **Walking ( $\leq 20$  km/h):** Relatively high speeds that can be tolerated if one's objective is to walk, run or cycle without lingering; and
- **Uncomfortable:** None of the comfort categories are met.

Wind conditions are considered suitable for sitting, standing, strolling or walking if the associated mean wind speeds are expected for at least four out of five days (80% of the time). Wind control measures are typically required at locations where winds are rated as uncomfortable or they exceed the wind safety criterion.

Note that these wind speeds are assessed at pedestrian height (i.e., 1.5 m above grade or the concerned floor level) and are typically lower than those recorded in the airport (10 m height and open terrain).

These criteria for wind forces represent average wind tolerance. They are sometimes subjective and regional differences in wind climate and thermal conditions as well as variations in age, health, clothing, etc. can also affect people's perception of the wind climate.

For the current development, wind speeds comfortable for walking or strolling are appropriate for sidewalks; and lower wind speeds comfortable for standing are required for building entrances where pedestrians may linger. Wind speeds comfortable for sitting are appropriate for outdoor amenity areas during the summer, when these areas will be frequented.



## 5. PEDESTRIAN WIND CONDITIONS



### 5.1 Background

Predicting wind speeds and occurrence frequencies is complicated. It involves the combined assessment of building geometry, orientation, position and height of surrounding buildings, upstream terrain and the local wind climate. Over the years, RWDI has conducted thousands of wind-tunnel model studies on pedestrian wind conditions around buildings, yielding a broad knowledge base. This knowledge has been incorporated into RWDI's proprietary software that allows, in many situations, for a qualitative, screening-level numerical estimation of pedestrian wind conditions without wind tunnel testing.

Tall buildings tend to intercept stronger winds at higher elevations and redirect them to the ground level. Such a Downwashing Flow (**Image 4a**) is the main cause for increased wind activity around tall buildings at the pedestrian level. In addition, oblique winds also cause wind accelerations around the exposed building corners (**Image 4b**). If these building/wind combinations occur for prevailing winds, there is a greater potential for increased wind activity and uncomfortable conditions. Stepping the windward façade (**Image 4c**) is a positive design strategy that can be used for wind control. However, increased wind activity will be created on the podium terraces.

Overall, the geometry of the proposed development and features of the site offer several benefits for wind control, as follows;

- The grade level is recessed into the building façade, providing overhead protection to the areas close to building perimeter including the entrances
- The triangular face is aligned with the predominant southwest direction, which will be beneficial to reduce the impact of downwashing wind flows;
- Stepped building façade on the southwest side, which will help reduce the impact of downwashing wind flows at grade level.
- Proposed deciduous landscaping on-site will be beneficial for wind comfort during the summer

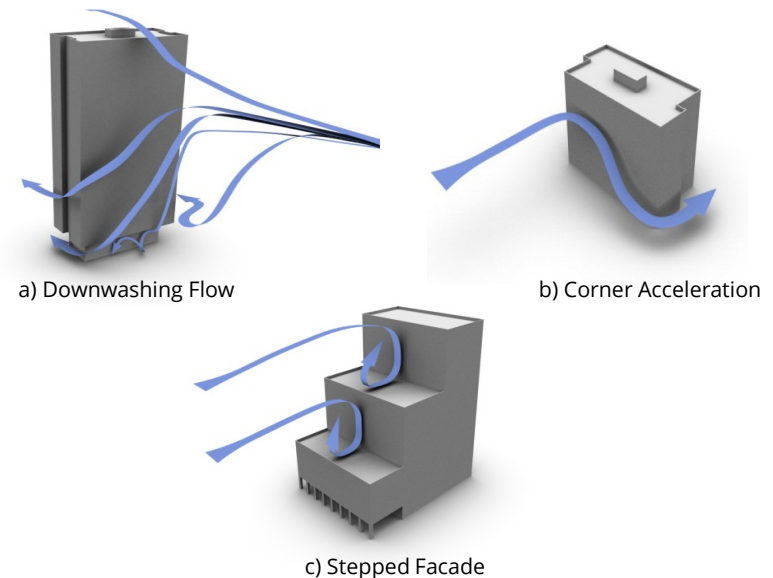


Image 4: Typical Wind Flow Patterns

## 5. PEDESTRIAN WIND CONDITIONS



The following is a detailed discussion of wind comfort conditions for key pedestrian areas of the development.

### 5.2 Existing Wind Conditions

Due to the presence of mid and low-rise surroundings, the existing wind conditions on site and at surrounding sidewalks along Burdett Avenue, Humboldt Street, Powell Street and Douglas Street are likely comfortable for sitting or standing throughout the year. These wind conditions are considered appropriate for the intended use.

### 5.3 Potential Wind Conditions

The proposed project will be of similar height compared to the surroundings to the north and east. The surroundings on the west side are much lower compared to the proposed development. The lower density surroundings on the west side and the exposure to the southwesterly and westerly winds are expected to cause an increase in wind speeds around the perimeter of the site in some areas, particularly at building corners. However, given the wind climate in the Victoria area, wind comfort conditions are still expected to be generally suitable for the intended use of the spaces throughout the year. Occasional strong wind gusts are experienced in Victoria, these are rare events but deserve special attention due to the severe impact on pedestrians. Predicted wind comfort and safety conditions at grade level are shown in Images 6a and 6b respectively. For the above-grade level terraces, predicted wind comfort and safety conditions are shown in Images 8a

and 8b respectively. Detailed discussion of these areas are presented in next few pages.

#### Grade Level:

As mentioned previously, the first floor of the proposed project is recessed into the building façade. In addition, the triangular face with stepped façade on the southwest side is aligned with the predominant wind direction. These features are favorable for wind comfort, as they reduce the impact of downwashing wind flows at grade level. With these features in place, wind conditions around most of the project perimeter, including the building entrances and open spaces / adjacent sidewalks are generally predicted to be comfortable for sitting or standing throughout the year (Image 6a). Due to the predominant winds from the southwest and northeast accelerating at building corners, higher wind speeds comfortable for strolling or walking are expected at building corners, particularly the north and south corners of the building (Image 6a). These conditions are suitable for the intended pedestrian use.

Due to the occurrence of occasional strong gusts accelerating at the building corner (Image 5b), winds at the north building corner may exceed the wind safety criterion (Image 6b). Reduced wind speeds can be achieved by adding vertical porous wind screens or coniferous/ marcescent landscaping, as shown in Image 6b. These features should be at least 2m tall to maintain good wind control efficacy. Examples of these wind control measures are shown in Image 7. It is recommended that wind tunnel tests be conducted to quantify the wind conditions and to refine the wind control measures.

## 5. PEDESTRIAN WIND CONDITIONS

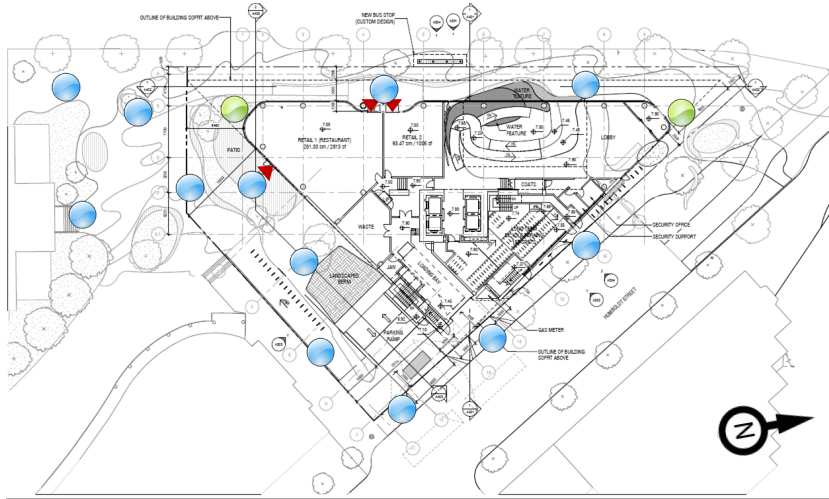


Image 6a: Predicted Wind Comfort Conditions (Annual)

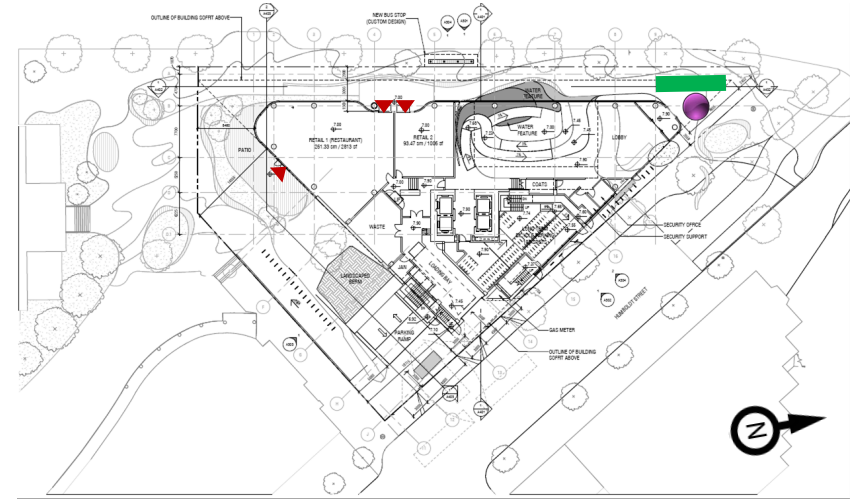








Image 6b: Predicted Wind Safety Conditions (Annual)

### WIND CATEGORIES

-  Sitting / Standing
-  Strolling / Walking
-  Uncomfortable
-  Exceeds Safety Criterion

### LEGEND:

-  Building Entrances
-  Suggested locations for wind screens/  
coniferous landscaping

## 5. PEDESTRIAN WIND CONDITIONS



Image 7: Examples of wind Control Measures at Grade Level



## 5. PEDESTRIAN WIND CONDITIONS



### Terraces:

As mentioned previously, buildings with stepped façades are beneficial to reduce the impact of downwashing wind flows at grade level. However, this would likely result in windy conditions on the stepped surfaces (i.e., terraces). The proposed project will include amenity terraces at Levels 5, 7, 9, 10 and 11. All of these terraces will be exposed to the predominant northerly and southwesterly winds. Due to this exposure and the impact of downwashing wind flows, high wind activity is expected on most of these terraces. As shown in Image 8a, wind conditions comfortable for sitting or standing are predicted on the terraces at Levels 5 and 7. Higher wind speeds, comfortable for strolling or walking are expected at Levels 9 through 11. Wind speeds comfortable for strolling or walking are considered higher than desired for passive activities. Due to exposure to the strong northerly and southwesterly gusts, winds at the roof terrace of Level 11 are predicted to exceed the safety criterion (Image 8b).

Lower wind speeds can be achieved by introducing tall porous screens (i.e. 2m tall and 20- 40% porous) along the terrace perimeters. Landscaping of similar heights along the terrace perimeter or near seating areas can also be considered. In addition, overhead protection such as trellises or canopies would be beneficial to reduce the impact of downwashing wind flows. Examples of these features are shown in Image 9.

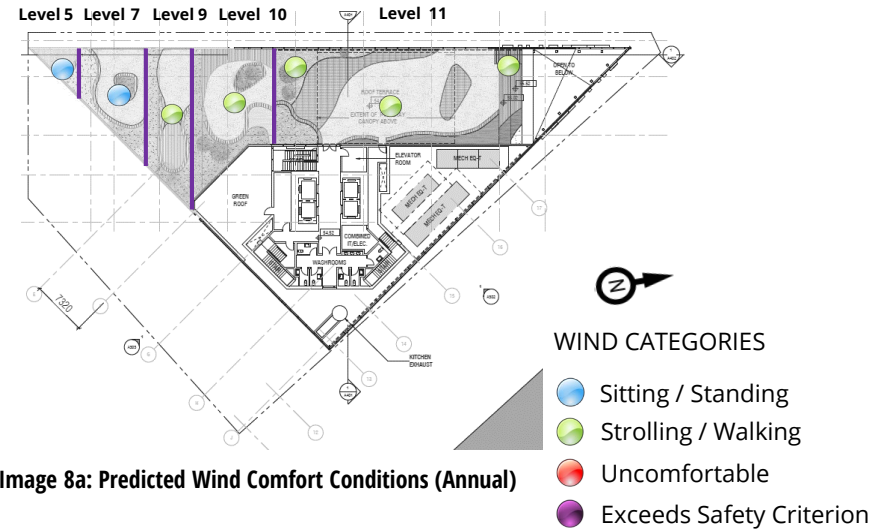


Image 8a: Predicted Wind Comfort Conditions (Annual)



Image 8b: Predicted Wind Safety Conditions Annual

## 5. PEDESTRIAN WIND CONDITIONS



Image 9: Examples of wind control measures at terrace levels

## 6. SUMMARY



RWDI was retained to conduct a pedestrian wind assessment for the proposed TELUS Ocean at 767 Douglas Street in Victoria, British Columbia.

Our assessment was based on the local wind climate, the current design of the proposed development, the existing surrounding buildings, our experience with wind tunnel testing of similar buildings in Victoria, and screening-level modelling.

Wind conditions can be summarized as follows:

- Existing wind conditions around the site are expected to be suitable for sitting or standing throughout the year.
- With the addition of the proposed development, wind speeds are expected to slightly increase, although conditions are still expected to be suitable for the intended use in most areas. Some accelerated wind conditions are expected to occur at building corners.
- Appropriate wind conditions (i.e. suitable for sitting/standing) are anticipated at the proposed building entrances. Positive design features have been included and no modifications are required.
- Wind conditions on Levels 5 and 7 terraces are predicted to be suitable for pedestrian use throughout the year. Wind speeds that are higher than desired for passive activities are predicted on terrace Levels 9

through 11 of the proposed development throughout the year.

- Wind control measures are recommended for identified windy areas.
- Wind tunnel testing of a scale model is recommended to confirm and quantify the predicted wind conditions and refine the wind control features.

## 7. APPLICABILITY OF RESULTS



The assessment presented in this report are for the proposed TELUS Ocean development in Victoria, British Columbia. The drawings and information listed below were used for our assessment.

In the event of any significant changes to the design, construction or operation of the building or addition of surroundings in the future, RWDI could provide an assessment of their impact on the pedestrian wind conditions discussed in this report. It is the responsibility of others to contact RWDI to initiate this process.

File Name	File Type	Date Received (dd/mm/yyyy)
ARCH 1911-200630_Rezoning_Pre-application	PDF	07/02/2020



**Richard Elliott**

---

**From:** Victoria Mayor and Council  
**Sent:** August 18, 2020 11:18 AM  
**To:** Victoria Mayor and Council  
**Subject:** Re: Telus Ocean

---

**From:** Diane Chimich [REDACTED]  
**Sent:** August 14, 2020 7:28 AM  
**To:** Lisa Helps (Mayor) <LHelps@victoria.ca>; Councillors <Councillors@victoria.ca>  
**Subject:** Telus Ocean

To Mayor Helps and Councillors

I am writing to express my concerns regarding the newly proposed Telus Ocean development that is proposed for the corner of Humboldt and Douglas.

This development is in one of the most historic sections of Victoria. Both the Empress Hotel and the Crystal Gardens are historical buildings and as such add to the culture and appearance of this area. They are viewed as important buildings to protect and ensure that nothing diminishes them.

The proposed development by Telus could be an addition to this area but the proposed plan is not going to provide this. It is massive in height and density. The plan utilizes every inch of the property and has minimal setbacks from the street. The proposed height far exceeds the height restrictions and will result in a building that dwarfs everything else in the area. This proposal can not be allowed as it. The rezoning that they are requesting in order to far exceed the approved building height in this area should not be approved.

The overall appearance of the building is excessively modern with huge spans of glass and they have even suggested that they will have a massive jumbotron projecting pictures on the building. This is totally unacceptable in an area that has multiple residents and large numbers of hotels. That is not in keeping with the area at all and will create an eyesore for the city and the Humboldt Valley.

If this building is allowed to proceed as it is presently being proposed, it will overpower the entire area and especially the Crystal Garden and the Empress Hotel.

This building should not be approved as presented and the developers must devise a building that will add to the area. Do not approve any design for this building that exceeds the approved height restrictions and appropriate setbacks from the street. Enforce the requirements that were put in place to protect this area. Nothing should ever detract from the historical nature of this area.

Sincerely  
 Diane Chimich  
 788 Humboldt St.

## Richard Elliott

---

**From:** Victoria Mayor and Council  
**Sent:** August 19, 2020 2:33 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fw: Telus Building

Has been shared with Mayor Helps, but needs to be redacted and saved in the folder for 749 - 767 Douglas Street.

---

**From:** Dale Lovell [REDACTED]  
**Sent:** August 19, 2020 2:29 PM  
**To:** Lucas De Amaral <LDeAmaral@victoria.ca>  
**Subject:** Re: Telus Building

Thank you for that information Lucas.  
Dale Lovell

On Tue, Aug 18, 2020 at 11:04 AM Lucas De Amaral <[LDeAmaral@victoria.ca](mailto:LDeAmaral@victoria.ca)> wrote:  
Dear Dale,

Thank you for the email, it has been shared with Mayor Helps

The next steps for the project are as follows:

- TELUS and its local community development partner, Aryze Development, plan to initiate a community engagement and consultation program related to the TELUS Ocean Project at the end of June 2020. See here for more info: <https://telusocan.com/outreach>
- TELUS plans to submit a land use application to the City's planning process within the next few months after conducting initial public engagement.

When an application is received, you can follow it's progress via the City's Development Tracker: <https://www.victoria.ca/EN/main/residents/planning-development/development-tracker.html>

Thank you for sharing your thoughts with Mayor Helps and the City of Victoria.

Sincerely,

Lucas de Amaral  
Correspondence Coordinator

---

**From:** Dale Lovell [REDACTED]  
**Sent:** August 13, 2020 8:06 PM  
**To:** Lisa Helps (Mayor) <[LHelps@victoria.ca](mailto:LHelps@victoria.ca)>  
**Subject:** Telus Building

Dear Mayor Helps:

I am writing to ask you to reject the proposed design of the Telus building on Douglas Street. My biggest concern is the effect it will have on the local bird population. The Smithsonian migratory bird center estimates that glass-covered and illuminated buildings kill anywhere from a 100 million to a billion birds a year. Birds see the moon or the sun reflected in the glass and feel they have a clear flight path before slamming into a solid wall that either kills them outright or leaves them fatally injured on the pavement below. Mirrored glass is especially dangerous.

Please consider the negative impact this building design may have on bird species already in serious decline. If council decides this project must be approved, at the very least require Telus to follow “best practises” for reducing bird collisions. Toronto has been a leader in requiring developers to follow bird-friendly design guidelines. I am including a link to a document on the city web site.

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

Thank you for your attention.

Dale Lovell

**Richard Elliott**

---

**From:** DMcNally [REDACTED]  
**Sent:** August 20, 2020 10:11 AM  
**To:** Victoria Mayor and Council  
**Subject:** Telus Building, glass, bird deaths

Mayor Helps and Council:

The proposal for the new Telus building is lovely.  
But that aesthetic appeal is negated by the numbers of birds  
who will be killed by flying into it.

The Fatal Light Awareness Program and the City of Toronto  
have worked together to come up with solutions.

Please read, and demand the needed changes to this building.

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

Diane McNally  
353 A Linden Avenue  
Victoria  
[REDACTED]



## Richard Elliott

---

**From:** Lia Fraser [REDACTED]  
**Sent:** August 20, 2020 8:16 AM  
**To:** Victoria Mayor and Council  
**Subject:** Telus Tower

After reading a letter in the *Times Colonist* today about the proposed Telus Ocean building with a glass wall and how it will kill unsuspecting birds, I am requesting that you ask Telus to go back to the drawing board and eliminate the glass wall. It would be an act of compassion towards to the birds, who cannot speak for themselves.

Lia Fraser

**Richard Elliott**

---

**From:** kelly barbin [REDACTED]  
**Sent:** August 21, 2020 8:14 AM  
**To:** Victoria Mayor and Council  
**Subject:** Design for proposed Telus Ocean building

Hello Mayor and Council

I am writing today regarding the design of the Telus Ocean building, in hopes you are aware, and considering bird friendly design on all new buildings.

This Telus Ocean building appears to be deadly for birds with a very large amount of reflecting glass Please consider the evidence of large bird deaths with glass buildings and be leaders in innovative bird friendly design Thank you all for your hard work and dedication to our city, you are appreciated!

Warmly

Kelly Barbin and family  
District of Highlands BC

Sent from my iPhone



# BIRD-FRIENDLY Best Practices **Glass**



# BIRD-FRIENDLY DEVELOPMENT GUIDELINES

## Best Practices

### Glass

The City of Toronto would like to thank the following for their assistance in developing the Bird-Friendly Best Practices • Glass:

John Robert Carley, Architect Incorporated  
Fatal Light Awareness Program (FLAP Canada)  
Daniel Klem Jr., Professor,  
Department of Biology Muhlenberg College, Allentown, Pennsylvania  
Alison Lapp  
Bailey Bradshaw  
Hannah del Rosario  
Joseph Hong  
Photographs and artwork used with permission.

Illustrations and photographs provided by:  
Gabriel Guillen; John Robert Carley, Architect Incorporated;  
Fatal Light Awareness Program (FLAP Canada); Barry Kent MacKay;  
Alison Lapp; Hannah del Rosario; Daniel Woolfson; Tim Hoeflich;  
Karen Jiang; Alan Filipuzzi, Carol L. Edwards  
Front cover: Toronto waterfront illustration by Monika Hoxha  
Bird Layout by FLAP Canada

[www.toronto.ca/planning](http://www.toronto.ca/planning)

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Published by: City of Toronto, City Planning





The goal of this document is to inspire, suggest, and direct designers towards treatments of glass to render it as Bird-Friendly as possible...to mitigate and prevent deaths of birds.



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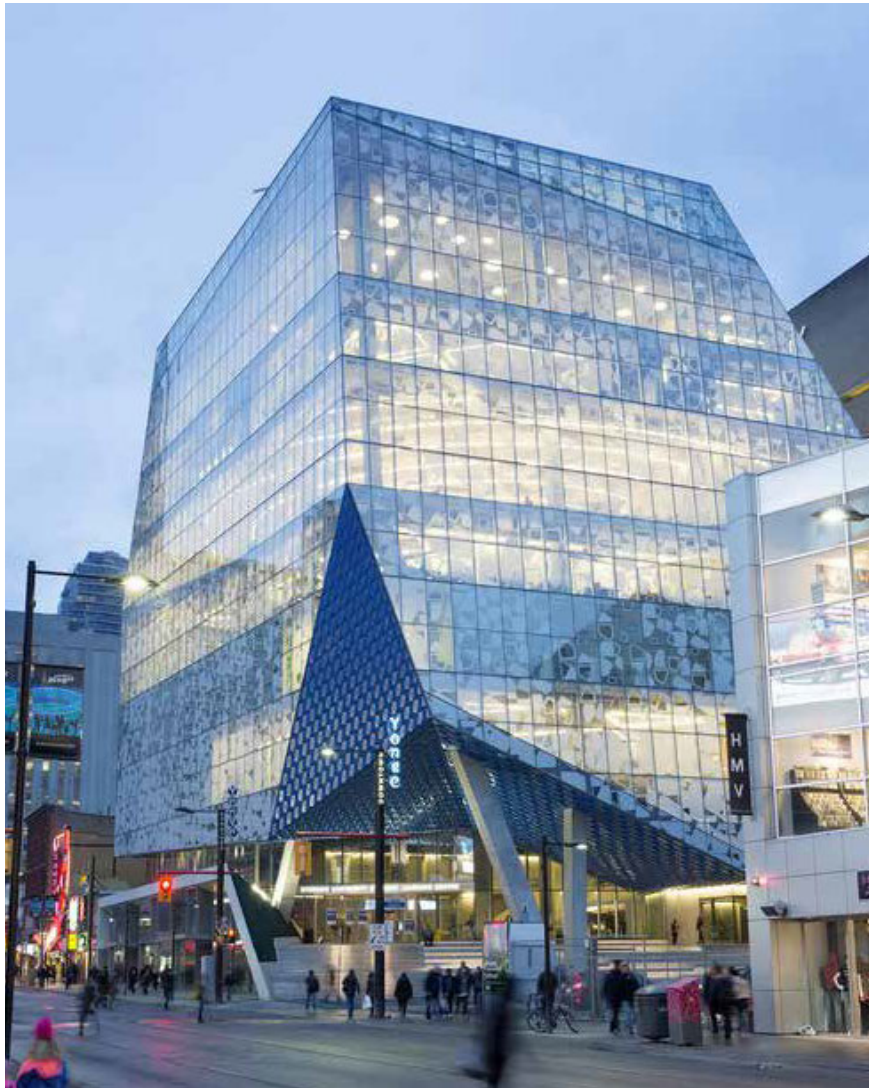
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*We have the opportunity to construct well-designed buildings that are also bird-friendly...*



### **Ryerson Student Learning Centre**

The glass exterior of the Ryerson University Student Centre incorporates strong visual markers, making it bird-friendly.

Design by: Zeidler Partnership Architects and Snøhetta

Photo: Lorne Bridgman



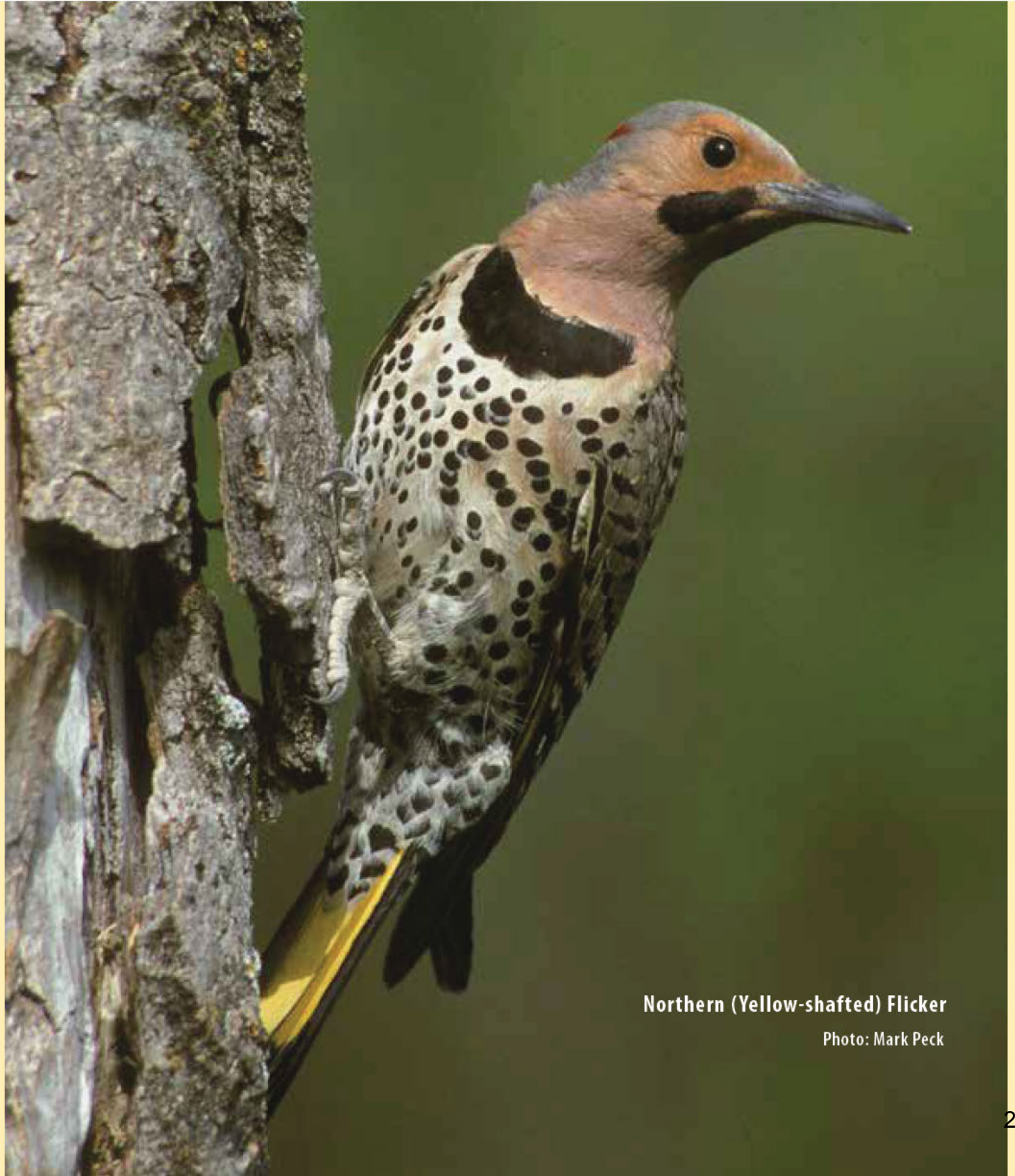
### **Picasso Condominium**

The exterior envelope of the Picasso Condominium Building is only 43 percent glazing as compared to the typical condominium in Toronto which may include upwards of 70 percent glass. The building's facade was designed to achieve higher levels of energy performance by reducing the area of exterior glazing, with the co-benefit of a significantly more bird-friendly design.

Design by: Teeple Architects Inc.

Rendering by: Teeple Architects Inc.





**Northern (Yellow-shafted) Flicker**

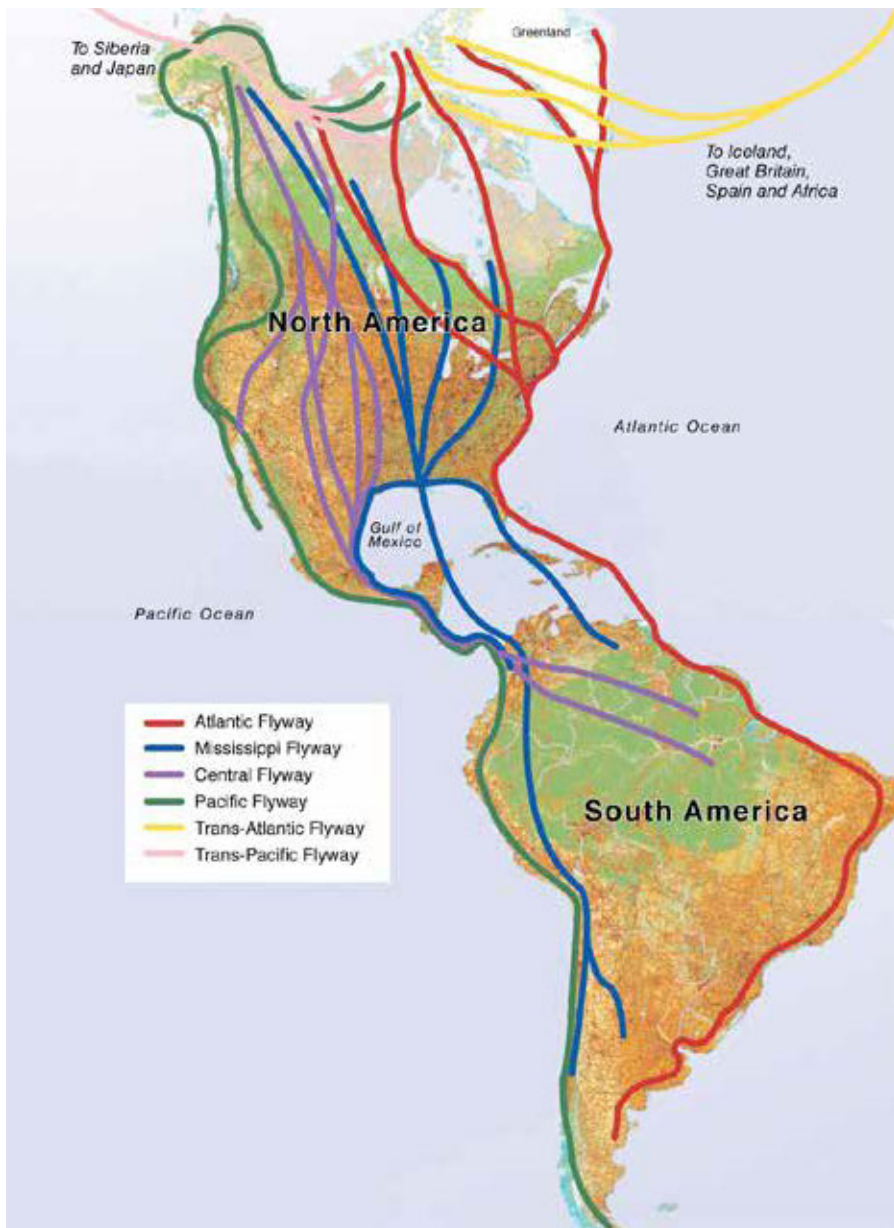
Photo: Mark Peck





Northern Flicker • from Common Birds of Toronto • Flap.org

Drawing by Barry Kent MacKay



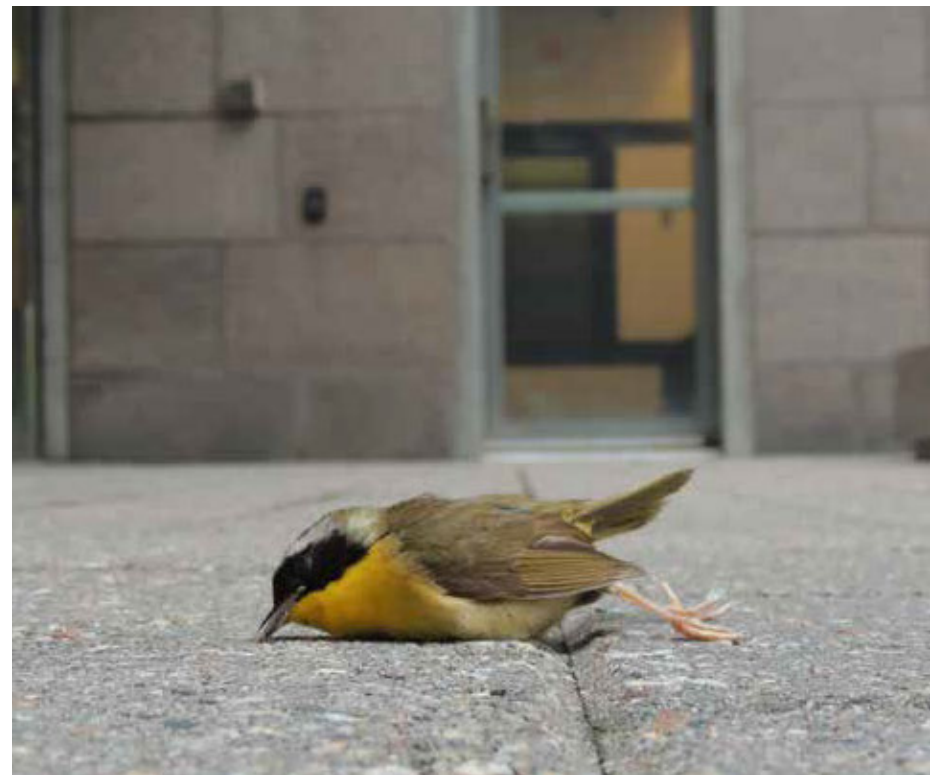
North American Migratory Flyways.

Image: City of Toronto

## What Is The Problem? Dead Birds

Recent estimates suggest that about 25 million birds die each year from window collisions in Canada. A disproportionately high number of these fatalities occur in Toronto due to its location adjacent to Lake Ontario; at the confluence of the Atlantic and Mississippi Migratory Flyways, and to the fact that it contains one-third of all tall buildings in Canada. Bird mortality is disproportionately higher at mid-rise and high-rise buildings, which are concentrated in urban areas such as Toronto.

Despite the extreme scale of the problem, there are solutions available today that can reduce bird mortality without sacrificing architectural standards.



A dead Common Yellowthroat.

Photo: FLAP Canada



## Leadership in Bird-Friendly Design

### Council Action - 2005

As a result of citizen scientists and the Fatal Light Awareness Program (FLAP Canada) drawing attention to this issue, in April 2005, Toronto City Council adopted Motion J(17) regarding the “Prevention of Needless Deaths of Thousands of Migratory Birds in the City of Toronto”. This led to the development of the “Bird-Friendly Development Guidelines” (the Guidelines), which was released in 2007.

### Bird-Friendly Development Guidelines - 2007

Toronto's 2007 Bird-Friendly Development Guidelines was the first Council-adopted document of its kind in North America. The award winning Guidelines provided several strategies and options for making new and existing buildings less of a threat to migratory birds, with a focus on the two key issues that are of critical importance – making glass less dangerous to birds and mitigating light pollution. These strategies could be voluntarily incorporated into the design of new buildings and into retrofit projects of existing buildings by developers and owners respectively.

### Toronto Green Standard - 2010

In 2010, the Toronto Green Standard (TGS) came into effect for new development in Toronto. The TGS established performance measures for green development based on local environmental drivers. Performance measures for reducing bird collisions were incorporated into the TGS, thereby defining a green building in Toronto as one that must also be bird-friendly. The bird-friendly standards contained in the TGS have been refined from the 2007 Guidelines to include those that can be implemented through the planning approval process in the Province of Ontario. Toronto demonstrated leadership and innovation by being the first municipality in North America to require new development to incorporate bird-friendly standards.

In 2014, the TGS was revised after substantial consultation with the public, architects, planners, designers and the development industry. The consultation process identified the standards for bird-friendly design as the most challenging for the development industry to implement. As a result, the standards were revised. Some were altered, some were amplified, and some were discarded all in the best interest of mitigation and, ultimately, prevention of bird fatalities from striking buildings.



Toronto  
is the first  
municipality  
to require  
bird-friendly  
standards.



Images: City of Toronto

## Why A Best Practices Manual?

Since the publication of the Bird-Friendly Development Guidelines in 2007, great advances have been made in the understanding of bird collisions and bird mortality from collisions with buildings. This is a topic of ongoing research by the scientific community working in this area, and resulting policy development by municipalities in Canada and the United States. The Best Practices for Bird-Friendly Glass has been developed as a supporting document to the TGS 2014 and elaborates upon the original bird-friendly strategies.

‘Best Practices’ answers many of the most common questions on bird-friendly design and provides local examples of strategies used to reduce the number of birds that die each year in Toronto.

This document is intended to assist with the understanding of the issues and the implementation of the Toronto Green Standard.



Dark-eyed Junco killed by colliding with window in downtown Toronto.

Photo: Simon Luisi, FLAP Canada



## Ontario Legal Context

In 2011, a prominent development company was prosecuted under Ontario's Environmental Protection Act (EPA) and the federal Species at Risk Act (SARA) for bird window strikes at one of its sites in Toronto.

In February 2013, Justice Melvyn Green of the Ontario Court of Justice found, beyond a reasonable doubt, that the company was responsible for hundreds of bird deaths at its site. Judge Green ultimately acquitted the company on the basis that it had exercised due diligence in attempting to address the problem by taking measures to install visual markers on the most lethal facades of its buildings. However, the case makes it clear that owners or managers of buildings whose design results in death or injury to birds could be found guilty of an offence if they fail to take all reasonable preventative measures.

The judge's ruling found that the reflected light discharged from the building was a "contaminant" under the EPA. Owners and managers of buildings whose windows reflect light as a contaminant are violating s.14 of the EPA, as well as s. 32 of the SARA where death or injury occurs to a species at risk. In summary, it is now an offence under Ontario's EPA and the federal SARA for a building to emit reflected light that kills or injures birds.

The issue of bird deaths and injuries caused by collisions with building glass due to reflected light is now in the judicial realm. Therefore, it is important and prudent for architects, engineers, developers and owners to adhere to current best practices to prevent these collisions and to demonstrate that all reasonable preventive measures have been taken.

Black-capped Chickadees killed at  
a two-storey building one morning in 2010.

Photo: FLAP Canada






**American Robin**

Photo: Mark Peck





## The Cause: Light and Glass

Photo: NASA



The clear glass corner of this building in downtown Toronto poses a lethal threat to birds.

Photo: Hanna del Rosario

## Light

Migratory birds are unable to adapt to the urban environment. It has been observed that many have evolved to travel at night when they are safer from predators; and the cooler temperatures enable them to expend less energy. To find their way during these flyovers, birds use natural cues including the moon and stars to navigate. Light emanating from urban areas obscures these natural cues, which disorients and confuses the migrating birds. Light attracts them into the unfamiliar urban environment where they subsequently get trapped, hence the term “fatal light attraction”. Once trapped, birds will attempt to take shelter in whatever habitat they can find.

## Glass

The urban environment contains a number of hazards to birds, many of which are common and hard to avoid. Unlike humans, birds cannot perceive images reflected in glass as reflections and will fly into windows that appear to be trees or sky. Clear glass also poses a danger as birds have no natural ability to perceive clear glass as a solid object. Birds will strike clear glass while attempting to reach habitat and sky seen through corridors, windows positioned opposite each other in a room, ground floor lobbies, glass balconies or glass corners. The impact of striking a reflective or clear window in full flight often results in death.

Experiments suggest that bird collisions with windows are indiscriminate. They can occur anywhere, at any time, day or night, year-round, across urban and rural landscapes, affecting migratory, resident, young, old, large, small, male and female birds.



## Why is the Problem getting Worse?

### Growth of Cities

The upward and outward growth of urban areas around the world has both degraded the quality of existing natural habitat and increased the number of hazards found in cities. As human activity encroaches on shorelines, wetlands, ravines and meadows, stopover locations for migrating birds are becoming smaller and more fragmented. Urban intensification also brings larger and taller buildings that increase the number of obstacles for migrating birds.

### Expanded Use of Glass in Architecture

The amount of glass in a building is the strongest predictor of how dangerous it is to birds. As changes in production and construction techniques facilitated the greater use of glass, cities have become more dangerous for birds to navigate through.

The development of the curtain wall system and the invention of the float glass technique led directly to the expanded use of glass in modern architecture.

Today it is now common to see buildings with the appearance of complete glass exteriors. The increase of curtain wall and window wall glazing, as well as picture windows on private homes, has in turn increased the incidence of bird collisions. Today, the vast majority of Toronto's new mid to high rise buildings contain more than 60 percent glass. Historic masonry structures, with their "punched" windows, used less glass area per facade, and the glass itself, by necessity of manufacture and transportation, was divided into panes by muntins. Further, operating windows frequently had exterior insect screens, rendering them completely bird-friendly.

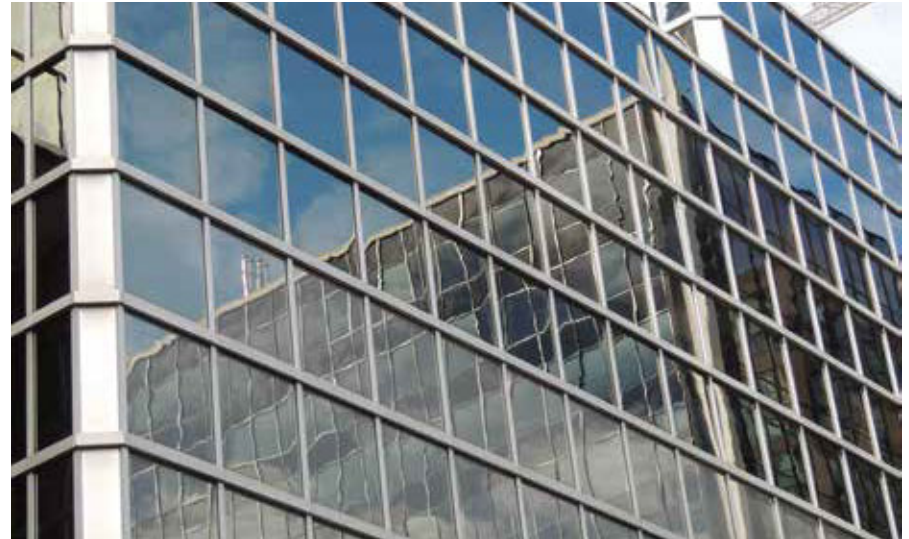


Photo: FLAP Canada



Old City Hall

Image: City of Toronto



**Cedar Waxwing**  
Photo: Mark Peck





## The Problem: Glass

Photo: Daniel Woolfson

## Properties of Glass

Glass can appear very differently depending on a number of factors, including how it is fabricated, the angle at which it is viewed, and the difference between exterior and interior light levels. Combinations of these factors can cause glass to look like a mirror or dark passageway, or to be completely invisible. Humans do not actually “see” most glass, but are cued by context such as mullions, roofs or doors. Birds, however, do not perceive right angles and other architectural signals as indicators of obstacles or artificial environments.



Photo: Hannah del Rosario

## Reflection

Viewed from outside, transparent glass on buildings is often highly reflective. Almost every type of architectural glass, under the right conditions, reflects the sky, clouds, or nearby habitat and appears familiar and is attractive to birds. When birds try to fly to the reflected habitat, they hit the glass. Reflected vegetation is the most dangerous, but birds also attempt to fly past reflected buildings or through reflected passageways.



Photo: Gabriel Guillen



Photo: Gabriel Guillen

## Transparency

Birds strike transparent windows as they attempt to access potential perches, plants, food or water sources, and other lures seen through the glass. Glass “skywalks” connecting buildings, glass walls around planted atria, windows that form glass corners and exterior glass guardrails or walkway dividers are dangerous because birds perceive an unobstructed route to the other side.



Photo: John Carley

## Black Hole or Passage Effect

Birds often fly through small gaps, such as spaces between leaves or branches, nest cavities, or other small openings. In some light, glass can appear black, creating the appearance of a cavity or “passage” through which birds try to fly.



Photo: Gabriel Guillen



## Building Features that Influence Bird Collisions

Untreated glass is responsible for virtually all bird collisions with buildings. The relative threat posed by a particular building depends significantly on the amount of exterior glass, as well as the type of glass used, and the presence of glass “design traps”. In a study based on data from Manhattan, New York, Dr. Daniel Klem found that a 10 percent increase in the area of reflective and transparent glass on a building facade correlated with a 19 percent increase in the number of fatal collisions in the spring and a 32 percent increase in fall.

### Type of Glass

The type of glass used in a building is a significant component of its danger to birds. Mirrored glass is often used to make a building “blend” into an area by reflecting its surroundings. Unfortunately, this makes those buildings especially deadly to birds. Mirrored glass is reflective at all times of day, and birds mistake reflections of sky, trees, and other habitat features for reality. Many of Toronto’s most hazardous buildings include mirrored glass. Non-mirrored glass can be highly reflective at one time, and at others, appear transparent or dark, depending on time of day, weather, angle of view, and other variables. Low-reflection glass may be less hazardous in some situations, but does not actively deter birds and can create a “passage effect,” appearing as a dark void that can be flown through.



Photo: Hannah del Rosario

### Building Size

As building size increases, so typically does the amount of glass, making larger buildings more of a threat. It is generally accepted that the lower stories of buildings are the most dangerous because they are at the same level as trees and other landscape features that attract birds. However, monitoring programs accessing setbacks and roofs of tall buildings are finding that birds also collide with higher levels especially during inclement weather at night.



Photo: Gabriel Guillen



Photo: John Carley

### Reflected Vegetation

Glass that reflects shrubs and trees causes more collisions than glass that reflects pavement or grass. Vegetation around a building will bring more birds into its vicinity as reflections of vegetation correlate with more collisions. Studies with bird feeders (Klem et al., 1991) have shown that collisions will be fatal when birds fly towards glass from more than a few feet away.



## Design Traps

Windowed courtyards and open-topped atria can be death traps for birds, especially if they are heavily planted. Birds fly down into such places, and then try to leave by flying directly towards the reflections. Glass sky walks and outdoor guardrails, and building corners where glass walls or windows are perpendicular are dangerous because birds can see through them to sky or habitat on the other side.



Photos: City of Toronto



## Green Roofs And Walls

Green roofs provide many environmental benefits, including habitat elements that are attractive to birds. Recent work shows that well designed green roofs can become functional ecosystems, providing food and nesting for birds. However, green roof features are often located close to glass, for views onto greenspace. This poses a great threat to birds. It is particularly important that glass near rooftop gardens, green roofs and other features such as green walls be treated to be bird-friendly.

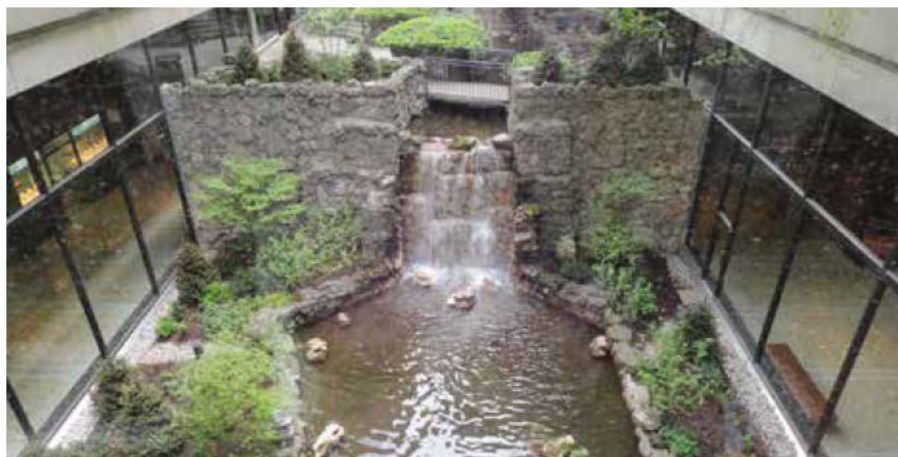


Photo: FLAP Canada



Photo: Gabriel Guillen

## Lighting

Interior and exterior building and landscape lighting can make a significant difference to collision rates in any one location. This phenomenon is dealt with in detail in the “Best Practices for Effective Lighting” document.





**Black-capped Chickadee**

Photo: Mark Peck





## The Solution: Bird-Friendly Building Design

Photo: Lorne Bridgeman, Ryerson Student Learning Centre  
Design by: Zeidler Partnership Architects and Snohetta



## Building Envelope

The overall extent of glass on the building facade is a primary focus of bird-friendly design and retrofit methodologies. The risk of bird collisions increases as the ratio of glass to solid wall increases. As well as contributing to bird collisions, extensive glazed surfaces also contribute to glare and reflection, and create unwanted heat gain. A building designed with a total window surface area of 25-40 percent relative to the entire facade (low window to wall ratio) can reduce fatal bird collisions. When coupled with passive solar strategies such as daylighting, the design can also provide high-quality light, and help reduce energy use for heating and cooling.



**SQ Condominium Building in Alexandra Park**  
Rendering of a new residential building designed by Teeple Architects. The exterior of Alexandra Park Block 11 is only 3 percent glazing, significantly reducing the bird collision hazard posed by this building.

Rendering: Teeple Architects



### **HOT Condos**

Rendering of a new low-rise residential development designed by Quadrangle Architects.

Rendering: Quadrangle Architects

## Design to Eliminate Fly-Through Conditions

The elimination of potential fly-through conditions in a building will help to reduce the potential collision hazards a building presents to birds. Glass bridges and walkways, outdoor railings, free-standing glass architectural elements and building corners where glass walls or windows are perpendicular are dangerous because birds can see through them to sky or habitat on the other side.

## Awnings and Overhangs

The design of recessed windows, balconies and awnings can add both visual cues for birds to avoid, as well as reduce the amount of visible glass and the corresponding collision threat. However, awnings and overhangs, and other building-integrated structures do not completely reduce reflections and as such are considered far less effective than visual markers applied directly to glass.



Photo: City of Toronto



Photo: Hannah del Rosario



Photo: John Carley

## Exterior Screens, Grilles, Shutters and Sunshades

Many buildings that are considered good examples of bird-friendly design have achieved this by virtue of incorporating unique architectural elements that provide clear visual cues for birds to avoid without impacting views from the interior of the building. Decorative facades that wrap entire structures can reduce the amount of visible glass and thus the threat to birds. Netting, screens, grilles, shutters and exterior shades are commonly used elements that can make glass safer for birds. They can be retrofitted on an existing building or integrated into the design of a new building, and can significantly reduce bird mortality.



## Creating Visual Markers:

### Frit, Film and Acid-Etched Patterns

Once the amount of visible glass and high threat features have been minimized, the remaining glass must be made bird-friendly. Natural features in the wild do not reflect images in the way glass does, rather they project 'visual markers' to birds, indicating to them that they are solid objects to be avoided. There are two means of mitigating the danger glass poses to birds. The first and most effective approach is to create visual markers. The second and less effective strategy is to mute reflections in glass.

Glass can have an image or pattern screened, printed, or applied to the glass surface. Ceramic frit and acid-etched patterns are commonly used to achieve other design objectives including a reduction in the transmission of light and heat, privacy screening or branding. By using patterns of various sizes and densities, manufacturers can create any kind of image, translucent or opaque. The image in the glass then projects enough visual markers to be perceived by birds.

Studies have shown that visual markers spaced at a maximum of 10 cm apart are effective at deterring bird collisions with glass. The size of the visual marker, and spacing between them have been found, by testing and observation, to be the most effective at diminishing the risk of bird collisions. The denser the pattern, the more effective it becomes in appearing as a solid object to birds. The markers must also be high contrast. If contrast is subtle to the human eye, it will also be subtle to birds.

Only non-reflective glass should be used in combination with ceramic frit patterns. The visual markers are most visible on Face 1 (exterior surface) of the glass, as they are not obscured by reflections. Face 2 or Face 3 applications are of assistance, but are of secondary and diminished value. With these parameters, a wide variety of aesthetic solutions are possible, enhancing the design of the building.

DIY window film for homeowners will provide visual markers to glass.

Photo: FLAP Canada





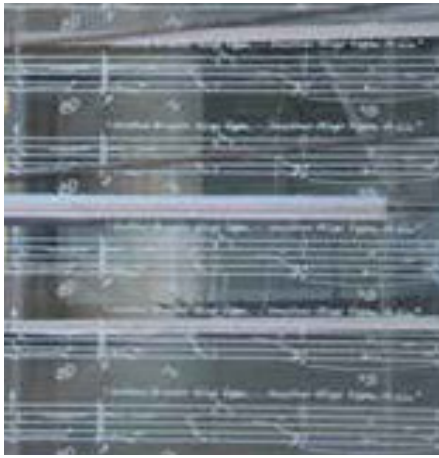


Photo: John Carley



Photo: FLAP Canada



Photo: MMC Architects



Photo: MMC Architects



Photo: FLAP Canada



Photo: FLAP Canada

# Tips for Designing Visual Markers

*Select a pattern.*

*Any design will be effective if it meets the following criteria:*

- Ensure the pattern density is 10 cm by 10 cm or less;
- Visual markers must be at least 5 mm in diameter
- Visual markers are applied to low reflectance glass
- Visual markers should be high contrast
- Face 1 (exterior surface) is the most effective surface to deter bird collisions

Acid-etching patterns will provide similar visual markers to that of fritted glass. Acid-etched patterns on the first (exterior) surface of the glass provide both visual cues and break up any reflections on the glass surface.

Exterior bird-friendly films applied directly to the glass are a less permanent but similarly effective solution. The lifespan of exterior film will be a fraction of the operating life of a building and is not recommended for new construction. This type of film is most commonly used in retrofit situations.

### Pan Am Aquatic Centre

This imaginative frit pattern is both a branding strategy and a deterrent for bird collisions.







Photo: FLAP Canada

## Opaque and Translucent Glass

Opaque, etched, stained, and frosted glass, as well as glass block are excellent options to reduce or eliminate collisions and are commonly used in new construction. Frosted glass is created by acid etching or sandblasting the exterior surface of transparent glass. This process both reduces the reflectivity of the exterior surface and makes the glass translucent, appearing to birds as something to avoid. An entire surface can be frosted, or frosted patterns can be applied. Patterns should be applied at a 10 cm by 10 cm spacing. For retrofits, glass can be frosted by sandblasting on site. Stained glass is typically seen in relatively small areas but can be extremely attractive and is not conducive to collisions. Glass block is extremely versatile, can be used as a design detail or primary construction material, and is also unlikely to cause collisions.

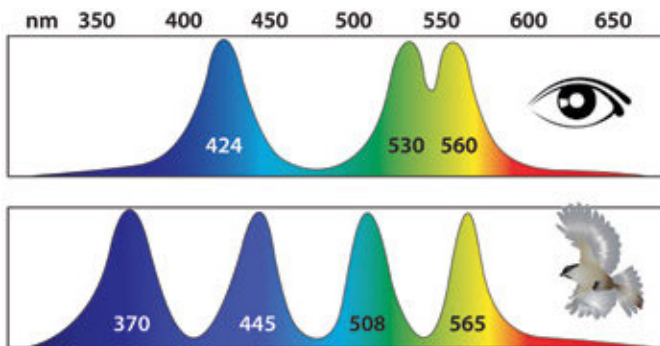


Illustration: American Bird Conservancy

## UV Glass (or similar products)

Birds have evolved to perceive the ultraviolet (UV) spectrum of light. Thus, any glass product that is able to reflect and/or absorb UV light would appear solid to a bird but clear to the human eye. Several products with this ability are already available. In order to be accepted as bird-friendly, a product that makes this claim would need to provide demonstrable, third party testing results that clearly indicate a significant reduction in bird collisions comparable to acid-etched and/or fritted glass treated to the performance measures set out in the 2014 Toronto Green Standard version 2.0.

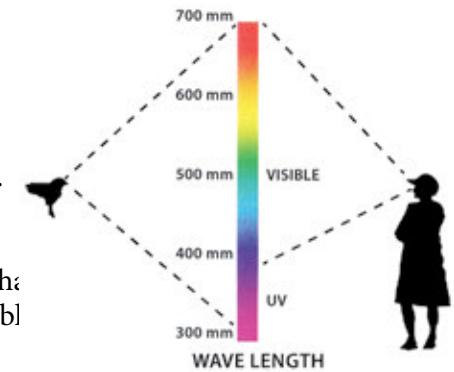


Illustration: New York City Audubon



Photo: FLAP Canada

## Low Reflectance Glass

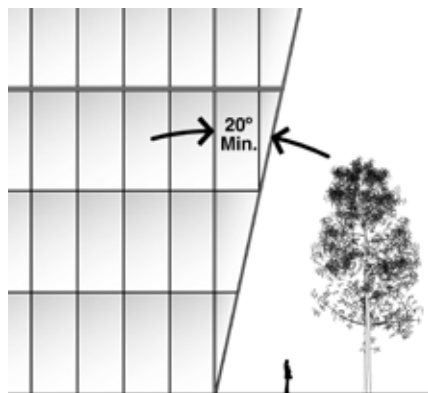
As discussed in the preceding sections, mirrored glass is the most reflective of all building materials and should be avoided in all situations. Lower reflectance glass (less than 15 percent reflectance) may reduce collisions in some situations, but does not actively deter birds and can create a “see-through” effect. Low-reflectance glass on its own is not considered a treatment and must be coupled with visual markers to be considered bird-friendly.



## Ineffective Strategies

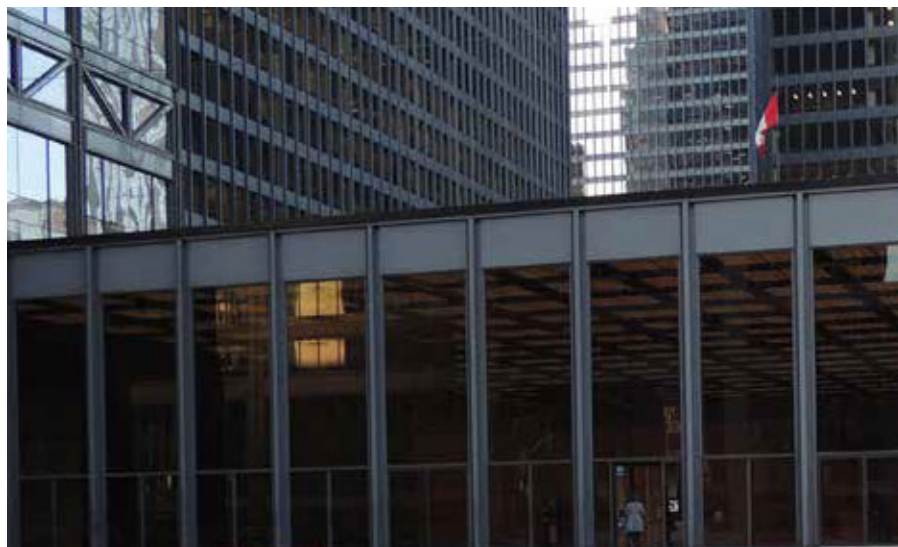
### Angled glass

In the 2007 Bird-Friendly Design Guidelines, it was suggested that angling glass panes downward at 20 to 40 degrees is an effective means of deterring bird strikes at ground level. Due to the architectural challenges involved in utilizing this strategy and the lack of scientific evidence supporting the effectiveness, angled glass is no longer accepted as a suitable strategy.



Angled Glass is no longer accepted

Illustration: City of Toronto



Unacceptable to use Tinted Glass

Photo: FLAP Canada

### Blinds

Interior blinds installed behind windows have been used as a means of deterring bird collisions on the assumption they provide sufficient visual markers to make a window appear as a solid object. However, while it is possible to require the installation of blinds by a developer through the Site Plan process, there is no mechanism to ensure or require that blinds be utilized by the tenant during the migratory seasons and/or that the building owner or manager will require this of their tenants. Due to this fact, blinds are not accepted as a suitable strategy.



Blinds not always utilized by tenants

Photo: FLAP Canada

### Tinted Glass

There is no definitive evidence that tinted glass has a positive effect in reducing bird collisions. Tinted glass is not an acceptable option or strategy for meeting the Toronto Green Standard “Bird Collision Deterrence” requirements.

## Interior Screens

In the 2007 Bird-Friendly Design Guidelines, it was suggested that installing permanent internal screens may provide enough visual markers through non-reflective glass for birds to perceive the windows as solid objects. It was stated that they must be installed as close to the glass as possible to maximize the visual markers projected through the window. Due to the variability in the possible distance from the window and the lack of scientific evidence supporting the effectiveness of this strategy, interior screens are no longer accepted as a suitable strategy.



Interior Screens are not a suitable strategy

Photo: Gabriel Guillen

## Bird Decals

It has been a popular belief that large opaque silhouettes of birds of prey will deter other birds from frequenting an area. This is not the case. Bird silhouettes have, unfortunately, been proven to be ineffective at reducing collisions applied in this manner. Commonly used bird of prey silhouettes have been tested experimentally and found to be largely ineffective. Birds will avoid hitting the decal if it is applied on the exterior surface of the window, but may still hit glass beside the decal if it reflects vegetation or sky. To be effective, decals would have to be applied on a window in a pattern of 5 to 10 cm apart.



One or two Bird Decals are ineffective

Photo: FLAP Canada





Red Knot  
Photo: Mark Peck





## Applying Bird-Friendly Design to New Development in Toronto

Bird Safe Glass  
Acid Etched Pattern Surface  
Photo: AviProtek E



# Toronto Green Standard

*Making a Sustainable City Happen*



For  
**New Low-Rise Residential Development**  
(5 dwelling units or more)

**Version 2.0**  
January 2014



## Toronto Green Standard

### Standards for New Development

The Toronto Green Standard (TGS) has been a requirement for all new development through the planning process since 2010. The bird-friendly performance measures set out in the TGS are required as a matter of exterior sustainable design (s. 114 City of Toronto Act, 2006). This includes applications for rezoning, plan of subdivision and site plan control.

The requirements for Bird Collision Deterrence in the Toronto Green Standard are applied to the following building types:

- Residential development 4 storeys and higher
- All non-residential development
- Low-rise residential development (under Part 9 of the Ontario Building Code) that is abutting a ravine or natural area and contains more than 5 units

Image: City of Toronto

## Areas Requiring Glass Treatment

All glass poses a collision risk to birds and must be treated when within the required areas. Building designs that reduce the total exterior glazing also reduce the total area that must be treated.

The Toronto Green Standard requirements focus on reducing the hazards within areas that pose a higher risk of collision, such as:

- 0-12 m above grade: exterior glass, fly-through conditions and balcony railings
- 4 m above rooftop vegetation: exterior glass, fly-through conditions and balcony railings
- At all heights: parallel glass such as bridges and walkways

## ECOLOGY

### For New Mid to High-Rise Residential and All Industrial, Commercial and Institutional (ICI) Development



Development Feature	Required Tier 1	Voluntary Tier 2	Specifications, Definitions and Resources	Potential Strategies
<b>Bird Collision Deterrence</b> Design buildings to reduce bird collisions and mortality	<p><b>EC 4.1 Bird friendly glazing</b></p> <p>Use a combination of the following strategies to treat a minimum of 85% of all exterior glazing within the first 12 m of the building above grade (including balcony railings, clear glass corners, parallel glass and glazing surrounding interior courtyards and other glass surfaces):<sup>1,2</sup></p> <ul style="list-style-type: none"> <li>• Low reflectance, opaque materials<sup>3</sup></li> <li>• Visual markers applied to glass with a maximum spacing of 100 mm x 100 mm<sup>4</sup></li> <li>• Building-integrated structures to mute reflections on glass surfaces.<sup>5</sup></li> </ul> <p><b>Balcony railings:</b> Treat all glass balcony railings within the first 12 m of the building above grade with visual markers provided with a spacing of no greater than 100 mm x 100 mm.<sup>4,6</sup></p> <p><b>Fly-through conditions:</b> Glass corners: Within the first 12m of the building, treat all glazing located at building corners with visual markers at a spacing of no greater than 100 mm x 100 mm.<sup>7</sup></p> <p><b>Parallel glass:</b> Treat parallel glass at all heights with visual markers at a spacing of no greater than 100 mm x 100 mm.<sup>7</sup></p> <p><b>City-owned buildings and all Agencies, Boards, Commissions and Corporations:</b> For new buildings or major renovations, treat all exterior glazing within the first 16 m of the building above grade as per the requirements of EC 4.1 above; visual markers applied to glass must have a maximum spacing of 50 mm x 50 mm<sup>8</sup>.</p>	<p><b>EC 4.4 (Optional) Enhanced bird friendly glazing</b></p> <p>Use a combination of the following strategies to treat a minimum of 95% of all exterior glazing within the first 12 m of the building above grade (including all balcony railings, clear glass corners, parallel glass and glazing surrounding interior courtyards and other glass surfaces):<sup>1,2</sup></p> <ul style="list-style-type: none"> <li>• Low reflectance, opaque materials<sup>3</sup></li> <li>• Visual markers applied to glass with a maximum spacing of 100 mm x 100 mm<sup>4</sup></li> <li>• Building-integrated structures to mute reflections on glass surfaces.<sup>5</sup></li> </ul> <p><b>EC 4.5 (Optional) Opaque building materials</b></p> <p>Provide at least 50% of the exterior surface of the building as non-reflective opaque materials to significantly reduce bird collisions with buildings.</p>	<ol style="list-style-type: none"> <li>1. Bird friendly design aims to reduce bird collisions and mortalities caused by reflective glazing by: making glazed areas visually distinct to birds and by reducing images of trees or sky reflected in glass through shading/muting reflections. The most critical zone for bird collisions is 12 m minimum above grade (mature tree height).</li> <li>2. If the site is adjacent to a natural area feature, glass must be treated to the first 12 m of the building or to the height of the top of the surrounding tree canopy at maturity, whichever is greater.</li> <li>3. Low reflectance, opaque materials may include spandrel glass with one of the following: (i) Solid back-painted frit or silicone backing opaque coatings OR; (ii) Reflective or low-e coatings that have an outside reflectance of 15% or less. Spandrel glass with reflective or low-e coatings that have an outside reflectance of greater than 15% should be used in combination with other strategies.</li> <li>4. Visual markers consist of opaque contrasting points or patterns etched into or applied onto the exterior or interior surfaces of glass and must have a minimum diameter of 5 mm and a maximum spacing of 100 mm x 100 mm. Patterns applied closer to the first (exterior) surface, in combination with low reflectance glass, are most visible and effective.</li> <li>5. Building integrated structures include: opaque awnings, sunshades, exterior screens, shutters, grilles and overhangs or balconies that provide shading below a projection (assume 1:1 ratio of treatment below a projection) to mute reflections. Shade cast by the building or adjacent buildings cannot be included as a bird collision deterrence strategy.</li> <li>6. Glass behind treated balcony railings is considered to be treated.</li> <li>7. Fly-through conditions are created when clear glass corners meet or provide any clear line of sight to birds. Glass corners must be treated for 2.5 m extending on each side away from the corner. Parallel glass is glass installed at any height that is parallel at a distance of 5 m or less such as a clear glass corridor or bridge.</li> <li>8. This requirement applies to City-owned non residential facilities.</li> </ol>	<p>Visual markers:</p> <ul style="list-style-type: none"> <li>Etched glass</li> <li>Fritted glass</li> <li>Films</li> <li>Decals</li> <li>Mullions</li> </ul> <p>Exterior screens, shutters, grilles and louvers to shield glass surfaces</p> <p>Shadows from opaque overhangs, awnings, exterior sunshades</p>

14 Apply this Standard to: New Residential Apartments 4 storeys and higher and ALL Industrial, Commercial and Institutional (ICI) Development

March 2015

Refer to the full Toronto Green Standard Document for the complete set of bird-friendly requirements.

Image: City of Toronto



## Scarborough Civic Centre Branch

Our 100th Library Branch



Photo: Alan Filipuzzi

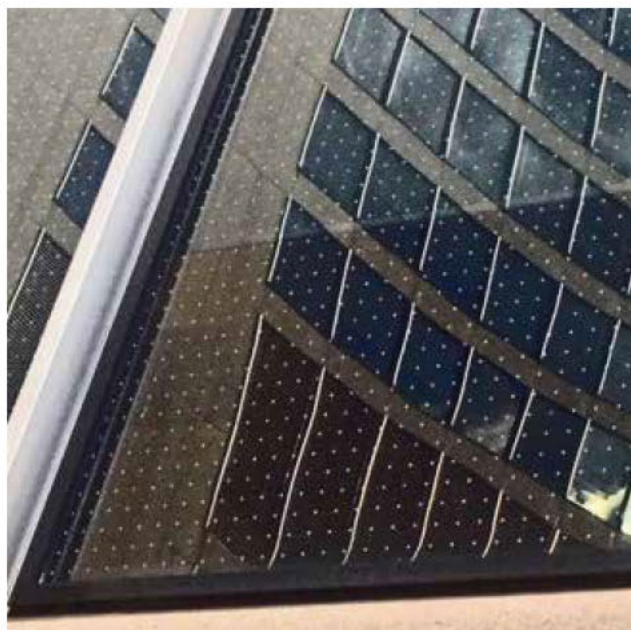


Photo: Monika Hoxha

## Municipal Buildings

For new projects or major renovations, all buildings owned by the City and its Agencies, Boards, Commissions and Corporations are required to provide a higher level of protection for birds by treating exterior glazing within the first 16 m of the building and providing a denser pattern of visual markers on glass at a spacing of 50 mm x 50 mm.

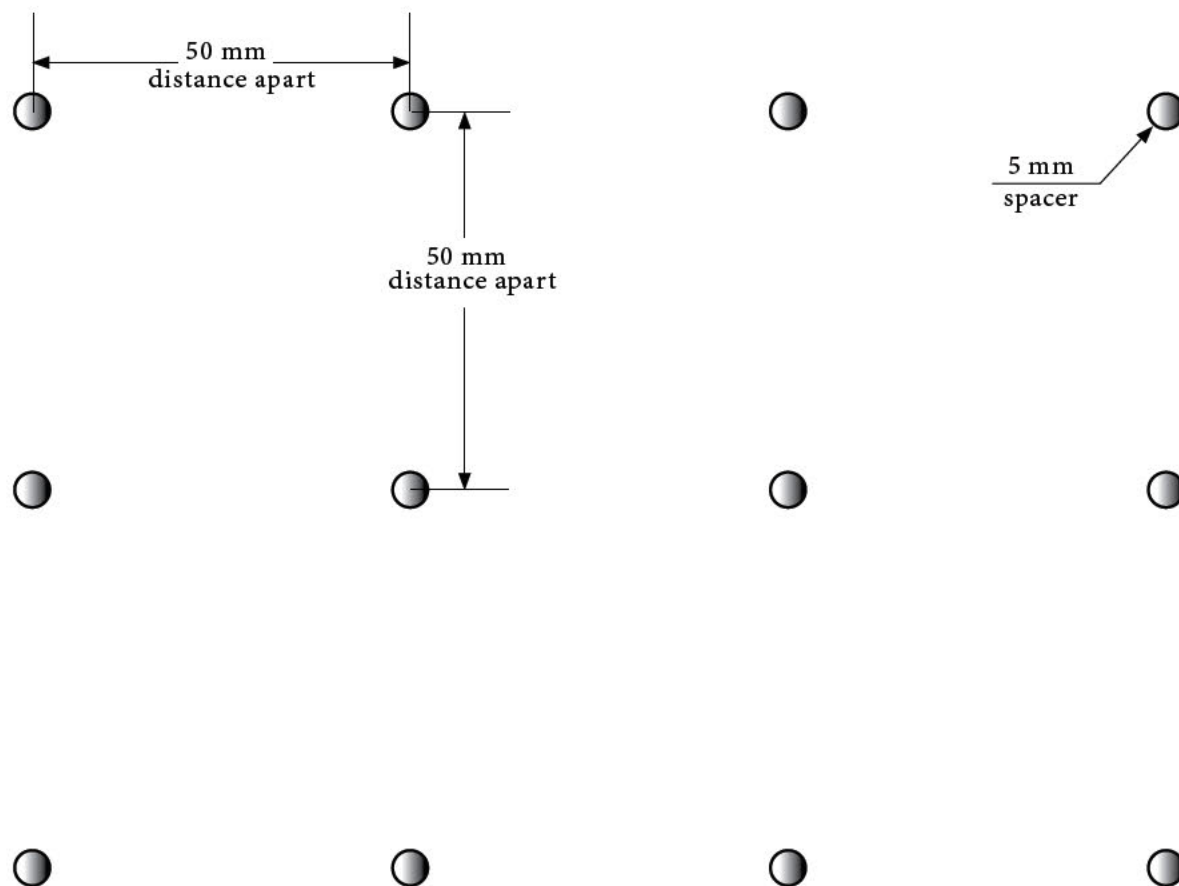


Illustration: Monika Hoxha

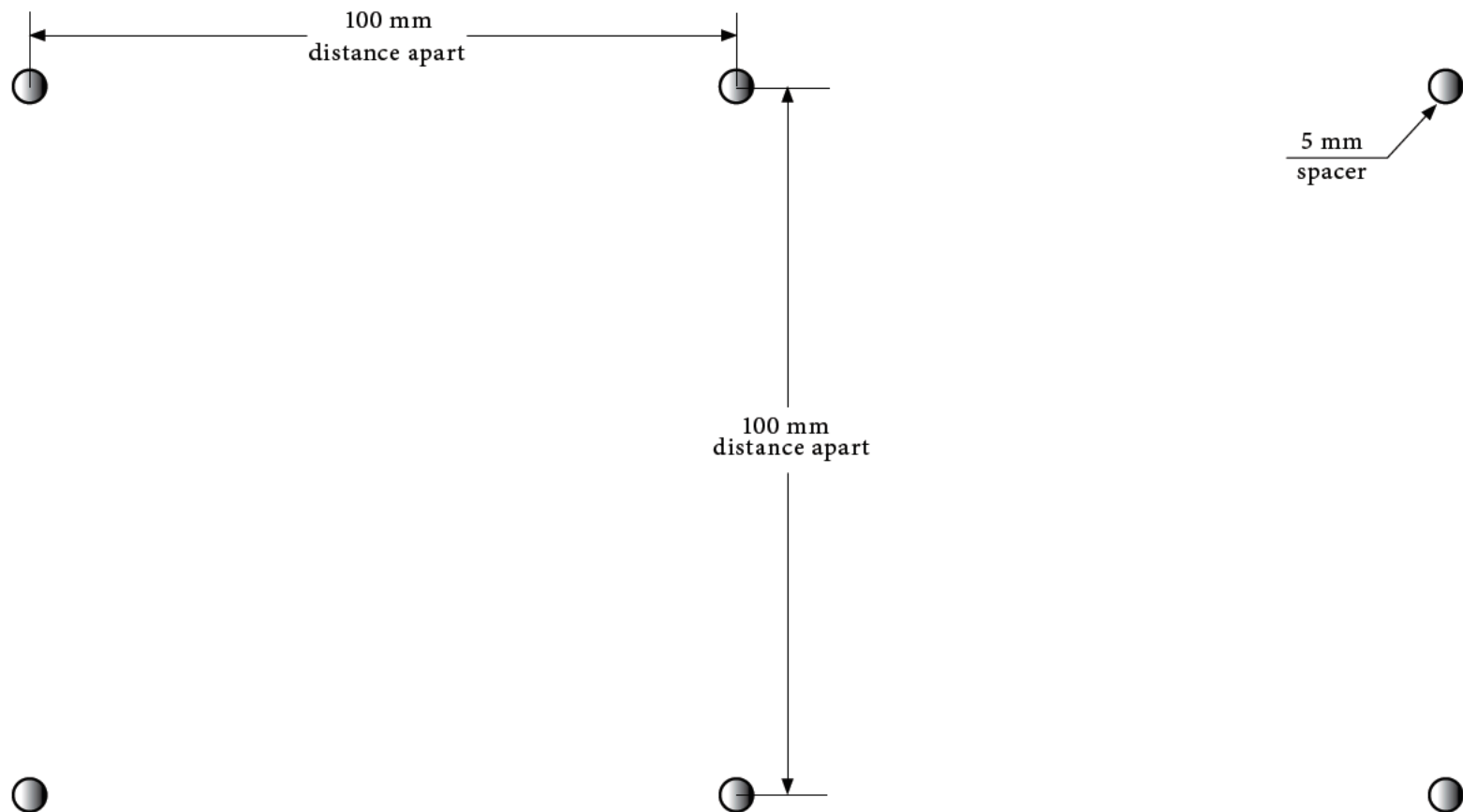
## Compliance Strategies (TGS Tier 1)

### Visual markers applied to glass with a maximum spacing of 100 mm x 100 mm

Visual markers consist of opaque contrasting points or patterns etched into or applied onto the exterior or interior surfaces of glass. Patterns applied closer to the first (exterior) surface, in combination with low reflectance glass, are most visible and effective. Areas that pose a high risk for bird collisions must be treated using visual markers including glass balcony railings, fly-through conditions, parallel glass and areas adjacent to rooftop vegetation.

Visual markers must be designed to meet the following criteria:

- minimum diameter of 5 mm
- maximum spacing of 100 mm x 100 mm



## Compliance Strategies (TGS Tier 1)

### EC 4.1 Bird friendly glazing

Use a combination of the following strategies to treat a minimum of 85 percent of all exterior glazing within the first 12 m of the building above grade (including balcony railings, clear glass corners and glazing surrounding interior courtyards and other glass elements).

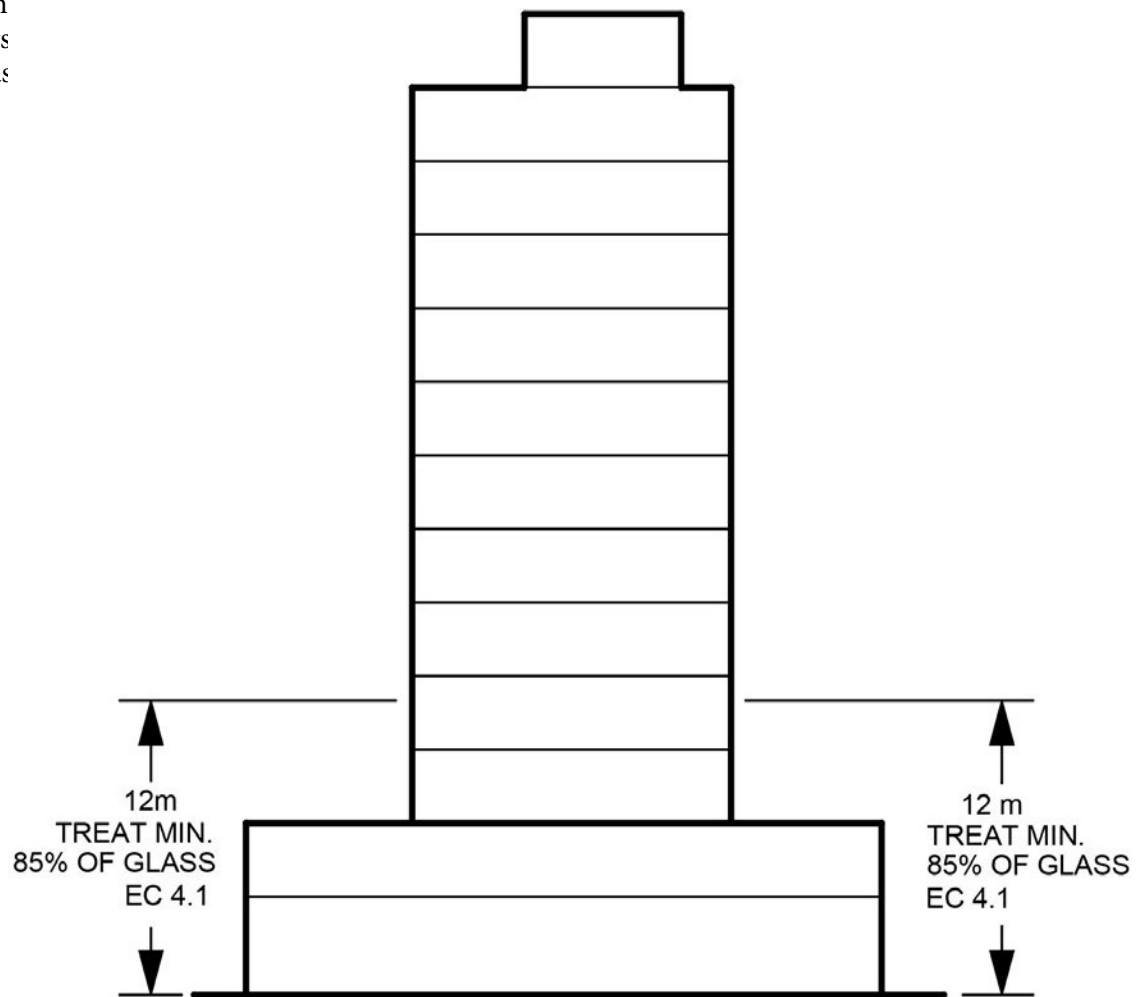


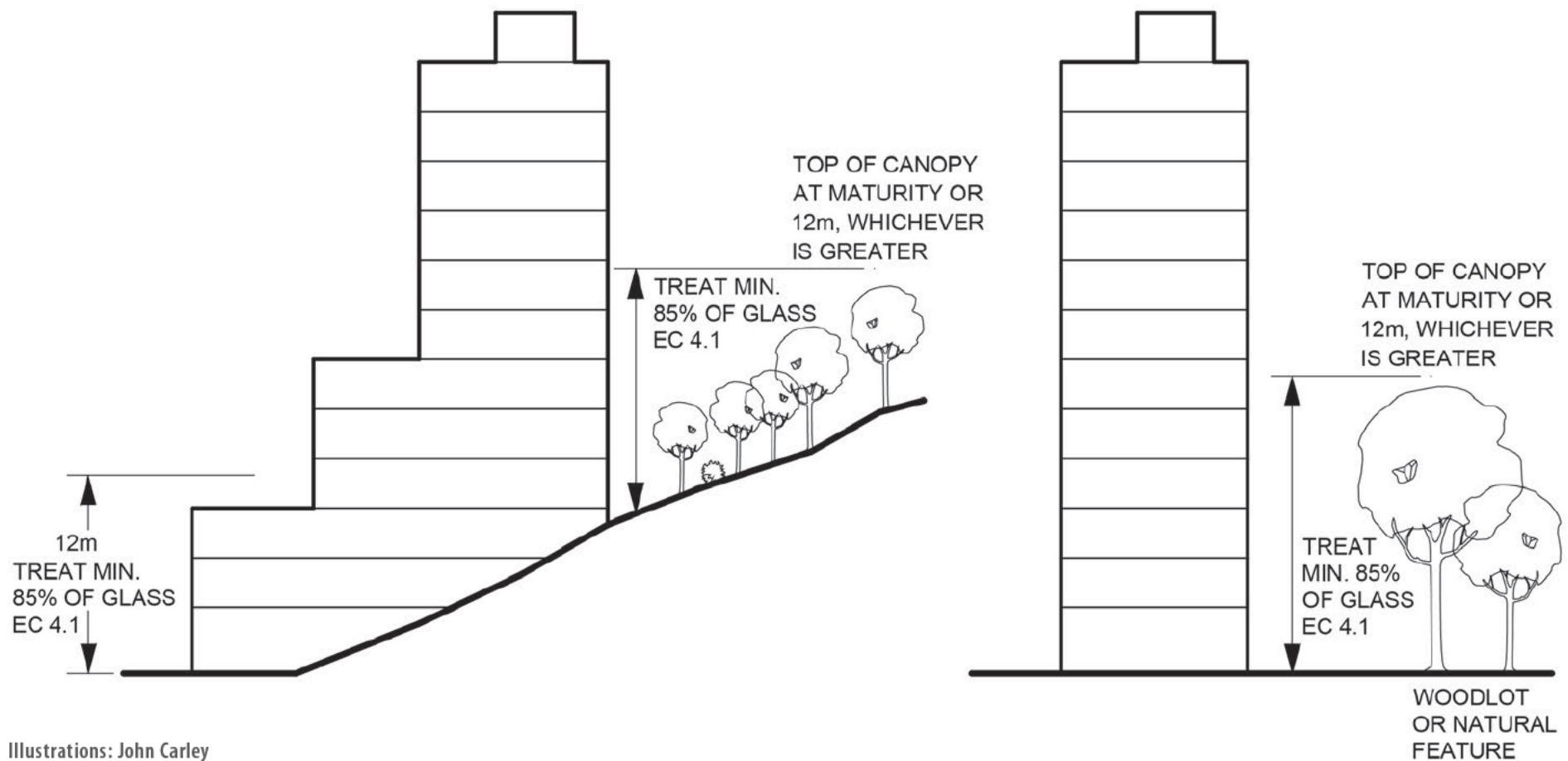
Illustration: John Carley



## Compliance Strategies (TGS Tier 1)

### Buildings Adjacent to Natural Features

Because natural features such as ravines attract greater concentrations of birds, developments that are adjacent to a natural area feature must have glass treated to the first 12 m of the building or to the height of the top of the surrounding tree canopy at maturity, whichever is greater.



Illustrations: John Carley

## Compliance Strategies (TGS Tier 1)

### Balcony railings

Treat all glass balcony railings within the first 12 m of the building above grade with visual markers provided with a spacing of no greater than 100 mm x 100 mm.

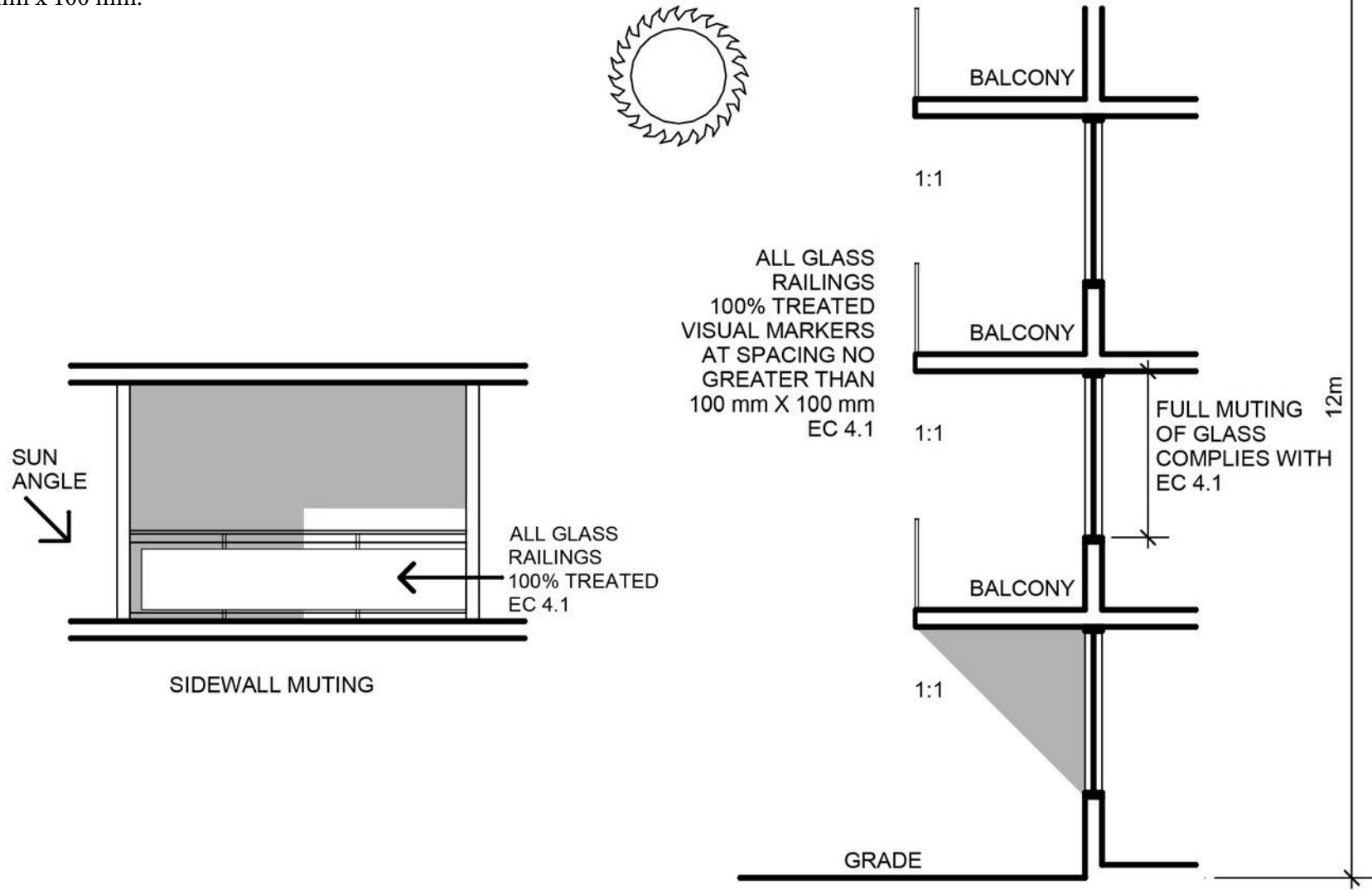


Illustration: John Carley

## Compliance Strategies (TGS Tier 1)

### Fly-through conditions

Glass corners: Within the first 12m of the building, treat all glazing located at building corners with visual markers at a spacing of no greater than 100 mm x 100 mm.

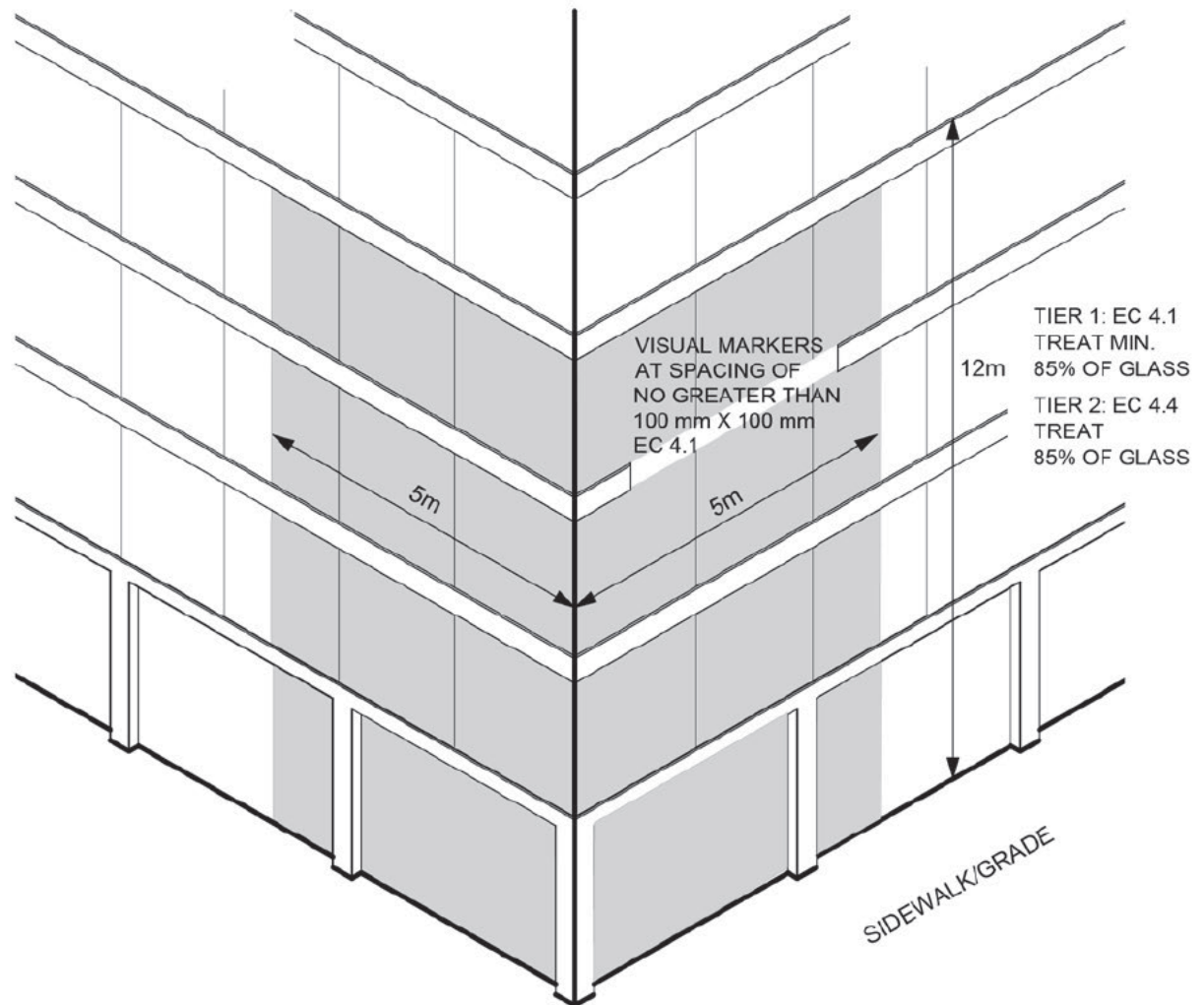


Illustration: John Carley

GLAZED CORNERS:  
TREAT ALL GLASS AT CORNERS



## Compliance Strategies (TGS Tier 1)

### Parallel glass

Treat parallel glass at all heights with visual markers at a spacing of no greater than 100 mm x 100 mm.

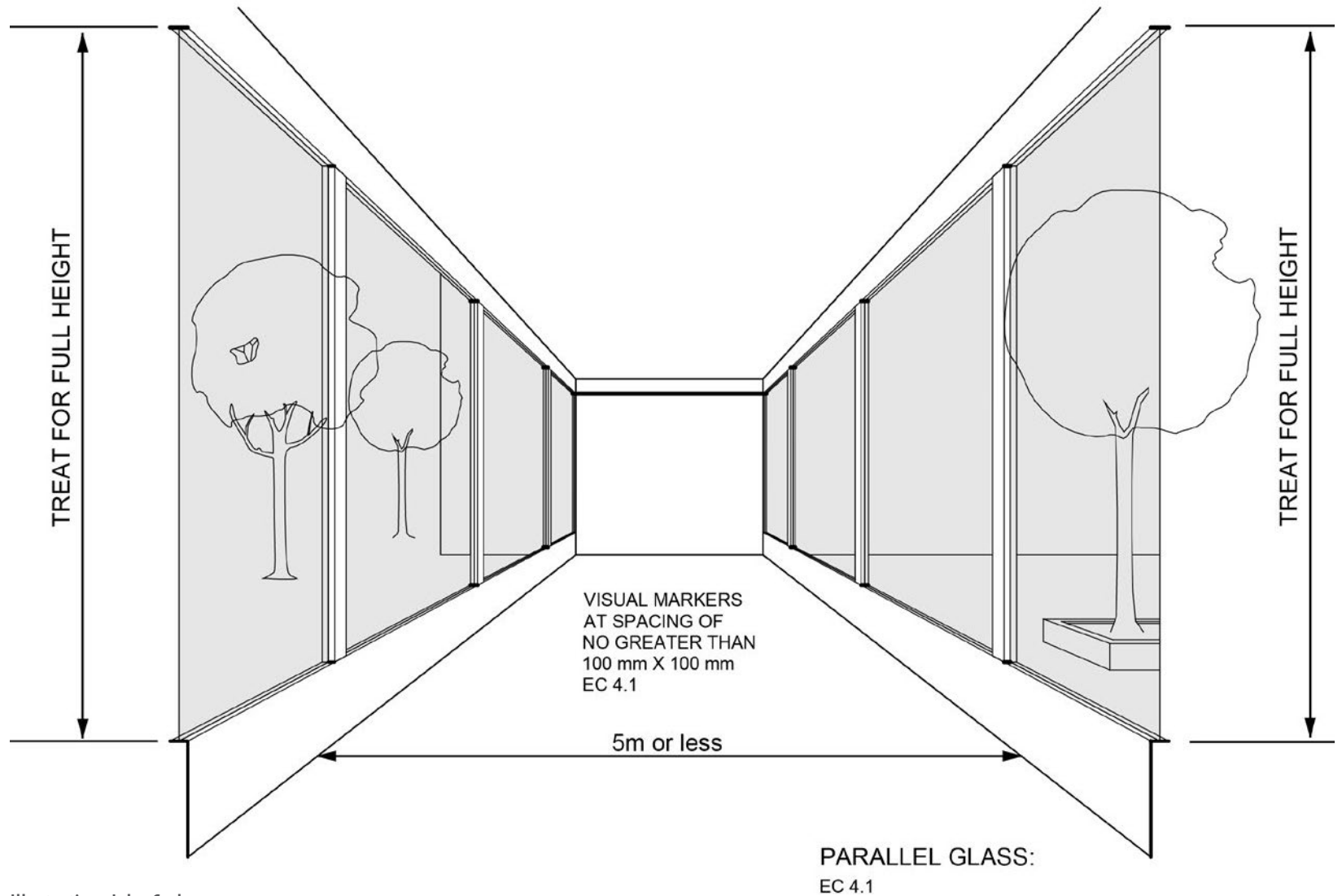


Illustration: John Carley

## Compliance Strategies (TGS Tier 1)

### EC 4.2 Rooftop vegetation

Treat the first 4 m of glazing above the feature and a buffer width of at least 2.5 m on either side of the feature using strategies from EC 4.1

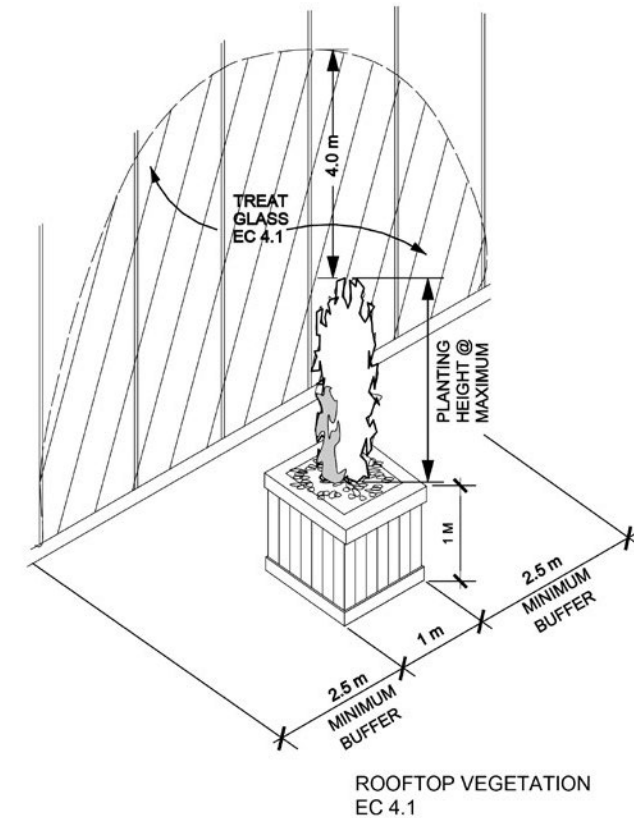
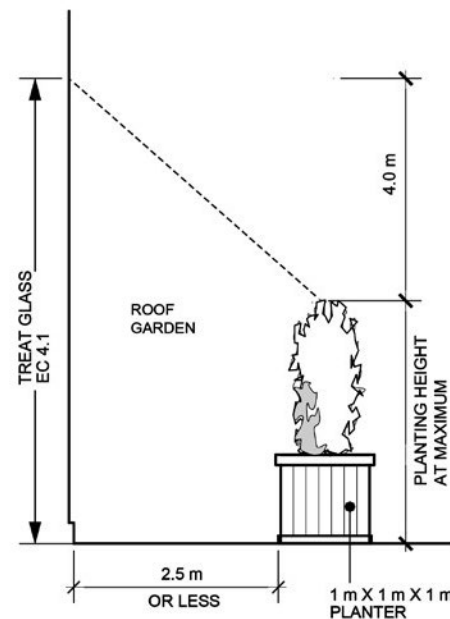
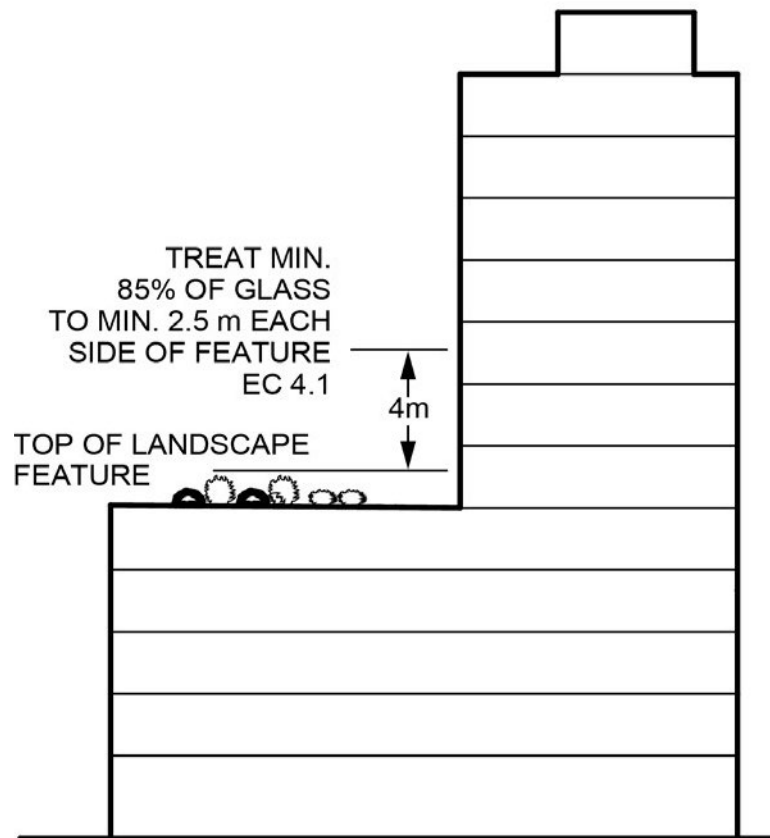


Illustration: John Carley

## Compliance Strategies (TGS Tier 1)

### Low reflectance, opaque materials

Low reflectance, opaque materials may include spandrel glass with one of the following:

- (i) Solid back-painted frit or silicone backing opaque coatings or;
- (ii) Reflective or low-e coatings that have an outside reflectance of 15% or less.

Spandrel glass with a reflective or low-e coating that has an outside reflectance of greater than 15% should be used in combination with other strategies such as visual markers.

Photo: FLAP Canada





## Compliance Strategies (TGS Tier 1)

### Building-integrated structures to mute reflections on glass surfaces

Building-integrated structures obscure glass from view, mute reflections during certain times of the day and provide visual cues for birds to avoid an area. These structures include: opaque awnings, sunshades, exterior screens, shutters, grilles and overhangs or balconies that provide shading below a projection. A 1:1 ratio of treatment below a projection can be assumed to mute reflections. Shade cast by the building or adjacent buildings does not obscure glass or provide any visual cues and cannot be included as a bird collision deterrence strategy.

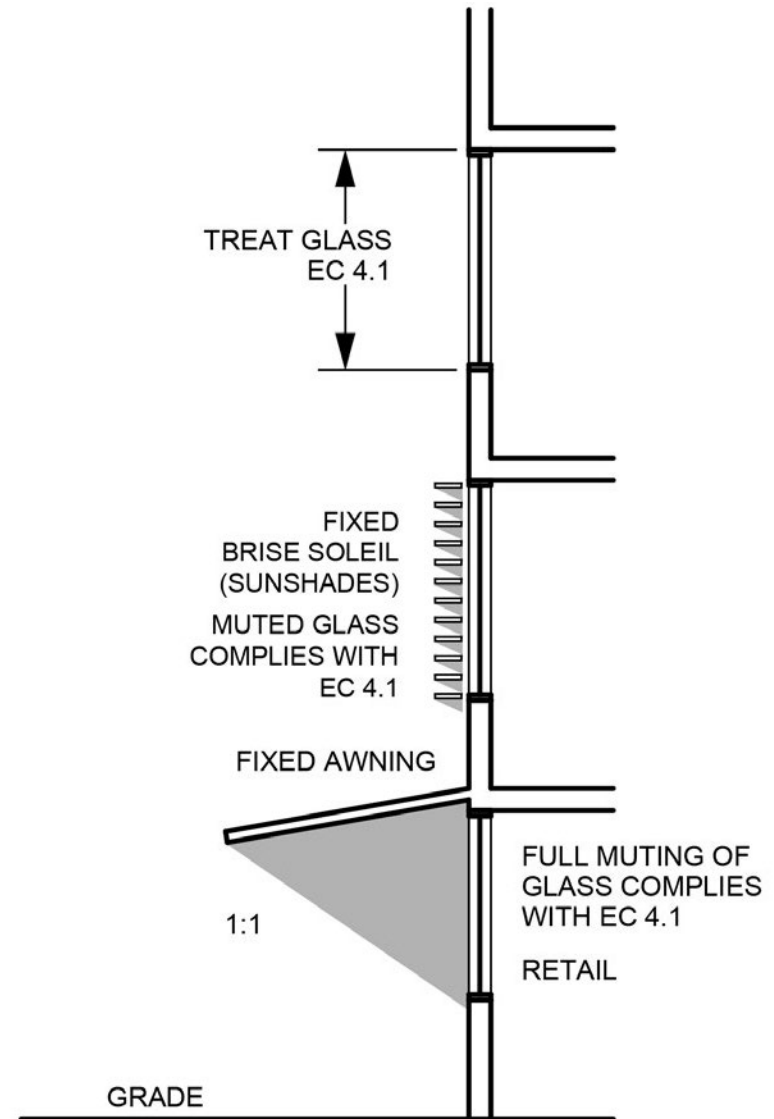


Illustration: John Carley



Photo: Linda Woods,  
Canadian Peregrine Foundation



# Appendix



## Magnitude of Collision Deaths

An alarming number of birds are killed every year due to window collisions: an estimated 25 million birds per year in Canada alone (Machtans, Wedeles and Bayne, 2013). Canadian data is still very limited in terms of recording bird mortality from building collisions. The first Canada-wide estimate was produced by Machtans et al. using data from houses, low-rise buildings, and tall buildings.

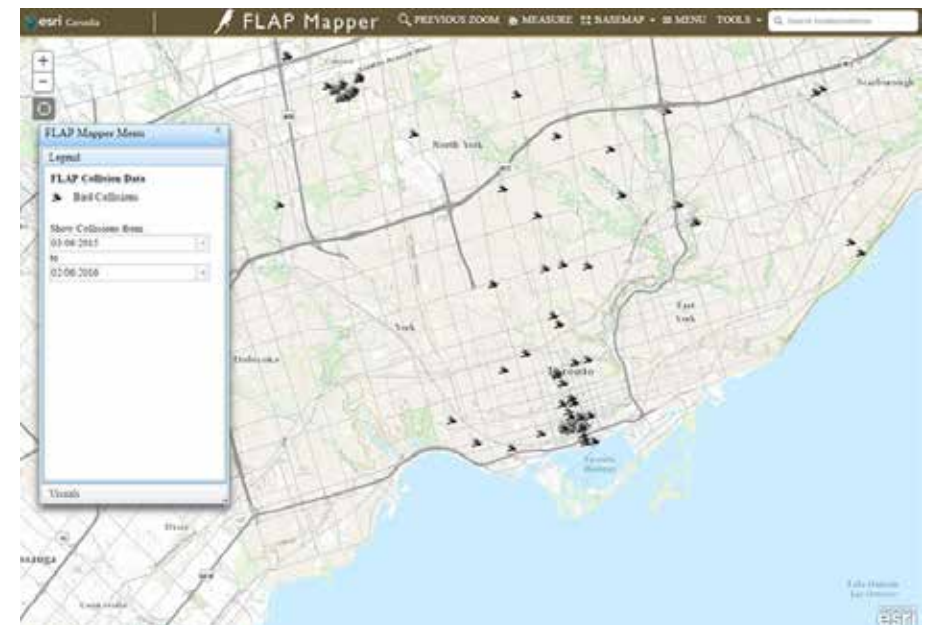
A benchmark study by Dr. D. Klem Jr. (1990) estimated that each building in the United States kills one to ten birds every year. He used 1986 United States Census data to then estimate a yearly range of 97.6-975.6 million birds killed. This number has inevitably risen given the continuing increase in new construction across North America.



Sample of collision victims

Photo: FLAP Canada

FLAP (Fatal Light Awareness Program) Canada, a bird conservation initiative working to safeguard migratory birds in the built environment through education, policy development, research, rescue and rehabilitation, has been documenting and collecting bird collision data in Toronto and area since 1993. The City of Toronto is a significant area of focus for bird-window collisions due to its location at the convergence of two migratory flyways and its abundance of low, mid and high-rise buildings abutting Lake Ontario (Cusa, Jackson and Mesure, 2015). This combination of factors results in a disproportionate number of birds being killed at buildings. Data collected by FLAP, however, is only based on a limited number of buildings where frequent collisions occur. FLAP encourages citizen participation in data collection through its on-line Mapper tool, found at FLAP website. This allows citizens to input information about bird collisions that they witness. The tool helps create more conclusive information about bird collisions in Canada and across the globe.



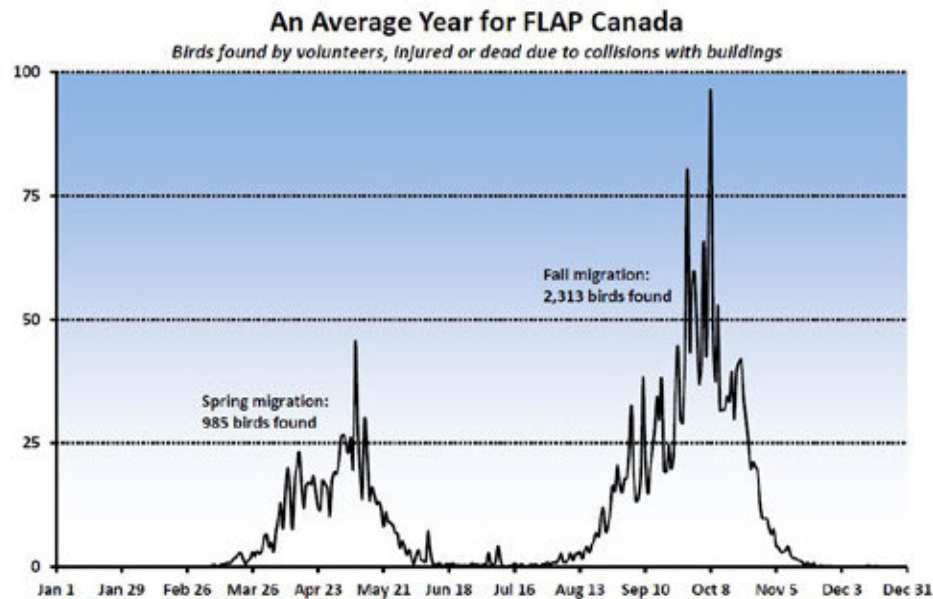
Bird Mapper (Global Bird Impact Recording Database Mapper) also known as FLAP Mapper

Image: FLAP Canada

## Patterns of Mortality

Due to the huge impact of buildings on avian mortality it is very difficult to track the full extent of bird deaths and accurately interpret this data.

Wedeles and Pickard (2015) undertook a study to examine factors which may impact data collection on bird mortality rates. The study examined three issues: the scavenging of birds before they can be collected, the efficiency of searchers, and building architecture which may intercept falling birds before they reach ground level. The study was conducted in downtown Toronto during the spring and fall migration seasons of 2014. Separate experiments were conducted to study scavenging rate and searcher efficiency. Using previously collected birds distributed among the survey site, it was found that searchers (FLAP volunteers) found only 33% of all specimens. It was also found, in a separate survey area, that 55% and 53% of birds were scavenged within 8 hours in the spring and fall, respectively. Finally, it was estimated that 50% of birds were intercepted by buildings so that only half of birds killed by collisions would be found by searchers at ground level. Wedeles and Pickard (2015) used these factors to estimate that for every 100 birds collected, 752 birds are killed. This has huge implications for calculations of bird mortality rates.



Birds for the study were provided by the Royal Ontario Museum's Ornithology Department. The department maintains a collection of birds found by FLAP Canada volunteers each year, which is catalogued and used for research as well as bird identification training and public awareness campaigns (FLAP, 2016).

Cusa, Jackson, and Mesure (2015) have used data collected in Toronto to further understand species-specific patterns of mortality. In one such study, conducted during the migratory seasons of 2009 and 2010 (April - May, August - October), FLAP volunteers collected data on bird-window collisions at three distinct commercial building sites. The study found that increased glass cover on buildings and increased natural habitat surrounding buildings had an impact on increased bird collisions. They also found that certain migratory species appeared to adapt better to urbanized areas than others. Different species were found to have higher collision rates at the most urbanized downtown site and at the two less-developed areas. The finding that predictable bird family clusters are more likely to collide with buildings at certain geographical regions suggests that future research should consider specific species.

In the study, bird species with the overall greatest number of collisions were the Golden-crowned Kinglet and the White-throated Sparrow. FLAP has published a list of the numbers of all bird species collected (dead or alive) from 1993 to 2014. The Golden-crowned Kinglet and White-throated Sparrow also top this list, along with the Ovenbird, Ruby-throated Hummingbird, Ruby-crowned kinglet, Dark-eyed Junco, and Brown Creeper. To date, twenty four of the species collected by FLAP are on the Ontario or federal Species at Risk lists (pers. com. Susan Kranjc, February 8, 2015).

Seasonal mortality  
patterns of FLAP collisions

Image: FLAP Canada



## Birds and Night Time Light Pollution

Artificial light has long posed a threat to migratory birds, and this threat has increased with rapid urbanization in North America. Migratory birds use a variety of cues for orientation including the sun, Earth's magnetic field, patterns of stars and the moon, and topography. Evidence suggests that visual cues are at least as important, if not more important than cues from Earth's magnetic field, and weather affecting visibility has been found to significantly impact the orientation of migratory birds (Evans Ogden, 1996). The impact of artificial light on nocturnally migrating birds has historically been noted through the impact of lighthouse beams, and is now seen much more substantially in urban areas.



In 1997, FLAP and the World Wildlife Fund Canada initiated the Bird Friendly Building (BFB) Program to address light pollution from buildings and reduce bird mortality. Building managers and tenants of buildings in Toronto's downtown core were educated on bird friendly practices, and buildings which committed to applying these practices were given the Bird Friendly designation. Sixteen buildings ranging from eight to 72 storeys were then monitored between 1997 and 2001 to explore the impacts of light emissions on bird mortality.

Evans Ogden (2002) determined that light emissions do have a significant impact on bird mortality. Also, building height was found to be a less significant factor. Weather was also considered, and found to have a significant impact. Cloud cover and rain in particular were important factors in predicting bird mortality.

Overall, Evans Ogden (2002) found that the BFB program did have a statistically significant impact on bird mortality at the buildings studied. Surveys conducted with building managers determined that tenant awareness programs were the most employed technique in enforcing light emission reduction. Computer-controlled lighting systems were also employed in many of the buildings.

Finally, similar to Cusa, Jackson and Mesure (2015), Evans Ogden (2002) suggested the need for closer examination of bird species-specific trends. The data collected suggested that certain species are at higher risk of building collision, and this should be incorporated into future studies and programs.

Birds attracted to nighttime light emissions at Yonge-Dundas Square.

Photo: FLAP Canada

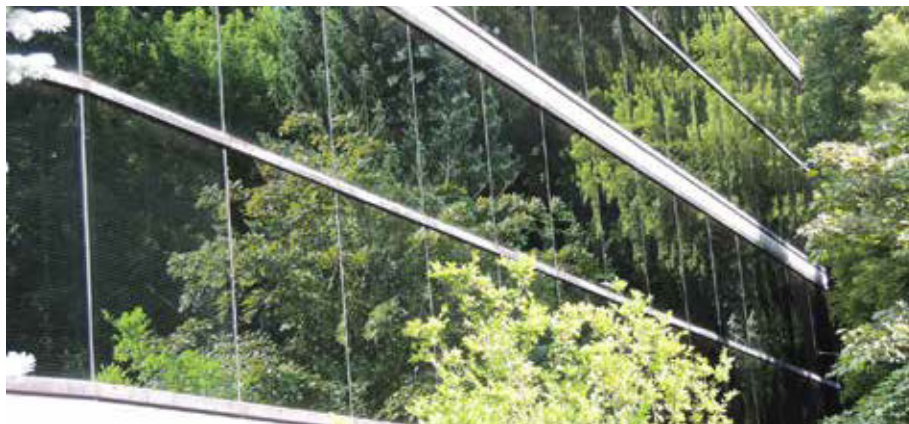


## Landscaping and Vegetation

Urban greenery and reflective windows can be a dangerous combination for birds. Cusa, Jackson and Mesure (2015) examined landscape within a 500m radius of study buildings and studied this in a wider geographical context. It was predicted that increased glass surface on a building, greater tree canopy cover, and open habitats in the landscape would all be positively correlated with window collisions. While canopy was not strongly correlated, open habitat and reflective glass surface were found to be significant contributors to collisions.

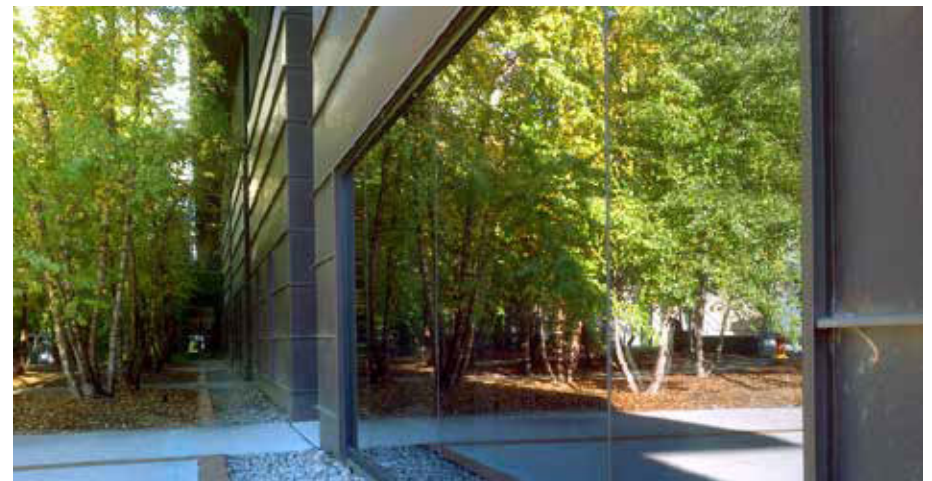
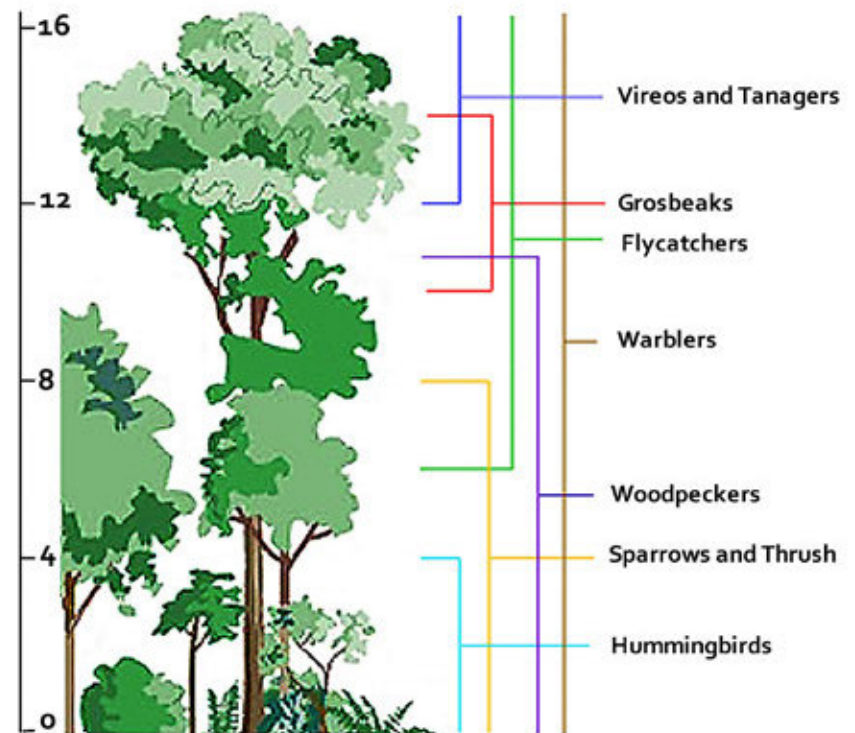
Overall, there was a notable increase in the effect of reflective glass when surrounded by vegetation. It was found that the bird species most likely to collide with windows in vegetated areas are those which are often found in forested habitats and are foliage gleaners (Cusa, Jackson and Mesure, 2015). This would suggest that birds are drawn to areas with higher vegetation, and supports the hypothesis that bird collisions rise with increased numbers of birds present in the area.

“Migrant traps” are areas with particularly high numbers of fatalities, characterized by certain conditions. Trees over five metres, high ground cover and large areas of glass create particularly deadly conditions. Klem et al. (2009) studied the vegetation directly adjacent to buildings in Manhattan, and found that a ten percent increase in tree height, and ten percent increase in the height of vegetation corresponded to a 30% and 13% increase in collisions in the fall migratory season.



Vegetation and reflective windows create a hazardous environment for birds.

Image and Photos: FLAP Canada



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What Happens To All the Dead Birds Salvaged by FLAP? (2016). Retrieved from <http://www.flap.org/museum-program.php>





Photo: Tim Hoeflich via flickr



Bird-friendly

Mitigation

Compliance

Best practices



Toronto Green Standard



PLANNING A GREAT CITY  
**TOGETHER**



@CityPlanTO

[www.toronto.ca/planning](http://www.toronto.ca/planning)

Dear Mayor Helps and City of Victoria Councillors

I am writing to share my concerns about the design of the proposed Telus Ocean building. The facades of reflective glass will pose a major threat to birds because of the high risk of collisions. Collisions with glass kill an estimated one billion birds per year in North America, and are one of the biggest causes of death of birds in Canada. Collisions are thought to be a major reason why North America has lost one third of all its birds in the last 50 years, and why many species are severely declining.

Reflective glass is one of the most dangerous design features to birds, because they see vegetation or sky reflected in the glass, and try to fly towards it, only to collide. Buildings featuring reflective glass that are monitored for bird strikes have been recorded killing more than 10,000 birds per year, showing that a single building can have a significant effect on bird numbers in the surrounding area. The proximity of this building to large areas of green space like Beacon Hill Park means there are many birds in the area who will be at risk of colliding with this building.

Many cities, such as [Toronto](#) and [New York City](#), require new buildings to be designed following guidelines that make buildings safe for birds. I hope that the city of Victoria will consider adopting guidelines similar to the Toronto Green Standard to help protect our wildlife. The architects of the Telus Ocean building must be familiar with these guidelines, as the Diamond Schmitt main offices are in Toronto and New York City, but have chosen not to follow them for this design. There are many ways buildings can be made bird-friendly: patterned or frosted glass prevents collisions while also being aesthetically pleasing (more information can be found in the attached best-practices guide for glass put out by the City of Toronto). Reducing the amount of glass in a design helps protect birds, while also making buildings more energy efficient, and still allows for plenty of natural light. When incorporated in the design process, making buildings bird-friendly can be cost-neutral.

Given the major emphasis on sustainability in Victoria, I hope bird-friendly glass is being considered for use in this project. The City of Victoria could ensure that future developments are bird-friendly by adopting bird-friendly design guidelines as so many other cities have done. The bird-friendly building movement is gaining momentum, as the federal government and organizations like UBC and UVic work to prevent collisions at their buildings. Legal precedent has been set in Ontario finding property owners responsible for the birds who collide with their buildings, most of which are protected under federal law. Birds are increasingly being recognized for the roles they play in our ecosystems, such as insect control, and the positive effect their presence has on people's mental health. I hope Victoria will require this project to make changes to protect birds, and raise the standards for sustainable development to include wildlife safety and protecting biodiversity.

Regards,

Willow English

Safe Wings

I find it hard to believe that the City of Victoria is planning to allow Telus to erect a building such as described in the Times Colonist of August 7th, 2020.

This building, as described, will not only be a monstrosity and incongruous in the heart of downtown Victoria but will also serve as a death trap for millions of native birds.

When I lived in Toronto, some years ago, I read about a group of volunteers who went downtown every morning to pick up the carcasses of dead birds lying at the foot of the glass-walled highrises; the birds are attracted to the reflected light at dusk and sunrise and crash into the wall, killing themselves. Do we want this in Victoria?

This is not New York nor Hong Kong; this is Victoria, a small city on a peninsula at the tip of an island; an idyllic spot on the beautiful west coast of Canada; we should be fighting to preserve this unique environment, not erecting showy skyscrapers; that is not what the tourists come to see.

WAKE UP, PLEASE, VICTORIA!

Val Boswell, Victoria, B.C.



I am stunned at the proposed Telus Building. Not only is the design unsuitable to Victoria ( I concede a matter of taste) but most importantly it is a death trap in the making for birds. I would have thought by now that everyone ,especially architects, would be aware of the fact that mirrored exteriors are an environmental hazard. Please put a stop to this potential disaster.

Thank you.

Sincerely

Eileen Thomson

316-4000 Douglas St.,

Victoria, B.C.,

V8X 5K5

Good Afternoon,

After the number of excellent designs that were turned down at the Northern Junk site - citing lack of maintaining the heritage - some of which we thought were beautiful and keeping in mind the heritage aspects. We then see a proposed building across the street from Fairmont Empress and the Crystal Gardens which is eleven stories and solid glass, as far from a heritage building that could be designed.

Do not destroy the heart of Victoria.

Dale & Lisa Klimek

**From:** Steven Tuck [REDACTED]  
**Sent:** August 19, 2020 3:57 PM  
**To:** Miko Betanzo <[mbetanzo@victoria.ca](mailto:mbetanzo@victoria.ca)>  
**Subject:** 749/767 Douglas (Telus Ocean)

They need to redesign that building in accordance with existing regulations. I oppose granting any variance or rezoning.

Steven H. Tuck  
1403-788 Humboldt Street  
Victoria, BC V8W 4A2

Sent from [Mail](#) for Windows 10



**From:** [Sarah Truelson](#)  
**To:** [permits@victoria.ca](mailto:permits@victoria.ca); [Development Services email inquiries](#)  
**Subject:** Telus Ocean Development Feedback re: height restriction  
**Date:** August 20, 2020 5:41:58 PM

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This letter is to request that the City of Victoria and Telus/Aryze adhere to the current building height restriction of 45 metres for the new Telus Ocean development. The proposed 11 storey height is misleading, as the heights of individual floors are substantially higher than those in surrounding buildings. For an 11 storey building, 45 metres is entirely sufficient; as a comparison, the 19 storey Hilton Double Tree Hotel is approximately 58 metres in height.

A new building in a neighbourhood ideally complements the surrounding structures. Rather than adding value to the neighbourhood, the request to build Telus Ocean to 53 or 54 metres devalues the neighbourhood by obstructing views from several commercial and residential properties (Marriott, Double Tree, Aria, Astoria, The Falls).

Telus Ocean would have unobstructed views of the Empress Hotel and Victoria Legislature at a height of 45 metres, and upper floors would have Inner Harbour views (overlooking the Empress, which is approximately 35 metres in height). The height restriction would still allow an 11 storey design, and therefore have minimal impact on commercial space/income potential for the Telus building.

In comparison to commercial tenants in the Telus Ocean building, the loss of view would be more personally impactful to homeowners who have invested in the neighbourhood, and financially impactful to hotel owners who rely on views to charge premiums for certain suites.

I appreciate your consideration of this matter.

Sincerely,

Dr. Sarah Truelson  
Homeowner in Humbolt Valley

Dear Mayor Helps and Council,

We are residents of The Belvedere, a condominium located at the corner of Humboldt and Blanshard Streets, and we have concerns about the Telus Ocean proposal.

If diligent and discerning readers have sufficient patience to wade through the proposal's hyperbolic rhetoric, they are most likely left with only a handful of salient points. These include:

- The City of Victoria clearly needs and wants development of the under-utilized site at the south-east corner of Humboldt and Douglas Streets.
- There are far worse possibilities for the site than the Telus Ocean proposal. A casino is merely one example.
- Based on the sketchy details available, the proposed building may or may not be an "architectural icon," but it would likely make a handsome addition to the neighbourhood nonetheless.
- Telus Ocean appears to be a socially, economically and environmentally worthy multi-million dollar proposal which is critically flawed by an inadequate two-bit vehicle access "plan."
- According to a Telus Ocean representative at a recent Humboldt Valley Committee meeting, "most" traffic headed to Telus Ocean would approach from the north and would turn onto Fairfield, turn again onto Penwill (aka Penwell) St. and proceed south to cross Humboldt into the development's underground parking facility. This is wishful thinking. Blanshard Street commuters would surely simplify things by turning onto Humboldt, heading west a block and turning left into the parking entrance. Why bother with turns onto Fairfield? Why use Penwill which, size-wise, is more lane than street and includes a stop sign? And what about traffic coming from the south or east? And, finally, what routes will vehicles take when departing Telus Ocean?
- Developers minimize the traffic coming and going to Telus Ocean, while at the same time touting the fact that the parking facility will be open all day, seven days a week for commuters working in the building as well as clients/customers and the general public.
- Developers ignore the fact that the building's loading docks sit adjacent to the parking entrance thereby creating a busy and uneasy mix of commuters and delivery trucks servicing various building tenants, including, but not limited to, Telus.
- If Humboldt Street indeed becomes the preferred route to and from Telus Ocean for cars and trucks, they will join significant existing traffic flows to and from the neighbourhood's three large condominium buildings, assorted small businesses, including, ominously, a day care centre, along with the Marriott and Doubletree Hotels. Garbage and recycling removals generate significant additional traffic pressure as large and small bins are retrieved six days a week from one or more Humboldt buildings and deposited along the street for eventual dumping into enormous garbage trucks.
- Critically, Humboldt Street has just been converted into a major bike way. Bicyclists now enjoy most of the roadway with separate lanes going west and east. Vehicles, meanwhile, share a single lane. When oncoming vehicles meet, one is expected to give way to the other by pulling to the right into a bike lane and doing so without running over any cyclists. This recent and radical change may or may not be a wise one, but exists, nonetheless, unless and until unexpected consequences demand a re-think. Into this experimental traffic configuration, it seems the City is about to inject, intended or not, a sizeable new cohort of large and small vehicles generated by Telus Ocean. Bad idea: conflicting purposes.

Assuming that Telus Ocean is approved (a likely result), City Council needs first to demand that Telus Ocean developers apply the same creativity invested in the development's architecture into their design for a realistic vehicle access plan which would prevent Humboldt from descending into a chaotic traffic hell, both inconvenient and dangerous for bikes, cars, taxis and trucks.

A simple solution would be to provide vehicle access off Douglas Street. If there is a bylaw preventing such a solution, the principals need to think out of the box or, in Telus Ocean jargon, provide a “whole systems approach” to solve a building/community problem under a “single deep green umbrella.”

Finally, Telus Ocean’s promotional material states that its developers are committed to being “good neighbours,” fully transparent in providing and sharing information. Perhaps more rhetoric? We emailed Telus Ocean on Aug. 10 asking for a copy of its traffic study. Except for an auto-response confirming receipt of our request, we have not heard a peep from Telus Ocean in the three weeks since.

Sincerely,  
Ken and Leona Mennell  
306 — 788 Humboldt St.,  
Victoria, B.C. V8W 4A2



**From:** [Ken Mennell](#)  
**To:** [Victoria Mayor and Council](#)  
**Cc:** [hello@telusocan.com](mailto:hello@telusocan.com); [REDACTED]: [Community Planning email inquiries](#)  
**Subject:** Telus Ocean Proposal  
**Date:** September 2, 2020 12:43:36 PM

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Dear Mayor Helps and Council,

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Sincerely,  
Ken and Leona Mennell  
306 — 788 Humboldt St.,  
Victoria, B.C. V8W 4A2

Can you please review the issues of height, density and compromise to the already present buildings and people represented in the Humboldt Valley.

This is just too big and affects so much of what already is established with success.

Sincerely

Charlotte and Robert Cronin  
Owners and residents of the Aria, South Tower

To Mayor and Council,

Telus Ocean has a good design that will complement well this specific location of downtown by finally getting rid of this double rental car parking lot that doesn't fit at all this part of downtown.

The proposed plaza at the south end of the building (next to Crystal Garden) will look much better than the current unfinished empty space giving it a real community feeling.

The building will have a positive impact in Victoria downtown landscape and hopefully it will become a landmark for generations to come. Not to mention the fact that Telus is bringing more new jobs for Victoria community.

I would also like to congratulate City of Victoria for their decision to finally use this piece of land and to complete the landscape of new buildings in Humboldt Valley with a well thought development.

Please give this project a high priority in order to see this landmark completed as soon as possible.

Sincerely,  
Dan



I have several concerns. I believe The Empress, our jewel, will be overpowered by the height of the new Telus building. The Empress should shine on our skyline, and not be in competition with the height and signage of Telus Ocean. Also, Humboldt must be closed to traffic, in front of the Marriott Hotel to car traffic. All Ocean traffic should use Penwell. Bikes only on Humboldt. When one considers morning and evening rush hours, with car traffic and bikes going both ways on a single lane for cars, an accident is inevitable. There are three apartment buildings between Blanchard and Douglas as well as the Marriott... what a mess at rush hour! Bikes only, please, going both ways at rush hour, giving the hotel and three apartments a fighting chance to come and go at rush hour. Bear in mind that one way lane traffic still has to deal with bikes in both directions! Seriously, this is madness to consider anything less! Thank you, Melanie Robb

Hi all,

As a resident of Victoria, I wish to voice my concern for the size of the proposed TELUS Ocean building.

It's a beautiful corner which deserves a beautiful building, and the current design is certainly striking.

Nevertheless, it is simply too big.

It exceeds current guidelines for this area/corner, and I figure that it can do its job by fitting into those guidelines, eg without having to add additional size to an already generous allotment.

I hope council will consider allowing TELUS to build within current guidelines only.

Warm Regards,

Ron Proulx

31 Oswego St., Victoria, BC V8V 2A7

To the City of Victoria Mayor and Council,

We are residents of the Humboldt Valley, living in the Belvedere since 2012. Over the past eight years we have come to understand the neighbourhood including: its residential nature; how it acts as a border between downtown Victoria and the other residential neighbourhoods of both James Bay and Cook St Village; and, how it contributes important residential population density for a vibrant downtown.

We believe that these important residentially-related characteristics of the Humboldt Valley neighbourhood must be considered with respect to the Telus Ocean Development proposal.

Specifically the **size of the building is too big:**

1. **It will overwhelm the human scale of developments that have currently been achieved.** For example, the building proportions and heights that increase as one moves east on Humboldt Street and away from the Inner Harbour are currently proportionate to both the Fairmont Empress Hotel and the Provincial Legislature - the most significant buildings in the area. The proposed Telus Building will detract from both of these iconic buildings and will undermine the critical balance that has been achieved by City Planners and elected officials up until this time.

2. **Will negatively impact the quality of life:** In being built on Douglas and Humboldt streets, the exact border between downtown businesses and a significant urban residential neighbourhood, the Telus Ocean Development proposal needs to address issues and demonstrate how they will **eliminate unnecessary nighttime lighting** such as a lit-up sign, television advertising screens, and overall building lights as well the **minimize the extent to which the building shadow will darken Humboldt Street during the day and evening.**

In order to address these concerns we urge TELUS Ocean to:

- Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.
- Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.
- Consider any other actions that can be implemented that demonstrate consideration of the residential nature of the neighbourhood into which they hope to implement the Development.

Thank-you for the opportunity to provide input into this development process. Please contact me if you have any questions or require clarification,

Sarah and Peter Cunningham  
Unit #806, Belvedere





Dear Mayor and Council,

I have read Andy Wachtel's response to Telus Ocean proposal and I fully support its content. As proposed, the Telus Ocean is too large and would have a negative impact on its surroundings. I am in favour of proceeding with a scaled back proposal as per Andy Wachtel's conclusions as shown below:

"TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. But TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, we urge TELUS Ocean to:

- Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.
- Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls."

Regards,

Tom Kovacs

Dear Mayor and Council

I am writing to ask that you do not approve of the present plan for the Telus Ocean Development. One of the major responsibilities of the mayor and council is to protect Victoria and ensure that it remains the outstanding city with historic features that make us unique.

The proposal by Telus for the Telus Ocean building on the corner of Douglas and Humboldt will negatively impact the downtown historic area that it is located in. This area has the landmark Empress Hotel and the historic Crystal Gardens, two of Victoria's remarkable historic buildings. This area has been zoned to protect those buildings as well as the entire area in which this land is located. While a development on this land is inevitable, it is the responsibility of the mayor and the council to ensure that this development is within the current zoning as this was established to protect the integrity of the area.

The TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale.

I urge TELUS Ocean to:

- Reduce the height to the 43m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.
- Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.

The mayor and council need to follow the plan that was established for this area and require Telus to stay within the limits that are in place for a reason. Do not allow this over development to negatively impact an area of the city that is irreplaceable.

Sincerely  
Diane Chimich  
788 Humboldt St.

Hi There,

I have recently reviewed some information with regards to the Telus Ocean building and although I can appreciate the intent of the building I am concerned about its size and setback. I currently own a unit at the Aria and my unit directly faces this development. I am requesting the heights and setbacks be further reviewed since this will greatly reduce if not completely eliminate, the amount of light that enters my unit.

Regards,

Dwight

Dear Mayor and Council,

I should like to add my support to the eminently reasonable report written by Andy Wachtel on behalf of the Humboldt Valley Committee. The report is particularly compelling because it recognizes the potential contribution of the building to the downtown, despite calling attention to the distortions in the proposal and the negative impact of its attempt to go beyond zoning regulations.

I can do no better than quote the final words of the report:

**TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. But TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, we urge TELUS Ocean to:**

- **Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.**
- **Give more priority to the public south plaza by cutting back the second “prow” that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.**

I urge Council to require Telus to amend its proposal accordingly.

Yours truly,

Edward Berry





Humboldt Valley Committee

## INFORMATION BULLETIN

### The Elephant in the Room:

### Questions about the TELUS Ocean Development Application

Researched and written by Andy Wachtel

**Summary:** This review finds that the TELUS Ocean proposal, in its ambition to build a landmark office tower at the south end of the downtown, misconstrues or distorts existing rules and guidance on building height, density, setbacks and overall massing. If neighbours built or purchased property in the expectation that the Official Community Plan and its more elaborated Downtown Core Area Plan offered them some assurance that they could foresee the potential impact of further building, this proposal comes as a bad surprise. The proposal needs to be reworked to better respect the context in this historic district.

#### Introduction

The TELUS Ocean Application Brief is more descriptive and less technically detailed than most development applications – in part, because it is also being used as a public engagement tool. That means that it, quite naturally, puts the project in the best light and does not include all the information a reader might need to corroborate claims and statements. This analysis aims to highlight aspects of the proposal that require scrutiny from stakeholders, especially residents in the Humboldt Valley who will be directly affected by the building. The application asks for a significantly larger building than might be expected on this site. We will test the rationale offered for that bonus size to see if it is supported by official plans and guidelines.

#### Context

TELUS Ocean is an ambitious project to build a signature regional headquarters building.

*TELUS Ocean is envisioned as an iconic architectural landmark—a centre of activity, creativity and innovation in the heart of Victoria's Downtown and Inner Harbour.*  
(TOAB, p17)

As a building going into the last remaining unbuilt lot in its vicinity, TELUS Ocean faces the central challenge of fitting in. It is in the interplay of these two goals – creating a landmark while being properly sensitive to context – that key development challenges arise.

The Downtown Core Area Plan (DCAP), the official Victoria development guide for the Downtown, takes this up under Vision:

4.3. Supporting context-sensitive developments that complement the existing Downtown Core Area through siting, orientation, massing, height, setbacks, materials and landscaping. (DCAP, p.11)

TELUS Ocean makes this promise in its design principles:

*TELUS Ocean will be defined by a celebrated, innovative and contemporary building design that complements the surrounding community and nearby landmarks like the Empress Hotel and Crystal Garden. (TOAB, p20)*

We need to judge that in terms of the proposal presented. And, if a picture is worth the proverbial 1000 words, here is what is being proposed:

Fig. 1



Picture along Douglas of **11 storey TELUS Ocean (53+M)** next to **18 storey Falls condominium**.

Picture along Humboldt of **11 storey TELUS Ocean (53+M)** next to **12 storey ARIA condo (37M)**.

(from TOAP, pA304)

### How does TELUS Ocean justify this scale as appropriate in the context?

The TELUS Ocean application refers to the DCAP to provide a policy context and confidently interprets that policy to support its plan. In three paragraphs, TELUS Ocean moves from a current zoning of up to 43m in height with a Floor Space Ratio (FSR) or density of 3.0:1 to a

rationale for a much larger building through rezoning. Let us examine how TELUS Ocean does this.

### **TELUS Ocean claim about number of storeys permitted**

TELUS Ocean suggests that they have license to build up to 15 storeys and are showing contextual restraint by only proposing 11. (TOAB, p106)

*The TELUS Ocean site is located within the Core Inner Harbour / Legislative Urban Place Designation, which anticipates buildings up to 15 storeys, with densities up to 4:1 considered in strategic locations. Commercial and office uses are encouraged in this district, and local planning has strategically targeted increased height and density along Douglas and Yates Streets, in addition to the general strengthening of the Core Business area by increasing office capacity. (TOAB, p27)*

**Response:** The TELUS Ocean site is currently zoned (CA-4) for buildings of up to 43m in height and permits commercial, office, and residential uses. Map 32 in the DCAP (which the TELUS Ocean application reproduces on page 29) has an interpretive table next to it which the TELUS Ocean application leaves out. This table shows that buildings of 45m can have up to 15 storeys, if they are residential – and up to 11 storeys, if they are commercial. That is, residential storeys are considered to average 3.0m; while commercial stories average 4.1m. The TELUS Ocean plan has an average office floor height of 4.25m and, with a higher first floor and top amenity floors, an average storey height of 4.8m overall. This is what pushes the proposed height of their 11 storey building to over 53m, about the height of an 18 storey residential tower.

### **TELUS Ocean claim about permitted density**

The existing CA-4 zoning has a maximum density of 3.0:1. The OCP allows for increased density up to 4.0:1 in strategic locations. (TOAB, p27, referencing OCP, p42). TELUS Ocean doesn't belabour this point, however, because they want much higher densities than that, arguing that the current zoning "does not contemplate the advanced building design features proposed by the TELUS Ocean development vision". (TOAB, p106)

**Response:** TELUS Ocean could make an argument for this being a strategic location and seek a variance to build up to 4.0:1 but that isn't the goal. Why the particular "advanced building design features" merit increased density is not made clear.

### **TELUS Ocean claim about greater height and higher density**

*The TELUS Ocean is just adjacent to the area where densities of 6.0:1 are permitted. The TELUS Ocean should be allowed to "support the area" with a similar density of 5.6:1. (TOAB, p27 & 106)*

**Response:** The DCAP indeed allows for increased height and density along the Douglas / Blanshard Street corridor, but both height and density ramp up north of Humboldt and east of

Douglas, and no transitional zone is implied. The TELUS Ocean may argue they are close enough to this area to take on its zoning but there is nothing in the OCP or DCAP that supports this, and as we shall see below, some clear counter-indications.

### **TELUS Ocean claim about the goal of enhancing the downtown skyline**

*A major goal within the DCAP is to enhance the skyline within the Inner Harbour District, expressing an “Urban Amphitheatre Concept” by building taller buildings, particularly along Douglas Street. TELUS Ocean is uniquely placed to “complement the Empress Hotel, emphasizing its rich detail without diminishing its visual appearance.” (TOAB, p29)*

**Response:** As noted above, the Urban Amphitheatre Concept maps show building height ramping up north of the TELUS Ocean site but less along Douglas than closer to Blanshard. In fact, two conceptual illustrations in DCAP on these points show that no tall buildings were anticipated immediately behind the Empress Hotel (the skyline was already marked by tall buildings on the north side of Humboldt and beyond) and the TELUS Ocean site specifically was portrayed with a much shorter building. (DCAP, p63 and 88). In the picture below, reproduced from DCAP, note the dark building just to the right of the Empress; this is the TELUS Ocean site.

Fig. 2



Conceptual illustrations of how building heights and designs should relate to the local context.

(DCAP, p88)



### TELUS Ocean claim about enhancing views of the Empress roofline

*TELUS Ocean will provide an improved backdrop for the Empress, a rising roofline that mirrors the rising scale of the hotel. The light coloured glass walls will show off the Empress roofline and the building's southern cut "reduces the building's bulk as seen from the harbour." (TOAB, p96)*

That concept is illustrated with a line drawing and a photograph taken from Laurel Point with TELUS Ocean inserted. (TOAB, p97)

**Response:** The view from Laurel Point is a vantage point from which the impact of a new building on the skyline is meant to be tested. (DCAP, 6.187, p94 and Appendix 2) The photo shows a large but fairly bland, light colored façade behind the Empress.

However, one telling detail contradicts this modest desire to "bolster the visual impact of the Empress". It is not unusual for an office building to have prominent signage. The TELUS Ocean, a signature building, is shown with signature signage – right over the Empress. If, as might be expected, this will be lit-up after dark, that places a TELUS sign in as prominent a location as any corporation might desire.

Fig. 3



(TOAB, p97)

## Aspects of a “Landmark” Building

### *Accessing the View*

TELUS Ocean consistently interprets DCAP as encouraging or at least giving sanction to a much larger building on its site than the zoning provides. If none of these assertions actually supports moving TELUS Ocean in the direction of a higher, denser building, the ambition to build a landmark building clearly does. One mark of that is the remarkable view accessed.

*“Acting as a marker of the southern edge of Victoria’s Downtown, TELUS Ocean will boast high-calibre views of both the city and the harbour.” (TOAB, p49)*

Most telling is the beautiful panorama pictured (see TOAB, pages 50-51). While not captioned, it appears to show the view from the south end of the roof deck, with the rooftop of the ARIA almost 18 meters below at the bottom left and the roofs of the Empress in the mid distance on the right. Without doubt, an iconic view.

While it is true that no property owner owns the view, it is clear that building higher than and in front of another property is the surest way of capturing it. In a development application, the City always needs to weigh how much advantage can be taken by the new property and what concessions it should make to preserve its neighbours’ view corridors. This proposal disproportionately privileges office tower over hotel and residential views.

### *Monumental Design*

The TELUS Ocean is described as a “flatiron” design, in reference to the prow that takes the corner at Douglas and Humboldt (see the rendering at TOAB, p41). In fact, we see it is a triangle with two equal sides in cross-section, with the long side along Douglas Street and a second point at the south plaza.

This is not a “typical” building design as described in DCAP. The most significant difference is that TELUS Ocean rises to its full height with no setbacks (except for the tiered terraces that start at the 5<sup>th</sup> floor at the south end, i.e., at the 8<sup>th</sup> floor residential level). These vertical walls define the prow shape that is the building’s identifying feature (as shown in a quick sketch on TOAB, p3). Zoning would require the building wall, after a vertical rise of 10m, be set back by 1 meter for every 5 meters additional rise. Relaxation of setback rules permits the monumental verticality that TELUS Ocean seeks to achieve.

TELUS Ocean, as noted, diverges from a flatiron design in having 2 acute points, on the south as well as the north end. That means that while its sheer vertical facades are very prominent, the side facing Douglas Street is roughly 40% longer than that up Humboldt - a massive wall indeed. Again, a sense of how that dominates the block along Douglas Street can be seen in Figure 1 above as viewed from the Empress. It is this face that the architects tried to relieve by making the cut alluded to in describing the shortened roofline as viewed from across the harbour. For

anyone facing the building, in the ARIA, the Hilton Doubletree, the Falls, or the Empress, the impression, as shown in the many renderings, is massive and pervasive, even from the higher floors.

### ***Orientation and Placement on the Lot***

The lot, shown in various renderings, is a kite shape, with the narrow end at Humboldt and Douglas (TOAB, p20). The building, as described in Big Moves – 2 Reorganize Building Mass to Prow (TOAB, p38), was oriented to emphasize its frontages along Douglas and Humboldt and especially its dramatic leading edge at the north corner. TELUS Ocean describes this as “taking advantage of its flatiron terminus on one of Victoria’s most prominent intersections.” (TOAB, p46) This has the additional advantage of “doing well by doing good”. It allows the architects to set the building back from the ARIA, and open up a wide throughway in the “Penwell Extension” for public realm improvements, while orienting the building most effectively along Douglas with the prow at the corner for greatest placemaking impact. (For example, see the rendering on TOAB, pages 42-43.)

### ***Public Realm***

TELUS Ocean has committed to an ambitious landscaping plan that includes redevelopment of the north plaza at the prow (where Humboldt Street has been closed off), along Humboldt Street (which TELUS hints may be further redeveloped), up the Penwell Street Extension (including the area above the parking ramp), and all of the existing South Plaza.

The proposal makes some unwarranted claims. For example, TELUS Ocean says of the north plaza at the prow that “a new public plaza is created by closing the northern portion of Humboldt Street to vehicular traffic to allow bicycles and pedestrians only.” (TOAB, p55) Certainly, at least the nucleus of this plaza already exists by virtue of the City’s bicycle path initiative.

Even so, this is a strength in the development application. It depends on entering into what amounts to a private – public partnership with the City; TELUS Ocean is able to “borrow” a lot of public space to enlarge its grounds around the building. In particular, the “forecourt” in front of the main entrance and the plaza beyond the planned restaurant at the south point are expansive and enhance the importance of the building (TOAB, p54-61). If this is to be a true shared amenity, it will be crucial that TELUS Ocean make it very comfortable for the public to enter and share the space.

### ***South Plaza***

As noted above, the south plaza is recognized by the City as a Minor Public Open Space (DCAP, Map 28, p75), a rare commodity in the Downtown. The OCP makes a point of “identifying strategies to... develop key public amenities, including urban plazas”. (OCP, 6.10.5, p48) This plaza is connected by crosswalk with the Conference Centre and is an important informal marshalling ground for events at the Conference Centre and the Crystal Garden. In that regard,

the shape of TELUS Ocean presents a problem. While the extent to which the corner is undercut at ground level helps, the building's corner overhang looms above the plaza well beyond the crosswalk from the Conference Centre. TELUS Ocean touts this as providing "weather protection at...the mid-block pedestrian crossing" (TOAB, p95) but it reads as defining private space.

If this were a conventional building, there would be a requirement next to the plaza to cut back and terrace the edge. (DCAP, 6.187, p94). TELUS Ocean indeed goes in this direction by cutting back at its level 5 and tiering up from there. However, because this starts as a point, this does not open up the plaza except perhaps as viewed from a large distance. (See rendering, TOAB, p60).

Again, if this were a conventional building, current zoning would require a side yard setback of 4.5m. Instead, the southern point of TELUS Ocean extends right to the property line. The following overhead rendering (Fig. 4) shows how this overhang defines the plaza (at the lower right).

Fig. 4



(TOAB, p48)



## Conclusion

TELUS Ocean, like any proposed development, has the right to build on its site in conformity with existing zoning and guidelines. Its neighbours should have anticipated that and framed their expectations accordingly. TELUS Ocean also has the right to apply to go beyond current zoning and ask the City for variances. At that point, however, it is then up to the City to weigh competing rights, those of TELUS Ocean to build its vision of a landmark versus its neighbours' desire to retain some of the advantages they have enjoyed. TELUS Ocean sought to show that it has properly taken account of its neighbours and has made appropriate design decisions to limit harms.

However, for many of the people in the neighbourhood most directly confronted with this proposed building, that balance has not been achieved. The mitigations proposed do not resolve the problems adequately. The arguments TELUS Ocean has made to justify its scale are self-serving. Neighbours, who have depended on the City's official plans, would be completely justified in believing that no such massive building could be put on this site.

**TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. But TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, we urge TELUS Ocean to:**

- **Reduce the height to the 43m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.**
- **Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.**

## REFERENCES

[DCAP] City of Victoria, *Downtown Core Area Plan*. September 2011; updated June 2020. Accessed from: [https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Downtown~Core~Area~Plan/DTCP\\_book\\_web.pdf](https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Downtown~Core~Area~Plan/DTCP_book_web.pdf)

[OCP] City of Victoria, *Official Community Plan, July 2012*; updated February 27, 2020. Accessed from: [https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/OCP/Up~to~date~OCP~and~Design~Guidelines/OCP\\_WholeBook.pdf](https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/OCP/Up~to~date~OCP~and~Design~Guidelines/OCP_WholeBook.pdf)

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[TOAP] *TELUS Ocean Application Plans*, July 2020. Accessed from: <https://tender.victoria.ca/webapps/ourcity/Prospero/FileDownload.aspx?fileId=45857C200806154258302346&folderId=44579C200802102424984245>

Dear members of Council,

**Re: Telus Ocean development**

As a long time resident of the ARIA in Humboldt Valley, I'm concerned about the proposed Telus Ocean development next door. As someone who both lives and works in the downtown core, I fully support tasteful & sensitive development that promotes the livability of our wonderful city. My concern is that the Telus proposal is much too big and would overwhelm surrounding residential buildings as well as historic landmarks such as the Empress. Although there has been much fanfare behind the proposal, it seems that the developers are attempting to flaunt the existing guidelines for respectful development in Victoria. The last thing we need is our neighbourhood turning into another Yaletown. That sort of height and density would be completely inappropriate and I strongly oppose the current size of the proposal. I respectfully urge Council to require Telus Ocean to scale back the size of the proposed development.

Sincerely,  
Ian Stockdill  
606N – 737 Humboldt St.

Mayor and Council,

My wife and I live in the area and strongly object to the proposed building. It is too big and too high, exceeding height restrictions. There is no reason the building couldn't be scaled back to meet the needs of Telus within the current building regulations.

Higher profits for Telus are not more important than retaining the livability and attraction of this central part of Victoria.

Regards,

Jean and Roger Nield  
906-737 Humboldt St.  
Victoria

Good morning to all of you,

I would like to put on record that although I certainly feel the Telus Ocean building is a spectacular looking building, it is simply too tall for the neighbourhood.

The Downtown Core Area Plan (which I would assume to carry some clout) does not appear to encourage development of this size and the fact that the Telus logo would be highly visible above the Empress when looking from Laurel Point is very contentious.

Is there some mechanism to prevent highly illuminated signs from being on all night?

Telus Ocean seem to be using the public pedestrian and bike plaza area (where Humboldt Street has been closed from Douglas) to their own advantage. and claiming they will enhance this further ... it is not THEIRS to enhance! It is City property - or so I thought!

I do realise Telus have made a lot of concessions to their closest neighbour (the Aria, where I live) but the soaring height and sheer mass do appear very much out of context with the whole area and the Downtown Core Area Plan, as well as the Official Community Plan.

I wish you well in your discussions but hope there will be no change to the zoning of this property.

Thank you for reading this.

Sincerely,

Miranda Jones  
South 1006 - 737 Humboldt Street  
Victoria, BC  
V8W 1B1



Dear Mayor Helps,

The proposed TELUS Ocean Building overwhelms the site, the nearby historic buildings, and the neighborhood. However, TELUS Ocean could achieve many of its goals to become a downtown landmark even at a smaller scale.

Sincerely,

Martin

The building dimensions are much too large for the size of the lot. It could fulfill their needs with a smaller dimension

HVC neighbor

Pat Glover

708 Burdett

Hello Mayor and Council

We're writing to express our concerns about the proposed design for the Telus Ocean building on the Apex lot at Humboldt and Douglas.

We're very excited to have a project of this quality coming to this end of Douglas Street, but we do have concerns about some aspects of the design.

1.00

The vision of the Downtown Core Area Plan is to support developments that complement the existing surroundings, in various ways. We currently have a great mix of hotels, residential towers, unique urban outdoor spaces, and of course the Empress and Crystal Garden. Now we have the chance to further enhance this area by adding something **complementary** to the existing surroundings.

2.00

Our opinion is that the proposed design overwhelms everything around it, and doesn't enhance or complement the important historical buildings nearby. We totally understand that the developer and architect are trying to fit as much square footage and height into this awkwardly shaped lot as possible, while still trying to design something beautiful. There's no question that this is a very tall order. However, we must not treat the needs and agenda of the developer as being more important than the existing hotels, residents and historical architecture nearby.

Telus should be encouraged to stay within the guidelines of the DCAP, specifically with respect to height (45 metres/11 stories for commercial buildings) and certainly with respect to setbacks. If you grant variances on these items, we'll end up with a massive building which will overpower everything around it. The sheer mass, size and shape of their proposed building, although beautifully clad, isn't very subtle. We strongly believe that Telus can design something more graceful within the guidelines of the DCAP, and still achieve their goal of adding a financially viable landmark building to this area. We hope you will challenge them to do so.

Thank you for reading this letter.

Brent and Jennifer Baynton  
S1201 - 737 Humboldt St



Hello,

I am emailing you as a resident of Astoria located at 751 Fairfield Rd. I have recently been made aware of the Telus Ocean development, and am extremely concerned for a couple of reasons. I have expressed my concern in detail below and hope that you will consider ensuring the development of Telus Ocean is scaled back overall.

TELUS Ocean, like any proposed development, has the right to build on its site in conformity with existing zoning and guidelines. Its neighbours should have anticipated that and framed their expectations accordingly. TELUS Ocean also has the right to apply to go beyond current zoning and ask the City for variances. At that point, however, it is then up to the City to weigh competing rights, those of TELUS Ocean to build its vision of a landmark versus its neighbours' desire to retain some of the advantages they have enjoyed. TELUS Ocean sought to show that it has properly taken account of its neighbours and has made appropriate design decisions to limit harms. However, for many of the people in the neighbourhood most directly confronted with this proposed building, that balance has not been achieved. The mitigations proposed do not resolve the problems adequately. The arguments TELUS Ocean has made to justify its scale are self-serving. Neighbours, who have depended on the City's official plans, would be completely justified in believing that no such massive building could be put on this site.

TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. But TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, we urge TELUS Ocean to:

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**It does not support context-sensitive developments that complement the existing Downtown Core Area skyline.**

The view from Laurel Point is a vantage point from which the impact of a new building on the skyline is meant to be tested. (DCAP, 6.187, p94 and Appendix 2) The photo shows a large but fairly bland, light colored façade behind the Empress. However, one telling detail contradicts this modest desire to "bolster the visual impact of the Empress". It is not unusual for an office building to have prominent signage. The TELUS Ocean, a signature building, is shown with signature signage – right over the Empress. If, as might be expected, this will be

lit-up after dark, that places a TELUS sign in as prominent a location as any corporation might desire.

**It does not support context-sensitive developments that complement the existing Downtown Core Area through density**

The existing CA-4 zoning has a maximum density of 3.0:1. The OCP allows for increased density

up to 4.0:1 in strategic locations. However, TELUS Ocean should be allowed to “support the area” with a similar density of 5.6:1. This is unreasonable and they make no claims to why this should be supported through their 'advanced building design features'.

**It does not support context-sensitive developments that complement the existing Downtown**

**Core Area through siting, orientation, and height.**

The TELUS Ocean site is currently zoned (CA-4) for buildings of up to 43m in height and permits commercial, office, and residential uses. Map 32 in the DCAP (which the TELUS Ocean application reproduces on page 29) has an interpretive table next to it which the TELUS

Ocean application leaves out. This table shows that buildings of 45m can have up to 15 storeys,

if they are residential – and up to 11 storeys, if they are commercial. That is, residential storeys

are considered to average 3.0m; while commercial stories average 4.1m. The TELUS Ocean plan

has an average office floor height of 4.25m and, with a higher first floor and top amenity floors,

an average storey height of 4.8m overall. This is what pushes the proposed height of their 11

storey building to over 53m, about the height of an 18 storey residential tower

I reside at the ARIA (737 Humboldt St.) and attended the community meeting in August. The Telus Ocean proposal is a beautiful design, however I do feel it is very ambitious given the size of the lot, and the amount of traffic it will bring.

It is very concerning that an estimated 250 vehicles will be trying to navigate Humboldt Street with B.C. transit buses, vehicles from the 2 hotels (The Hilton and The Marriott), tour buses, now 2 bicycle lanes and let us not forget the regular traffic from residents of The Aria, The Belvedere and The Astoria.

It is surprising to me that the proposed sheer mass of this project and additional traffic flow or lack of it are even a consideration.

This project will effect ALOT of taxpaying citizens who chose to live and thrive in this very short city block.

I am sure that The Telus Ocean can be more creative with their plans going forward and that Victoria council and mayor be more sensitive.

Thoughtfully,

K. Kodama

Hello,

As a resident of the Humboldt valley community it disheartens me to see that Telus intends to bring in a structure far taller, and directly on the edge of what are some of the most spectacular views the city has to offer.

As long time renters in the neighbourhood, we will be forced to move, not only due to the noise created by the proposed development, but also the change in our view.

The owner of our suite has voiced similar concerns, saying that the property's value will be so significantly reduced it will have to be sold at a loss.

Before the proposal, my wife and I were seriously considering buying the strata lot from our landlord, but upon finding out about the massive disruption Telus intends to force the neighborhood into, im here to tell you that the project cannot go ahead as initially described.

Beyond the simple day to day of living beside a noisy hole in the ground, there's also the traffic disruptions, the occlusion of our already limited view, and of course the imminent downfall of property values on the north face of the Aria.

I feel the architects plans, while appropriately ambitious for the disused site, are overly ambitious for the neighbourhoods needs.

Members of our community love living here because we have the views of the hotel, the mountains in the west and south, and easy access to our lovely downtown core.

The Telus Ocean project is oversized for the lot, too tall for the surrounding buildings, and generally a garish addition to the skyline.

If the project were to be scaled back to a more appropriate height (per floor, and total), and if the plaza were to be extended to further lessen the buildings footprint, we could make all parties a bit happier.

While there's no stopping progress, there is a possibility to change the plans before ground is broken.

Please take into consideration our communities requests, and make actionable the changes our community has requested.

As a community we don't want a literal shadow cast over the growth we have achieved. The decision is in your hands, and I hope you will take our requests into consideration.

Angus Donald Jeffries Durrie



737 Humboldt  
N703  
V8W1B1

Mayor and Council

The City of Victoria is the centre of greater Victoria and, although we live in Saanich, we spend (or spent before the virus) a lot of time "downtown". We know the harbour area well and also have friends who live nearby. In that regard, the report of the Humboldt Valley Committee concerning the size of the proposed TELUS Ocean development seems very cogent and reasonable to us. It would be reassuring to see the Mayor and Council respect the area zoning.

George and Barbara Boer

Good morning,

There is only one thing to say about the proposed building IT IS TOO BIG!

While I'm sure that in another location this building would be fabulous...in this case however... it absolutely DESTROYS and OVERWHELMS our historically established and developed area.

As a local resident, It is my hope that you will reconsider the development of this project.

Yours sincerely,

Christine Corbett

S905-737 Humboldt St.  
Victoria, BC  
V8W 1B1

September 19, 2020

Dear Mayor and Council:

I am writing as a concerned citizen and property owner in the Aria condo building beside the proposed Telus Ocean building. I am dismayed at the overpowering size of the Telus Ocean building in its current design. It shall overwhelm the site, nearby historic buildings and neighbourhood.

I am asking that Telus Ocean be brought into balance with its surroundings including a height reduction to 45 meters as is allowed in the current zoning. I am also requesting a limit on the light the building will emit from within and from the exterior signage.

My husband and I were attracted to life in downtown Victoria through the promises made in the Official Community Plan. I'm counting on you to take care of our residential needs in the Humboldt Valley.

Yours sincerely,  
Deborah Rodger



Hello,

My name is Thomas Park, resident of Humboldt Valley.

I am extremely concerned about the size of Telus Ocean Building. Not only the view it blocks but privacy is another bigger issue. Another issue is the building does not suit Victoria. Seems like the city planners are unsympathetic to the culture and heritage of Victoria. Green space should be available on the ground floor, not on top of the building accessible for a few.

I hope the plan can be reconsidered.

Regards,

Thomas

I've sat through a presentation on this proposed corporate behemoth and came away with two specific conclusions.

The size, especially the height, is so far over the top in terms of being out of place in the proposed location. A structure as tall as proposed is not appropriate for the Humboldt valley.

And the second point is I find TELUS a bit disingenuous in touting it as an 11 story structure, both in presentations and in their publications. Their 11 stories equate to a 17 story residential structure. They need to be a bit more transparent on this. A building thus size simply is out of place for this location.

And unrelated to my previous comments, I wonder if Telus has considered the long term effect of so many employees working at home in the future after the effects of the Pandemic have passed. Do we need this much additional office space in a city that will have a glut of space moving forward.

Lastly with all the additional traffic that will naturally ensue, the intersection of Penwell and Fairfield, which is already a dangerous one, will only get worse. Even now it's an accident waiting to happen coming up Penwell and turning onto Fairfield (primarily due to the city having closed off the Humboldt access to Douglas to accommodate bike lanes!

I only hope that council considers these reservations.

Thank you

Bob Bardagy

737 Humboldt St, Victoria

To the Mayor & Council,

I wish to strongly propose that the height & size of the new development of the Telus Ocean be addressed.

I realize that the aim of any development is to maximize the size with an view to profitability. Hopefully this can be achieved without sacrificing what Victoria prides itself on - "The City of Gardens" "Heritage" come to mind & while we have added a more modern flavour to the downtown I am hoping that the proposed building can enhance the area but not overwhelm it. The proposed height is definitely overwhelming & the thought of travelling south on Douglas to witness a behemoth of a building does not say "welcome to Victoria"

Keeping the height of the development the same as the Empress would seem to me to be acceptable as opposed to seeing it from the harbour approach which, along with the Legislative Building, are our most iconic views.

Respectfully submitted,

Rhya Lornie  
737 Humboldt Street,

Dear Mayor and Council,

I am writing to you to express my concern and present dissatisfaction of the plans for the Telus Ocean complex at the corner of Douglas and Humboldt in Downtown Victoria. The size, scope, and the footprint of the current plan is overwhelming and requires planning revisions. The building will capture the essence and destroy the beautiful Victoria skyline's two iconic building: The Legislature and The Empress Hotel. The effect on the Empress Hotel will be soul destroying for the downtown core.

I am particularly dismayed at the zoning and bylaw abeyances being proposed and historically supported by the mayor and city council. Telus has misled the public by stating the height of the buildings in "floors", providing the illusion that the height will be within a traditional dimension, yet each floor is approximately equal to 1.5 floors. The building requires a height reduction to 45 metres, as is allowed in its current zoning. It really makes me wonder why the mayor and city Council have any zoning bylaws at all given their record and history of abeyances to any contractor and project developer that requests them. Everyone recognizes the "game" that is being played by developers, i.e., ask for a ridiculous amount, get less, but still get more than the zoning regulates. As a citizen, it is tiresome to observe this chronic gamesmanship and its deleterious effects on our beautiful city.

I enjoy living downtown very much, yet recent practices of the mayor and council and plans for its future are diminishing the experience considerably. I really question myself whether I could recommend other to live here given the other attractive options in the metro Victoria region.

Regards,

William Rodger, PhD  
South 905 - 737 Humboldt Street  
Victoria, BC  
V8W 1B1



The proposed TelusOcean building overwhelms a downtown corner, it is too big.

...Telus assumes permission for commercial height and density beyond that anticipated by us, at the presentation, 11 vague storeys can be 53 meters.

...the building doesn't complement the surroundings, the Southern prow interferes with a busy Douglas St crosswalk and diminishes use of the popular southern plaza. If less dense there would not be need to "borrow" public space.

...who wants to see a Telus sign glowing above the Empress at night from across the harbour?

...with several floors earmarked for rental, where will excess cars park? not everyone bikes or buses.

...concerns for birds being killed against the glass walls.

...concerns for areas being in constant shadow, a hotel all but hidden and the Ocean's lights on all night.

Does Telus know its neighbours, 4 condo buildings, 1 hotel and a soon to be occupied large building for the over 55's.?

Given the unhappy state of our downtown, look at the proposal carefully, consider your residential and business taxpayers, scale the size of this building back.

Catherine Campbell  
The Aria, 737 Humboldt St

To the City of Victoria,

Today I like to send my strong opposition to the planned building of the new TELUS building on the corner of Humboldt Street and Douglas Street in downtown Victoria.

With this letter I also like to forward several names of concerned citizens that disagree with the proposed building height.

Keith Orton

Kyle Orton

Constance Fischer

Cielieca Fischer

Cyprus Fischer

Peter Scholz

Art Cram

Robbie Christie

Gary Christy

Marianne Sorensen

Glen Sorensen

Loretta Fischer

If necessary, I will collect their signatures.

*Loretta Fischer*

1602-788 Humboldt Street  
Victoria, BC  
Canada V8W 4A2

This is our south view from the 9th floor of the Falls building on Burdett avenue at Douglas. Sadly, it seems that within a year or two, we will lose this view. Instead, we will be looking at the new Telus building in all it's glass and polished steel glory. Our neighbours the Sherwoods have articulated much better than we how inappropriate this building is, an office tower smack dab in the middle of a highly populated residential area. Council has promoted the idea of living in the downtown core, and we took the bait and bought here 6 years ago. It hasn't been that easy. Bike lanes and little or no synchronization of traffic signals have made navigating through the core difficult and time consuming. Vagrants camped on the sidewalks outside of our building, our front "yard", have made us feel uneasy, as have the thefts and vandalism in our parking garage. Still, we can come up and enjoy our view. We paid quite a high price for our place, and pay high property taxes, and strata fees, yet the view helps us forget these expenses, set them aside, after all, we enjoy a "million dollar view". For now. We wonder who, in the future when we decide or need to sell, will pay for a view of the Telus building? What will this monstrosity do to our property values?

While council dithers over the future developement of the "Northern Junk Buildings" because of it's potential negative effect on the neighborhood there, it has allowed Telus to slap a huge glass and steel structure, in golf terms, a "chip shot" from hundreds of entrenched residents in our area.

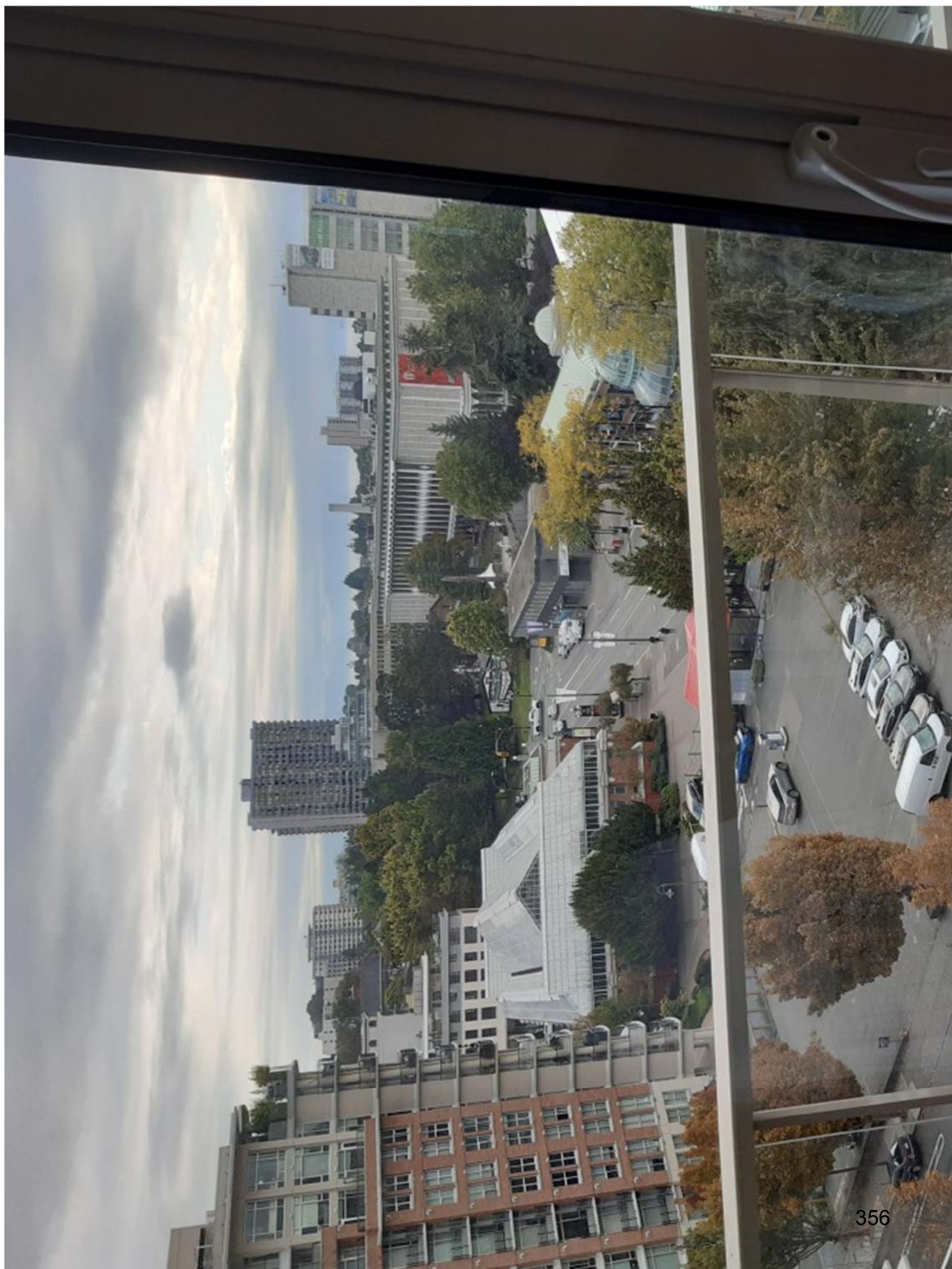
Please reconsider the plan. We deserve better.

Stephen and Margarita Kishkan

905 708 Burdett ave

Victoria.





To the Mayor and City Council  
Victoria, BC

## **Telus Ocean Development**

Telus has designed a high-rise glass building for downtown Victoria, which they state will “**anchor**” the south end of Douglas Street. Will the anchor enhance the street profile or drag down this residential/tourist area of the city?

### **1. Does the new Telus Building belong in the centre of a residential/tourist area?**

At present the site of the proposed building is a small triangular lot on Douglas Street directly across from the Empress Hotel. It is surrounded by many layers of residential buildings that include condominiums and hotels (Figure 1 at end of letter). All these buildings are used as temporary or permanent places for people to sleep, eat and live. The Victoria City Council has approved each of these buildings, thus creating a high density of residents. There are very few businesses in the area except for some restaurants and other small outlets. Tourist sites are abundant. Each person who bought a condo was attracted by the area, which appeared to be a liveable and safe residential zone in which walking and biking were emphasized.

**Conclusion:** The Telus proposal is a commercial business building (unlike hotels) that does not match any of the residential and tourist structures in the neighbourhood. It is enormous: too high (equivalent to 18 residential storeys) and too wide. It matches buildings along Douglas Street to the North where other high-rise commercial buildings are located, e.g. the Sussex and CIBC Buildings. The noise, and especially the lights shining into residential living rooms and bedrooms at night, are unacceptable.

### **2. Is the massive North wall of the Telus building fair to the residents of The Falls and others?**

The proposed Telus Building is designed to fit on a small lot in which the building would come very close to the Aria condominium. To compensate, the architects have designed terraces to move the bulk of the new building away from the Aria at upper levels. Alas, this has resulted in a massive wall on the other side of the Telus building across the street from The Falls condominium. Approximately 66 condos in The Falls will lose Southern views not only of the Olympic mountains, Victoria landscape and Parliament, but of their main source of light from the South and Southwest sky. Telus responded that the residents of The Falls must have known it was coming. We did not!

**Conclusion:** The North wall of the proposed Telus Building is inhumane for its immediate neighbours, the Falls Condominium and the Hilton Doubletree Hotel. Humans do not thrive when light during the day is removed and artificial light shines in their eyes during the night. Some of the residents already know about this problem; night lights from Nootka Court come on when cleaning crews arrive and often the lights remain on all night. As to the loss of views, the Victoria City Council rejected the original design for The Falls Building in which two towers of 18 floors each were proposed. City Council decided that the South Tower of The Falls

would obscure the view of the Inner Harbour for Vista 18 in the Chateau Victoria Hotel. The Falls had to remove the top five floors of the South Tower. This seemed to be a fair balance. The last building to be erected does not have a right to arbitrarily obscure its neighbour's views.

### 3. Is the Northern protrusion (prow) of the Telus Building justified?

The architects of the new Telus Building have designed a very sharp point at the Northern corner of the building and included a winter garden behind the glass point. The aesthetic view is not without merit, but the damage to residents in the Falls is profound. As shown in Fig. 2 (at end of letter), the protrusion of the prow above the lobby level extends the building width to almost the edge of the property line. This part of the building will have a great impact in addition to the height, in blocking light to the southern balconies and windows in The Falls; views of the Parliament and light from the southwest are the only source of light and delight for many owners with only a view to the South.

**Conclusion:** The sharp protrusion at the North point of the building on Douglas Street is very inefficient in creating inner space. The winter garden proposed to fit in this space at each level would have little appeal from the inside or out. If this pointed design is set back from Douglas Street by 6 feet or more, the light from the Southwest would be greatly improved. It is a small concession for a huge benefit to the neighbours.

### 4. Does the Telus building need to house unrelated offices in a residential area of the city?

Telus has proposed to house 250 of its employees in a modern glass building on Douglas Street. This is a strange request as this area is devoid of high-rise business buildings. If Telus moved even two blocks to the North, they would be in a business office building area. However, they not only propose to house their own employees, but an additional 250 employees that are unrelated and simply want to rent office space. No details are given. Nothing in their presentation booklet suggests how the employees in the new building will do “creative and innovative” work. The building is too expensive to house research projects or start-up companies. The government has just moved a large number of employees out of four stories of office space in Nootka Court and into the new James Bay complex behind Parliament. More office space does not appear to be in demand.

**Conclusion:** The Telus building is inappropriate for this part of the city. At the least, it should be restricted to Telus employees. This would halve the number of people and offices, which would allow the height to be reduced to half, the North protrusion to be set back and the terraces to begin lower. Common sense and fairness are necessary.

**Final summary:** The proposed Telus Building is inappropriate for the triangular lot. The lot is too small and is completely surrounded by residential and tourist buildings. All the advantages of the site for Telus in regard to context, transit and views are available either by moving to the high-rise commercial district just two or three blocks North or by eliminating the rental space. Finally, a resident of The Falls wisely observed about the Telus development that “This is

in part a vanity project and the main objective is to have their marquee prominently visible over the Victoria core and even loom over the Empress.” Telus is a welcome and valuable addition to Victoria in a context that is less troublesome. A different site would allow the full design without detracting from the Empress.

Thank you for considering this letter.

Sincerely yours,

Nancy and Terry Sherwood  
1005-708 Burdett Avenue  
The Falls

Figure 1.



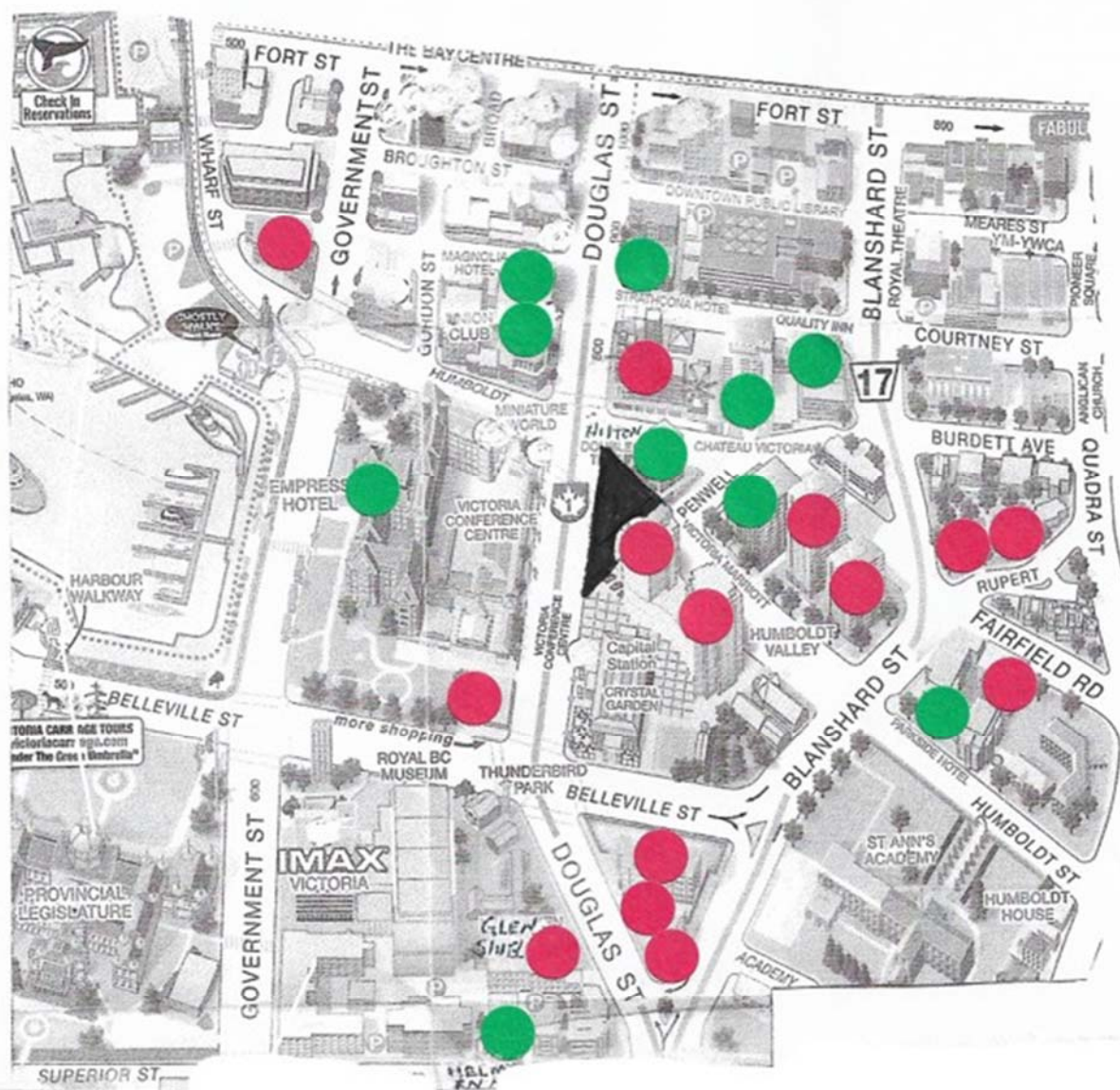


Fig. 1



Telus proposed building on triangular lot



Hotels in the vicinity of proposed Telus building (names on map)



Condos in the vicinity of proposed Telus building

Aria	177 units
Astoria	164
Belvedere	77
Cherry Bank	51
City Place	53
Customs House	57
Empress Condo (in planning)	72
Falls	155
Glenshiel (rental)	68
Landmark	32
Q Apartments (rental)	124
Savoy	62
Tapestry	173
	<u>1265</u>

Figure 2. The Falls Condominium is represented with the North Tower on left and the South Tower on the right. The foot print of the proposed Telus Building is shown in black. The North wall of the Telus building is problematical for two reasons. The extended sharp point on Douglas Street and the height equivalent to 18 residential stories combine to block all Southern and Southwestern views for the residents of the South Tower and some in the North Tower. At night artificial light from the Telus Building will shine into the South-facing windows of The Falls.



Dear Mayor and Council,

Our view of the Telus Ocean location is from the Astoria at 751 Fairfield Rd. We presently have a view through the lowered portion of the Aria, over the Empress to the Parliament buildings. We are concerned about the mass of the Telus Ocean building and its effects not just on sightlines, but on the "neighborhood" feel of this site with its access to the Empress and Victoria Conference center. We are concerned about the effect of "reflections" on largely residential buildings, which has been sited as a concern of other such facades elsewhere in the world. While we understand our personal "view" might be impacted by a building on this site, we understood that any new building would be no higher than the Aria, given how the site slopes from north to south.

We were recently advised of an analysis of the building project through the Humboldt Valley Community and concur with the recommendations of that analysis as follows:

TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. But TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, we urge TELUS Ocean to:

- Reduce the height to the 43m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.
- Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.

Thank you for consideration of our concerns.

Yours truly,

N.Avery

I support the Humboldt Valley Committee's call for downsizing the planned Telus building. It should not overshadow other buildings in the area including the Empress Hotel.

Take care

*Peter*



Dear Councillors,

I am writing to express my disappointment that the Victoria City Council has deemed that ignoring zoning bylaws is an acceptable procedure in approving a major city project. The Telus Ocean development is too large and overpowering for the designated site, and will overwhelm existing structures. I urge you to restrict the building height to that dictated by the present bylaw, as measured in metres rather than stories.

Sincerely  
Stewart Ballantyne  
788 Humboldt St.

Outlined below are some concerns about/objections to various aspects of the Telus Ocean project proposed for the Apex lot at the corner of Douglas and Humboldt Streets.

- As proposed, the Telus Ocean building will loom over the plaza to the south by the Crystal Garden. To avoid stifling this rare public open space, we would like to see:
  - A. the Telus Ocean building cut back and the edge terraced as of the second floor (per the DCAP, 6.187, p94); and
  - B. application of the set back requirement of 4.5 meters.
    - (Note: It was hard to get a sense of the “pinching” effect to the south from the literature Telus provided us. In some Telus photos the pinching effect appears to cease at a level higher than the roofline of the Aria, a neighboring residential building with twelve floors. In other Telus photos the pinching appears to continue down to about the second or third floor of the Telus Ocean building. We understand from other sources that the terracing doesn’t start until the eighth floor of the Telus Ocean building. If this is so, the Telus Ocean building, which is marketed as a landmark project, will not impress, but oppress.)
- We’re concerned that the Telus Ocean building will reflect light and heat around the neighbourhood, to include into our unit in the adjacent residential building, through the use of metal and “high-reflectance glass” as well as the mirroring effect on the façade of the Telus Ocean building.
- We’re concerned that light will be beamed into our unit from the Telus Ocean building acting as an “alluring lantern at night,” per the Telus marketing literature.
- We’re concerned about our privacy being violated by individuals having a view into our unit from the Telus Ocean building, its terraces/tiers, and its restaurants.

We’ve forwarded these and other concerns/objections to Telus.

Thank you for your time and consideration.

Sincerely,  
A.M. Lohner  
N501-737 Humboldt St.  
Victoria, BC V8W 1B1

I am writing about the proposed Telus building at the corner of Douglas and Humboldt Streets. While I do appreciate the idea of having a lovely showcase building in our city, I wish to share some concerns I have.

Looking towards the Empress from the Songhees area I was struck again by my concern about the huge bulk of this proposed building. I think it is way over-scale for this location. I could see from the other side of the harbour that not only will the building dwarf and spoil the Empress from the rear side, but the front view of the Empress will clearly also be ruined by a huge building looming above it. I assume there will also be a large commercial (and probably lit) sign showing above the Empress. I had thought that city plans were to limit height of buildings close to the harbour, increasing as the eye went further back, to preserve the look of the harbour area itself. Having a building of this size right behind the Empress is just way too much.

Also not to be forgotten is the fact that the Crystal Garden is another beautiful historic building which I believe has great tourism value. This importance and attraction would be diminished by this huge neighbor. I urge you to consider the importance of preserving the beauty of our inner harbour area and the value it has in our important tourism industry.

Not only will the view from the Falls condominium and the Doubletree Inn be severely impacted, but the sheer size of this giant will overbear that corner and affect neighbouring buildings to an alarming degree. Property values and hotel revenues will be seriously diminished. I live in one of the towers near it, but not immediately adjacent to it, nor in a location such that a change to my own view is a concern.

I also urge you to consider that an already choked Humboldt Street will need redesigning to accommodate the increase in traffic. Much of the increased traffic will further stress Humboldt and we can't expect that all additional traffic will use Penwell Street, especially with the very difficult stopping area at the top of the hill. We also need to consider how difficult that stop would be when the streets get icy.

Thank you for considering my concerns about the development of this corner.

M.F. Kearns  
737 Humboldt Street

Maureen

Mayor Helps and Victoria City Councillors,

I hope this finds you well.

The Telus representative fielding questions from Humboldt Valley residents on 5 August was pleasant enough. He politely listened to our points of concern, confusion, and frustration. He shrugged his shoulders and summarily dismissed our objection to having our southern view, and daylight, taken away by their proposed extra tall office tower. He also understood that many of the suites on lower floors would entirely lose their view of the sky! He noted that since we are across the street from their building, they owe us no consideration. He was equally polite in noting our concern about the effects of bright lights from their offices and their logo. Again, sorry and good luck. It seems they do appreciate rules and guidelines; when expedient. He had that extra-confident way about him as he described the "proposed" project, and all the "sacrifices" they had made; stopping just short of saying "you are welcome". It almost seemed like he was ticking a PR checklist item on an already approved project. How could it be? Sure, confusion and disappointment remains surrounding the sudden end of the bidding process and no public vetting of the options. But they could not have been given the nod somehow; and they should not assume it. Afterall, you have not approved the project.

My wife and I live in a south facing suite on the 11th floor of the south tower of The Falls. We joyfully selected this neighbourhood and this suite for the many benefits that combined into a wonderful (and high priced) choice. We retired here and hoped to quietly enjoy life in this wonderful downtown in peace. We generally liked the status quo but also understood that things could evolve for the greater good of our community even if it has some undesired impact on our interests. That is not the case here.

We watch with great concern the full court press to get you (and city staff) to bow to pressure to reinterpret, amend or otherwise torture the governing rules and guidelines into submission so Telus can raise their corporate flag of ownership to impose over our city's historic and elegant downtown. More than an office building, this arrogant vanity project is intended to be a towering commercial billboard erected over us. Please do not let us and our beloved city's downtown drown in the Telus Ocean.

Telus representatives complain that they have made many design compromises and sacrificed so much in terms of cost, benefits and utility because of the site's shape and size. Then why force it? Why force this bull-in-a-china-shop into a bird cage? Why not build on any number of sites available in downtown, along Douglas and in close proximity to other office buildings?

Lets not pretend to not know that those design "compromises" are there so that they can gain the additional height for prominent placement of their corporate logo (and permanent



advertisement) over everything else in our downtown. That is a feature, not a concession. The objective is to hijack, and tower over, the iconic Empress. The poor Empress might become the "T'Empress"! The rest of us are merely collateral damage. As would be our trust in our representatives.

Again, they can build a few short blocks away, at a lower cost, with higher utility for them and greater positive community impact. But they want you to approve this corporate vanity project at this ("challenging") location so that they can permanently impose their brand logo on the elegantly inviting views of our downtown skyline. Their stated objective has always been to have their oversized and incongruent tower and lights prominently visible from sky and the harbour. Will this overbearing billboard be your legacy? We hope not.

You can do the right thing by disapproving this project. Or you can pretend that you have no choice but to go along and have us and our neighbourhood drown in the Telus Ocean.

If you choose to approve this project, you would cause substantial negative impact on our property values, daily use and enjoyment of our homes and neighbourhood, and overall quality of life we sought by choosing to live and spend here. We are your constituents. We are watching. We will not forget.

Please do not approve the Telus Ocean project at this location.

Respectfully submitted,

Pirooze Khebreh  
1105-708 Burdett Ave

To whom it may concern,

As a resident of the Astoria I share the same concerns as the Humboldt Valley Committee. While the my view will not be affected, I am particularly concerned about the noise coming from late night parties on the proposed rooftop amenity space...if the space is rented out what guarantees will we have that it is governed by the same noise controls that were imposed on the Strathcona Hotel outdoor volleyball courts or Bart's pub as this is a primarily residential area.

Another concern relates to traffic. Do we have any indication what will happen when the sun reflects off the glass fascade as motorist approach the stop lights at Douglas and Burdett? Will the glare pose safety issues in terms of drivers seeing the street lights?

What will happen to traffic patterns during the construction Phase and as a result of traffic entering and leaving the underground parkade onto Humboldt? Firstly bus stops will be moved during construction. Living on Fairfield/Burdett I already feel like I am living in a bus depot with the noise and pollution from the growing number of buses that park outside our front door and would hope that the few parking stalls remain in place.

Of greater concern is the unsafe intersection at Burdett/Fairfield and Penwell. A no parking zone was established at the blind corner, however it needs repainting and the transit drivers need to be reminded that buses cannot park there. With increased traffic coming from the TelusOcean building I fear that intersection will become the scene of fatal or near fatal crashes as more traffic avoid the choke point on Bellville Street at Douglas and come down Fairfield. Then there is the issue of buses turning onto Penwell trying to avoid parked cars as vehicles come up the hill. If nothing else a traffic safety study is needed.

Regards  
Anne Kyle-Bartlett  
Astoria

Her Worship Mayor Lisa Helps  
and Council  
City of Victoria  
Email: [mayor@Victoria.ca](mailto:mayor@Victoria.ca)  
[councillors@Victoria.ca](mailto:councillors@Victoria.ca)

Dear Mayor Helps and Council:

We were pleased to hear that Telus is interested in developing the site next to the Aria where we live. However, in reviewing their plans, we have concerns about the size of the building, which is overwhelming for the site.

As agreed with our neighbours and the Humboldt Valley Committee, it's imperative to reduce the height to the 45m allowed in the current zoning and decreasing the proposed density in the process. This would also protect the Empress from being overshadowed and prevent their corporate logo from piggybacking on its roofline. It would also give more priority to the public south plaza by cutting back the second "prow" that extends over it. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden and in the process, would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.

Although I am looking forward to the eventual development of the lot next door, I don't wish to live in the shadow of a behemoth whose height and signage placement implies ownership of the iconic Empress Hotel. As per Telus' plans every photograph of the Empress from the inner harbour will advertise Telus. Please ensure that the height is reduced as described above. Thank you for your kind assistance. I look forward to your response.

Sincerely,  
Chantelle Fortin  
and Shaun Millar  
N904-737 Humboldt St

cc: Humboldt Valley Committee

September 24, 2020

Dear Mayor Helps and City Councillors,

As a long-time resident in the Humboldt Valley, I am writing to express my personal concerns about the proposed TELUS Ocean development in downtown Victoria under consideration by city council.

I found the Application Brief 1.0 from TELUS and Aryze to be a beautiful and superficially informative document that revealed a number of misleading statements upon careful reading. Essentially, while the proposed building is architecturally remarkable, it's size does not fit its location.

While I appreciate TELUS' architectural efforts to accommodate the buildings nearby, my conclusion is that it will look like a very large foot being shoehorned into a small shoe as it overwhelms the buildings nearby. This was not my expectation, or the city's, based on Victoria's current Official Community Plan or Downtown Core Area Plan.

As a resident of the ARIA condominium, I appreciate the Ocean's setback from the ARIA but on every other side the building goes to, or very near, the property line and the crowding will be more visually intrusive if the City grants TELUS' request for a height extension from 45 to 53 metres. If there is one iconic view of Victoria, I think it is of our harbour with the Empress Hotel. Imagining that view at night with the Ocean looming over the Empress with its bright TELUS sign dominating the view is very distressing and diminishes city's our brand. Please don't let that happen!

Finally, although TELUS has conducted a Transportation Impact Study, as a resident of Humboldt St, I am doubtful of their conclusions. The access streets of Humboldt and Penwell are not wide and already service 2 major hotels and 3 large condominiums. The condominium residents and the Ocean occupants will be travelling in opposite directions in rush hours and Humboldt St (the wider of the two streets) now has only 1 vehicle lane to handle both directions!

I urge you to restrict the Ocean's height to that currently zoned and to seriously consider the traffic implications it presents. Thank you for taking these views into consideration.

Yours truly,

Peter Bonyun  
737 Humboldt St, Unit S707



Greetings ~

My comments are about the proposed Telus building at Humboldt and Douglas streets.

As a letter writer recently commented in the Times Colonist, this building will definitely affect our bird populations: they will be flying into those glass walls.

How can Council seriously contemplate approving the use of so much glass, when in this day and age of environmental awareness it is an affront to people who care about the avian world? Anyone who appreciates our bird life knows that putting some visuals on windows, closing the blinds or simply turning off all lights at night, are recommendations for homeowners and businesses. Is the building's proponent willing to commit to such measures?

Victoria Council goes on about environmental concerns, including 'Climate Leadership and Environmental Stewardship' in the 2020 - 2022 Strategic Objectives. I think this includes paying attention to the wildlife in our city. We have a thriving birdwatching community here.

Have you given any thought to how the reflection from these walls of glass will affect vehicle drivers and cyclists? How does this all-glass design mesh with Green Building standards and 'sustainable design'?

Clearly your enthusiasm for this building proposal is affected by anticipating both land sale income, tech companies and related employment opportunities, and potential extra space for VCC use.

I guess you are still thinking of an expansion for the VCC as an economic driver? Given COVID, conference and meeting business experts say it is unlikely that such gatherings will occur the same way in the future. They will be a hybrid of online and face-to-face interactions. Environmental considerations will lessen air travel and virus considerations will deter people gathering in large groups, not to mention the organizational cost factors of anti-COVID measures. So attendance at conference and meetings will diminish in favour of staying put and using online technology.

Further, long ago there was talk of building a pedestrian overpass when the Crystal Garden was put into use for VCC events. Has this idea been revisited in light of this proposal? and is it a factor in your approving this proposal? The cost probably won't justify the effort.

So, my concern is the use of so much glass in this building proposal. I don't think it fits; it is an overheight edifice that will noticeably 'stick out' without enhancing or complimenting its neighbours.

And be a threat to birds.

As for the Aryze proponent comments "Victoria has a heritage-first approach to development" - that's disingenuous. My impression is that this Council pays only lip-service to heritage and preservation. Your decision re the Northern Junk buildings will say a lot in this regard. But that's another matter.

Regards,  
Pat McGuire  
Victoria

Dear Mayor and City Councillors

I am writing to share my concerns about the size of the Telus project slated to begin soon.

While I do not have an issue with this building being built, it's the enormity of height that concerns me greatly

I was told it was going to be 12 stories. The actual height would be over 17 stories. Only understanding now there is a difference between residential and commercial floor heights. I haven't built either so when I heard 12 stories I believed Telus was taking our community into consideration in their plans. This height will destroy views and shadow the Falls building, Double tree and the Marriot. These buildings and businesses have contributed to Victoria's tax base for some time now. The value of their properties will be greatly impacted.

Please do not endorse this plan as it has been presented.

I ask that you hear our communities wish to keep this Telus building to the height of 12 (residential) floors. The Telus building should be an **add on** to our community. With the proposed height it is **taking away** from our community,

Many thanks  
Yours respectfully  
Brenda Dean  
751 Fairfield Road  
Victoria

Dear Mayor and City Councillors

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While I do not have an issue with this building being built, it's the enormity of height that concerns me greatly

I was told it was going to be 12 stories. The actual height would be over 17 stories. Only understanding now there is a difference between residential and commercial floor heights. I haven't built either so when I heard 12 stories I believed Telus was taking our community into consideration in their plans. This height will destroy views and shadow the Falls building, Double tree and the Marriot. These buildings and businesses have contributed to Victoria's tax base for some time now. The value of their properties will be greatly impacted.

Please do not endorse this plan as it has been presented.

I ask that you hear our communities wish to keep this Telus building to the height of 12 (residential) floors. The Telus building should be an **add on** to our community. With the proposed height it is **taking away** from our community, Thankyou

V. Dean 751 Fairfield Victoria



Victoria City Council

September 27 2020

Re: TELUS Ocean Proposal

Dear Victoria Council Members:

I am writing to express my serious concerns about the TELUS Ocean proposal, and am urging the City to enforce existing zoning laws and guidelines. This, I believe, would require that the size of the allowable TELUS Ocean building be decreased to the 43 meters allowed in current zoning laws. I don't think it is appropriate for this neighbourhood or fair to its residents that such a large building be put on the small site in which the proposed TELUS Ocean development is proposed.

I accept that TELUS Ocean has a right to build on its site. However, I think that residential owners of nearby properties also have the right and a reasonable expectation that building developments will not vary from existing zoning laws and guidelines.

The decision to purchase my home in the Astoria (1704-751 Fairfield Road) last autumn (2019) was influenced by the expectation that the City's official plans would be maintained and preserved. This is the biggest purchase of my life and I was hoping it would be the final home I own. Before deciding to purchase here, I spent considerable time thinking about, waiting and choosing this particular location because I love the character of the Humboldt Valley neighborhood. I paid a premium to enjoy the view my property affords. However, both the character of the neighbourhood and my view of the inner harbour will be fundamentally impaired if the proposed TELUS Ocean development proceeds without significant modifications to its height. To put the matter bluntly, my husband and I would not have purchased this particular property had there been a reasonably foreseeable possibility that such a massive building would be erected on the tiny site for which it is proposed, particularly when so doing is contrary to existing zoning and guidelines.

As an owner, I realize I don't own my view, or have a right to prevent developments for which I disapprove. However, it is only reasonable and fair that at the time of purchasing my condo in 2019, it would be safe to assume that zoning requirements would be enforced and that a plain interpretation of them would be applied for subsequent review of proposed developments. Thus, I did not expect the possibility of a building of the size TELUS is proposing be constructed on the lot in question. I assumed, reasonably, that any future development would be no higher than equivalent to a 15 story residential tower. However, the proposal for TELUS Ocean exceeds

substantially the height that would be reasonably assumed or equated with a 15 story residential tower.

I also assumed that the ‘visage’ or atmosphere of the Humboldt Valley would not be radically transformed from a residential area to a commercial area. While I accept the role and place of commercial businesses in this neighbourhood, I did not expect there would be large commercial

signage and blazing lights that interfere with our sleep and tranquility. However, If TELUS Ocean is permitted to proceed as proposed, contrary to existing zoning laws and guidelines, this will not only make it difficult to sleep at night and significantly impair my view, but it will also fundamentally detract from the residential quality of our neighbourhood.

At public hearings, TELUS Ocean officials were also promoting the possibility of a large screen that would feature public information and other bulletins. This is not in keeping with the residential qualities of our neighborhood and I urge the City to block this idea, if TELUS desires to proceed with it.

In closing, I don’t object in principle to the TELUS Ocean building but urge the City to require that it conform with current zoning and guidelines and be confined to the 43 metres allowed in current zoning. This not only protects our view but would also protect a landmark Victorian entity – the Empress, from being overshadowed by a corporate logo.

Yours sincerely,

Janet Hiebert

1704-751 Fairfield Road

Victoria

Victoria City Council

September 27 2020

Re: TELUS Ocean Proposal

Dear Victoria Council Members:

I am writing to oppose the TELUS Ocean application, as currently proposed. Specifically, I am writing to urge City Council to enforce existing zoning laws and guidelines and require that the TELUS Ocean building be no higher than the 43 meters allowed in current zoning laws.

I purchased my condo in the Astoria (1704-751 Fairfield Road) in 2019. At the time, I believed that my view would not be harmed because existing zoning laws and guidelines did not permit buildings as high as the proposed TELUS Ocean development. I realize that one's view is not an absolute right. But having said that, it is reasonable to assume that when you purchase a property, existing guidelines and zoning requirements will not be suddenly abandoned. So I urge Council Members to only approve this application if it is consistent with these. That would require that TELUS Ocean be limited to 43 meters in height. I wouldn't have purchased this condo a year ago if the TELUS Ocean building existed as the size proposed in the application.

A change to reduce the size and height of the development will be beneficial to the Humboldt Valley, which is predominantly a residential area. Although commercial properties are beneficial, they should not fundamentally impair the character of our community. In addition to the height problem, the proposed footprint of the building is too large for the site in which it is proposed.

When you review this application, please consider the fact that for most residential owners their homes are the biggest investment they will ever make, and therefore they have a right

and reasonable expectation that building developments will not vary from existing zoning laws and guidelines if in so doing they detract from existing views and the community feel of a residential neighbourhood.

In short, I urge you to ensure that the TELUS Ocean development complies with existing rules, and therefore should not be allowed to be any higher than 43 meters. Also, please do not allow TELUS Ocean to include a large screen publicizing information and bulletins, as mentioned as a possibility in public hearings. This will lead to light pollution and interfere residents' abilities to sleep.

Yours sincerely,

Wayne Hiebert

1704-751 Fairfield Road

Victoria



# Regarding: Telus Ocean development proposal

To: Victoria City Council

Dear City of Victoria Council Members

I have read the extensive report compiled by the Humboldt Valley Committee and wholeheartedly concur with their observations and recommendations.

I agree that the Telus proposed building is much too big for that small plot of land. To erect a building of that magnitude one would need a property 2-3 times that size. Telus is attempting to accommodate the property and make it appear smaller by referring to it as "triangular" etc. However in the final analysis it is a humongous building on a very small plot of land.

An analogy would be of a person who wears a size 12 shoe trying to wear a size 8 shoe. It could be done but should not be done because permanent foot problems will occur. The same holds true for trying to put an oversized building on a small piece of land. It can be done but shouldn't because permanent problems will follow ie:  
...traffic congestion (Humboldt being a very small, one way street is not designed to accommodate the influx of car/foot traffic that a building of that magnitude would bring.  
...the area is already overwhelmed and overpopulated. Victorians and tourists alike would be better served if that small piece of land could be used to reduce stress and create a sense of balance and harmony not increase it.  
The existing rules and guidelines by the city have been created to serve all at many levels. I trust these will not be broken to serve a few.

Sincerely, and with respect  
A. Frayne

Hello Mayor Helps and Victoria City Councillors,

My husband and I live in south tower of the Falls. When we bought our home we knew that something would eventually be built at the Apex site and that, given the zoning, we might lose some of our view to the south and be looking at, or slightly up towards, the roof line of the new structure.

The proposed Telus Ocean building is beyond anything we could have imagined in height, width, and potential for lighting our home at all hours of the day and night. It would occupy our full southern view; we see neither over it, nor around it. We would need to crane our necks to even see the sky. We are on a high floor and are fortunate to also have a view to the West. Other units in our building would be impacted even more severely. It would be our constant companion, greeting us in the morning and being the last thing we would see at night.

Telus has obviously designed a building whose M.O. is to be visible from the Inner Harbour, with the Telus Logo dominating the Empress and the skyline. To meet those ends, they have proposed a hulking structure that would be out of place and substantially change the nature of Humboldt Valley.

I urge you to not approve the proposed Telus Ocean building as designed. If they want a billboard, they should put it somewhere else. Otherwise, they should be a good neighbour and build something congruent with the surrounding area.

Best regards,  
Andrea Rolston  
1105-708 Burdett Ave.

Dear Mayor and Council,

I'm writing to you as a concerned resident of 737 Humboldt Street, Unit N309, Victoria V8W 1B1.

My concern is regarding the potential increased height (to over 53m) as described in the Application Brief of the 11 storey TELUS Ocean building, the proposed site of which is located within the Core Inner Harbour / Legislative Urban Place Designation, the south end of the downtown at Douglas and Humboldt Streets.

The TELUS Ocean site is currently zoned (CA-4) for buildings of up to 45m in height and permits commercial, office, and residential uses. Map 32 in the Downtown Core Area Plan, the official Victoria development guide for the Downtown (DCAP), has an interpretive table next to it. This table shows that buildings of 45m can have up to 15 storeys, if they are residential – and up to 11 storeys, if they are commercial. Residential storeys are considered to average 3.0m; while commercial stories average 4.1m.

The TELUS Ocean plan has an average office floor height of 4.25m and, with a higher first floor and top amenity floors, an average storey height of 4.8m overall. **This pushes the proposed height of their 11 storey building to over 53m** (about the height of an 18 storey residential tower).

As a resident living next to this proposed building, I would urge TELUS Ocean to:

- **Reduce the height to the 45m allowed** in the current zoning, decreasing the proposed density in the process. This would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.
- Give more priority to the public south plaza by **cutting back the second “prow”** that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, it would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.

Thank you for your prompt attention to this matter.

Sincerely,  
Gary Roberts  
N309-737 Humboldt Street  
Victoria, B.C., V8W 1B1

## Letter to the City Council of Victoria

Telus Ocean is pitching to build a monstrous building up to 53 meters asking permission to deviate from the current height permissions of 45 meters. The proposed building is an insult to the heritage integrity of our downtown.

The tower would overwhelm the Humboldt Valley Neighborhood with its expensive condo buildings, the convention center and the Empress Hotel taking away the charm of our neighborhood. Extending the North side of the building all the way to the absolute corner of Douglas and Humboldt as the building gains in height takes away not only the views of The Falls completely but also blocks the sunlight and the sky.

The proposed Telus Ocean building would irrevocably change the heritage landscape. The current character of our city attracts many tourists and draws residents to live in the downtown core.

I trust you will scrutinize all letters and information presented regarding this development proposal.

**This evidence should be enough for City Council to send the project back for additional rework to only allow 45 meters and design for a reasonable set back from the North Corner of the building.**

Developments require public engagement. The Humboldt Valley community was not involved in any planning process. The presentation by Telus in August informed us that we benefited from the views from our condos but knew sooner or later there would be a building. Yes, that is correct, however, we could not envision the monstrosity proposed that would not only eliminate any view but also block our sunshine and skies and face us and the city with a large glass wall and the Telus billboard.

The city blocked off the Humboldt street for bicycle lanes resulting in increased traffic for Burdett Avenue in addition to the already heavy bus traffic going up and down our street creating pollution and noise. Now we will also be faced with a massive glass wall from the Telus Ocean building.

It is time the city of Victoria gives some consideration for the residents of the Burdett Avenue.



Many residents of our community support redevelopment, however many residents also feel the current proposal represents overdevelopment of the site. For these reasons, please return the proposal to the developer to ensure meaningful community engagement and exploration of new building forms for densification and traffic management. After community engagement, an independent review by the Victoria planning commission is necessary to create a well-informed urban design that ensures livability and integration with our community.

This decision has too many negative ramifications for our community and should not be rushed. More time is required for further community consultation and information gathering before a final decision for redevelopment is made

Community residents have been inadequately informed of the proposed building. All parties including the developers, elected officials, and the public should ensure that this addition to the city contains the best design for our neighborhood.

Accordingly, I urge you to table the Telus Ocean zoning proposal until a master plan for this critical site has been completed with meaningful input from community members.

Sincerely

Irmela and David Clack

1002-708 Burdett Avenue

Dear Mayor and Council,

I am very disappointed that you are considering allowing Telus to build a monstrosity of a building so close to me. I live at #1401 – 751 Fairfield rd., basically across the street from where this building is to be built. I walk in this area several times a day to access downtown and the inner harbour.

1. The building is too high and overwhelms the site. A corporate logo should not be allowed to piggy back over the Empress. We have a beautiful landmark with the Empress and it should not be overshadowed. The building must be shorter.

2. Leave more room for pedestrian walking and reduce overall building size.

3. I am concerned about the amount of traffic on Humbolt street. We already have 3 condos, a church and the Marriot Hotel in one block. There is already too much traffic.

4. A glass reflective building is dangerous to birds. We should not be endangering wildlife. Does Telus promise to turn off all lights at night?

Thank you for your attention to this matter.

Sincerely,

Jennifer Walton  
#1401 – 751 Fairfield Rd.

Dear Mayor Helps and Council,

As a long time resident of the Humboldt Valley area, I would like to share with you know my feelings about the proposed TELUS Ocean building on the property at the corner of Humboldt and Douglas Streets. First of all, let me say that so far, the changes made in the Humboldt Valley are all welcome and have been well managed to complement each other nicely.

First of all, the overall size of the building is just simply far too big. If TELUS needs to be applying for a variance in height restrictions, it is obvious that they also know it is far too big. Having a building of that size and "footprint" towering over everything else in the neighbourhood should not be allowed. I am at a loss to understand why the building being taller than the world-renowned Empress Hotel and therefore showing off the TELUS logo seems to be acceptable to this plan.

Seeing the large number of empty offices that were downtown before the Covid-19 pandemic struck and knowing that so many are likely to remain empty for quite some time to come, building more office space for rental seems rather unproductive, even for TELUS employees. I have a nephew who is a TELUS worker who for several years has done almost all of his work from home and now does so all the time. Also, dropping a hint that there might be a Medical Clinic included in the plan certainly doesn't take into consideration the costs to said clinic when one sees nearby medical offices losing tenants due to high rents.

Another major concern is their claim that all the traffic would come down Penwell Street rather than along Humboldt. This is not currently the case and has not been the case since the closure of Humboldt St to through traffic. The increased traffic, and noise, especially from service vehicles to service such a huge building would not only be a safety issue but a quality-of-life for all concerned issue. The City of Victoria has just spent quite a bit of time, effort and money on redesigning Humboldt Street ensuring more bicycle paths and the new seating/pavement area that is well used that the extreme expense of changing all of that new plaza just to accommodate the new building doesn't seem to make much sense to me.

The outer shell of this huge building, I believe, will be extremely bright due to reflection. In the summer, the reflection from the roof of the Crystal Garden is significant and the TELUS building will be a huge magnification of that. I believe that green, treed areas including Thunderbird Park would be in danger from far too much sunlight reflecting onto it in summer especially. It is also likely to be a very serious danger to bird life. The TELUS proposal claim that the night lights would be low **for plants** seems a rather a ridiculous way of saying that yes, lights will be on 24/7. Even the Parliament Building turns off the lights overnight...

Thanks you for your consideration of this letter,

Best regards,  
Marni Horner

Your Worship and Councillors:

I am writing as a person who lives close to the proposed Telus building to give my concerns about this project. I live in the Aria (737 Humboldt), and my unit faces Blanshard and Humboldt. I will not be affected directly by the building and its ongoing construction, but am very concerned about the impact on construction movements on my immediate area.

In particular, I am concerned about two things:

1. Vehicle movements during the 2 or 3 years of construction, and
2. Location of the construction worksite.

1. Vehicle Movements:

- **The main access should be on Douglas if at all possible.** I think this is feasible as the worksite for the nearby Tapestry has tied up a full lane of Belleville for several years, and traffic still manages to get by.
- **The access should not be on Penwell.** This is a short, very steep street which has blind corners at both ends. Any trucks coming down Penwell (toward Humboldt) will have to cross two bicycle lanes when going across Humboldt, and unless there are new traffic lights (and also alert behaviour by bicyclists), truck-bicycle collisions are inevitable probably with tragic results. Trucks going up Penwell will have the same problem crossing Humboldt. They will also cause an enormous amount of noise when going uphill to Burdett/Fairfield which will disturb almost all local residents, and certainly will impact on the two hotels bordering Penwell (the Marriott and the Double Tree). Trucks going uphill would then have to turn, with either direction having very poor sightlines (in part as this part of Fairfield is a bus stopover area). Cars also tend to speed along the Fairfield-Burdett part of this road.
- **Truck access should not be on Humboldt either.** Adding heavy vehicles to the Penwell-Blanshard block leading up to Blanshard would be very dangerous – there are several parking garage entries, two prominent bike lanes, a daycare, and a service lane along this piece of road. Whichever way a truck would then turn at Blanshard would cause problems, too: a steep downhill and curve to Belleville in one direction, and a very steep hill with a lot of merging traffic heading toward Fort in the other. As well, Humboldt has only recently been rebuilt twice (!) in one year, and truck traffic would probably ruin the road. The truck noise would affect a large number of strata residents and hotel guests.

2. Worksite Location:

- **This should also be on, or adjacent to Douglas Street.** The Belleville-Humboldt block of Douglas is straight and wide with good sightlines, and so could accommodate an area being blocked off as a worksite – if Belleville could handle the Tapestry's worksite, Douglas should be able to handle one for Telus.
- **The other possible location (on the closed-off part of Humboldt near Douglas) would not work:** it would be too short to accommodate a mix of offices and pull-up places for vehicles, and would not have room for vehicles to turn around. Many local residents would be impacted by the noise of vehicles coming or going to such a location, too.

I will not comment on other aspects of the building, except that I am concerned that it is too high, and the 'Telus' logo will dominate the view from the harbour.

I hope you will seriously consider these concerns.



Sincerely,

Paul Harker

I agree with the following and have added three additional points:

- Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.
- Give more priority to the public south plaza by cutting back the second “prow” that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls. Build only to the lot line on the south side as the “prow” encroaches on the Aria Condominium building & the personal enjoyment of tenants living on the north side of the building.
- Delete the vertical south east facing graphic as this will take over any view enjoyment that the Aria tenants have currently.
- Make mandatory, in the Telus tenants lease that all office lights on the south side of the building, facing the Aria’s north side, are to be shut off from 6pm. through 6am. 7/24.
- To assist in eliminating traffic gridlock;

As the traffic pattern has been altered on Humboldt Street; so should a strict enforceable traffic patterns be put in place for all traffic entering and existing the Telus Ocean Parking Garage

Regards

Sally Talbot,  
737 Humboldt Street,  
Victoria, BC., V4W1B1



Humboldt Valley Committee

## INFORMATION BULLETIN

### The Elephant in the Room: Questions about the TELUS Ocean Development Application

Researched and written by Andy Wachtel

**Summary:** This review finds that the TELUS Ocean proposal, in its ambition to build a landmark office tower at the south end of the downtown, misconstrues or distorts existing rules and guidance on building height, density, setbacks and overall massing. If neighbours built or purchased property in the expectation that the Official Community Plan and its more elaborated Downtown Core Area Plan offered them some assurance that they could foresee the potential impact of further building, this proposal comes as a bad surprise. The proposal needs to be reworked to better respect the context in this historic district.

#### Introduction

The TELUS Ocean Application Brief is more descriptive and less technically detailed than most development applications – in part, because it is also being used as a public engagement tool. That means that it, quite naturally, puts the project in the best light and does not include all the information a reader might need to corroborate claims and statements. This analysis aims to highlight aspects of the proposal that require scrutiny from stakeholders, especially residents in the Humboldt Valley who will be directly affected by the building. The application asks for a significantly larger building than might be expected on this site. We will test the rationale offered for that bonus size to see if it is supported by official plans and guidelines.

#### Context

TELUS Ocean is an ambitious project to build a signature regional headquarters building.

*TELUS Ocean is envisioned as an iconic architectural landmark—a centre of activity, creativity and innovation in the heart of Victoria's Downtown and Inner Harbour.*  
(TOAB, p17)

As a building going into the last remaining unbuilt lot in its vicinity, TELUS Ocean faces the central challenge of fitting in. It is in the interplay of these two goals – creating a landmark while being properly sensitive to context – that key development challenges arise.

The Downtown Core Area Plan (DCAP), the official Victoria development guide for the Downtown, takes this up under Vision:

4.3. Supporting context-sensitive developments that complement the existing Downtown Core Area through siting, orientation, massing, height, setbacks, materials and landscaping. (DCAP, p.11)

TELUS Ocean makes this promise in its design principles:

*TELUS Ocean will be defined by a celebrated, innovative and contemporary building design that complements the surrounding community and nearby landmarks like the Empress Hotel and Crystal Garden. (TOAB, p20)*

We need to judge that in terms of the proposal presented. And, if a picture is worth the proverbial 1000 words, here is what is being proposed:

Fig. 1



Picture along Douglas of **11 storey TELUS Ocean (53+M)** next to **18 storey Falls condominium**.

Picture along Humboldt of **11 storey TELUS Ocean (53+M)** next to **12 storey ARIA condo (37M)**.

(from TOAP, pA304)

### How does TELUS Ocean justify this scale as appropriate in the context?

The TELUS Ocean application refers to the DCAP to provide a policy context and confidently interprets that policy to support its plan. In three paragraphs, TELUS Ocean moves from a current zoning of up to 45m in height with a Floor Space Ratio (FSR) or density of 3.0:1 to a rationale for a much larger building through rezoning. Let us examine how TELUS Ocean does this.



### **TELUS Ocean claim about number of storeys permitted**

TELUS Ocean suggests that they have license to build up to 15 storeys and are showing contextual restraint by only proposing 11. (TOAB, p106)

*The TELUS Ocean site is located within the Core Inner Harbour / Legislative Urban Place Designation, which anticipates buildings up to 15 storeys, with densities up to 4:1 considered in strategic locations. Commercial and office uses are encouraged in this district, and local planning has strategically targeted increased height and density along Douglas and Yates Streets, in addition to the general strengthening of the Core Business area by increasing office capacity. (TOAB, p27)*

**Response:** The TELUS Ocean site is currently zoned (CA-4) for buildings of up to 45m in height and permits commercial, office, and residential uses. Map 32 in the DCAP (which the TELUS Ocean application reproduces on page 29) has an interpretive table next to it which the TELUS Ocean application leaves out. This table shows that buildings of 45m can have up to 15 storeys, if they are residential – and up to 11 storeys, if they are commercial. That is, residential storeys are considered to average 3.0m; while commercial stories average 4.1m. The TELUS Ocean plan has an average office floor height of 4.25m and, with a higher first floor and top amenity floors, an average storey height of 4.8m overall. This is what pushes the proposed height of their 11 storey building to over 53m, about the height of an 18 storey residential tower.

### **TELUS Ocean claim about permitted density**

The existing CA-4 zoning has a maximum density of 3.0:1. The OCP allows for increased density up to 4.0:1 in strategic locations. (TOAB, p27, referencing OCP, p42). TELUS Ocean doesn't belabour this point, however, because they want much higher densities than that, arguing that the current zoning "does not contemplate the advanced building design features proposed by the TELUS Ocean development vision". (TOAB, p106)

**Response:** TELUS Ocean could make an argument for this being a strategic location and seek a variance to build up to 4.0:1 but that isn't the goal. Why the particular "advanced building design features" merit increased density is not made clear.

### **TELUS Ocean claim about greater height and higher density**

*The TELUS Ocean is just adjacent to the area where densities of 6.0:1 are permitted. The TELUS Ocean should be allowed to "support the area" with a similar density of 5.6:1. (TOAB, p27 & 106)*

**Response:** The DCAP indeed allows for increased height and density along the Douglas / Blanshard Street corridor, but both height and density ramp up north of Humboldt and east of Douglas, and no transitional zone is implied. The TELUS Ocean may argue they are close enough to this area to take on its zoning but there is nothing in the OCP or DCAP that supports this, and as we shall see below, some clear counter-indications.

### TELUS Ocean claim about the goal of enhancing the downtown skyline

*A major goal within the DCAP is to enhance the skyline within the Inner Harbour District, expressing an “Urban Amphitheatre Concept” by building taller buildings, particularly along Douglas Street. TELUS Ocean is uniquely placed to “complement the Empress Hotel, emphasizing its rich detail without diminishing its visual appearance.” (TOAB, p29)*

**Response:** As noted above, the Urban Amphitheatre Concept maps show building height ramping up north of the TELUS Ocean site but less along Douglas than closer to Blanshard. In fact, two conceptual illustrations in DCAP on these points show that no tall buildings were anticipated immediately behind the Empress Hotel (the skyline was already marked by tall buildings on the north side of Humboldt and beyond) and the TELUS Ocean site specifically was portrayed with a much shorter building. (DCAP, p63 and 88). In the picture below, reproduced from DCAP, note the dark building just to the right of the Empress; this is the TELUS Ocean site.

Fig. 2



Conceptual illustrations of how building heights and designs should relate to the local context.

(DCAP, p88)

### TELUS Ocean claim about enhancing views of the Empress roofline

*TELUS Ocean will provide an improved backdrop for the Empress, a rising roofline that mirrors the rising scale of the hotel. The light coloured glass walls will show off the Empress roofline and the building’s southern cut “reduces the building’s bulk as seen from the harbour.” (TOAB, p96)*

That concept is illustrated with a line drawing and a photograph taken from Laurel Point with TELUS Ocean inserted. (TOAB, p97)

**Response:** The view from Laurel Point is a vantage point from which the impact of a new building on the skyline is meant to be tested. (DCAP, 6.187, p94 and Appendix 2) The photo shows a large but fairly bland, light colored façade behind the Empress.

However, one telling detail contradicts this modest desire to “bolster the visual impact of the Empress”. It is not unusual for an office building to have prominent signage. The TELUS Ocean, a signature building, is shown with signature signage – right over the Empress. If, as might be expected, this will be lit-up after dark, that places a TELUS sign in as prominent a location as any corporation might desire.

Fig. 3



(TOAB, p97)

## Aspects of a “Landmark” Building

### *Accessing the View*

TELUS Ocean consistently interprets DCAP as encouraging or at least giving sanction to a much larger building on its site than the zoning provides. If none of these assertions actually supports moving TELUS Ocean in the direction of a higher, denser building, the ambition to build a landmark building clearly does. One mark of that is the remarkable view accessed.

*“Acting as a marker of the southern edge of Victoria’s Downtown, TELUS Ocean will boast high-calibre views of both the city and the harbour.” (TOAB, p49)*

Most telling is the beautiful panorama pictured (see TOAB, pages 50-51). While not captioned, it appears to show the view from the south end of the roof deck, with the rooftop of the ARIA almost 20 meters below at the bottom left and the roofs of the Empress in the mid distance on the right. Without doubt, an iconic view.

While it is true that no property owner owns the view, it is clear that building higher than and in front of another property is the surest way of capturing it. In a development application, the City always needs to weigh how much advantage can be taken by the new property and what concessions it should make to preserve its neighbours’ view corridors. This proposal disproportionately privileges office tower over hotel and residential views.

### *Monumental Design*

The TELUS Ocean is described as a “flatiron” design, in reference to the prow that takes the corner at Douglas and Humboldt (see the rendering at TOAB, p41). In fact, we see it is a triangle with two equal sides in cross-section, with the long side along Douglas Street and a second point at the south plaza.

This is not a “typical” building design as described in DCAP. The most significant difference is that TELUS Ocean rises to its full height with no setbacks (except for the tiered terraces that start at the 5<sup>th</sup> floor at the south end, i.e., at the 8<sup>th</sup> floor residential level). These vertical walls define the prow shape that is the building’s identifying feature (as shown in a quick sketch on TOAB, p3). Zoning would require the building wall, after a vertical rise of 30m, be set back by 1 meter for every 5 meters additional rise. Relaxation of setback rules permits the monumental verticality that TELUS Ocean seeks to achieve.

TELUS Ocean, as noted, diverges from a flatiron design in having 2 acute points, on the south as well as the north end. That means that while its sheer vertical facades are very prominent, the side facing Douglas Street is roughly 40% longer than that up Humboldt - a massive wall indeed. Again, a sense of how that dominates the block along Douglas Street can be seen in Figure 1 above as viewed from the Empress. It is this face that the architects tried to relieve by making the cut alluded to in describing the shortened roofline as viewed from across the harbour. For



anyone facing the building, in the ARIA, the Hilton Doubletree, the Falls, or the Empress, the impression, as shown in the many renderings, is massive and pervasive, even from the higher floors.

### ***Orientation and Placement on the Lot***

The lot, shown in various renderings, is a kite shape, with the narrow end at Humboldt and Douglas (TOAB, p20). The building, as described in Big Moves – 2 Reorganize Building Mass to Prow (TOAB, p38), was oriented to emphasize its frontages along Douglas and Humboldt and especially its dramatic leading edge at the north corner. TELUS Ocean describes this as “taking advantage of its flatiron terminus on one of Victoria’s most prominent intersections.” (TOAB, p46) This has the additional advantage of “doing well by doing good”. It allows the architects to set the building back from the ARIA, and open up a wide throughway in the “Penwell Extension” for public realm improvements, while orienting the building most effectively along Douglas with the prow at the corner for greatest placemaking impact. (For example, see the rendering on TOAB, pages 42-43.)

### ***Public Realm***

TELUS Ocean has committed to an ambitious landscaping plan that includes redevelopment of the north plaza at the prow (where Humboldt Street has been closed off), along Humboldt Street (which TELUS hints may be further redeveloped), up the Penwell Street Extension (including the area above the parking ramp), and all of the existing South Plaza.

The proposal makes some unwarranted claims. For example, TELUS Ocean says of the north plaza at the prow that “a new public plaza is created by closing the northern portion of Humboldt Street to vehicular traffic to allow bicycles and pedestrians only.” (TOAB, p55) Certainly, at least the nucleus of this plaza already exists by virtue of the City’s bicycle path initiative.

Even so, this is a strength in the development application. It depends on entering into what amounts to a private – public partnership with the City; TELUS Ocean is able to “borrow” a lot of public space to enlarge its grounds around the building. In particular, the “forecourt” in front of the main entrance and the plaza beyond the planned restaurant at the south point are expansive and enhance the importance of the building (TOAB, p54-61). If this is to be a true shared amenity, it will be crucial that TELUS Ocean make it very comfortable for the public to enter and share the space.

### ***South Plaza***

As noted above, the south plaza is recognized by the City as a Minor Public Open Space (DCAP, Map 28, p75), a rare commodity in the Downtown. The OCP makes a point of “identifying strategies to... develop key public amenities, including urban plazas”. (OCP, 6.10.5, p48) This plaza is connected by crosswalk with the Conference Centre and is an important informal marshalling ground for events at the Conference Centre and the Crystal Garden. In that regard,

the shape of TELUS Ocean presents a problem. While the extent to which the corner is undercut at ground level helps, the building's corner overhang looms above the plaza well beyond the crosswalk from the Conference Centre. TELUS Ocean touts this as providing "weather protection at...the mid-block pedestrian crossing" (TOAB, p95) but it reads as defining private space.

If this were a conventional building, there would be a requirement next to the plaza to cut back and terrace the edge. (DCAP, 6.187, p94). TELUS Ocean indeed goes in this direction by cutting back at its level 5 and tiering up from there. However, because this starts as a point, this does not open up the plaza except perhaps as viewed from a distance. (See rendering, TOAB, p60).

Again, if this were a conventional building, current zoning would require a side yard setback of 4.5m. Instead, the southern point of TELUS Ocean extends right to the property line. The following overhead rendering (Fig. 4) shows how this overhang defines the plaza (at the lower right).

Fig. 4



(TOAB, p48)

## Conclusion

TELUS Ocean, like any proposed development, has the right to build on its site in conformity with existing zoning and guidelines. Its neighbours should have anticipated that and framed their expectations accordingly. TELUS Ocean also has the right to apply to go beyond current zoning and ask the City for variances. At that point, however, it is then up to the City to weigh competing rights, those of TELUS Ocean to build its vision of a landmark versus its neighbours' desire to retain some of the advantages they have enjoyed. TELUS Ocean sought to show that it has properly taken account of its neighbours and has made appropriate design decisions to limit harms.

However, for many of the people in the neighbourhood most directly confronted with this proposed building, that balance has not been achieved. The mitigations proposed do not resolve the problems adequately. The arguments TELUS Ocean has made to justify its scale are self-serving. Neighbours, who have depended on the City's official plans, would be completely justified in believing that no such massive building could be put on this site.

**TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood. But TELUS Ocean can achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, we urge TELUS Ocean to:**

- **Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. That would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.**
- **Give more priority to the public south plaza by cutting back the second "prow" that extends over that plaza. This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and reduce slightly the massive expanse of the walls.**

## REFERENCES

[DCAP] City of Victoria, *Downtown Core Area Plan*. September 2011; updated June 2020. Accessed from: [https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Downtown~Core~Area~Plan/DTCP\\_book\\_web.pdf](https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Downtown~Core~Area~Plan/DTCP_book_web.pdf)

[OCP] City of Victoria, *Official Community Plan, July 2012*; updated February 27, 2020. Accessed from: [https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/OCP/Up~to~date~OCP~and~Design~Guidelines/OCP\\_WholeBook.pdf](https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/OCP/Up~to~date~OCP~and~Design~Guidelines/OCP_WholeBook.pdf)

[TOAB] *TELUS Ocean Application Brief 1.0*, July 2020. Accessed from: <https://tender.victoria.ca/webapps/ourcity/Prospero/FileDownload.aspx?fileId=45857C200806154258271198&folderId=44579C200802102424984245>

[TOAP] *TELUS Ocean Application Plans*, July 2020. Accessed from: <https://tender.victoria.ca/webapps/ourcity/Prospero/FileDownload.aspx?fileId=45857C200806154258302346&folderId=44579C200802102424984245>

I am in agreement with the recommendations in the Humboldt Valley Committee Bulletin. The signature buildings downtown Victoria are the Empress and the Legislature buildings. That is what makes Victoria unique for both residents and tourists. Having the Telus building overpower the Empress with their TELUS sign above the Empress is wrong, caters to commercialism and, I feel, does nothing to "bolster the visual impact of the Empress".

I have no problem with Telus building on the Apex site and welcome a new unique building there, however, the current building plans are too overpowering for the inner harbour landscape and need to be scaled down.

Thank You  
Kathryn Otton  
737 Humboldt Street



To the Mayor and Council

Having reviewed the plans for the proposed building, I feel that the building is too high and needs to be reduced to 43 meters as opposed to 53.

The artist's rendering I have seen appears to me to spoil the lines of the historic Empress, a Victoria icon. And the reflective glare reminds me of a Trump tower.

It looks too 'glitzy' to me to add any charm to the downtown landscape.

It dwarfs the Empress and the huge "Telus" logo looks downright tacky.

This building would befit Vancouver where commerce has overtaken much of the old charm there once was.

Let's not cheapen the beauty of Victoria's and waterfront area with this monstrosity!

Surely there can be a more attractive solution to this.

Yours very truly,

Mary Dales

608-751 Fairfield Rd, Victoria

Hello Mayor and councillors,

We are writing to express our concerns with the proposed Telus Ocean office building development at the corner of Humboldt and Douglas streets.

In short we feel that the proposed development is too big for this location near our beautiful inner harbour.

We moved to 788 Humboldt in 2016 and chose this location because it is on the edge of downtown and near the inner harbour. We love the residential feel while being so close to many historic landmarks. The proposed Telus Ocean development simply does not appear to be a well integrated addition to this part of the city. As is proposed we feel this building is too tall and architecturally divergent from the other buildings in the area. Would you have allowed Telus Ocean to develop on the site of the Customs House development? Of course not and as we can see how much effort is being put into retaining the look and feel of the new structure with no negative impact to Victoria's world famous inner harbour. We sincerely hope that you will use the same type of consideration to value the potential negative impact that the massive Telus Ocean project as currently proposed will have on the look and feel of our beautiful inner harbour.

Please instruct Telus to downsize this project to better integrate into our community.

Respectfully,

Paul and Rolande Vaillancourt  
1501-788 Humboldt Street, Victoria, BC

Mayor and Council  
City of Victoria, British Columbia  
1 Centennial Square  
Victoria, BC  
V8W 1P6

Dear Mayor Helps and City Council members,

I have been following the announcement on the proposed development of the property at 767 Douglas Street and I thank you for receiving my thoughts on the proposal. I regret to say that I am opposed to the project on several different grounds. I moved into The Falls building assuming the car rental businesses presently occupying the site would, at some point be developed into something more substantial, so I am not opposed to all development of the property. I do not believe that the proposal by Telus is a benefit to the taxpayers of Victoria, but rather is a blight to this residential, hotel and tourist driven section of the city that we will regret for years to come.

## **Scale and Style**

The proposed tower on this site dwarfs all other buildings in the area and is 11 metres taller than allowed under the current zoning bylaws. I would think that the rationale behind the current height restrictions was put there to keep the Douglas corridor at a height that would not be out of step with other buildings and would not be visible from the harbour above the lines of historical buildings such as the Empress Hotel. The light up logo on the “prow” of this building would impose itself just above the roofline of the Empress Hotel. The ultra modern design does not fit in with what has been built on neighbouring properties from the Crystal Gardens to the more recent condo towers that transformed this part of Victoria into a residential zone. Another city council tried to modernize the historic downtown by a proposal to replace our globe style street lights with an ultra modern “candelabra” design back around 1960 and this too was met with derision and ultimately defeated after the outcry. Victoria is a unique capital city steeped in history and the area around the Legislature should be kept in scale with those historic buildings that are the foundation of the city. I believe that this proposal would be a better fit elsewhere such as the former Plaza Hotel site at Government and Johnson where the buildings are taller and more suited to an office tower. Do we want our harbour area to become awash in corporate logos as is the case in Vancouver?

## **Danger to Birds**

The style of building proposed would be a particular danger to birds in our city. Whether migrating or nested in our beautiful parks, birds would be drawn to this “lantern” at night and to the trees on the

structure during the day. The reflective glass walls of the building would not be as visible to birds as the more solid buildings already built. The sheer size of this wall of glass would make it difficult for the birds to avoid whether flying from Beacon Hill Park or to the harbour area.

## **Light Pollution**

The proposed tower is described as a welcoming lantern, but welcoming to whom? I live in an area with enough ambient street lighting to keep the neighbourhood reasonably well light at night. The proposal would add more light and the size of this structure would create walls of light even when vacated after hours. I look forward to the quieter evenings as the city gears down without a fifty four metre street light glaring in my windows.

## **Consultation With Residents and Business**

The proposal seems to have been worked on for quite some time before being unveiled as a fait accompli by the council. We could have been consulted on the type of building that would be acceptable to those of us already living or working in the neighbourhood. This approach might have saved time and energy by knowing ahead of time what would or would not be an acceptable use of this lot. Surely this proposal was on the table before the last municipal election, but I cannot find any mention of it in your campaign literature.

## **Selling Price**

On the face of the proposal the selling price seems reasonable enough, but what costs lie beneath the surface? I understand that we, the taxpayers, will be paying for half of the remediation of the site. This is an open ended cost as nobody knows what the final price will be. Usually the buyer is responsible for these costs and other development charges in and around the site. What will the applicant be paying in development fees and taxes over the next decade?

Once again, I thank you for receiving my thoughts on the matter and I look forward to public hearings where we may voice our opinions and receive more feedback from both council and the developer.



Robert Newton  
405 - 708 Burdett Avenue  
Victoria, BC  
V8W 0A8

Dear Mayor and Council

TELUS Ocean is too big. In it's ambition to build a landmark office tower, it misconstrues or distorts existing rules and guidance on building height, density, setbacks and overall massing. It overwhelms the site, the nearby historic buildings and the neighborhood. However, TELUS Ocean could achieve many of its goals to become a downtown landmark even at a smaller scale. To this end, I urge TELUS ocean to:

1. Give more priority to the public south plaza by cutting back the second "prow" that extends over the plaza (current zoning requires a side yard setback of 4.5m instead of the UNACCEPTABLE reach right to the property line). This would respect the high traffic pedestrian crossing connecting the Victoria Conference Centre and the Crystal Garden. In the process, that would make the building better mirror the kite shape of its lot and more importantly reduce SLIGHTLY the massive expanse of the walls.
2. Reduce the height to the 45m allowed in the current zoning, decreasing the proposed density in the process. As I understand, buildings of 45m are now zoned (CA-4) for 11 storeys, if commercial (15 storeys, if residential) whereas the proposed building is over 53m about the size of an 18 storey residential tower.

I think that TELUS Ocean could achieve their goal of being a landmark building by scaling back on their initial proposal. I purchased by property depending on the City's Official Community plan and the Downtown Core Area Plan which indicated any proposed building on this lot would allow me to retain some of the advantages I have enjoyed.....not a massive building that would overwhelm the space and seem somewhat self-serving.

Please take these points into consideration when deciding on any applications for changes to zoning and variances to minimize harm to the neighbours.

Thank you for your time and consideration.

Sincerely  
Sandra Groot  
N602 737 Humboldt Street  
Victoria, BC V8W 1B1

Dear Mayor Helps and Council:

As a resident of the Humboldt Valley I would like to voice my support for the report prepared by The Humboldt Valley Committee and its recommendations, and in particular that the design as conceived overwhelms the site. The elegance and modernity of the design would be enhanced if it were scaled back to conform more appropriately to its setting.

The HVC Report states that it does not address traffic concerns specifically and I would like to address the issue of the impact on local traffic. The developer has addressed this concern by undertaking a Transportation Study Impact Assessment (TIA) which concludes that "TELUS Ocean is anticipated to have minimal impact on the adjacent road network, with all nearby intersections expected to continue to operate below their designated capacity thresholds post-development." At the same time, the area is described as a traffic hub, part of both Victoria's regional cycling network and Rapid Transit Corridor. As part of the cycling network, Humboldt Street has recently been turned into a one-lane vehicle traffic street serving three condominiums and two hotels with multi-level parkades, as well as services (buses, garbage collection, trades, customers, taxis) to which the proposal is to add 127 vehicle and 106 bicycle parking spaces to be served by this street. As a safety measure consideration should be given to making Humboldt a one-way vehicle street running towards Blanshard, which the addition of bicycle lanes on both sides has in effect done already.

The flow of traffic on Penwell Street needs to be considered as well. If it were to become one-way as well, with all vehicles from Blanshard or Burdett entering here, it would mean the loss of scarce parking spaces, and added traffic congestion on Fairfield, where the 700 block currently serves as a bus layover. If it is to remain two-way, serious consideration needs to be given to adding a stoplight at the junction of Penwell, Fairfield and Burdett, due to the almost total lack of visibility of traffic coming up the hill from Douglas, including buses heading for the Fairfield layover. The lack of visibility for oncoming traffic makes it a very dangerous turn.

I trust that Mayor Helps and Council will give these safety concerns due consideration.

Diane Teeple  
1604 - 751 Fairfield Road  
Victoria, B.C. V8W 4A4

Dear Mayor and Council,

I am writing to you to please reconsider the approval for the proposed Telus Ocean building. I understand of course that new development should and must occur to keep the economy of the city ticking along, however I ask that you please reduce the proposed dimensions of this building. Even Telus' own drawings illustrate that the Ocean will dwarf the surrounding neighbourhood buildings, including the Empress. As currently constituted I have no doubt that this will be a "world class building" but surely we don't need to destroy a neighbourhood just so a telecom giant can add an additional vanity project to its already large real estate portfolio. Indeed if they do want to build something that obtrusive perhaps they should do it in a part of town that needs revilitisation, not one that is perfect as is.

Yours Sincerely,

Kristopher Radford,  
Humboldt St.



Dear Victoria Mayor and City Council:

We are owners of a condo unit in the Falls Residence, located at 707 Courtney Street in downtown Victoria, BC. We have been owners in the building since it first opened in 2009. We have reviewed the information provided by Telus Communications Inc. in their proposal for the Telus Ocean building to be located 767 Douglas Street and are opposed to the currently proposed design.

Telus, in its proposal for a hulking, oversized building on a rather small, odd-shaped lot, has grossly overstepped the existing rules for development as outlined in Victoria's Downtown Core Area Plan. From its massive overheight, that is 23% higher than allowed in the current regulations for that location, to the ballooning upper floors with no setback, that extend from a much smaller footprint lot and overwhelm all buildings near and far to it, including the Falls, the Aria and the Empress Hotel. Before choosing to purchase a home at the Falls, we did extensive research to ensure that no outsized buildings could be built around us that could adversely affect us in our condo or the Falls. We reviewed all existing zoning regulations in each of the Districts in Victoria and expected that these precautions would be sufficient to protect us from outrageously large or grotesque buildings being constructed near the Falls.

The TELUS Ocean proposal in its current form, misconstrues or distorts numerous existing rules and guidance on building height, density, setbacks and overall massing. The illustrations below, demonstrate how massive and out of step with the neighbourhood, the Telus Ocean proposal is. Clearly it is so massive that it overwhelms all other buildings in the area and far exceeds the guidelines that the other buildings had to follow when they were constructed. It also is out of step with the historical culture of the Inner Harbour District. The proposal needs to be vastly reworked so that it adheres to existing guidelines for building development in the Inner Harbour District.



Picture along Douglas of **11 storey TELUS Ocean (53+M)** next to **18 storey Falls condominium**.

Picture along Humboldt of **11 storey TELUS Ocean (53+M)** next to **12 storey ARIA condo (37M)**.

In summary, TELUS Ocean is too big. It overwhelms the site, the nearby historic buildings, and the neighbourhood and needs to be reduced in size to conform to existing guidelines and regulations. The TELUS Ocean can still achieve its goals of being an iconic building in downtown Victoria, but at a smaller scale.

To this end, we urge TELUS Ocean to reduce the height to the 43m allowed in the current zoning, decreasing the proposed density in the process. Respect the setbacks, as other buildings in the area have done and reduce the Floor Space Ratio to 4.0. These changes would also protect the Empress from being overshadowed and prevent a corporate logo from piggybacking on its roofline.

As well, we suggest modifying the massive walls of glass so that they have more character than the current design and do not look like a solar array farm on each side of the building.

We are also concerned about light pollution emanating from the building during the evening and nighttime, that has the potential to disturb the quiet enjoyment of this part of downtown.

We would be pleased to discuss our objection to the Telus Ocean in more detail. Please contact us via return e-mail.

Yours truly,

Michele and Paul Beitel  
Owners at the Falls  
707 Courtney Street  
Victoria, BC

To whom it may concern,

I am writing regarding the Telus Ocean building proposed for site at Douglas and Humboldt. While I understand and appreciate the City of Victoria's interest in developing the site and am not wholly opposed to the project, it was my expectation that the building would be aligned with the site's zoning requirements and community development plan. I was surprised, however, to see that the project's proposal presents a building that exceeds the height and density of the site's zoning requirements. I strongly urge the City to decline this project's request for an exemption to the zoning requirements.

As an owner at The Falls, which will be completely eclipsed by the proposed building, I was deeply disappointed to hear of the extensive prior negotiations and accommodations that were made for the Aria and Hilton. It is unclear to me why these negotiations excluded The Falls residents but it is clear that the accommodations made for these buildings have come at the expense of The Falls.

For South-facing owners and residents of The Falls, the sun, sky and views will be completely blocked by the proposed Telus building. For all Victoria residents and its visitors, the views of the city from the inner harbour will be irreversibly compromised by the large glowing Telus sign towering over the City's iconic Empress Hotel. These impacts warrant direct engagement and negotiations with The Falls, as well as alterations to the project's plans to minimize the visual impacts to the inner harbour.

I strongly urge the City to decline the developer's requests to alter the site's zoning requirements and to insist the developers immediately initiate direct engagement and negotiations with The Falls before further refining the development plans.

I trust that the City of Victoria will give thoughtful consideration to this letter and directly respond to the concerns expressed herein.

Sincerely,

Mary Cameron



Dear City Council Members,

Please allow me to present my concerns regarding the current proposed plans for the TELUS Ocean building on Douglas Street.

As a property owner and taxpayer at The Falls, I see the following intentional encroachments to the neighborhood:

- The Fairmont Empress skyline: the height of the building (advertised at 11 storeys vs. the reality of 18) will in effect steal this iconic skyline, second only to the Parliament Buildings in the Inner Harbour.
- Shading on the DoubleTree, Aria , and The Falls: both residential and commercial properties will be negatively affected due to the sheer expanse of the resultant shadow of the building during daylight hours. Also, due to the proposed amount of glass, lighting will then impose on the same structures during nighttime hours.
- The Prow: the design of the southern south plaza prow will encroach on the vertical space and is not aligned with the existing structures. It is one thing to be on the cutting edge of building design, but it should not be ill-fitting for the space.
- Zoning Laws: the fact that the developer will require exemptions to several zoning laws is very telling; the design of the structure does not fit the neighborhood.

In order to mitigate the bad neighbor feel of this project it simply must be scaled down.

Respectfully,

Niels King

707-1801 Courtney St

Victoria, BC V8W 0A9, Canada

To the Mayor and City Council,  
Victoria, BC

The proposed Telus Ocean Project has some financial aspects that we would like you to consider. The City of Victoria will receive only \$8 million for the land from Telus. The 50% remediation cost is likely to be considerable because of polluted soil and blue clay, which will reduce the city's gain.

Consider the downside that will be produced by the Telus project. The Telus building will profoundly affect three existing buildings in a negative manner (as detailed in other letters)—buildings that make a major contribution to the City of Victoria in property taxes, yet occupy little land. Please consider the contributions from the three buildings: The Falls condominium, The Aria condominium and the Hilton Doubletree Hotel (see attachmen).

The 2020 BC assessed value of the three buildings is:

The Falls - 155 units	\$ 111,493,000
- Commercial space.	7,132,000
The Aria - 177 units.	\$ 123,925,000
Commercial space.	3,170,600
The Hilton Hotel.	<u>\$ 27,321,000</u>
Total.	\$ 273,041,600

The 2020 Property Tax that the City of Victoria received is:

(Based on available tax rates, but not including home owner or senior deductions)

The Falls	(\$111,493 X 5.0417/\$1000)	\$ 562,114/year
	(\$7,123 X 14.2747/\$1000)	101,807 "
The Aria	(\$123,206 X 5.0417/\$1000)	621,167 "
	(\$3,170.6 X 14.2747/\$1000)	45,259 "
Hilton Hotel	(\$27,321 X 14.0493/\$1000)	<u>383,840 "</u>
Total.		\$ 1,714,187/year

Our conclusion is that the three buildings most seriously affected are contributing (as close as we can calculate with data available to the public) well over \$1.5 million each year to the city in property tax. This would pay for the Apex lot in 5 years, but the Telus sale is a one-time income. And yet, we were not allowed to have any input into the decision to allow Telus to win the contest for the Apex or triangular lot. The six proposals received by the city were kept secret and the Telus proposal was announced without any consultation from the occupants of the three affected buildings.

Do the enormous property taxes we pay not offer some protection and fairness from the city council for our "homes"? This behemoth of a new building (equivalent to 18 residential storeys) will block the views and sun from all three buildings, increase pollution, traffic, noise and night light; finally, it will reduce the value of our homes by a considerable amount.

We ask that you do not just tweek the Telus plans, but relocate the building into an appropriate business space or reduce the size of the building by half. There are a number of one- or two-storey buildings

along Douglas that could be replaced by the Telus building to improve the city profile. IN COUNCIL WE TRUST, I hope!

Sincerely,  
Nancy Sherwood

Dear Mayor and Council,

Development of the Apex site is expected and improvements should be welcomed by the neighbourhood and the city. However, the proposed Telus Ocean building has several flaws in my opinion and does not meet the expectations of those most closely affected by it – its neighbours. As conceived, the development overwhelms the adjacent properties and streets and that will decrease the quality of life for existing residents and diminish the experience of visitors to the conference and accommodation district around the Douglas-Humboldt intersection.

First, I endorse the comments submitted by the Humboldt Valley Committee in their Information Bulletin entitled “The Elephant in the Room: Questions about the TELUS Ocean Development Application”.

**Summary: This review finds that the TELUS Ocean proposal, in its ambition to build a landmark office tower at the south end of the downtown, misconstrues or distorts existing rules and guidance on building height, density, setbacks and overall massing. If neighbours built or purchased property in the expectation that the Official Community Plan and its more elaborated Downtown Core Area Plan offered them some assurance that they could foresee the potential impact of further building, this proposal comes as a bad surprise. The proposal needs to be reworked to better respect the context in this historic district.**

Second, traffic resulting from the proposed development will have a much greater impact on the neighbourhood, particularly on Humboldt St, than the “minimal impact” anticipated in the developer’s traffic analysis.

- The location and size of the loading bay in the TELUS Ocean building means all service vehicles will have to reverse into or out of the loading bay to Humboldt St, resulting in obnoxious back-up beep-beep-beepers annoying hotel guests and condo residents from early morning everyday (the restaurant will require daily deliveries). Those vehicles will also have to reverse across the new bike lanes resulting in unsafe conditions for both.
- Larger service vehicles and probably many cars as well will not exit the building site via Penwell St due to its steep grade with a stop sign at the top and poor sight lines to Burdett Ave/Fairfield Rd. Those vehicles will stay on Humboldt St, that is now limited to a single “sharable” vehicle traffic lane, with bike lanes and parking on both sides, resulting in significant traffic impacts and safety issues.
- Construction vehicles must not be allowed on Humboldt St. Hundreds of large trucks will be required to remove all the excavated materials for the three level parking garage, deliver concrete and other construction materials during the expected two-three year construction period. There is no space for these large vehicles to turn around in the dead end street adjacent to the site. These vehicles must be restricted to Douglas St to avoid the destruction of the recently refinished Humboldt St.
- An alternative to partly address these concerns would be to permanently close Humboldt St on the west side of Penwell and re-open the Humboldt connection to Douglas.

Third, the north “prow” of the building will necessitate the destruction of a fine stand of trees on the corner of Douglas and Humboldt. Also, given the diversion and narrowing of the Douglas St right-of-way south of Humboldt, the prow blocks significant views along Douglas to both the north and south. This corner of the building should be cut back to save and protect these trees and the views.



I urge council to consider the views of the residents surrounding the proposed development and require that the building be scaled back and other design changes be incorporated to minimize its negative impacts.

Regards,  
Oscar Regier  
737 Humboldt St  
Victoria

Dear Mayor Helps and Council,

I am a long time resident of the Humboldt Valley and also want to express my concern about the design of the proposed TELES Ocean building and the negative impact it will have on our downtown community.

As detailed in an assessment prepared by the Humboldt Valley Committee there are many problems related to size and the impact on traffic, noise, light, etc., that should be resolved before the project proceeds.

Sincerely,

Robert Horner  
N1001-737 Humboldt Ave  
Victoria V8W 1B1

**Scott & Karen Green**

606-788 Humboldt Street  
Victoria, BC V8W 4A2  
[REDACTED]

September 30, 2020

Mayor & Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

**Re: Telus Ocean Development Proposal**

Dear Mayor and Council:

As residents of the Humboldt Valley community we are very concerned about the Telus Ocean Development application as it has been presented to the City of Victoria and to the neighbourhood.

The building as proposed will have an objectionable impact on our neighbourhood and community and will overwhelm the building site as well as the surrounding buildings. How many more office spaces are truly needed in downtown Victoria when so many sit empty now?

While keeping in mind the goal for Telus Ocean wanting to create a downtown landmark, please consider the neighbourhood by reducing the density and height. As the application looks now, the magnificent Empress Hotel will be overshadowed by a towering, logo wielding, building that will forever be captured in photographs of our beautiful city and harbour.

As well, there is great concern that the recent positive changes to the 700 block of Humboldt Street will be reversed due to increased traffic accessing the new Telus building. Please contemplate changing the main vehicle access to Douglas Street.

Sincerely,

Karen & Scott Green

cc: Humboldt Valley Community, [REDACTED]  
Telus Ocean Development Applicant, hello@telusocan.com

Hello Mayor & Council,

I am writing as a tax paying downtown Victoria property owner adjacent to the proposed TELUS Ocean building site. I am writing to express my extreme concern over the laws being broken for TELUS Ocean and the city of Victoria selling one their most prized possessions, the Fairmont Empress' skyline, to the highest bidder. While I am not opposed to TELUS Ocean having a building on the site, it is the scale of the project that is overwhelming and downright obnoxious for the area proposed.

The TELUS Ocean project is too big for the area. It overwhelms the site and destroys the nearby historic buildings and the neighborhood as currently proposed. Below are just a few of the reasons the build should not be allowed to move forward as currently proposed.

- The height proposed is higher than allowed, 43m, for the current zoning. The Empress' and Victoria's skyline will be **FOREVER** ruined by the project as currently proposed. Does the city of Victoria really want neon signs on top of one of their picture perfect postcard views, the Fairmont Empress?
- The public south plaza as proposed would be impacted by the "prow" that extends over that plaza. If this "prow" were to be removed the project would better mirror the shape of the lot and reduce the massive expanse of walls.
- Setbacks any other builders would have to abide by are being ignored and zoning laws broken.
- The false pretense of an 11 story building where the story heights are not the same as a residential building is disheartening. By allowing them to build to the height proposed you are essentially telling every homeowner in the downtown Victory area you do not care about private residences and the public, you only have corporate interests at heart.



- The initial proposal looks NOTHING like what is being proposed to be build in reality. False advertising and lies got them into the area. If they had shown the true height and massive size of the project initially the city may have made a different decision but now they have Victoria on the hook. Do not let them get away with ruining the city just for money. You will forever be held responsible for ruining a iconic and beautiful skyline. No tall building were to ever be built directly behind the Empress to ruin its iconic and beautiful skyline.
- The free advertising TELUS Ocean would get would cost Victoria millions in reduce tourist appeal. The city skyline would not be the same, you would be reduced to a cheap and average skyline where you once had a one of kind iconic skyline.
- The TELUS Ocean is NOT the landmark building, the Fairmont Empress and your Parliament buildings are landmarks, do not be fooled by cheap corporate ploys. Is anyone ever going to come and visit Vitoria to "see the TELUS Ocean building" NO! But they would come to see your beautiful Hotel and Parliament build. Do not cheapen and ruin your historic, iconic, and beautiful inner harbor area with Corporate logos.

Thank you for your consideration.

Terri King

707-1801 Courtney St.

Victoria, BC V8W 0A9, Canada

Hello Mayor and Council,

I would like to express my concern about the new development proposed by Telus. Please do not let Telus and the various investors to build as they have recently proposed. I am a resident of the Falls and this building will significantly change our community for the worse if allowed to proceed as planned. The main reasons I am concerned about this development are as follows:

- The number of proposed floors and permitted density; The revised proposal to go higher is far in excess of the original plans and traditional city limit for height.
- The visual impact of commercial signage on surrounding historical buildings and the city skyline. Victoria is a city of historical importance which will be overshadowed by this building. We need to balance their ambitions for a contemporary masterpiece with the heritage and values of the community. A compromise is best.
- Monumental building design and overhang will limit natural light on the street below and also alter the beautiful balance of open sidewalks in the area.
- Accessing the view for Residential and hotel occupants. Telus is essentially proposing building without any consideration of local resident and hotel occupants who will lose their views.

Thank you for your time!

Resident of the Falls North Tower Suite 1606, 707 Courtney Street.

**Christopher Redcliffe CFP®**

*President*

REDCLIFFE & COMPANY

Dear Mayor and Council

The Telus Ocean development is in an extremely important heritage area of Victoria. Our city prides itself on protecting and maintaining our heritage buildings. This is seen often in projects such as Customs House where the developer was required to maintain the heritage facade at a considerable expense to the project. So the same approach must be applied for the Telus Ocean development.

The objective of the Heritage Conservation policy requires conserving and enhancing the heritage value, special character, and the significant historic buildings, features, and characteristics of this area. It has been noted by the city staff and all of the businesses and residents in the area that the Telus Ocean development which is in the Heritage Landmark radius of the Empress Building does not meet the design guidelines of the Heritage Conservation policy.

This project is far beyond every part of the zoning criteria.

Zoning Criteria	Proposal	Standard IHH Zone
Density (Floor Space Ratio) - maximum	5.57*	3.0
Total floor area (m2) - maximum	1 14,378.96*	7745.85
Height (m) - maximum	51.0*	43
Setbacks (m) – minimum		
• Step Back at 10m (Douglas)	2.0*	8.2
• Step Back at 10m (Humboldt)	0.2*	8.2
• Interior Side (south)	0.00*	4.5
• Interior Side (east)	13.4	4.5

Every single zoning criteria has been totally ignored and the proposal far exceeds all of these.

The overall scale and massing do not respect the surrounding heritage landmark policy or the importance of the heritage buildings in that area. This project will be massive in size and reach which will be detrimental to the Empress Hotel and especially the Crystal Gardens. The Empress Hotel should always have visual prominence in this area and it should be protected by the City. Zoning criteria are put in place to ensure that buildings such as the Crystal Garden and the Empress are protected. So it is the responsibility of the staff, advisory committees, and the City Council to ensure that this happens. The tools are

there so they MUST be used. All developers must be held to the same level which Telus is not meeting. This building is far beyond the height restrictions, the floor space ratio restrictions, and total floor area restrictions. These are not slight overages they are monumental overages. The building is far too large for the land and it can not be built to these specifications.

Street setbacks are established and must be followed by all. So to allow this project to have ignored these setbacks is not appropriate. This building must be reduced in bulkiness and remain within the setback restrictions that have been put in place. They can not be allowed to overbuild an area that is so important to this heritage area.

The effect that this building will have is extremely detrimental to all aspects of this area. The massive amount of glass is not in keeping with the area, the overbuilt size will overpower and dominate heritage buildings which are a key part of the history and appeal of Victoria, the roofline will have a negative impact on the protected view from the harbour and the illumination will negatively affect the night views.

Victoria established a Downtown Core Area Plan. It is imperative that this plan guides the development in the area and that all stakeholders are considered. This project does not respect the guidelines, the zoning criteria or the neighbouring community.

Protect the heritage of the Empress, the Crystal Gardens and the Douglas Street corridor. This project must be sent back to address these issues in their design and reduce the scale, setback allowances, height restrictions and overall design that are required in this extremely important area of downtown Victoria. It can not be approved as presented.

Sincerely  
Diane Chimich  
788 Humboldt St.



Hello,

I'd like to register my concerns about the Telus Ocean Development. I've owned a condo in The Falls at 707 Courtney since 2012, and I've served on The Falls Strata Council for many years.

I am most concerned about the proposed height of The Telus Ocean Development and its visual impact on Victoria's skyline and historical buildings, such as the Empress Hotel. When viewed from various points around the city and from the water in the Inner Harbour, the proposed Telus Building will dwarf the structures around it. I am concerned that this tall and massive building will negatively impact the beautiful views of our inner harbour and its historical buildings.

I thank you for carefully considering the number of proposed floors and the density of the Telus Ocean Development plan.

Many thanks,  
Deanna Roozendaal

1008-707 Courtney Street  
Victoria, BC  
V8W 0A9

Just got notification from Brown Brothers —with your emails— that the deadline for writing in was September 30.

Writing in anyway.

Please can Council explain why it is so important to cluster so many high-rises together when there are plenty of actual derelict areas in downtown that need to be spruced up and could support the building with less disruption to actual residents of downtown. In other words, WHY in Council's brilliant thinking is it clever to put an office in the middle of an obviously residential area?

WHY?

Meanwhile, there is the huge empty entity that has been created by Chapters departure from downtown and Shoppers desire to just leave where they were — unlikely to be filled for sometime with Covid and the bus lanes deterring suburbia to come downtown.

Please think harder about what you are actually doing. It is one thing to keep feeding the city's coffers, it is another to make it ugly for the sake of making money and leaving the city with ugly empty spaces.

Hope Barrett  
The Falls

# **Executive House Limited Expression of Concerns Telus/Aryze Development Proposal For Apex Site**

## **ISSUE**

Executive House Limited has some serious concerns about the potentially negative tourism, neighbourhood and business impact on the company's DoubleTree Hotel and Suites related to the currently proposed 'Telus Ocean Building' by the partnership of Telus and Aryze Developments to be located at the corner of Douglas Street and Humboldt Street in downtown Victoria.

Executive House Limited is concerned that the proposed Telus Ocean Building is not in compliance with the City of Victoria's current zoning regulations for the Inner Harbour District and that the building design does not respect, or sensitively integrate into, the historic environment of the neighbourhood. The proposed Telus Ocean building exceeds current zoning regulations related to building height, density and setback, and as such will overwhelm the site, the nearby historic buildings, residential buildings, hotels and other area occupants, and overall skyline and character of the existing neighbourhood. The height, density and setback of the Telus Ocean Building will also significantly diminish the light quality of the immediate area in the neighbourhood. Further, the Telus Ocean Building will eliminate or reduce existing harbour views for many residential and commercial properties negatively impacting property values and business revenues.

Executive House Limited would like to work with the City of Victoria, Telus and Aryze Developments to identify and secure some design modifications to the currently proposed Telus Ocean Building to ensure that the building respects all of the current zoning requirements with regard to height, density, setback, and sensitivity to the historic character of the neighbourhood, and in this way mitigate any potentially negative impacts of the proposed building to the existing residential, business and government community members, while still enabling a Telus building development to proceed.

## **BACKGROUND**

### ***APEX Site - City of Victoria***

The City of Victoria initiated a Request for Expressions of Interest (RFEI) process in 2017 to develop a 27,790 square foot triangular parcel created as part of the original infilling of James Bay in the early 1900's. The parcel sits at the corner of Douglas Street and Humboldt Street in downtown Victoria, British Columbia. The property, commonly referred to as the 'Apex Site', is the last remaining development site in the downtown area known as the 'Inner Harbour District'.

The site rests on the Traditional Territory of the Lekwungen People. The Songhees and Xwsepsum people (Esquimalt Nations) have a continuing, historical relationship with the land.

The City of Victoria selected the RFEI submission made by the then partnership between Telus and Jawl Properties, from six bids submitted as part of the RFEI process. Jawl Properties has since pulled out of the partnership and is no longer the proposed developer for the Apex Site. Telus has since partnered with Aryze Developments to develop the APEX site development.

It is our understanding that Telus/Aryze Developments will acquire the city-owned Apex site for \$8.1 million, plus up to \$1.1 million depending on the final proposal submitted. It is also our understanding that the City of Victoria and Telus/Aryze will share the environmental and geotechnical costs to remediate the currently contaminated site. The City of Victoria is expected to contribute \$2.37 million in remediation costs.

### ***Proposed Telus Ocean Building***

Telus and Aryze Developments are proposing to develop a very modern 11 storey, 53 metre high, 155,000 square foot flatiron shaped building. The proposal submitted by Telus/Aryze is designed to accommodate the Telus Regional Headquarters and Innovation Centre and other leasable office space, including 117,000 square feet of office space and 5,000 square feet of retail and restaurant space. The proposal includes:

- ⇒ 117,000 of office space over eight upper levels
- ⇒ 5,000 square feet of retail and restaurant space on the ground level
- ⇒ Large Entrance Lobby with Tidal Pool
- ⇒ Tiered rooftop garden spaces and water features
- ⇒ Large video screen on the south plaza for community events
- ⇒ Three underground floors of parking space to accommodate 127 vehicles and 140 bikes

### **Telus Ocean Building Proposal – Alignment with City of Victoria Planning Objectives**

Executive House appreciates that the proposed Telus Ocean Building aligns with some of the goals and objectives of the City of Victoria's recent economic strategy "Victoria 3.0: Pivoting to a Higher Value Economy 2020-2041, Official Community Plan and Downtown Core Area Plan. For example, the proposed Telus Ocean Building will support the City's economic strategy goals of continuing to grow the technology sector and maintain the sector as the City's largest industry to create an Innovation District and support the creation of a high value economy and high-value jobs in Victoria.

The Telus Ocean Building proposal also supports some of the objectives of Victoria's Official Community Plan (OCP) adopted in 2012, including new employment growth focused in the urban core specialized in the incubation, growth and retention of advanced technology.

The proposal also supports some of the economic activity policies of the Downtown Core Area Plan for the IHD including ensuring new development within the IHD accommodates uses that contribute to the vitality and economic health of the area.

### **Telus Ocean Building Proposal – Lack of Conformity to Zoning Regulations and Historic Context of Neighbourhood**

Executive Houses' concerns about the proposed Telus Ocean Building are not related to the economic value and business activities associated with the proposed building, our concerns are related to the proposed Telus Ocean Building design – specifically the fact that the currently proposed design significantly exceeds the City of Victoria's zoning regulations for the Inner Harbour District with regard to height, density, setback, and sensitivity to the historic character of the neighbourhood, and as such will overwhelm the site, the nearby historic buildings, other area occupants, and overall skyline and character of the existing neighbourhood. The height, density and setback of the Telus Ocean Building will also significantly diminish the light quality of the immediate area in the neighbourhood, and eliminate or reduce existing harbour views for many residential and commercial properties negatively impacting property values and business revenues

We believe that if the Telus Ocean Building was designed and built in accordance with the existing zoning regulations with regard to building height, density, setback, and, sensitivity to the historic character of the neighbourhood, the negative impacts of the proposed building to the existing residential and business community members could be mitigated, while still enabling a Telus building development to proceed.

### ***Victoria Downtown Core Area Plan***

The site of the Telus Ocean Building is located within the area designated as the "Inner Harbour District" (IHD) of the *Downtown Core Area Plan* Ensure that new development within the IHD accommodates uses that contribute to the vitality and economic health of the area:

- ⇒ Maintain the IHD as a focus for tourism-related activities as well as Provincial Government office and business activities



The proposal is not compatible with the Historic Context policies of the *Downtown Core Area Plan* for the IHD, including the following policies:

- ⇒ Support the protection and rehabilitation of heritage properties and ensure new infill development and improvements to the public realm are sensitively integrated into the historic environment
- ⇒ Maintain key public views of the Inner Harbour to meet the urban design objectives of the Plan

### **Telus Ocean Building Proposal – Zoning Infractions**

The Telus Ocean Building, as currently proposed by Telus and Aryze Developments would require several zoning variances from the City of Victoria including, in accordance with Victoria’s current ‘Official Community Plan’ (OCP), and in accordance with Victoria’s ‘Downtown Core Area Plan’(DCAP):

- ⇒ **Building height zoning variance** – The Telus Ocean Building site is currently zoned (CA-4) for buildings up 43m in height and permits commercial, office and residential uses. Commercial buildings are permitted up to 11 storeys (based on a commercial storey height of 4.1m). The current Telus Ocean Building proposal is for a building of 53 m in height with an average storey height of 4.8m – 10 metres in excess of the current allowance.
- ⇒ **Density zoning variance** – The existing CA-4 zoning density allows a density of 3.0:1. The OCP allows for an increased density of up to 4.0:1 in strategic locations. The current Telus Ocean Building proposal is for a density of 5.57:1 – far in excess of the range of allowable density ratios.
- ⇒ **Set-back zoning variance** – Current zoning for the Telus Ocean Building site requires a side yard setback of 4.5m. The Telus Ocean Building proposal has no setback – the building would extend right to the property line and does not meet the current set-back zoning requirements for its location.
- ⇒ **Historic Context** - The Historic Context policies of the Downtown Core Area Plan for the Inner Harbour District (IHD) where the site for the Telus Ocean Building lies, requires that:
  - “New development be sensitively integrated into the historic environment” – Telus/Aryze is proposing a very modern architectural design which is a significant departure from the existing historic context of the neighbourhood. It would be a matter of how Council interprets this policy with regard to the proposed Telus Ocean Building.
  - “New development be designed with regard for the protection of inner harbour views” – The Telus Ocean Building obstructs the views of the DoubleTree Hotel (as well as other neighbourhood buildings). The obstruction of the DoubleTree Hotel and Suites existing harbour views will have a negative impact on the hotel’s revenue, reducing the room rate that the hotel could charge customers for rooms that would no longer enjoy a harbour view as a direct consequence of the current Telus Ocean Building proposal.

### **Telus Ocean Building Proposal - Overwhelming Massing**

The combined impact of the proposed variance in height, density, setback and lack of respect of the building design for the historic context of the neighbourhood, will create an enormous building mass that is not in scale with the existing buildings and area design. The resulting negative building ‘massing’ will significantly diminish the City of Victoria’s core visual concept for the area and will not respect the present special feel of the neighbourhood.

### **Telus Ocean Building Proposal – Downtown Core Area Plan Infractions**

The official City of Victoria development guide “The Downtown Core Area Plan” section 4.3 states:

“Supporting context-sensitive developments that complement the existing Downtown Core Area through siting, orientation, massing, height, setbacks, materials and landscaping.”

As noted above, the proposed Telus Ocean Building does not respect the vision of a “context-sensitive development” as stipulated in the DCAP with regard to massing, height, setbacks or materials. Rather the Telus/Aryze proposal is requesting exceptions to all the neighbourhood visions considerations related to massing, height, setbacks, and materials.

Understanding that the site known as the Apex site – the site of the proposed Telus Ocean Building – is the last remaining unbuilt lot in this area, the central development challenge for the building design will be to sensitively fit into the historic context of the neighbourhood and to meet the zoning requirements that were designed to preserve and protect the historic neighbourhood context.

### **Telus Ocean Building Proposal – City of Victoria Breaking Faith with Existing IHD Community**

The existing Inner Harbour District community – including residents, businesses and government – built, purchased or leased property in the expectation that the City of Victoria’s Downtown Core Area Plan, Official Community Plan, existing zoning requirements and other stated visions and regulations for the area, would be respected. The DCAP and OCP provide existing residential and commercial occupants in the IHD with some assurance that they can foresee the potential impact of further building development on their properties and neighbourhood experience. Continued adherence to the DCAP and OCP by the City of Victoria is essential to maintaining good faith with the existing residential and business community. To allow the Telus/Aryze building proposal to exceed the existing building development guidelines and zoning requirements would be for the City of Victoria to break faith with the existing residential and business community.

### **Telus Ocean Building Proposal – City of Victoria Negatively Impacting Investor Confidence**

Existing residents and businesses made property investment and leasing decisions based on the City of Victoria’s development guidelines and zoning regulations as stated in the Downtown Core Area Plan and Official Community Plan. If the City of Victoria does not respect its own development guidelines and zoning regulations as stated in the DACP and OCP, and does not require the Telus /Aryze partnership to develop a Telus Ocean Building that respects the current development guidelines and zoning regulations, a decision which will have negative business and revenue impacts for the DoubleTree Hotel and Suites, the City of Victoria will erode investor confidence in the City. How will residents, and businesses have future confidence that they can make sound property investment decisions in a City that does not follow or respect, but rather breaks its own business development and zoning regulations?

### **Telus Ocean Building – Negative Business Impact on DoubleTree Hotel and Suites**

In 2012, Executive House Limited, the local owner of the DoubleTree Hotel and Suites, made the decision to make a substantial business and commercial investment in the upgrading of the hotel property. This investment enabled the hotel to become part of a significant international hotel franchise – a franchise that brings a strong international brand to the City of Victoria, with all of the associated destination and marketing advantages of the franchise’s large tourist base.

Executive House made the property investment on the understanding that the City of Victoria would respect its own development guidelines and zoning regulations as stated in the DACP and OCP, which would assure our company that we could reasonably foresee the potential future impact of further building development in the hotel’s vicinity.

A failure on the part of the City of Victoria to require the Telus Ocean Building design to adhere to the existing building development and zoning guidelines, will result in numerous negative impacts on the DoubleTree Hotel and Suites, including:

- ⇒ ***Elimination of Hotel Views and Reduction in Light Quality-*** The proposed height of the Telus Ocean Building (10 metres above the current zoning allowance) would permanently block the front-facing city and harbour views of the hotel and significantly diminish the light quality of the DoubleTree Hotel which would dramatically reduce the potential room rates associated with these rooms, and negatively impact the future marketability and customer experience of the hotel.
- ⇒ ***Reduction in Future Hotel Revenue Potential*** - The proposed height of the Telus Ocean Building would reduce the future revenue potential of the hotel (as described above). For example, a room with a view can be charged out at \$200/night compared to \$120/night for a room without a view – putting further strain on Victoria’s Premier Hotel

Facilities in an environment currently experiencing a diminishing hotel inventory. The DoubleTree Hotel would like to propose some design modifications to the Telus Ocean Building to retain some of the hotel's views and light quality, while still enabling the Telus building development to proceed.

- ⇒ ***Potential De-valuation of Renovation Investment in a Premier Victoria Hotel*** – In 2012, Executive House Limited made a significant \$20 million investment in the upgrade of the hotel to meet the standard of a Premier DoubleTree Inn Hotel franchise. That investment has enhanced the hotel offerings in the City of Victoria and supported the marketing of the City of Victoria to the National and International Club Members, bringing in tourists to the City of Victoria that may not otherwise have chosen Victoria as a tourism destination. The City of Victoria needs to respect this investment and beneficial City of Victoria marketing support associated with the DoubleTree Hotel brand by protecting the hotel's marketing advantages (views, sight lines and light quality) that will be negatively impacted by the Telus Ocean Building as currently proposed.
- ⇒ ***Protection of Existing Hotel Inventory in an Environment of Diminishing Hotel Inventory*** - The City of Victoria needs to protect – to the fullest extent possible – the existing hotel inventory in an environment characterized by diminishing hotel inventory. As a result of a variety of factors the number of available hotel rooms in Victoria has been significantly decreased. The decreased number of hotel rooms is having a negative impact on the City's tourism industry, which is the second largest industry in Victoria.

### **Protection of Hotel Inventory and Tourism Industry**

The Tourism industry is the City of Victoria's second largest industry creating significant revenue, jobs, and economic value to the city. The continued growth and development of the tourism industry in Victoria, as a leading creator of revenue, jobs and economic value for the provincial Capital, requires the protection of existing hotel inventory (not to mention a commensurate growth and development of new hotel inventory to provide sufficient hotel capacity to meet the requirements of major events and conferences). The City of Victoria can protect the tourism value some of its existing hotel inventory by requiring the Telus Ocean Building Design to respect the existing building development and zoning regulations.

### **CONCLUSION**

The Telus Ocean Building as currently proposed by Telus and Aryze Developments is not in compliance with the City of Victoria's current building development and zoning regulations for the Inner Harbour District. The proposed Telus Ocean building exceeds current zoning regulations related to building height, density and setback, and as such creates an enormous mass that will overwhelm the site. The proposed building design does not respect, or sensitively integrate into, the historic context of the neighbourhood and will significantly alter the overall skyline and character of the existing neighbourhood. The proposed building height, density, and setback – all of which exceed current zoning regulations - will also significantly diminish the light quality and sight lines in the neighbourhood. Further, the Telus Ocean Building will eliminate or reduce existing harbour views for many residential and commercial properties negatively impacting property values and business revenues.

As currently proposed the Telus Ocean Building will result in numerous negative impacts to the residents, businesses, the overall look and feel of the Inner Harbour District neighbourhood, the Tourism industry, and the City of Victoria.

The City of Victoria must not agree to the zoning variances being requested by the Telus/Aryze partnership and thereby break the City of Victoria's own building development and zoning regulations. To do so would risk generating bad faith with the existing residential and commercial community and breaking residential and commercial investor confidence in the City of Victoria.

Executive House Limited would like to work with the City of Victoria, Telus and Aryze Developments to identify and secure some design modifications to the currently proposed Telus Ocean Building to ensure that the building design respects all of the current building development and zoning requirements with regard to height, density, setback, and sensitivity to the historic character of the neighbourhood, and in this way mitigate any potentially negative impacts of the proposed building to the existing residential, business and government community members, while still enabling a Telus building development to proceed.

Please consider including anti-bird strike tech for the building. A lit glass building will cause many birds to be killed as they get confused by the lights at night and fly into the building this happens often with glass towers.

I don't want to see dead and dying birds about the building every morning.

I recommend considering the following:

- \* Turn off all lights at night
- \* include anti reflective film
- \* contact experts on what can be done to minimize birds hitting the building (Perhaps a good study for Uvic)

I'm by no means an expert on this topic, please seek out actual subject matter experts. From what I can tell this is not really expensive and can save a great number of birds

Best Regards,  
Mathew Moore

1507-751 Fairfield rd  
Victoria BC  
V8W4A4



Hi , I am a resident and owner in the fall building at 902- 708  
Burdett Ave. Victoria BC and have serious concerns about the proposed Telus development  
as following:

- The number of proposed floors and permitted density;
- Visual impact and commercial signage on surrounding historical building and the city skyline;
- Monumental building design, overhang, and public space;
- Accessing the view for my unit

Cheers!

Maliheh Sayah Sina

Hi Telus/Aryze,

I am a resident/owner/taxpayer in Victoria.

Please follow up on your promises of a view study and marking the outline of the proposed Ocean building on Douglas St.

warm regards, ron proulx

Hi ,

I am a resident and owner in the Falls building. When I heard about the Telus building and their plans for it, I was totally shocked. I am not talking about raising a 53m glass wall with signs on it just 17 meters from my condo. I am thinking about how on earth somebody accepts to build a monster building in a small triangle land in the lovely cozy heart of downtown. Such a building in a street like Fort is perfect and the city needs it but in this place I can't see any reason for that.

I am from Iran and am familiar with steps to deface a city and ruin all its characters, I am worried to see the same procedure here in beautiful Victoria.

Thanks

Ali Khashei

To whom it may concern,

I have a few concerns regarding the new Telus tower. I would appreciate any information you could provide me with this matter.

1) Light pollution. I already struggle from the light from the dollar tree hotel across the street. This problem is exacerbated when their light is put on loosely a continuously blinks throughout the night. My brother suffers from seizures and when he visits this is a cause of real stress. With the Telus tower going up I am concerned that the light pollution would get worst. Is there any way to limit this in some way with respect to neon signs going up and the hours that they can be left on?

2) Damage caused to surrounding buildings by the vibrations during excavation. Who would be responsible for the cost of such damage should it occur. Can we ensure the new developers will have to legally commit to covering the cost of such damage to surrounding owners prior to approval for the development?

3) Height and design. While I realize it is unreasonable to make a point about a fact that would be personal to me and those who live in the south tower at the falls. My mom bought this condo in Oct. 2017 at the peak of the market and paid a premium for the view that we would have. The proposed development would mean we would lose not only our view but the natural sunlight we get from the south-facing tower. While I doubt we could limit the height of the Telus Tower in any meaningful way, I hope the design could mimic that of the dollar tree in the angle of the development as this would help give symmetry to the buildings in the area and would help with the city's esthetics.

Looking forward to hearing from you.  
Sincerely,

**Masih Alaeitafti, RPh**

BSc. Pharmacy Class of 2015 | University of British Columbia



Hello:

I wish to voice my concerns over the TELUS Ocean Proposal:

1. The building is too large for the site
2. The signage on the West Face will forever destroy the vista of the Empress Hotel by appearing over the top of the Hotel.
3. The massive height and overall size of the building destroys the view from several buildings and casts shadows into areas where there was sunlight before.
4. The design of the building does not fit the area or the downtown core.

Please reconsider any approval being for this project going forward as proposed.

Debra Bingham

Resident of the Falls

Hello:

I wish to voice my concerns over the TELUS Ocean Proposal:

1. The building is too large for the site
2. The signage on the West Face will forever destroy the vista of the Empress Hotel by appearing over the top of the Hotel.
3. The massive height and overall size of the building destroys the view from several buildings and casts shadows into areas where there was sunlight before.
4. The design of the building does not fit the area or the downtown core.

Please reconsider any approval being for this project going forward as proposed.

Stafford Bingham

Resident of the Falls

## Katie Lauriston

---

**From:** Miko Betanzo  
**Sent:** October 6, 2020 9:49 AM  
**To:** Katie Lauriston  
**Subject:** FW: DoubleTree Hotel and Suites - Failure to Receive Notification of Telus Ocean Building Proposal for Consultation  
**Attachments:** Executive House Ltd. - Briefing Note - Telus Ocean Building- - Sep 28, 2020.docx  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Katie,  
Can you please add this email and its attachment to the communication record for 767 Douglas- Telus Ocean.

Thanks

Miko Betanzo  
Senior Planner – Urban Design  
Sustainable Planning & Community Development  
City of Victoria, 1 Centennial Square, Victoria BC V8W 1P6  
[mbetanzo@victoria.ca](mailto:mbetanzo@victoria.ca)

T 250.361.0604 F 250.361.0386



**From:** Francis Mairet [REDACTED]

**Sent:** October 5, 2020 12:10 PM

**To:** Miko Betanzo <[mbetanzo@victoria.ca](mailto:mbetanzo@victoria.ca)>

**Cc:** Andrea Phillips [REDACTED]; Alan Lowe Office [REDACTED]; Wpc [REDACTED]; Karin MacMillan [REDACTED]

**Subject:** RE: DoubleTree Hotel and Suites - Failure to Receive Notification of Telus Ocean Building Proposal for Consultation

Dear Miko,

Thank you for meeting with Alan Lowe and Karin Macmillan (via Zoom) last week to discuss the DoubleTree Hotel and Suites concerns about the proposed Telus Ocean Building, and in particular the volume of zoning variances being requested by Telus and Aryze Developments as well as the lack of sensitivity of the design with regard to the historic character of the neighbourhood.

I understand that the City of Victoria will not be holding a Public Hearing to consult with the community on the proposed design of the Telus Ocean Building as would normally be required as part of the approval process, as part of social distancing measures related to the ongoing COVID pandemic. I further understand that in lieu of the normal Public Hearing the City of Victoria determined to send out a Notification to residents and businesses within a 200 metre radius of the Telus Ocean Building site, and that those residents and businesses would have 30 days to submit comments and responses to the Telus Ocean Building proposal.

Please accept this letter as confirmation that the DoubleTree Hotel and Suites has not received that Notification. Further, please accept this letter as confirmation of our interest in receiving the Notification and our interest in responding to the Notification.

In the event that that there continues to be a disconnect communication challenge with regard to our receiving of the Notification, please also accept this letter as notification from the Double Tree Hotel and Suites that the Brief we submitted to the City of Victoria on October 1, 2020 is our formal response to the Notification, so that our voice may be heard in this process. I have attached the Brief again, for your convenience.

We are concerned that if the DoubleTree Hotel and Suites did not receive the Notification that other businesses and residents in the 200 metre radius may also not have received the Notification. Perhaps the City should consider verifying that all eligible respondents have indeed received the Notification and are in fact given a chance to be consulted about the Telus Ocean Building design, as they should be as part of the City's formal approval process. It seems only fair that a building with the proposed impact on the City in terms of the magnitude and mass of the current Telus Ocean Building design be properly considered by the community and by the City and that the building conform to required zoning variances.

Sincerely,

Regards,

Francis D. Mairet, MBA  
Principal  
Mairet Hotels

T: [REDACTED]

E: [REDACTED]

W: [www.mairethotels.com](http://www.mairethotels.com)



# **Executive House Limited Expression of Concerns Telus/Aryze Development Proposal For Apex Site Working Draft**

## **ISSUE**

Executive House Limited has some serious concerns about the potentially negative tourism, neighbourhood and business impact on the company's DoubleTree Hotel and Suites related to the currently proposed 'Telus Ocean Building' by the partnership of Telus and Aryze Developments to be located at the corner of Douglas Street and Humboldt Street in downtown Victoria.

Executive House Limited is concerned that the proposed Telus Ocean Building is not in compliance with the City of Victoria's current zoning regulations for the Inner Harbour District and that the building design does not respect, or sensitively integrate into, the historic environment of the neighbourhood. The proposed Telus Ocean building exceeds current zoning regulations related to building height, density and setback, and as such will overwhelm the site, the nearby historic buildings, residential buildings, hotels and other area occupants, and overall skyline and character of the existing neighbourhood. The height, density and setback of the Telus Ocean Building will also significantly diminish the light quality of the immediate area in the neighbourhood. Further, the Telus Ocean Building will eliminate or reduce existing harbour views for many residential and commercial properties negatively impacting property values and business revenues.

Executive House Limited would like to work with the City of Victoria, Telus and Aryze Developments to identify and secure some design modifications to the currently proposed Telus Ocean Building to ensure that the building respects all of the current zoning requirements with regard to height, density, setback, and sensitivity to the historic character of the neighbourhood, and in this way mitigate any potentially negative impacts of the proposed building to the existing residential, business and government community members, while still enabling a Telus building development to proceed.

## **BACKGROUND**

### ***APEX Site - City of Victoria***

The City of Victoria initiated a Request for Expressions of Interest (RFEI) process in 2017 to develop a 27,790 square foot triangular parcel created as part of the original infilling of James Bay in the early 1900's. The parcel sits at the corner of Douglas Street and Humboldt Street in downtown Victoria, British Columbia. The property, commonly referred to as the 'Apex Site', is the last remaining development site in the downtown area known as the 'Inner Harbour District'.

The site rests on the Traditional Territory of the Lekwungen People. The Songhees and Xwsepsum people (Esquimalt Nations) have a continuing, historical relationship with the land.

The City of Victoria selected the RFEI submission made by the then partnership between Telus and Jawl Properties, from six bids submitted as part of the RFEI process. Jawl Properties has since pulled out of the partnership and is no longer the proposed developer for the Apex Site. Telus has since partnered with Aryze Developments to develop the APEX site development.

It is our understanding that Telus/Aryze Developments will acquire the city-owned Apex site for \$8.1 million, plus up to \$1.1 million depending on the final proposal submitted. It is also our understanding that the City of Victoria and Telus/Aryze will share the environmental and geotechnical costs to remediate the currently contaminated site. The City of Victoria is expected to contribute \$2.37 million in remediation costs.

### ***Proposed Telus Ocean Building***

Telus and Aryze Developments are proposing to develop a very modern 11 storey, 53 metre high, 155,000 square foot flatiron shaped building. The proposal submitted by Telus/Aryze is designed to accommodate the Telus Regional Headquarters and Innovation Centre and other leasable office space, including 117,000 square feet of office space and 5,000 square feet of retail and restaurant space. The proposal includes:

- ⇒ 117,000 of office space over eight upper levels
- ⇒ 5,000 square feet of retail and restaurant space on the ground level
- ⇒ Large Entrance Lobby with Tidal Pool
- ⇒ Tiered rooftop garden spaces and water features
- ⇒ Large video screen on the south plaza for community events
- ⇒ Three underground floors of parking space to accommodate 127 vehicles and 140 bikes

### **Telus Ocean Building Proposal – Alignment with City of Victoria Planning Objectives**

Executive House appreciates that the proposed Telus Ocean Building aligns with some of the goals and objectives of the City of Victoria's recent economic strategy "Victoria 3.0: Pivoting to a Higher Value Economy 2020-2041, Official Community Plan and Downtown Core Area Plan. For example, the proposed Telus Ocean Building will support the City's economic strategy goals of continuing to grow the technology sector and maintain the sector as the City's largest industry to create an Innovation District and support the creation of a high value economy and high-value jobs in Victoria.

The Telus Ocean Building proposal also supports some of the objectives of Victoria's Official Community Plan (OCP) adopted in 2012, including new employment growth focused in the urban core specialized in the incubation, growth and retention of advanced technology.

The proposal also supports some of the economic activity policies of the Downtown Core Area Plan for the IHD including ensuring new development within the IHD accommodates uses that contribute to the vitality and economic health of the area.

### **Telus Ocean Building Proposal – Lack of Conformity to Zoning Regulations and Historic Context of Neighbourhood**

Executive Houses' concerns about the proposed Telus Ocean Building are not related to the economic value and business activities associated with the proposed building, our concerns are related to the proposed Telus Ocean Building design – specifically the fact that the currently proposed design significantly exceeds the City of Victoria's zoning regulations for the Inner Harbour District with regard to height, density, setback, and sensitivity to the historic character of the neighbourhood, and as such will overwhelm the site, the nearby historic buildings, other area occupants, and overall skyline and character of the existing neighbourhood. The height, density and setback of the Telus Ocean Building will also significantly diminish the light quality of the immediate area in the neighbourhood, and eliminate or reduce existing harbour views for many residential and commercial properties negatively impacting property values and business revenues

We believe that if the Telus Ocean Building was designed and built in accordance with the existing zoning regulations with regard to building height, density, setback, and, sensitivity to the historic character of the neighbourhood, the negative impacts of the proposed building to the existing residential and business community members could be mitigated, while still enabling a Telus building development to proceed.

### ***Victoria Downtown Core Area Plan***

The site of the Telus Ocean Building is located within the area designated as the "Inner Harbour District" (IHD) of the *Downtown Core Area Plan* Ensure that new development within the IHD accommodates uses that contribute to the vitality and economic health of the area:

- ⇒ Maintain the IHD as a focus for tourism-related activities as well as Provincial Government office and business activities

The proposal is not compatible with the Historic Context policies of the *Downtown Core Area Plan* for the IHD, including the following policies:

- ⇒ Support the protection and rehabilitation of heritage properties and ensure new infill development and improvements to the public realm are sensitively integrated into the historic environment
- ⇒ Maintain key public views of the Inner Harbour to meet the urban design objectives of the Plan

### **Telus Ocean Building Proposal – Zoning Infractions**

The Telus Ocean Building, as currently proposed by Telus and Aryze Developments would require several zoning variances from the City of Victoria including, in accordance with Victoria's current 'Official Community Plan' (OCP), and in accordance with Victoria's 'Downtown Core Area Plan'(DCAP):

- ⇒ **Building height zoning variance** – The Telus Ocean Building site is currently zoned (CA-4) for buildings up to 43m in height and permits commercial, office and residential uses. Commercial buildings are permitted up to 11 storeys (based on a commercial storey height of 4.1m). The current Telus Ocean Building proposal is for a building of 53 m in height with an average storey height of 4.8m – 10 metres in excess of the current allowance.
- ⇒ **Density zoning variance** – The existing CA-4 zoning density allows a density of 3.0:1. The OCP allows for an increased density of up to 4.0:1 in strategic locations. The current Telus Ocean Building proposal is for a density of 5.57:1 – far in excess of the range of allowable density ratios.
- ⇒ **Set-back zoning variance** – Current zoning for the Telus Ocean Building site requires a side yard setback of 4.5m. The Telus Ocean Building proposal has no setback – the building would extend right to the property line and does not meet the current set-back zoning requirements for its location.
- ⇒ **Historic Context** - The Historic Context policies of the Downtown Core Area Plan for the Inner Harbour District (IHD) where the site for the Telus Ocean Building lies, requires that:
  - “New development be sensitively integrated into the historic environment” – Telus/Aryze is proposing a very modern architectural design which is a significant departure from the existing historic context of the neighbourhood. It would be a matter of how Council interprets this policy with regard to the proposed Telus Ocean Building.
  - “New development be designed with regard for the protection of inner harbour views” – The Telus Ocean Building obstructs the views of the DoubleTree Hotel (as well as other neighbourhood buildings). The obstruction of the DoubleTree Hotel and Suites existing harbour views will have a negative impact on the hotel's revenue, reducing the room rate that the hotel could charge customers for rooms that would no longer enjoy a harbour view as a direct consequence of the current Telus Ocean Building proposal.

### **Telus Ocean Building Proposal - Overwhelming Massing**

The combined impact of the proposed variance in height, density, setback and lack of respect of the building design for the historic context of the neighbourhood, will create an enormous building mass that is not in scale with the existing buildings and area design. The resulting negative building 'massing' will significantly diminish the City of Victoria's core visual concept for the area and will not respect the present special feel of the neighbourhood.

### **Telus Ocean Building Proposal – Downtown Core Area Plan Infractions**

The official City of Victoria development guide “The Downtown Core Area Plan” section 4.3 states:

“Supporting context-sensitive developments that complement the existing Downtown Core Area through siting, orientation, massing, height, setbacks, materials and landscaping.”

As noted above, the proposed Telus Ocean Building does not respect the vision of a “context-sensitive development” as stipulated in the DCAP with regard to massing, height, setbacks or materials. Rather the Telus/Aryze proposal is requesting exceptions to all the neighbourhood visions considerations related to massing, height, setbacks, and materials.

Understanding that the site known as the Apex site – the site of the proposed Telus Ocean Building – is the last remaining unbuilt lot in this area, the central development challenge for the building design will be to sensitively fit into the historic context of the neighbourhood and to meet the zoning requirements that were designed to preserve and protect the historic neighbourhood context.

### **Telus Ocean Building Proposal – City of Victoria Breaking Faith with Existing IHD Community**

The existing Inner Harbour District community – including residents, businesses and government – built, purchased or leased property in the expectation that the City of Victoria’s Downtown Core Area Plan, Official Community Plan, existing zoning requirements and other stated visions and regulations for the area, would be respected. The DCAP and OCP provide existing residential and commercial occupants in the IHD with some assurance that they can foresee the potential impact of further building development on their properties and neighbourhood experience. Continued adherence to the DCAP and OCP by the City of Victoria is essential to maintaining good faith with the existing residential and business community. To allow the Telus/Aryze building proposal to exceed the existing building development guidelines and zoning requirements would be for the City of Victoria to break faith with the existing residential and business community.

### **Telus Ocean Building Proposal – City of Victoria Negatively Impacting Investor Confidence**

Existing residents and businesses made property investment and leasing decisions based on the City of Victoria’s development guidelines and zoning regulations as stated in the Downtown Core Area Plan and Official Community Plan. If the City of Victoria does not respect its own development guidelines and zoning regulations as stated in the DACP and OCP, and does not require the Telus /Aryze partnership to develop a Telus Ocean Building that respects the current development guidelines and zoning regulations, a decision which will have negative business and revenue impacts for the DoubleTree Hotel and Suites, the City of Victoria will erode investor confidence in the City. How will residents, and businesses have future confidence that they can make sound property investment decisions in a City that does not follow or respect, but rather breaks its own business development and zoning regulations?

### **Telus Ocean Building – Negative Business Impact on DoubleTree Hotel and Suites**

In 2012, Executive House Limited, the local owner of the DoubleTree Hotel and Suites, made the decision to make a substantial business and commercial investment in the upgrading of the hotel property. This investment enabled the hotel to become part of a significant international hotel franchise – a franchise that brings a strong international brand to the City of Victoria, with all of the associated destination and marketing advantages of the franchise’s large tourist base.

Executive House made the property investment on the understanding that the City of Victoria would respect its own development guidelines and zoning regulations as stated in the DACP and OCP, which would assure our company that we could reasonably foresee the potential future impact of further building development in the hotel’s vicinity.

A failure on the part of the City of Victoria to require the Telus Ocean Building design to adhere to the existing building development and zoning guidelines, will result in numerous negative impacts on the DoubleTree Hotel and Suites, including:

- ⇒ ***Elimination of Hotel Views and Reduction in Light Quality***- The proposed height of the Telus Ocean Building (10 metres above the current zoning allowance) would permanently block the front-facing city and harbour views of the hotel and significantly diminish the light quality of the DoubleTree Hotel which would dramatically reduce the potential room rates associated with these rooms, and negatively impact the future marketability and customer experience of the hotel.
- ⇒ ***Reduction in Future Hotel Revenue Potential*** - The proposed height of the Telus Ocean Building would reduce the future revenue potential of the hotel (as described above). For example, a room with a view can be charged out at \$200/night compared to \$120/night for a room without a view – putting further strain on Victoria’s Premier Hotel



Facilities in an environment currently experiencing a diminishing hotel inventory. The DoubleTree Hotel would like to propose some design modifications to the Telus Ocean Building to retain some of the hotel's views and light quality, while still enabling the Telus building development to proceed.

- ⇒ ***Potential De-valuation of Renovation Investment in a Premier Victoria Hotel*** – In 2012, Executive House Limited made a significant \$20 million investment in the upgrade of the hotel to meet the standard of a Premier DoubleTree Inn Hotel franchise. That investment has enhanced the hotel offerings in the City of Victoria and supported the marketing of the City of Victoria to the National and International Club Members, bringing in tourists to the City of Victoria that may not otherwise have chosen Victoria as a tourism destination. The City of Victoria needs to respect this investment and beneficial City of Victoria marketing support associated with the DoubleTree Hotel brand by protecting the hotel's marketing advantages (views, sight lines and light quality) that will be negatively impacted by the Telus Ocean Building as currently proposed.
- ⇒ ***Protection of Existing Hotel Inventory in an Environment of Diminishing Hotel Inventory*** - The City of Victoria needs to protect – to the fullest extent possible – the existing hotel inventory in an environment characterized by diminishing hotel inventory. As a result of a variety of factors the number of available hotel rooms in Victoria has been significantly decreased. The decreased number of hotel rooms is having a negative impact on the City's tourism industry, which is the second largest industry in Victoria.

## **Protection of Hotel Inventory and Tourism Industry**

The Tourism industry is the City of Victoria's second largest industry creating significant revenue, jobs, and economic value to the city. The continued growth and development of the tourism industry in Victoria, as a leading creator of revenue, jobs and economic value for the provincial Capital, requires the protection of existing hotel inventory (not to mention a commensurate growth and development of new hotel inventory to provide sufficient hotel capacity to meet the requirements of major events and conferences). The City of Victoria can protect the tourism value some of its existing hotel inventory by requiring the Telus Ocean Building Design to respect the existing building development and zoning regulations.

## **Conclusion**

The Telus Ocean Building as currently proposed by Telus and Aryze Developments is not in compliance with the City of Victoria's current building development and zoning regulations for the Inner Harbour District. The proposed Telus Ocean building exceeds current zoning regulations related to building height, density and setback, and as such creates an enormous mass that will overwhelm the site. The proposed building design does not respect, or sensitively integrate into, the historic context of the neighbourhood and will significantly alter the overall skyline and character of the existing neighbourhood. The proposed building height, density, and setback – all of which exceed current zoning regulations - will also significantly diminish the light quality and sight lines in the neighbourhood. Further, the Telus Ocean Building will eliminate or reduce existing harbour views for many residential and commercial properties negatively impacting property values and business revenues.

As currently proposed the Telus Ocean Building will result in numerous negative impacts to the residents, businesses, the overall look and feel of the Inner Harbour District neighbourhood, the Tourism industry, and the City of Victoria.

The City of Victoria must not agree to the zoning variances being requested by the Telus/Aryze partnership and thereby break the City of Victoria's own building development and zoning regulations. To do so would risk generating bad faith with the existing residential and commercial community and breaking residential and commercial investor confidence in the City of Victoria.

Executive House Limited would like to work with the City of Victoria, Telus and Aryze Developments to identify and secure some design modifications to the currently proposed Telus Ocean Building to ensure that the building design respects all of the current building development and zoning requirements with regard to height, density, setback, and sensitivity to the historic character of the neighbourhood, and in this way mitigate any potentially negative impacts of the proposed building to the existing residential, business and government community members, while still enabling a Telus building development to proceed.

**From:** [Robert Gifford](#)  
**To:** [Development Services email inquiries](#)  
**Subject:** The Telus Building  
**Date:** October 5, 2020 9:50:13 AM  
**Attachments:** [2012 McCunn Gifford Green Offices.pdf](#)

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Dear Karen,

I happened to come across the letter in the *Times-Colonist* from the citizen who was concerned about birds' safety. I heartily agree with that, having spent 10 years at SFU for my graduate degrees and seeing the many dead birds there.

However, I believe Telus may not care that much about birds, and I have a different concern that should, I hope, be of concern to you as the sustainability person for the city.

(Let me interject first that I also find the building's height is taller than one would think from the number of stories, as someone else pointed out, and I think it helps to damage Victoria's attraction to visitors as a heritage town. But those two concerns are also not my main concern.)

My main concern is the unsustainability of a glass-walled building. They will tell you it is double- or triple-glazed, which doubles or triples the R-value. However, that is doubling or tripling an R-value of 1 (single-pane glass). Any normal wall has an R-value of 12, and usually greater than that. So, just imagine the energy and climate change impact of a very large all-glass building, over its lifetime! Are we not supposed to be going in the right direction, starting yesterday?

This does not get into, another concern, the impact on employees. Imagine how it feels

to be in a glass bubble on a warm day. Oh...air conditioning! Yes, but more energy used.

One could say, well, that's Telus' problem. No, that is society's problem. Our problem.

I can cite, if you wish, studies about the impacts of buildings that look like a gem as a model or from

the street, but are very tough on the poor folks who must work *\*in\** them...again,

over the long life  
of such a building. I attach one of my own, for now.

Thanks for reading.

Robert Gifford PhD FRSC  
Professor  
University of Victoria



## Do green offices affect employee engagement and environmental attitudes?

Lindsay J. McCunn & Robert Gifford

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## Do green offices affect employee engagement and environmental attitudes?

Lindsay J. McCunn\* and Robert Gifford

*Department of Psychology, University of Victoria, PO Box 3050 STN CSC, Victoria, BC, Canada V8W 3P5*

Employees working in 15 public- and private-sector office buildings in a mid-sized Canadian city reported their level of work engagement (as measured by job satisfaction, perceived productivity and affective organizational commitment), environmental orientation, pro-environmental behaviour and opinions about the physical aspects of their buildings. The buildings' green attributes were assessed on an objective 36-item scale. Neither engagement nor environmental attitudes were correlated with green design attributes. However, employees' office impressions were significantly *negatively* correlated with the number of green design attributes. Surprisingly, the results suggest that green design in office buildings does not have a positive effect on employee engagement or on environmental attitudes and behaviours.

**Keywords:** Employee engagement; green building design; satisfaction

Employee engagement is a strong indicator of an innovative and stimulating workplace. Engagement has been defined as 'a positive, fulfilling, work-related state of mind that is characterized by vigor, dedication, and absorption' (Schaufeli *et al.* 2002, p. 74). It is often measured by means of the Utrecht Work Engagement Scale (UWES) (Montgomery *et al.* 2003, Durán *et al.* 2004, Schaufeli and Bakker 2004). However, the physical environment of the work setting is not mentioned in any of the 17 items that make up the UWES.

The government of British Columbia developed the Workplace Environment Survey (WES) in 2006. Its results provide insight into how the performance and satisfaction of the public service might be improved. However, the WES contains only a small number of questions about the physical environment of ministry office buildings. Despite this, in a recent survey, 28% of public sector employees reported that changes to the physical environment of their workplace would boost future productivity (British Columbia Public Service 2007).

Several agencies are working to ascertain how attributes of green buildings, such as enhanced ventilation, acoustics and thermal controllability, affect occupants. In the United States, the Center for the Built Environment (CBE) seeks to improve the design, operation and environmental quality of building systems. Research at the CBE often links physical aspects of occupied space with human behaviours such as energy consumption and productivity. In Canada, the National Research Council's Institute for Research in Construction examines sustainable technology and design concepts to learn how to make buildings less resource

intensive. Similarly, in the United Kingdom, an independent consultancy called Building Use Studies investigates how building characteristics affect occupant health, perceived comfort and control, and productivity.

Academic architectural literature also contains several studies that focus on one or more occupant outcomes in relation to building structure, operation or technology (e.g. Vischer 2008, Baird and Oosterhoff 2010, Drake *et al.* 2010). In particular, one study asked whether green buildings were perceived as better by users (Leaman and Bordass 2007). Users tended to accept insufficiencies more in green buildings than in conventional buildings. Another study explored the relations between the amount of personal control occupants had over heating, cooling, ventilation, lighting and noise, and whether such control was considered to be important (Baird and Lechat 2009). Occupants perceived the amount of personal control they had over lighting as reasonable. However, perceived control over heating and cooling, ventilation and noise was relatively low. In addition, a post-occupancy evaluation of the Council House 2 building in Melbourne showed that indoor environment quality positively affected perceived satisfaction, healthiness and productivity of its occupants (Paevere and Brown 2008).

Despite these efforts, researchers do not seem to have considered how sustainable built settings affect the array of attitudes and behaviours that make up employee commitment, engagement and pro-environmental conduct. Therefore, an appropriate next step for this body of research is to explore employee engagement in workplaces with different physical characteristics, such as varying degrees

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\*Corresponding author. Email: [REDACTED]

of 'greenness'. This initial study examines whether green design attributes in office buildings are associated with employees' engagement attitudes and reported environmental behaviours.

### **The green workplace**

Sustainable buildings maximize the use of natural and renewable resources in order to lower consumption of non-renewable energy and materials, and to decrease project and maintenance costs (Williams 2007). Leadership in Energy and Environmental Design (LEED) considers a building sustainable if it reduces waste and water use, increases reuse, recycling and energy-use monitoring through efficient appliances, fixtures and fittings (Canada Green Building Council 2009). Generally, LEED accredits commercial buildings based on performance in seven key areas: indoor environmental quality, regional priority, innovation in design, sustainable sites, water efficiency, energy and atmosphere and materials and resources (Canada Green Building Council 2009). The latter four of these areas are compatible with Williams' definition of sustainable design.

Healthy buildings are designed for occupant comfort and health. Although environmentally friendly materials and technologies may be integrated into a healthy building, non-renewable energy sources, such as fossil fuels, are typically used. Williams (2007) notes that if energy utilized in healthy designs is not sustainable, the building itself cannot be considered sustainable. In the present study, healthy buildings were defined as having contemporary daylighting and indoor air quality strategies, controllable thermal settings, non-toxic paint, low volatile organic compound carpeting and finishing materials, and employing strategies to reduce off-gassing and the growth of bacteria. Among LEED's seven areas of performance, the one that most closely represents healthy design is indoor environmental quality section. To receive credits in this area, a building must incorporate enhanced ventilation strategies and implement an indoor air quality management plan. Low-emitting materials, controllability of systems, thermal comfort and access to daylight and views are also requirements in this section (Canada Green Building Council 2009).

Despite the differences between the terms 'sustainable' and 'healthy', the word 'green' is often used to refer to both types of design attributes. LEED, the Canadian Mortgage and Housing Corporation (CMHC) and BOMA do not formally distinguish between these terms.

### **Why green design may influence employees' attitudes and behaviours**

Work environments ought to reflect an organization's sense of identity to promote positive employee attitudes and performance through teamwork and collaboration (McCoy 2002). Decoration, allocation of space, signs, artwork and colour are a few design features that help communicate this

to employees (McCoy 2002). Design features that facilitate task accomplishment also bolster employee satisfaction, productivity and commitment (e.g. the size and quality of workspaces, meeting spaces and designated areas for joint activities). Attributes such as these are commonly built into green buildings. Other green design attributes, such as environmental controllability, recycling options and showers can communicate an organization's environmental orientation.

The literature on biophilic architecture in relation to occupants' cognitive and emotional functioning suggests that contact with natural forms can be healthy and restorative (Joye 2007). Studies on the aesthetic appeal of natural content show that, in particular, calm water features and vegetative attributes contribute to positively valenced reactions towards settings (Joye 2007). Given that green buildings often incorporate features intended to positively affect attention restoration and stress reduction in occupants (e.g. outdoor views, indoor vegetation, landscape artwork, architectural imitations of natural forms), and because organizations that operate in green buildings would seem to be communicating their regard for the environment to employees and others, we hypothesize that employees working in offices with more green design attributes will report greater work engagement (i.e. higher job satisfaction, perceived productivity and affective organizational commitment) than those working in offices with fewer green design attributes. We also hypothesized that mere exposure to a green workplace is associated with employee concern for the environment and pro-environmental behaviour.

However, whether working in a green building is associated with pro-environmental behaviour in its occupants is unknown. We are unaware of any empirical studies of this question. In the closest study we could locate, mere exposure to sustainable products increased altruistic behaviour in consumers (Mazar and Zhong 2010). Perhaps exposure to green design attributes in the workplace influences employees' engagement and behaviours in a similar manner.

## **Method**

### **Participants**

Seventy-seven adults (52 women and 25 men,  $M = 40$  years) with varying education and job levels volunteered to participate. They were recruited by obtaining permission to circulate a questionnaire to employees by email in 15 urban office buildings. They had spent an average of 4 years working in their office building.

### **Materials**

A questionnaire was provided to employees electronically. Job satisfaction was measured with an 18-item subscale from the Job Descriptive Index (JDI; Smith *et al.* 1969).

Participants were asked to choose one of three options ('yes,' 'no' or 'I don't know') to indicate whether a specific word described their job (e.g. 'routine', 'frustrating' or 'useful').

Perceived productivity was measured by asking whether employees considered their hours spent at work as productive (e.g. McGuire and Liro 1986) using a 5-point scale ranging from 'strongly disagree' (1) to 'strongly agree' (5). Other measurements of perceived productivity included asking participants to estimate how many productive hours they experienced in a typical work week, whether they felt their office environment allowed them to be as productive as they would like using a 5-point scale ranging from 'strongly disagree' (1) to 'strongly agree' (5) and whether any concerns had been voiced about the impact of the office environment on productivity ('yes' or 'no'). Space for open-ended elaboration on this question was provided.

Organizational commitment is the degree of psychological identification with, or attachment to, an organization and is related to job satisfaction and motivation (Schultz and Schultz 1998), and three types of organizational commitment have been proposed: affective, continuance and normative (Allen and Meyer 1987). Essentially, employees with strong affective organizational commitment remain working for an organization because they *want* to, whereas those with strong continuance organizational commitment remain because they feel they *need* to and employees with strong normative organizational commitment stay because they feel they *ought* to (Allen and Meyer 1990). Only the affective form of organizational commitment correlates positively with job satisfaction and pro-social behaviour (Porter *et al.* 1974). Thus, the Affective Commitment Scale (ACS; Allen and Meyer 1990) was used to assess employees' emotional attachment to, identification with and involvement in, an organization (Solinger *et al.* 2008). Responses were made on a 7-point scale ranging from 'strongly disagree' (1) to 'strongly agree' (7).

The New Ecological Paradigm scale (NEP; Dunlap *et al.* 2000) was included to measure pro-environmental orientation. The NEP uses a 5-point scale ranging from 'strongly agree' (1) to 'strongly disagree' (5). In addition, participants were asked about their pro-environmental behaviour using the General Measure of Ecological Behaviour scale (GEB; Kaiser 1998), recently adapted by Gifford *et al.* (2009) for use in North America.

The authors created the General Office Opinion Scale (GOOS). Nine yes- or no-type questions were created to measure employees' opinions about the amount of general and personal space in their office, noise concealment from inside and outside the building, lighting conditions and whether they considered their office building as green.

Finally, participants reported their age, gender and highest level of education (e.g. 'bachelor's degree'; 'some post-bachelor degree', etc.). They also indicated the closest description of their job classification from a list of 4 (e.g.

executive (4), manager (3), supervisor (2) or staff (1), and the number of years spent working in the building.

The green attributes of the office buildings were assessed using a list of 18 sustainable and 18 healthy features gathered from LEED, Building Owner's and Manager's Association (BOMA) publications and literature on green design principles (e.g. Williams 2007). See Table 2.

### Procedure

Seventeen office buildings were chosen for inclusion in an attempt to gather data from a wide range of green structures (i.e. newly constructed, marketed as a LEED building, no obvious green features, etc.); 15 agreed to participate. A facilities management staff member working in each building was contacted to enquire about the number of green design attributes in the building. Features were then counted by the contacted staff member (i.e. one point given for each attribute present). The nature of work carried out in participating buildings was largely administrative, occurring in the public and private sectors, as well as in an office-oriented portion of a hospital, and in several buildings on a university campus.

A non-probability sampling method was used in obtaining permission from a managerial representative in each building to circulate 20 electronic questionnaires per building to employees. Completion of the questionnaire was voluntary and implied informed consent; participants returned questionnaires by email or post. On average, five employees responded per building; the overall response rate was 26%.

### Results

Descriptive statistics for all scales and demographic variables are displayed in Table 1. Each variable was tested for normality based on recommendations by Kline (1997). All variables met the criteria for skewness (values between +3 and -3) and kurtosis (values between +8 and -8). Reliability coefficients (Cronbach's  $\alpha$ ) were calculated for each scale. The 18-item subscale of the JDI had strong internal consistency,  $\alpha = 0.82$ . Similarly, the ACS and NEP scales were both quite reliable,  $\alpha = 0.86$  and 0.80, respectively.

The seven-item GEB scale's reliability improved when two items were removed. If deleted, questions concerning the degree to which participants agreed with purchasing local produce, and the degree they agreed with keeping their home cool and putting on a sweater in the winter increased the scale's alpha level from 0.68 to 0.74. Thus, the GEB was treated as a five-item scale in all analyses.

The Perceived Productivity Scale (PPS) had low internal consistency,  $\alpha = 0.50$ . This was not entirely unexpected because it contained only five items; the PPS as a whole was not used in further analyses (two items were retained; see below).

Table 1. Instrument, instrument type, means and standard deviations of all variables.

Instrument	Type of instrument	<i>M</i>	SD
Number of sustainable attributes ranges from 0 to 18	Expert-rated scale	5.82	4.65
Number of healthy attributes ranges from 0 to 18	Expert-rated scale	11.77	4.35
GDAS (combined number of sustainable and healthy attributes, number ranges from 0 to 36)	Expert-rated scale	8.80	4.40
Job Description Index (JDI); Smith <i>et al.</i> (1969), ranges from 'no' (1), 'yes' (2) and 'I don't know' (0)	Self-report scale; 18 items (one subscale)	4.61	1.46
PPS (one item open-ended; one item based on McGuire and Liro (1986), where number of productive hours are reported; two items range from 'strongly agree' (1) to 'strongly disagree' (5), one item ranges from 1 = 'no', 2 = 'yes')	Self-report scale; 5 items	2.52	1.47
Affective Organizational Commitment Scale (ACS); Allen and Meyer (1987), ranges from 'strongly disagree' (0) to 'strongly agree' (7)	Self-report scale; 8 items	3.86	1.47
EES (combined using JDI, two items from the PPS and ACS)	Self-report scale; 28 items	3.66	0.86
New Environmental Paradigm (NEP; Dunlap <i>et al.</i> (2000), ranges from 'strongly disagree' (1) to 'strongly agree' (5))	Self-report scale; 15 items	2.03	0.57
GEB scale (Kaiser 1998, adapted by Gifford <i>et al.</i> 2009, ranges from 'strongly disagree' (1) to 'strongly agree' (5))	Self-report scale; 7 items used (of 21 original)	2.46	0.97
GOOS (created for present study, range from 'no' (1), 'yes' (2) and 'I don't know' (0))	Self-report scale; 10 items	1.62	0.32
Year born		1969	12.58
Gender		1.68 (female)	0.47
Highest education level range from 'some secondary school' (1) to 'PhD or postdoctoral degree' (7)		4.53 (some post-bachelor degree)	1.28
Months worked in office		45.51	64.48
Job description (e.g. 'executive', 'manager', 'supervisor', 'staff')		3.29 (supervisor)	0.84

The nine questions on the GOOS somewhat reliably represented participants' overall impressions of their office building,  $\alpha = 0.68$ .

Affective organizational commitment in employees has been shown to positively relate to job performance (Meyer *et al.* 1989) and job satisfaction (Porter *et al.* 1974). Thus, we created an Employee Engagement Scale (EES) by combining the JDI subscale, the ACS and the two continuous items from the PPS. The reliability of this scale was excellent,  $\alpha = 0.84$ .

Given that the terms 'sustainable' and 'healthy' are often used synonymously, and the strong positive correlation found between these variables ( $r(75) = 0.88$ ,  $p < 0.01$ ), the two 18-item scales were merged to form a 36-item Green Design Attributes Scale (GDAS;  $\alpha = 0.94$ ) (Table 2).

### Hypothesis testing

When the number of green design attributes and scores on the EES were correlated, no significant positive correlation was found ( $r = -0.07$ ,  $p > 0.05$ ). In fact, no significant positive correlations were found between the GDAS and the EES's component scales, nor the NEP or GEB ( $r$ 's ranged from 0.06 to  $-0.14$ , all  $p$ 's  $> 0.05$ ). A *post-hoc* power

analysis revealed that 77 participants provides a power of 0.76 to detect a medium effect size ( $r = 0.30$ ) (Cohen 1988). Thus, the study's design had an excellent chance to detect a medium effect size, if one exists.

However, a significant *negative* correlation occurred between the number of green design attributes and scores on the GOOS,  $r(75) = -0.30$ ,  $p < 0.01$ , which is the reverse of the hypothesis. Thus, all relations between green design and work engagement and pro-environmental behaviour, across 15 buildings, were either null or negative.

### What might be related to engagement?

Because the GOOS's reliability was not very strong ( $\alpha = 0.68$ ), some of its items were likely more responsible for the negative association than others. Thus, correlations between each of its items and the number of green design features were computed. Only two significant correlations were found: One pertained to opinions about having enough access to a window,  $r(75) = -0.31$ ,  $p < 0.01$ . The other concerned employee opinion about enough decoration and aesthetic appeal inside the office,  $r(75) = -0.34$ ,  $p < 0.01$ . Thus, employee opinion about these aspects seemed largely responsible for the significant negative correlation between



Table 2. Green design attributes for building categorization.

Building type	Attribute
Sustainable	<p>Emphasize energy efficiency and resource management</p> <p>Rely only on renewable energy and renewable materials, or materials that can be fully recycled or reused</p> <p>Have been certified under the sustainable sites, water efficiency, energy and atmosphere, or materials and resources sections within the LEED commercial interiors rating system</p> <p>Have a net zero energy flow (balanced imports and excesses)</p> <p>Deal with heat loss using ventilation and air tightness strategies</p> <p>Use solar photovoltaic (PV) electricity</p> <p>Reduce erosion, light pollution and construction-related pollution</p> <p>Achieve water reduction through efficient appliances, fixtures and fittings</p> <p>Monitor energy use</p> <p>Use sustainably grown, harvested, produced and transported products and materials</p> <p>Use low-flow showerheads and toilets</p> <p>Discourage development on previously undeveloped land</p> <p>Minimize impact on ecosystems and waterways</p> <p>Encourage regionally appropriate landscaping</p> <p>Control storm water runoff</p> <p>Use composite roofing</p> <p>Include solar shading where appropriate</p>
Healthy	<p>Use rainwater harvesting systems</p> <p>Emphasize occupant comfort</p> <p>Emphasize occupant health</p> <p>Provide access to views</p> <p>Provide access to natural daylight</p> <p>Improves acoustics</p> <p>Improves indoor air quality</p> <p>Have been certified under the indoor environmental quality section within the LEED commercial interiors rating system</p> <p>Continues to rely on some non-renewable resources</p> <p>Continues to produce some pollution</p> <p>Use non-reactive finishing materials</p> <p>Use low-emission finishing materials</p> <p>Operable windows</p> <p>High personal control within the space</p> <p>Showers for commuters</p> <p>Incorporate vegetation or water features into interior and/or exterior</p> <p>Effort to reduce off-gassing and growth of bacteria improve health of occupants</p> <p>Have recycling options for employees</p> <p>Effort to reduce growth of bacteria to improve health of occupants</p>

their overall office opinions and the number of green design attributes in the office buildings.

### Other results

Among the attitudinal and behavioural scales, several significant correlations were found. Responses on the ACS significantly correlated with the job satisfaction subscale of the JDI,  $r(75) = .52, p < 0.01$ . This supports Mathieu and Zajac's (1990) finding that job satisfaction and affective organizational commitment are positively associated. Also, responses on the NEP significantly correlated with responses on the EES,  $r(75) = 0.24, p < 0.05$  and, not surprisingly, the GEB,  $r(75) = 0.38, p < 0.01$ .

Age positively correlated with responses on the GEB,  $r(75) = .07, p < 0.05$ . Also, a significant negative correlation occurred between job classification and responses on the NEP,  $r(75) = -0.30, p < 0.01$ . Finally, the number of

years employees spent working in their office negatively correlated with the number of green design attributes,  $r(75) = -0.28, p < 0.05$ .

### Discussion

This study did not find the expected positive relations between green design attributes in office buildings and employee work engagement (i.e. job satisfaction, perceived productivity, affective organizational commitment), or attitudes and reported behaviours concerning the environment. In fact, across 15 buildings with varying numbers of green design attributes, employees tended to have significantly more *negative* impressions of their offices as the number of green attributes increased.

Particular complaints, such as not having enough access to a window and not being allowed to decorate or personalize work areas may have contributed to the negative

correlation. These are common complaints in workplace settings. For example, in their evaluation of the Ann Arbor Federal Building, Marans and Spreckelmeyer (1981) found similar associations between adequate window views, space for personalization and employee satisfaction. In a later study, Marans and Spreckelmeyer (1982) found that the architecture of a building influences employees' reactions with their immediate workspaces, as well as their feelings about the 'ambience of the agency within which they work' (p. 333).

Decision makers should take employees' feelings about view access and decoration space into account throughout the design process, even when green design attributes are being integrated. If employee concerns about their work environment are addressed before green design attributes are in place, such attributes may have a measurable effect on employee attitudes and behaviours at work.

The lack of positive associations may have occurred in the present study because the number of years employees had worked in their office building ( $M = 4$  years) was negatively related to the number of green design attributes of a building. Time and novelty may have influenced whether employee attitudes and behaviours were affected by green design. Perhaps more than 4 years are necessary for employees to be positively affected by green design; perhaps the opposite was true and an average of 4 years was long enough for positive impressions to form, but then fade. This would be consistent with Fischer's (1997) statement that familiarity with an environment, along with values attributed to its features, help to define an individual's evaluation of a place.

Several other correlations of interest emerged. Employees with strong pro-environmental orientations on the NEP tended to perceive themselves as more engaged at work than those with weaker environmental orientations, and they reported higher job classifications. The former also reported engaging in more pro-environmental behaviour, and age positively correlated with more reported pro-environmental behaviour. These findings may be useful for understanding the behaviours and attitudes of those who strongly value the environment. We also confirmed Mathieu and Zajac's (1990) finding that affective organizational commitment significantly correlates with job satisfaction.

Some authors assert that factors such as autonomy, job enrichment and opportunities to use one's skills are associated with strong feelings of organizational commitment (Schultz and Schultz 1998). Had affective organizational commitment positively correlated with the number of green design attributes, the physical environment could be advanced as an additional factor to further develop models of organizational commitment. However, because this is an initial study with a small sample of respondents per building, further testing of an engagement scale that includes the construction of organizational commitment is necessary.

This study's results have implications for the manner in which the terms 'green', 'sustainable' and 'healthy' are

used in the design literature. Agencies such as the Canada Mortgage and Housing Corporation, Building Owners and Managers Association and LEED use these terms interchangeably. Future work probably should not distinguish between these terms, and the marketing of buildings that contain both sustainable and healthy features ought to use the term 'green' to best convey the design's environmental goals and attributes. In addition, some green design attributes may be more important than others. The GDAS treats all 36 attributes equally, which may not be the best way to measure how green buildings are perceived. Future research is needed to determine whether its green design attributes vary in importance.

Although further reliability testing of the methodologies used is essential, this initial study has augmented knowledge of social design in terms of how green office buildings affect occupants' attitudes and behaviours. More comprehensive research is needed to investigate the generalizability of these findings in other work settings.

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Disappointing to say the least.

Please review your clear city staff report which identifies non conformance to design, zoning or view guidelines.

Catherine Campbell

The Aria resident



To Mayor and Council

We are, again, writing to City Council review the Telus Ocean project. Specifically now, to express our distress at the recommendation by the Advisory Design Panel to approve the Telus Ocean application.

Except for three suggestions of palette changes, lowering signage, and changes to the South Plaza they dismiss the information on several aspects that do not conform to current zoning or design guidelines so carefully outlined in Miko Betzano's report.

Please have this project reconsidered. As noted previously this area of Victoria is very much the 'heart' of the city with buildings of heritage significance, a large residential community and hotels and businesses that have enhanced the OCP and the reason why we have one!

Charlotte and Bob Cronin  
S308 737 Humboldt St.

**From:** [Derek Lau](#)  
**To:** [Development Services email inquiries](#)  
**Cc:** [REDACTED] [hello@telusocan.com](mailto:hello@telusocan.com)  
**Subject:** RE: TELUS Ocean Development  
**Date:** October 9, 2020 1:07:16 PM

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I am requesting that the City of Victoria and Telus/Aryze adhere to the current height restriction for the new Telus Ocean development.

Residences and business owners make large investment decisions based on existing rules, restrictions, and guidelines. By altering the zoning requirements to allow Telus/Aryze to develop a building taller than the current 45 metre limit, you unfairly impact the hundreds of people in the vicinity that have made these measured investments in the Humboldt Valley area.

Of course, restrictions can and should be appealed for good reasons; however, the current 45 metre restriction is more than enough to build an 11-story development. In other words, there is no good reason for the City of Victoria to allow Telus/Aryze alter the current height restriction.

At 45 metres, the Telus Ocean building will still have unimpeded views of the Empress Hotel and inner harbour while having minimal impact on the hotels, businesses, and residences in the area.

Thank you for taking the time to read my letter.

Derek Lau

Homeowner & downtown business owner

## Katie Lauriston

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**From:** Miko Betanzo  
**Sent:** October 20, 2020 12:22 PM  
**To:** Katie Lauriston  
**Subject:** FW: 767 Douglas Proposal

Please add the below to the 767 Rezoning community feedback.

Thanks

Miko Betanzo  
Senior Planner – Urban Design  
Sustainable Planning & Community Development  
City of Victoria, 1 Centennial Square, Victoria BC V8W 1P6  
[mbetano@victoria.ca](mailto:mbetano@victoria.ca)

T 250.361.0604 F 250.361.0386



From: [Diane Chimich](#)

**Sent:** October 12, 2020 11:21 AM

**To:** [Miko Betanzo](#)

**Subject:** 767 Douglas Proposal

To Mike Betanzo

The Telus Ocean development is in an extremely important heritage area of Victoria. Our city prides itself on protecting and maintaining our heritage buildings. This is seen often in projects such as Customs House where the developer was required to maintain the heritage facade at a considerable expense to the project. So the same approach must be applied for the Telus Ocean development.

The objective of the Heritage Conservation policy requires conserving and enhancing the heritage value, special character, and the significant historic buildings, features, and characteristics of this area. It has been noted by the city staff and all of the businesses and residents in the area that the Telus Ocean development which is in the Heritage Landmark radius of the Empress Building does not meet the design guidelines of the Heritage Conservation policy.

This project is far beyond every part of the zoning criteria.

Zoning Criteria	Proposal	Standard IHH Zone
Density (Floor Space Ratio) - maximum	5.57*	3.0
Total floor area (m2) - maximum	1 14,378.96*	7745.85
Height (m) - maximum	51.0*	43
Setbacks (m) – minimum		
• Step Back at 10m (Douglas)	2.0*	8.2
• Step Back at 10m (Humboldt)	0.2*	8.2
• Interior Side (south)	0.00*	4.5

• Interior Side (east)	13.4	4.5
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Every single zoning criteria has been totally ignored and the proposal far exceeds all of these.

The overall scale and massing do not respect the surrounding heritage landmark policy or the importance of the heritage buildings in that area. This project will be massive in size and reach which will be detrimental to the Empress Hotel and especially the Crystal Gardens. The Empress Hotel should always have visual prominence in this area and it should be protected by the City. Zoning criteria are put in place to ensure that buildings such as the Crystal Garden and the Empress are protected. So it is the responsibility of the staff, advisory committees, and the City Council to ensure that this happens. The tools are there so they MUST be used. All developers must be held to the same level which Telus is not meeting. This building is far beyond the height restrictions, the floor space ratio restrictions, and total floor area restrictions. These are not slight overages they are monumental overages. The building is far too large for the land and it can not be built to these specifications.

Street setbacks are established and must be followed by all. So to allow this project to have ignored these setbacks is not appropriate. This building must be reduced in bulkiness and remain within the setback restrictions that have been put in place. They can not be allowed to overbuild an area that is so important to this heritage area.

The effect that this building will have is extremely detrimental to all aspects of this area. The massive amount of glass is not in keeping with the area, the overbuilt size will overpower and dominate heritage buildings which are a key part of the history and appeal of Victoria, the roofline will have a negative impact on the protected view from the harbour and the illumination will negatively affect the night views.

Victoria established a Downtown Core Area Plan. It is imperative that this plan guides the development in the area and that all stakeholders are considered. This project does not respect the guidelines, the zoning criteria or the neighbouring community.

Protect the heritage of the Empress, the Crystal Gardens and the Douglas Street corridor. This project must be sent back to address these issues in their design and reduce the scale, setback allowances, height restrictions and overall design that are required in this extremely important area of downtown Victoria. It can not be approved as presented.

Sincerely  
Diane Chimich  
788 Humboldt St.



Good Morning Mayor and Council,

As nearby residents and property owners to the DVP 00155 we are excited to see this land being developed in such a wonderful manner.

The proposed use for the property will enhance the area and allow for good development of this land.

We DO OBJECT to the level of variances requested.

City of Victoria has guidelines to enable a flow or balance of aesthetics, proper usage and new construction.

To allow such a variation of doubling the total floor area and allowing for the extra storey does not do justice to the area.

We ask that the City consider this application on merits of staying within the guidelines especially of height.

Density/floor area increase is ok to increase and removing residential components is fine simply an office tower can sustain its financial costs by staying within the 43m height zoning.

We thank you for your consideration and understanding in this matter.

Sincerely  
Mark Havin  
707 Courtney St Victoria

To whom this concerns:

The owner of Unit 1604 strongly objects to the proposed development at 767 Douglas Street.

Sincerely yours,

Martin

Dear Mayor:

I am one of the owners of Belvedere on Humboldt Street. I am strongly against the proposal to change the zoning of the subject property and increase the building heights as this will change the city's skyline and impact the core area of downtown. Please use the right in your hand to protect our cultural heritage, not damage it!

Please kindly take my concern into consideration.

Best wishes  
Masaru Takanashi

To mayor and city council:

Here is my question: Why does the city adopt neighbourhood, plans, guidelines, bylaws (e.g., BHP) and then give themselves license to ignore them? For example, the information I received from HVC regarding the dramatically oversized height of the Telus Ocean building:

*This staff report clearly and comprehensively details aspects of the building proposal which do not conform to zoning or design guidelines. Despite this report, the Advisory Design Panel recommended that the TELUS Ocean application be approved and made only very minor comments*

Is it any wonder that citizens become cynical and jaded after observing the hypocritical antics of the mayor and city council. Why do we even bother? Citizen input and recommendations? Hardly; it's a charade.

Regards,  
William Rodger, PhD  
South 905 - 737 Humboldt Street,  
Victoria, BC  
V8W 1B1

发自我的华为手机

To whom this concerns:

The owner of Unit 705 of 788 Humboldt Street strongly objects to the proposed development at 767 Douglas Street.

Sincerely yours,

Jie



Good afternoon,

The proposed Telus Ocean Building does not respect the City's Downtown Core Area Plan because it does not adequately integrate into the neighbourhood and it exceeds the area's zoning regulations. The Downtown Core Area Plan values the sensitive integration of new developments within this desirable, historic environment. It would be dishonourable for a development to proceed that does not follow the Plan, which has been put forth and agreed upon by our City's political leaders.

The Inner Harbour District is a unique area that provides a significant draw for visitors to Victoria. The City's iconic skyline and the local area's old-world vitality will be harmed if the prescribed Plan is not followed. This will result in irreparable damage to the City's second largest economic driver, the tourism industry. In order to show some semblance of regard for the City's Plan, the building's massive size should be pared back to reduce its dominant impact on the surrounding area.

The proposed building surpasses current zoning regulations in all major areas – height, density, and setback. This lack of compliance, if approved, would be very concerning for individuals and businesses who have invested in the area with the fundamental expectation that the community plan put forth by our City officials would be respected. This disregard for basic process would damage the City's reputation and dissuade future investment.

In order to attempt to integrate into the neighbourhood, the Telus Ocean Building should be constructed within the height, density, and setback parameters contemplated in the City of Victoria's zoning regulations for the Inner Harbour District.

Your review and consideration of the above commentary is appreciated.

Logan Phillips

Tim Chmiliar  
#805 – 708 Burdett Ave.  
Victoria, B.C, V8W0A8

To:  
The Honorable Mayor and City Council

Copy:  
Ian Sutherland, Community Association Land Use Committee representative  
Luke Mari, ARYZE Developments

October 30, 2020


Re: Proposed development for the property at 767 Douglas Street.


I support the TELUS Ocean building design as it has been proposed, including the 51-meter height and 5.57:1 floor space ratio.

I also believe that an overwhelming majority of residents in the immediate area surrounding the site and the general population of Victoria are similarly in favor of the proposed design. Of course, the concerns of the minority must always be taken into consideration, and there could be refinements to the proposed project, but to argue that the building is too high is unjustified when the existing buildings right next to it are just as tall or taller (Falls north tower, Astoria, Chateau Victoria, Hilton Double Tree, Marriot Hotel).

Yes, we could have a shorter building on that site, but we could also have a building that is 17 meters closer to the Aria residential building, or one that does not include the slope from the 5<sup>th</sup> to 12<sup>th</sup> floor on the south end of the building, or the open double-spaced floors on the front corner facing north, all of which reduce the floor space for the developer. Do we really want to deny the zoning changes for an additional 8 meters in height and relatively inconsequential increased Floor Space Ratio? As they say, be careful of what you wish for.

I own the condominium on the 8th floor, south-west corner of The Falls and will no longer be able to see the mountains in Washington State or the BC Legislature, or enjoy any direct sunlight throughout the day. Please approve the changes to the zoning to allow this iconic Class AAA office building to proceed as it has been proposed.

  
Sincerely,  
Tim Chmiliar



Mayor and Council

As a Strata member and a long term resident of the Humboldt Valley. I welcome aesthetic and contributing neighbours to the street. However there are clear divergent interests of proposed commercial and existent residential. This proposed building must be properly adjudicated to serve both interests. This is the heart of the city, and constitutes a "bowl" of descending topography, allowing a share of air, space, view and light corridor. Our greatest concern is height. The building should not be higher than the area. Respect should be paid to our community. This height is out of proportion with what is reasonable. Paula Callahan 1208 the Astoria

Hello,

I am writing to express my concern about the zoning modifications being considered for the development at 767 Douglas St. I do not oppose the building itself it is the change in the zoning requirements that concern me. Most notably the height. I am very concerned on the impact to the fabulous Fairmont Empress Hotel. It will forever be cheapened & its divine beauty lessened if the height zoning requirements were violated to what they propose. The current zoning height should not be raised. The Fairmont Empress & Victoria deserve better than a skyline cheapened by corporate logos!

Thank you for listening.

Terri King

1801-707 Courtney St

Dear Mayor Helps and Council Members,

I have recently read this article published in the Guardian, a British news source I read. Although it refers to the state of a much larger city than ours in a different country, the same situation will eventually trickle down to smaller cities and other countries around the world. It got me thinking about the already unused office space in Victoria and the surrounding area and all the “for lease” signs I see in windows around our city. Perhaps the future will not be kind to the type of structure envisioned in our neighbourhood by you and our Council.

<https://www.theguardian.com/commentisfree/2020/nov/13/office-block-cities-coronavirus-cultural-activities-countryside>

Let us not build a modern day dinosaur in our city that both present and future residents in this neighbourhood will regret. I again ask that anything built on this site conform to the zoning established prior to any major development taking place here. After all, we may ask ourselves, what is the point of community standards and zoning bylaws if they are brushed aside at the whim of a shortsighted Mayor and Council only interested in vanity projects while ignoring the will of the people who actually live here?

Thank you once again for your time and consideration of my point of view.

Robert Newton  
405 - 708 Burdett Avenue  
Victoria, BC  
V8W 0A8



Dear Mayor Helps and Council Members,

I have recently read this article published in the Guardian, a British news source I read. Although it refers to the state of a much larger city than ours in a different country, the same situation will eventually trickle down to smaller cities and other countries around the world. It got me thinking about the already unused office space in Victoria and the surrounding area and all the “for lease” signs I see in windows around our city. Perhaps the future will not be kind to the type of structure envisioned in our neighbourhood by you and our Council.

## The office block has had its day. But what will replace it?

[Simon Jenkins](#)



Cities emptied by the coronavirus can focus on cultural activities, while the countryside we flee to must be protected

London's Square Mile, August 2020: 'Those totem poles of 20th-century prosperity, gleaming glass towers crammed with worker bees, are clearly past their peak.' Photograph: Martin Godwin/The Guardian  
Fri 13 Nov 2020 10.00 GMT

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oes a Christian need a church? Does a shopper need a shop? Does an office worker

need an office block? We know these places help bring people together and can deepen the experience. But when the coronavirus has passed I believe the truth will be revealed. Technology means that we can perform most of these tasks from anywhere, including home. After the first lockdown, surveys suggested that the office's days were numbered. Since the 1990s, the internet has supposedly liberated white-collar workers from their desks, but it has taken a pandemic to truly break the ritual. When the initial lockdown ended in the summer and Boris Johnson ordered the nation back to work, surveys in July reported that most workers wanted to split their time between working at home and in the office. Even so, there was an assumption that most businesses would eventually return to almost pre-pandemic practices.

The second lockdown is making this most unlikely. This week, YouGov published a survey carried out in October, before the new lockdown was announced, which found support for the office had collapsed. A mere 7% of workers want to return to five-day office hubs rather than new hybrid arrangements. Fifty percent dislike commuting and 72% suggested comfort as the major benefit of working from home. A majority accepted that creativity and teamwork were diluted, but a quarter enjoyed having more time away from colleagues. The chief opposition was from bosses, with only 13% believing they can “manage or train teams as effectively when working remotely”.

What this means to the world of offices is already glaring. I walked through the City of London last week and it was an eerie place, as if the streets themselves had caught the plague. The market had spoken and giants were crashing. London's Landsec property empire has just declared an £835m half-year loss and slashed its portfolio value by almost £1bn. Great Portland Estates this week reported a £155m half-year loss. The residential prices tracker, Zoopla, has rents following that trend, with strong rises in suburbs and out of big towns but already falling by 5% in London, while also down in central Manchester and Birmingham. The fall is expected to continue. Not only do many people dislike offices, they see no need to live near them.

Even if the eventual decline in office working is confined to 30-40%, the impact on cities must be intense. Those totem poles of 20th-century prosperity, gleaming glass towers crammed with worker bees, are clearly past their peak. There will be offices for essential staff, but they can be anywhere. In cities, they are wanted in smaller, bespoke units in areas of character. As rents fall in the City of London, they rise in Soho, Shoreditch and Manchester's Northern Quarter. It's lucky that that city kept its old buildings.

This has to be good news, ultimately. A decade of reckless London non-planning – largely under Boris Johnson as mayor – has a wild 3m square metres of speculative offices in the pipeline, three quarters of it yet to begin construction and probably useless. The waste of building resources is a scandal. Sadly, the biggest and ugliest block in the City, the monstrous 22 Bishopsgate, has just been completed. Perhaps one day it will be occupied by squatters. But at least this era can be consigned to history. Falling rents should draw more

city-friendly creative and leisure activities into central areas, humanising and downscaling them.

The 2010 student protests were vilified – but their warnings of austerity Britain were proved right

*Dan Hancox*

[Read more](#)

What this means for out of town areas is more debatable. I know many people who have found being cooped up in confined spaces stressful. Modern families are seldom fashioned for claustrophobic living, especially if two people are working from home, with children tossed into the mix. At the same time, we know the pandemic has drawn people closer.

Streets have changed character from dormitories to neighbourhoods. The solitude of lockdown is relieved by the sense of community. I have lost count of how many people tell me they feel they now “live in a village”.

Such living is strangely like a return to a pre-industrial age, when people did not have to travel far from home to find work. The merchant delivers to the door. Services are essentially local. These benefits are real. They mean people have more time to [take on community responsibilities](#), as has been noted during the pandemic. Life might even return to declining institutions, to local shops, pubs, churches and sports.

One danger is clear. The Zoom generation is up and running across rural England, fleeing the cities for all it can. I have never seen more advertisements in Country Life magazine than in this summer’s [Cotswolds special issue](#). Villages and small towns are filling up: but when everyone wants to live in rural bliss, the countryside will go the way of Middlesex and not be countryside any more. This calls for a revival of a once great British profession now all but dead – that of town and country planning. If rural Britain is to be shared by all, it will need the most careful oversight. Yet Johnson’s [recent planning proposals](#) are a retread of what he did for London – let money and capital dictate all.

• Simon Jenkins is a Guardian columnist

Let us not build a modern day dinosaur in our city that both present and future residents in this neighbourhood will regret. I again ask that anything built on this site conform to the zoning established prior to any major development taking place here. After all, we may ask ourselves, what is the point of community standards and zoning bylaws if they are brushed aside at the whim of a shortsighted Mayor and Council only interested in vanity projects while ignoring the will of the people who actually live here?

Thank you once again for your time and consideration of my point of view.

Robert Newton  
405 - 708 Burdett Avenue  
Victoria, BC  
V8W 0A8

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Humboldt Valley Committee

## An Open Letter to Victoria Mayor and Council

Recently, TELUS Ocean added a document to their website, titled ***What We're Hearing 1.0*** (November 2020). This document aims to outline the project's public engagement and communication initiatives and provide an initial response to some of the issues raised by the public. Unfortunately, this report contains a number of puzzling errors and distortions which further cloud rather than clarify the issues. The most consequential of these is the Project Team response to concerns expressed about the height and massing of the proposed building. [Note 1]

### **Claim 1. People should have expected a tall building on this site.**

The developers point out that the Humboldt Valley has become an area of tall (midrise and highrise) buildings and that the TELUS Ocean site is already zoned for a building up to 43m tall. They show the profile of their proposed building compared to the other buildings in the Humboldt Valley. [Note 2] Although that does illustrate that some other buildings are as tall as the proposed TELUS Ocean, it also shows clearly the relative overall size of the proposal compared to its neighbours. It looks much more massive than any of the neighbouring single tower buildings and as big or bigger than the two twin tower buildings nearby.

### **Claim 2. There are good policy and economic reasons for the building size.**

The developers argue that the Downtown Area Plan (DCAP) would support the construction of a 45m tall building, gaining another two meters to their base height. Then they go on to explain that their design, while significantly higher at 53m, represents a fair way of "balancing of local area policy with unique site conditions." [Note 3]

The developers show how they generate a maximal building envelope for the site by pushing up a volume defined by the site boundaries to the maximum permitted height and then applying rules on required setbacks (any distances the building must push back from the edges of the site) and what could be called stepbacks (the line that defines how much a building must push back from the street frontage at various heights to prevent the creation of highrise canyons).

### **Claim 3. The proposed building is smaller than it could be.**

The next part is the key distortion in this argument. The developers show how the sides of this building envelope compare with the facades of the proposed TELUS Ocean building. TELUS Ocean as proposed differs from the building envelope because it includes a significant setback along the "Penwell Connector" – the right of way separating the building from its nearest neighbour, the ARIA



condominium. [Note 4] Because of this setback, TELUS Ocean compensates by increasing its height from 43m to 53m and eliminating stepbacks (except for a slice back along the southern edge). The developers illustrate that the proposed TELUS Ocean facades are in fact comparable to or a little smaller in area to (3 of) the sides of the permitted maximal building envelope. Thus, nobody can complain that the building massing is greater than they should have expected under the existing zoning. Any argument that Humboldt Valley neighbours were blindsided by the size of TELUS Ocean should be dismissed.

### **Counterargument. The zoned density tells a different story.**

This argument is remarkable because it is blatantly false! **The building envelope the developers display is meant to define not the volume of the permitted building but the edges within which the proposed building is meant to fit.** Any edges or protrusions that extend outside that (like the height above 43m or the shear wall that ignores the required stepbacks) are the subject of variance or rezoning applications. The actual size of the building is constrained by another major consideration that the developers have not applied here. That is the zoned density, the floor space ratio (FSR) – a comparison of the total floorspace of the building with the total area of the lot. **The TELUS Ocean lot is currently zoned for an FSR of 3:1 and, under Official Community Plan guidelines, could be increased to a maximum of 4:1 if appropriate bonusing were merited.**

It is simply false that there is permission to build out to the maximal building envelope limits. Such a building would be enormous; no neighbour would have considered that scenario possible. In fact, under current zoning, a building built out to roughly the lot boundaries would result in a squat bulky TELUS Ocean only three storeys high; four storeys if maximal bonusing were achieved. [Note 5] **That the developers are asking for an increase to 5.6 FSR – more than 85% bigger than current zoning - is hardly an indication of concessions on the part of the developers.**

### **Conclusion and Request for City Council Action**

In short, this whole display put forward by the developers is designed to mislead. If we can't have any trust in the developers, we must depend on City Council to be a fair arbiter. Existing community interests deserve to have some consideration and be protected from the self-interest of powerful developers. The City, as the seller of this property, needs to take special care to ensure that the developers are upholding the City's own planning policies. TELUS Ocean as proposed is bigger than anyone had reason to anticipate on this relatively small site and it should be reduced to be appropriate in its context.

Sincerely,

Ruth Annis, Chair, Humboldt Valley Committee

Diane Chimich, President, Belvedere Strata Council  
Brenda Dean, President, Astoria Strata Council  
Stafford Bingham, President, The Falls Strata Council  
Ryan Mueller, President, ARIA Strata Council

## Notes

[Note 1] The TELUS Ocean document covers other issues raised by residents, including shading of neighbouring properties, traffic (during construction and afterwards), parking, and danger of bird strikes (bird deaths caused by flying into the glass facades). These are legitimate concerns, have not yet been adequately addressed by the developers, and deserve City attention once the major design issue of height and massing has been settled. We hope to engage in those discussions as well.

[Note 2] It is a niggling point but there are some minor errors in TELUS Ocean documents which persist. Here, the Astoria condominium, at 751 Fairfield, is again identified as City Life Suites, the name of an AirB&B rental in the building which comes up when viewing Google Maps. This mistake might be understandable for the TELUS Ocean architectural firm, which is not local. But it does not speak well for the local developer that is a partner in this proposal, who should be providing local context. Just to underscore that, the height of the Astoria is also mis-stated.

[Note 3] Because the proposed increased height is considerable, the developers seek to buttress their argument by tying it to the “Urban Amphitheatre Concept”. They explain that City planning goals encourage the proposed building height to be tall enough to be visible behind the Empress Hotel and provide a backdrop to its historic roofline. Unfortunately, this is a mischaracterization of downtown zoning to implement the amphitheatre concept, which ramps up north of the TELUS Ocean site.

[Note 4] In fact, the developers explain that this setback was introduced specifically to provide “an appropriate” building separation from the ARIA condominium, which would otherwise be only a few meters away. While this separation is indeed a welcome feature for residents in the ARIA, the explanation is somewhat suspect because the “Penwell Connector” was initially proposed explicitly as a concession to help preserve a view corridor for the Hilton Doubletree and Marriott Hotels across Humboldt Street and only afterward was restated as a concession to the ARIA. (*TELUS Ocean Development Concept*, May 25, 2017, from a redacted version of the proposal to Victoria City Council)

[Note 5] As the developers themselves explain, because typical storeys in commercial buildings are 40% higher than typical residential storeys, an office building at an FSR of 3:1 will be 40% bulkier than a residential building at the same density.

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Michael Faulkner  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Romi Lagadin  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
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Thank you for your consideration.

Sincerely,

Erik Bentzon  
Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Chris Cutlan  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Donald Sutherland  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Valerie York  
Victoria Resident,

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Bruce Edmundson  
Interested Stakeholder

City of Victoria Mayor and Councillors,

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- o Create high-value jobs in the tech and innovation sectors.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Eric Hoffman  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.

Thank you for your consideration.

Sincerely,

Ryan Geddes  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors (the sector I work in and one that is growing in Victoria and creating a lot of well paying jobs for individuals and young families).
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location (please redevelop all surface parking lots into place we can live, work and play, please).
- o Complement the surrounding community with world-class, iconic architecture. I have spent time in London where new and old buildings intermingle beautifully together. Victoria can benefit from this as well.

Thank you for your consideration.

Sincerely,

Sarah Nickerson  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Tyson Villeneuve  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Lisa Edwards  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Mira Vance  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Chris Fitzpatrick  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Chanah Aviva Caplan  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Glen Ferguson  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Werner Tillinger  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Harold Crouch  
Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Jeff Pardee  
Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Joseph Willson  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.

Thank you for your consideration.

Sincerely,

Reg Boyd  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Steve Sharlow  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Karen Sharlow  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria. Their philanthropic grants add core support to many organizations in our region and often also bring volunteer investment. Beyond that, they have chosen a location that already is high density so neighbours cannot really object.

I agree that the resulting structure will contain public beneficial space and design that also will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Marg Rose  
Dallas Rd,  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Tessa McLoughlin  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Gina Sindberg  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Max Olesen  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Daniel Andrews  
Victoria Resident,



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

John Robert Pickersgill SR.  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

J Purvis  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Scott Dutchak  
Victoria Resident

Greeting to the City of Victoria Mayor and Councillors,

I respect the time and energy that Aryze Developments puts into all their projects, and truly believe the TELUS Ocean will present an opportunity for Downtown Victoria to present a modern, thoughtful, engaging face to the world.

As such I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria for a host of reasons, but most specifically I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Create new vibrant, inviting, and productive public space.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

I appreciate your consideration on this project, and all the valuable infrastructure you've developed in Victoria over your term(s),

Thanks,  
Jordan Stout  
Downtown Victoria Resident

City of Victoria Mayor and Councillors,

As a resident of Broughton Street, only blocks away from the proposed project, I would greatly welcome Telus Ocean to my neighbourhood. It will bring a new energy into this commonly overlooked corridor of the city. Further, it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.

Thank you for your consideration.

Sincerely,

Aaron Bergunder  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Kip Clancy  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Clint Plett  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Mark Donahue  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Graham Finch  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

I live in the downtown core and think that specific area could use a touch of innovation and beautifying!

Thank you for your consideration.

Sincerely,

Justine Shu  
Victoria Resident



Hello, Lisa Helps and city of Victoria Councillors,

I'd like to express my support for the TELUS Ocean building. I bike by this corner almost daily and think it will make a fantastic addition to the city's core. It will draw beneficial commercial interest to the southwest part of downtown (an improvement from a few mobile-offices for rental car companies). I think the project team is fantastic, and the resulting development will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,  
Jesse Campbell  
A resident of Cook Street Village

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Daniel Gao  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Sarah Ueland  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Charron Hamilton  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Kayle Rizzo  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Peter Machnee  
Victoria Resident

This development will catalyze more growth around the Leg and lower Douglas Street. All much needed.

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Andrew Armstrong  
Victoria Resident,

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Sarah May  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Amrit Pal Singh  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Yvonne Blum  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.

Thank you for your consideration.

Sincerely,

Terry Bergen  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Joanne Jenkins  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Talin Mirzayan  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Lisa Reinhardt  
Interested Stakeholder



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria for the following reason(s):

It will create high-value jobs in the tech and innovation sectors.

It will contribute to a stronger, more resilient economy.

It will create new vibrant, inviting, and productive public space.

It will offer sustainable office space in the central business district.

It will bring life to an existing vehicle parking lot in a prominent downtown location.

It will complement the surrounding community with world-class, iconic architecture.

Thank you,  
Leslie Dube

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Krysta Mae  
Victoria Resident

City of Victoria Mayor and Councillors,

I am a resident of the city of Victoria. I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to downtown Victoria for the following reasons:

- It will contribute to a stronger, more resilient economy
- It will create new vibrant and productive public space
- It will offer sustainable office space in the central business district
- It will bring life to an existing vehicle parking to in a prominent downtown location
- It will complement the surrounding community with world-class, iconic architecture

Thank you for your time!

Best,  
Emily

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Sarah Prows  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Victoria Wells  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Sebastien Brotherton  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Fabrice Christen  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Marlon Coy-Veliz  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Contribute to a stronger, more resilient economy.
- o Offer sustainable office space in the Central Business District.

Thank you for your consideration.

Sincerely,

Kevin Klasen  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Paola Moore  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Kyle Milloy

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- e

Thank you for your consideration.

Sincerely,

e e

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

asdf asdf

Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

SEAN MIDWOOD  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Laura Feeleus  
Arc.hive artist run centre founder  
Gage Gallery Treasurer  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Paul Butler

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.

Thank you for your consideration.

Sincerely,

Kyle Harrison

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
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- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Mary Sandwith

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Phil Richardson

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Don Hill

Interested Stakeholder



City of Victoria Mayor and Councillors,

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- Complement the surrounding community with world-class, iconic architecture.

Victoria need new growth and by encouraging this, it will show other developments that this city welcome creative developments that will fit it's needs. Change is good if we are willing to open ourselves to new technology and innovations.

Thank you for your consideration.

Sincerely,

STEPHEN TRAN

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Sean Donnelly

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Michelle Harrington

Interested Stakeholder

City of Victoria Mayor and Councillors,

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- Contribute to a stronger, more resilient economy.
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- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.
- I love the TELUS buildings in Vancouver and other cities in Canada.
- Victoria would have a nicer downtown with TELUS Ocean

Thank you for your consideration.

Sincerely,

Aaron Slingsby

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Bruce Yoshida

Interested Stakeholder



City of Victoria Mayor and Councillors,

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- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Kelly Rawson

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Begum Kabatas

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Nikki Warnock

Interested Stakeholder

City of Victoria Mayor and Councillors,

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- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

I am proud to be a TELUS team member and am so excited for a world-class, LEEDcertified space in which to work. TELUS Ocean will be a beautiful addition to Victoria's downtown.

Thank you for your consideration.

Sincerely,

Melanie Jagiello

Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Anthony Redmond

Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Charlene Tikk

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Kathy Baan

Interested Stakeholder

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Thank you for your consideration.

Sincerely,

Sherri Lehan

Interested Stakeholder

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Thank you for your consideration.

Sincerely,

Craig Adams

Victoria Resident

City of Victoria Mayor and Councillors,

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The area where this building is planned is currently a Budget Car Rental/Car Park next to the Crystal Gardens. I think it would be an asset to the lower end of Douglas Street just across the road from the Victoria Conference Centre. I think this would be a huge asset to the City of Victoria. Thank you.

Thank you for your consideration.

Sincerely,

Kate Braunizer

Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Jill Healey

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Brian Marshand

Interested Stakeholder

City of Victoria Mayor and Councillors,

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- Contribute to a stronger, more resilient economy.
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Thank you for your consideration.

Sincerely,

Maurice Popescu

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Adam Kozyniak

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Lori Polukoshko

Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Donald McIsaac

Victoria Resident

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- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.
- It will strengthen the city's brand, it's image and reputation as a great place to do business.

Thank you for your consideration.

Sincerely,

David Turgeon

Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Lisa Knechtel

Interested Stakeholder

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- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.
- TELUS always has the unwavering commitment to improve the environment with their LEED-certified buildings. Their beautiful architectural designs are also impactful to any city skyline.

Thank you for your consideration.

Sincerely,

Cindy Chan

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Michael Louie

Interested Stakeholder



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Thank you for your consideration.

Sincerely,

Andrea Blaylock

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Mary Verissimo

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Christopher Ridge

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Melody Mui

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

James Avery

Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Diane Singh

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Theresa Fong

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Ron Prasad

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Nick Rainbow

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Dan Watson

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Jacquie Engman

Interested Stakeholder



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Thank you for your consideration.

Sincerely,

Loren Pedersen

Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Suzanne Morris

Interested Stakeholder

City of Victoria Mayor and Councillors,

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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Lee Tanner  
Victoria Resident,

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Pete Pietramala

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Sarita Sall

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Kari McLeod

Interested Stakeholder



City of Victoria Mayor and Councillors,

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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Lisa Knechtel  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean.

I met my husband in Victoria when I was at school at Royal Roads University. We ended having to leave Victoria, and move to Toronto as the job opportunities on the island were extremely limited. I hope to eventually move back, as that is where all my husband's family lives, however only possible if the island invests in the economy and development. We need to be creating more job opportunities in tech for this generation and future ones, especially with tourism on-hold and the industry expected to face a slow recovery for years ahead.

This is why: I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.

Thank you for your consideration.

Sincerely,

Kristin Izumi  
Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Karin Kondas  
Victoria Resident

City of Victoria Mayor and Councillors,

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- o Contribute to a stronger, more resilient economy.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.

Thank you for your consideration.

Sincerely,

Jim Young  
Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Jason Macdonnell  
Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Rob Inkster  
Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Lisa Gruosso  
Victoria Downtown Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Rachael Clarke  
Greater Victoria Resident/ Downtown Victoria Employee

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.

Thank you for your consideration.

Sincerely,

Kyle Empringham

Victoria Resident

City of Victoria Mayor and Councillors,

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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

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Maureen Shaw  
Victoria Resident

City of Victoria Mayor and Councillors,

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Sincerely,

Beth Gibson  
Victoria Resident

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Thank you for your consideration.

Sincerely,

Brandon

Brandon Williams  
407-860 View Street



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Anthony Thorne  
Victoria Resident

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Doug Millen  
Victoria Resident

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Toni Bramley  
Victoria Resident

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Kimberly Banfield  
Victoria Resident

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Victoria Resident

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Norra Mirosevic  
Victoria Resident



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Jack Bates  
Interested Stakeholder

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Sheila Nykwist  
Victoria Resident

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Thank you for your consideration.

Sincerely,

Terry Ann Lyon  
Victoria Resident

Re: TELUS Ocean proposal  
To: Victoria Mayor and Council  
From: the Humboldt Valley Committee  
January 8, 2021



Dear Mayor Helps and Councillors:

In December 2020, the developers of TELUS Ocean have provided revised plans and also their response to questions from various city officials – now posted on the City’s Development Tracker. These documents prompt this letter to City Council.

As the resubmitted plans make clear, the design changes made by the developers are relatively minor. There are various tweaks and refinements – notably to the geometry and to some extent the materials of the facades - but the clear statement is that everything is now ready to go.

That same position runs all through responses to city department questions, which in terms of height, density and setback issues largely echoed questions that the Humboldt Valley Committee has raised. Where there are City policies, guidelines or regulations that would appear to constrain the development program, the developer sees only design opportunities.

On even the most fundamental questions of building scale and placement on the site, the answers given are that TELUS Ocean is contextually responsive and suitable. Indeed, the developers argue that, in their desire to give back as much as possible to the public realm, the building footprint has been reduced to a “functional minimum”.

Unfortunately, for the majority of us who do not have the ability to visualize architecture in the round, the many illustrations and renderings presented by the developer, while instructive, do not help us see the building in its full context. We see drawings of each façade in relation to a neighbouring building but never the complete ensemble. One of the first requests Humboldt Valley residents made, in public meetings with the developer, was to help us visualize TELUS Ocean in its context. We were promised a “drone study” and a mapping of the building outline - but those have not materialized.

The Developers urge us to accept that a landmark building is rising in our midst and to give them all the variances and zoning changes they want to make it a standout. But we continue to worry about the scale of the building and how that will impact our community. We want to determine that claims of contextual suitability made by the developers are accurate and that the building does not overwhelm the site and all its neighbours. In some instances, the City can ask for a maquette of a proposed design. **We request that City Council ask the developers to provide a scale model of TELUS Ocean, shown among the neighbouring buildings** – simplified massing of the Empress, the Conference Centre, the Crystal Garden, the Aria, the Marriott, the Hilton Doubletree, the Falls, and Nootka Court – so we can all see how well it fits. Please help us achieve this level of understanding.

Respectfully,

Ruth Annis  
Chair, Humboldt Valley Committee  
737 Humboldt Street

*HVC is an informal network linking the strata councils of the ARIA, Astoria, Belvedere and the Falls, and includes outreach to local businesses and Church of Our Lord.*

To you, Madame Mayor and Council of Victoria, B.C.  
Hoping that you will at least read my plea.  
It's short, you are busy, 'no reply needed'.

\*\*\*

We came here in 2002 from Toronto.  
Every early-morning, at the base of their tall buildings, city workers found  
piled-up bodies of dead birds.  
A F.L.A.P. of people formed, on a daily dawn-hunt for any still alive, to help keep-them-alive-  
then-fly-away.

\*\*\*

Recently, here in our new Victoria home, we read about the 'intended' very tall building  
gauged at seventeen (17?) stories, businesses on the gd. flr. included.  
You should not approve that .. please lower the height.

Most all of Victoria's residents *love* our ornithological beauties. Sadly a public response in  
the Times Colonist had none/few letters about this major lack of awareness. Such height  
should *never* happen in our unique and bird attractive city.

And why was there no evident *Comment* by Mr. Obee?

\*\*\*\*\*

Please do not decimate such wonderful visuals of Victoria.  
Most especially think of our heart-warming birds.

Thank you.  
*Ann Kroeker*

Dear Mayor Helps and Victoria Council,

I am reaching out because of concerns with the proposed Telus Ocean building at 767 Douglas St (DPV00155). I submitted comments previously about bird collision concerns given the huge amount of reflective glass they plan to use. However, when I heard about their responses to concerns about bird collisions, I wanted to send additional comments, and with the comments period officially over, this appears to be the only way.

The applicant's response contains methods that are insufficient or ineffective at preventing collisions, and does not follow any science-based guidelines for preventing collisions, such as the Toronto Green Standard or the CSA bird-friendly building guidelines.

The applicant says that glazing in proximity to trees will be treated with frit or film that is only visible to birds, such as Ornilux. Unfortunately Ornilux glass, which has UV-reflective patterns in it, has shown mixed results when tested for effectiveness. In some conditions, it was actually found to [increase collisions](#). UV treatments are also less effective than visible collision deterrents because many species of birds cannot see UV light, and there is little UV light available to be reflected early in the morning, when most collisions occur.

The Toronto Green Standard requires that 85% of glazing within the first 16 m of the building be treated to prevent collisions, as well as 4 m above rooftop terraces. The applicant's proposal to treat only the areas around trees is insufficient to prevent collisions occurring elsewhere on the building.

The proposed mitigation measures are insufficient to prevent collisions, and use materials with unproven effectiveness. To show their commitment to effective bird collision prevention, the applicant should ensure their proposal follows science-based bird-friendly design guidelines such as the Toronto Green Standard or the CSA bird-friendly design standard.

Thank you,

Willow English



Mayor Helps and Council,

I am writing in support of the Telus building proposal.

I can see that it would be a beautiful and functional addition to the Victoria Downtown scene. It is only a few blocks from my residence and I would be able to add it to the many spots that I frequent in non Covid 19 times.

The architects have presented a clear vision and a great presentation and an honest effort to improve on the core of the city. Please vote for this important building.

Yours truly,

Ben Levinson, B. Arch, MRAIC Life Member, MAIBC Member for Life, BEP, Retired.  
501- 636 Montreal Street  
Victoria, BC V8V 4Y1

P. S. I am not involved in this project in any way.

I would like to strongly express my support for Telus Ocean. This city property has been underutilized for decades. I can't find the date of the city's proposal to sell 2 lots, and build a Children's museum on the 3rd lot. Also the Crystal Gardens,, same situation. City turned down a brewery proposal, however the RFP, request for proposal also went unanswered. Diversity is the most important issue facing Victoria's business community. Business vacancies, lack of tourism, unsafe downtown are factors in the movement out to the West Shore. Thousands of new condo/apartment units....Jobs are needed to attract a more stable community.

I do not need to state all the other reasons to support this proposal. Others are more eloquent than I.

Thank You

Catherine Brankston

314 999 Burdett Ave

Victoria BC

V8V 3 G7

**To: Mayor and Councilors, City of Victoria**

**Re: TELUS Ocean applications for development permit variances and rezoning**

**Date: February 23, 2021**

Dear Mayor Helps and Councilors:

I have not submitted a picture with this letter but it may be helpful for you to go to the Aryze Developments Instagram site and view the scale model of TELUS Ocean in amongst the surrounding buildings: <https://www.instagram.com/p/CLaL4DKD3qv/>

I have written to City Council before, arguing that TELUS Ocean's neighbours deserve consideration by City Council for our call to scale back the proposed rezoning because we could not reasonably have expected a building of this magnitude to be proposed for this site. In response to this and many similar questions about size, height and density, TELUS / Aryze, the applicants, have responded that we all knew there was going to be a big building here as the site was already zoned CA-4, with a maximum building height of 43meters and an FSR (floor space ratio) of 3.0:1. They argued further that the constraints of the site, need to create some separation from the adjoining condo (The ARIA), choice of building technology, and intent to construct a landmark structure that is economically viable, together forced the need for variances affecting height, density, and setbacks. This results in a proposed building 10 meters taller, over 85% denser, and with essentially sheer glass walls up against the lot frontages along Douglas and Humboldt. But, TELUS / Aryze assure us that this building remains sensitive to the local context. If neighbours see the building as too large, it is merely because, as the last site to be developed, everyone notices the newcomer.

In the face of this comprehensive argument, it is necessary for those who say that TELUS Ocean is too big to explain why development on this scale was not anticipated, is unprecedented, and is indeed out of context.

Let me start with the assertion that a "big" building was always intended for this site. The current zoning, with its density and height limits and required setbacks, suggests that a typical building on this site would present a relatively slender 14 storey tower centered on the kite-shaped lot. Even if building amenities merited a bonus density of 4.0:1, the building would be considerably shorter and less massive than the Hilton Doubletree Hotel that is on an a fairly comparable triangular lot immediately across Humboldt. Indeed, because the Hilton Doubletree has an FSR similar to that which is being sought by TELUS / Aryze, we might expect the new building to be noticeably smaller than its neighbour.

By contrast, what we see in the developers' scale model is that TELUS Ocean presents a much more massive appearance and, in particular, is a building with enormous facades. The wall that the Doubletree Hilton and the much smaller south tower of the Falls condo face rises roughly 18 storeys and runs the full length from Douglas to Penwell. The wall facing the 12 storey ARIA condominium, the nearest building to TELUS Ocean, is about twice the condo's width and 16 meters taller; and this is TELUS Ocean's smallest façade.

TELUS / Aryze argue that such massive facades should also have been anticipated. They take the unusual stance that the entire theoretical building envelope can be built out, entirely disregarding the maximum height, density and required setbacks in the current zoning. Seeking rezoning to make that position possible, they continue to base their façade areas on the theoretical ones they calculated.

What accounts for these dominating façades? The first cause is TELUS Ocean's unusual shape. For any given volume, a building with a triangular floorplate necessarily has larger sides than a more conventional rectangular one. Indeed, when we remember that a triangle's area is half its length times its height, we can see that the façades it presents are the size one would expect in a rectangular building of twice the density, in this case a notional FSR of over 11:0:1. Of course, no one would anticipate this scale.

The other reason for TELUS Ocean's enormous façades is that commercial buildings tend to have greater storey height than residential ones. That means that, for the same FSR, a commercial building will have bigger walls than a residential one. That would be tempered if the maximum building height were enforced but TELUS / Aryze argue that, instead, the building height should be increased to account for the larger storey size. While it is true that the City has been sympathetic to developer arguments for height variances in the downtown, that has been because it created more slender towers – improving view corridors and limiting shading effects. But TELUS / Aryze argue for increased height and, except for a cutback at the south edge, keep the full width. Surely, no one would anticipate this approach.

The triangular floorplate of TELUS Ocean relates to another source of its monumental presence, the commitment to literally stand out, to be a landmark building.

TELUS / Aryze identify it as a "flatiron building". Indeed, this is an iconic design seen in many cities. For example, dating from another era but demonstrating its enduring appeal, there are the *Europe Hotel* in Vancouver's Gastown, the *Gooderham Building* on Wellington Street in Toronto, and of course the famous *Flatiron Building* on Fifth Avenue in Manhattan. Such buildings – typically triangular with a prominent front point and a stubby rear – are natural focal points. And this is true regardless of their absolute size; even at the current height and density limits, such a building would be monumental.

TELUS / Aryze describe the site as “a key apex terminus”. However, choosing this flatiron design is a bold decision on the part of the developers because the site location is not ideal. The Downtown Core Area Plan’s urban design section describes “Terminated Vista street conditions” at some length and shows how this works for an “inflected street intersection”. It is true that the TELUS Ocean lot is situated where the regular street grid is broken at the 5 corner intersection and Douglas Street narrows slightly. But it is mainly the fact that the Hilton Doubletree Hotel stands quite far back from its corner that makes a pointed design pushed as far forward as possible at the Douglas and Humboldt corner visible from afar, looking south down Douglas.

TELUS / Aryze spend considerable effort arguing how the building placement on the lot is the result of their care to provide the best possible separation between TELUS Ocean and neighbouring buildings. Indeed, once they create a street width separation from their nearest neighbour, the ARIA (thus forming the “Penwell Extension”), they are more or less “forced” to position TELUS Ocean in the Douglas and Humboldt corner. It is true that ARIA residents are very interested in having as much separation as possible from TELUS Ocean (and are concerned by the TELUS / Aryze assertion that TELUS Ocean could be built 3 meters from the ARIA). The Doubletree Hilton is also interested in preserving the “Penwell Extension” as a sliver of a view corridor. That said, the fact that this separation pushes the new building into much greater prominence raises questions about whether sensitivity to its neighbours was the main driver here.

That placement on the lot means that TELUS Ocean crowds the sidewalk on both Douglas and Humboldt Streets. In this regard, the building is quite different than nearly all its neighbours (the partial exception being the podium of the Hilton Doubletree Hotel along Humboldt) which feature at least very wide sidewalks and in many cases front “plazas” (or a side yard in the case of Church of Our Lord at Humboldt and Blanshard). TELUS / Aryze mitigate this crowding at street level by undercutting the building to increase the sidewalk width. However, that does not change the fact that at any distance the building’s street wall hugs the sidewalks. The effect of this placement is that the views down both Douglas and Humboldt are visibly narrowed.

The Developers never followed up on their promise to temporarily paint the outline of the building’s triangular cross-section (footprint) on the ground so Humboldt Valley residents could understand TELUS Ocean’s dimensions and placement. However, you can get some sense of that in their rendering showing the view south down Douglas, where TELUS Ocean’s prow stands out very prominently and you can’t see any buildings beyond it.

That said, TELUS Ocean is not a typical flatiron design. It has a triangular floorplate with an acute point at the north end at Humboldt and Douglas and, unexpectedly, another acute point

at the south end facing the Crystal Garden. If one focal point as viewed from Douglas looking south is good, then how about another focal point from south Douglas looking north? However, this design decision introduces a number of additional problems. First, it is the origin of the extreme façade length along Douglas which the cut at the south corner seeks to remediate at roof level. But for the lower floors, the south point extends right to the lot line. In doing so, it visually extends towards the Crystal Garden and changes the feel and orientation of the south plaza, one of the very few public plazas downtown. The point cuts the south plaza off from direct access to the Conference Centre entrance and crosswalk across Douglas and thus changes the sense of connection between the Conference Centre and the Crystal Garden. Instead, it emphasizes the plaza as being behind TELUS Ocean. While the proposal notes that the public realm is being enhanced and extended, it is perhaps equally accurate to say that TELUS Ocean borrows space and extends its presence by using the surrounding public areas at the south and north points.

In conclusion, my argument remains that TELUS Ocean is unexpectedly massive and simply overwhelms its neighbours. Even the Empress, mostly a little further away, suffers from the proximity. For these reasons, I ask the City to: **reject the current rezoning application and give some direction for a reapplication. Please ask the applicant to take into account existing buildings, not just in terms of separation but in terms of appropriate scale. Reduce size to something near current allowed density. Relate more sympathetically to existing building relationships and streetscapes and protect the south plaza.**

Yours respectfully,  
Andy Wachtel  
737 Humboldt Street



**To: Mayor and Councilors, City of Victoria**

**Re: TELUS Ocean applications for development permit variances and rezoning**

**Date: February 23, 2021**

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The Developers never followed up on their promise to temporarily paint the outline of the building’s triangular cross-section (footprint) on the ground so Humboldt Valley residents could understand TELUS Ocean’s dimensions and placement. However, you can get some sense of that in their rendering showing the view south down Douglas, where TELUS Ocean’s prow stands out very prominently and you can’t see any buildings beyond it.

That said, TELUS Ocean is not a typical flatiron design. It has a triangular floorplate with an acute point at the north end at Humboldt and Douglas and, unexpectedly, another acute point

at the south end facing the Crystal Garden. If one focal point as viewed from Douglas looking south is good, then how about another focal point from south Douglas looking north? However, this design decision introduces a number of additional problems. First, it is the origin of the extreme façade length along Douglas which the cut at the south corner seeks to remediate at roof level. But for the lower floors, the south point extends right to the lot line. In doing so, it visually extends towards the Crystal Garden and changes the feel and orientation of the south plaza, one of the very few public plazas downtown. The point cuts the south plaza off from direct access to the Conference Centre entrance and crosswalk across Douglas and thus changes the sense of connection between the Conference Centre and the Crystal Garden. Instead, it emphasizes the plaza as being behind TELUS Ocean. While the proposal notes that the public realm is being enhanced and extended, it is perhaps equally accurate to say that TELUS Ocean borrows space and extends its presence by using the surrounding public areas at the south and north points.

In conclusion, my argument remains that TELUS Ocean is unexpectedly massive and simply overwhelms its neighbours. Even the Empress, mostly a little further away, suffers from the proximity. For these reasons, I ask the City to: **reject the current rezoning application and give some direction for a reapplication. Please ask the applicant to take into account existing buildings, not just in terms of separation but in terms of appropriate scale. Reduce size to something near current allowed density. Relate more sympathetically to existing building relationships and streetscapes and protect the south plaza.**

Yours respectfully,  
Andy Wachtel  
737 Humboldt Street

# THE STRATHCONA



**The Strathcona Hotel | 919 Douglas Street, Victoria, B.C. | 250.383.7137 | strathconahotel.com**

February 23, 2021

Mayor Helps  
City of Victoria  
1 Centennial Square  
Victoria BC  
V8R 1P6

Dear Mayor Helps,

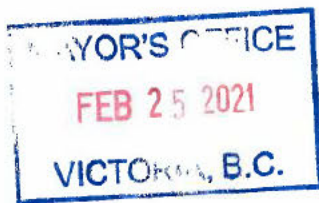
Re: Telus Ocean (REZ00746/DPV00155)

*I am writing to express my support for the Telus Ocean (REZ00746/DPV00155) Project. I am excited to see such a dynamic and environmentally sustainable project coming into the neighbourhood. The public spaces look very interesting and inviting. The smart and connected people working in this building will certainly help strengthen and diversify the local economy and help grow our tech and innovation sectors.*

*I believe this project will help stimulate more investment in Victoria's downtown.*

Yours truly,

Grant Olson, owner  
Strathcona Hotel



**Mel Cooper**  
Whitehall  
#905 - 1120 Beach Drive  
Victoria BC, V8S 2N1

February 24, 2021

Dear Mayor Lisa Helps & Council,

This is a message I feel I must pass on at this moment in time.

It has been the greatest privilege of my life to have been given the opportunity by Darren Entwistle, President & CEO of TELUS, to serve on the TELUS Victoria Community Board; seventeen wonderful years!

Almost 2 years ago, I was personally tasked by Darren to create an awesome, iconic and welcoming destination for our community and a new home for the TELUS Victoria team. Although my role has been a minor one, when compared to the amazing team of consummate professionals who have come together since that day, I have been witness to something beyond my wildest expectations - something truly awesome.

The TELUS Ocean that has been put before you will be a magnificent, landmark addition to our wonderful island home. It will be a presence that will demonstrate an enduring, ever-growing commitment to our community, our ocean and our planet – to “give where we live”; and I sincerely believe, it will also be an inspiration to the global community.

TELUS Ocean, as envisioned in such rich detail, is an inviting, welcoming and awe-inspiring presence; a people-place that is vibrant and alive with spaces and places for learning and sharing, for human-friendly technology that amazes, and art and imagery that is both grounding and glorious. It is an environment that celebrates and encourages communication, creativity and enlightenment.

I have never been more inspired, or excited, about what is going to come alive at the corner of Humboldt and Douglas Streets, in the heart of our beautiful city. You have seen the truly thorough Development Permit Application presentation, and as outstanding as it is, for me, nothing could surpass being present, on opening day, to witness the realization of this most remarkable vision.

Sincerely,

Mel Cooper,

Chair Emeritus of the TELUS Victoria Community Board





## NOTICE OF DISPOSITION OF PROPERTY

Pursuant to Sections 26(3) of the *Community Charter*

**TAKE NOTICE** that The City of Victoria intends to sell the land legally described as Lot 1 of Lots 207, 209, 210, 228 and 1270B, Victoria City, Plan 31886 , Parcel Identifier # 001-121-987 with a civic address of 749-767 Douglas Street, Victoria, British Columbia to TELUS COMMUNICATIONS INC. (TELUS) on the following key terms:

- (a) a gross purchase price of \$8.1 million, plus up to an additional \$1.1 million (to be calculated at \$23.28 per square foot for any building total floor area approved above 111,168 square feet through the municipal rezoning process). Deducted from the gross purchase price will be a \$2.37 million adjustment that, under the terms of the purchase agreement, the City is contributing towards the anticipated costs for atypical environmental remediation requirements and geotechnical conditions at the site. In exchange for this adjustment, TELUS will assume all costs and risks associated with the environmental remediation and geotechnical conditions under the terms of the purchase agreement;
- (b) after the \$2.37 million adjustment is made to the gross purchase price, the amount the City will receive for the disposition of the land, under the terms of the purchase agreement, is the net purchase price of \$5.73 million plus up to an additional \$1.1 million (to be calculated at \$23.28 per square foot for any building total floor area approved above 111,168 square feet through the municipal rezoning process);
- (c) the purchase is conditional upon TELUS obtaining rezoning and all necessary municipal approvals to proceed with the project;
- (d) TELUS to construct project generally in accordance with its project concept submitted to the City as part of its Requests for Expressions of Interest submission;
- (e) TELUS is required to advance the application to rezoning within 18 months after the acceptance date for the purchase;
- (f) City Council retains full and unfettered discretion to reject a rezoning application or to decline development approval for the final project proposal.

Any enquiries concerning this proposal may be directed to the City of Victoria Strategic Real Estate Unit, at 250-361-0543.

**OCP Amendment / Rezoning Application No.  
00746, and Development Permit with Variances  
Application No.000155,  
749-767 Douglas Street, Victoria, BC**



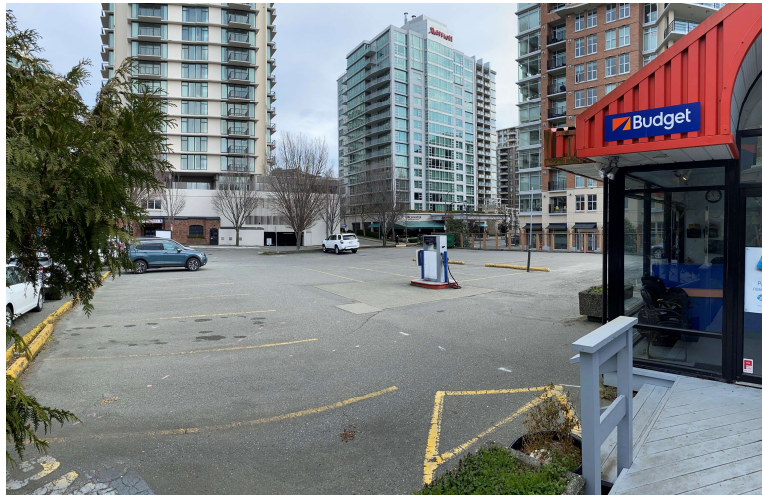
1

**Aerial Map**



2

## Existing Site



3

## Existing Site



4



## Existing Site



5

## Neighbouring Properties



Aria Residential Building – 723 Humboldt St



Marriott Hotel– 728 Humboldt St



Penwill Path



6

## Neighbouring Properties



Hilton Hotel/ Bartholomew's Pub – 777 Douglas St.



The Falls– 809 Douglas St.



7

## Neighbouring Properties



Nootka Court – 808 Douglas St.



Victoria Conference Centre– 750 Douglas St.



8



## Neighbouring Properties

Victoria Conference Centre– 750 Douglas St.



Crystal Garden – 715 Douglas St.



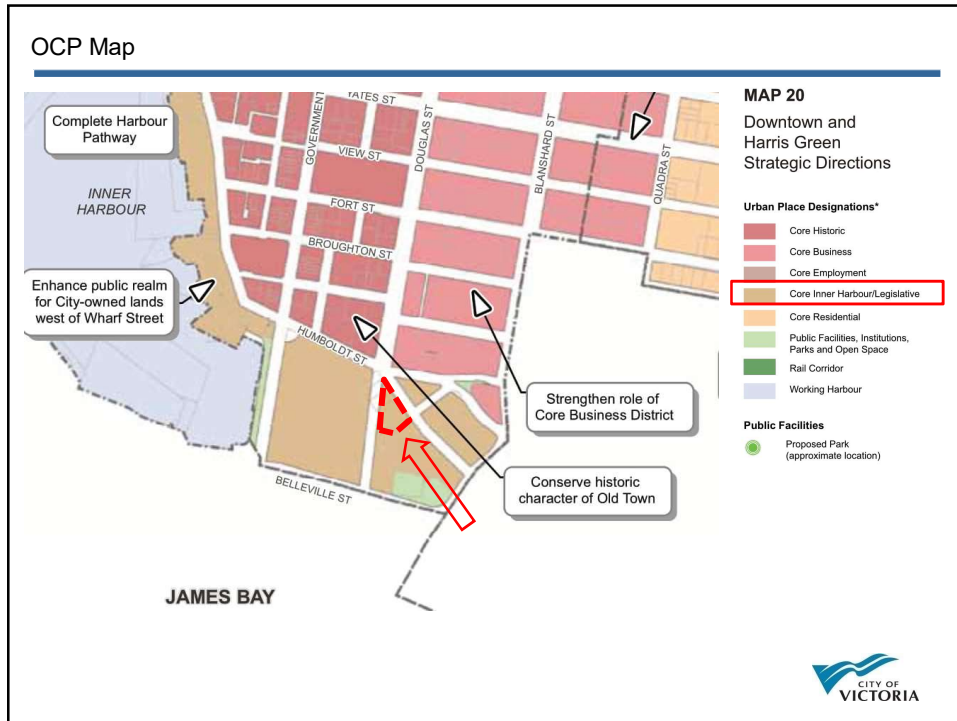
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## Area Context

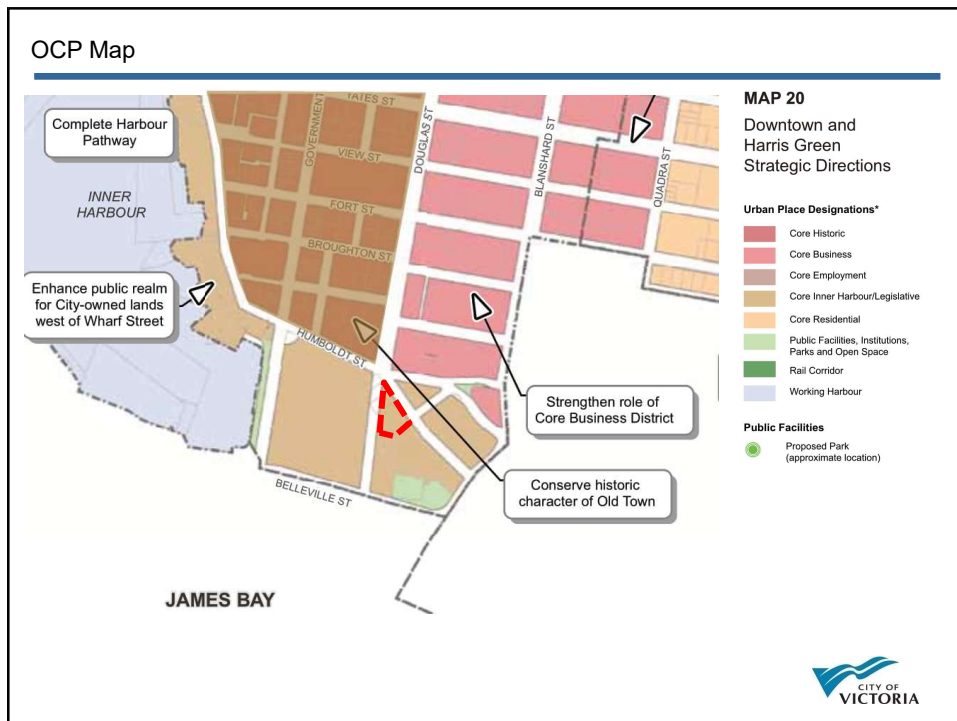


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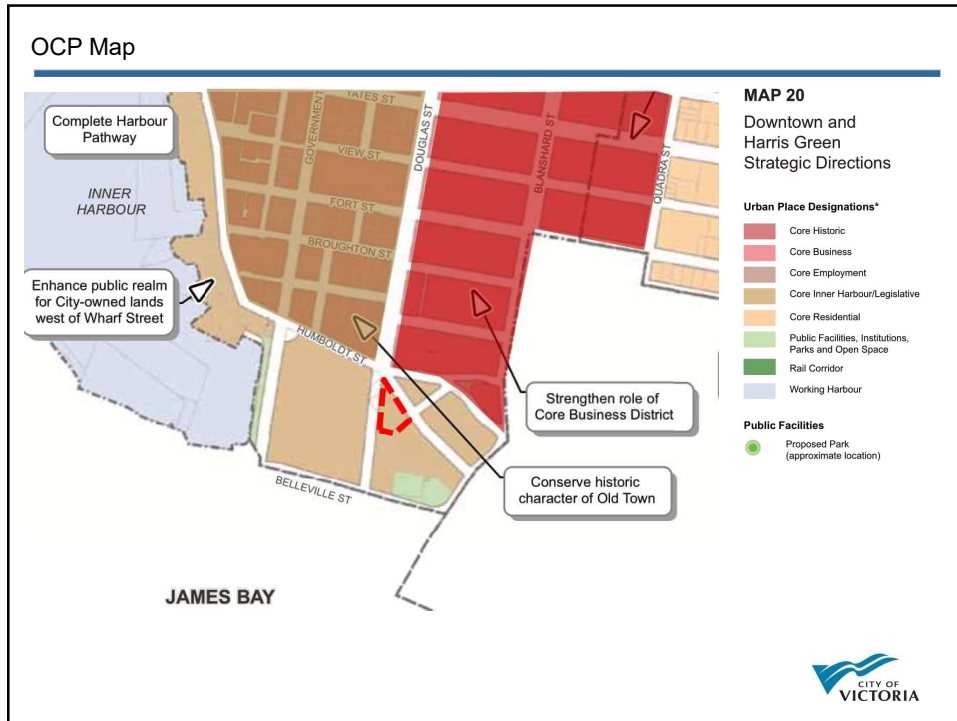




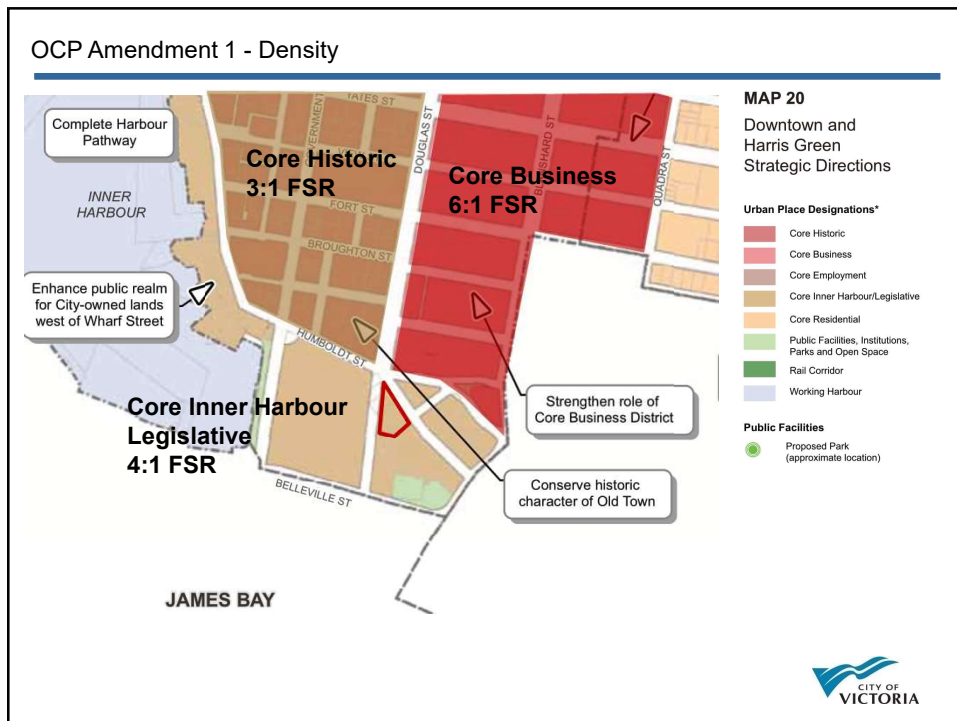
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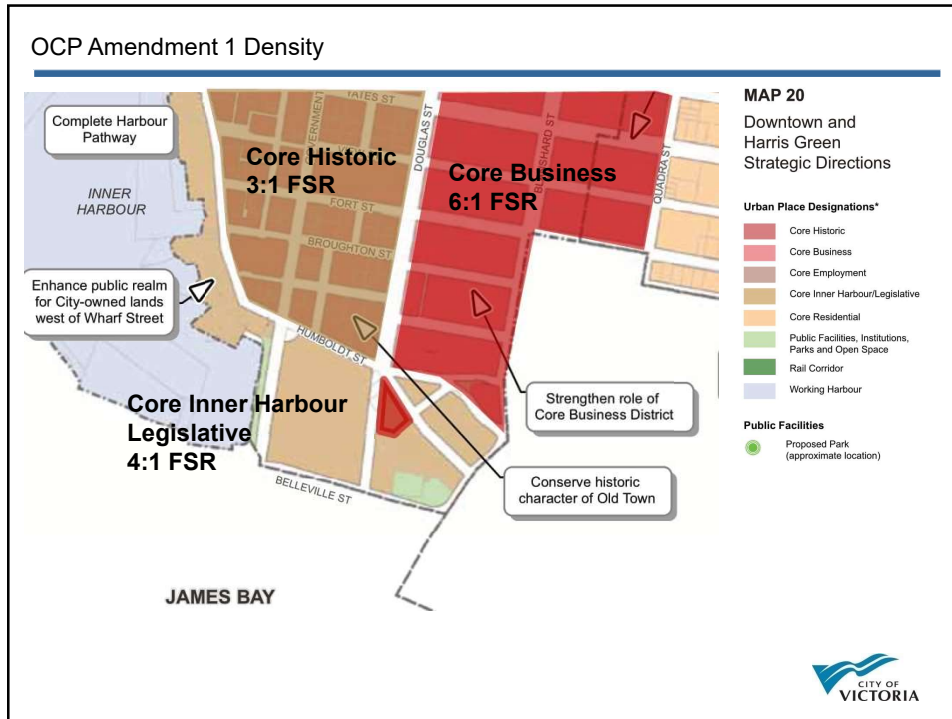
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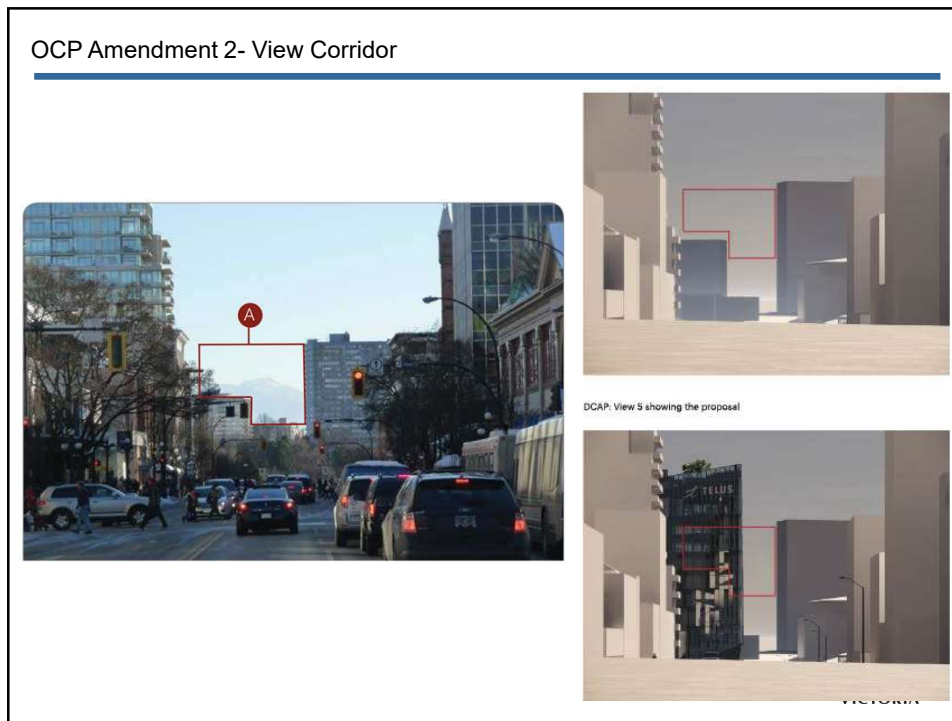
13



14



15



16

## Views – Laurel Point

*View of the Empress from Laurel Point*



*View of the Empress from Laurel Point and proposed building beyond*



17

## Views - Songhees



18



## Views – Evening Illumination



19

## Views – Evening Illumination

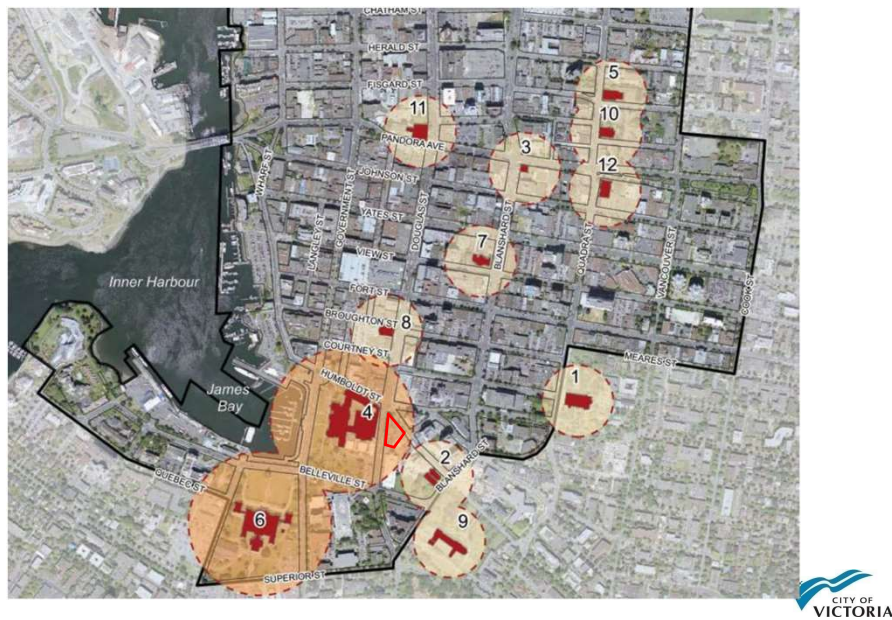


*Bioluminescence-inspired lighting is integrated into the return of the angled panels on the Douglas facade, creating a shimmering effect.*



20

## Heritage Landmark Radius



21

## Views — Additional - Legislature Lawn



22

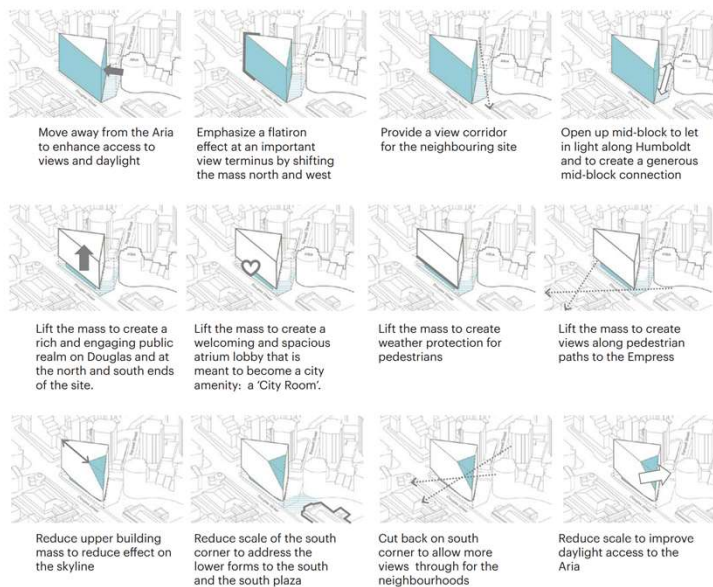


## Views — Additional - Steamship Terminal



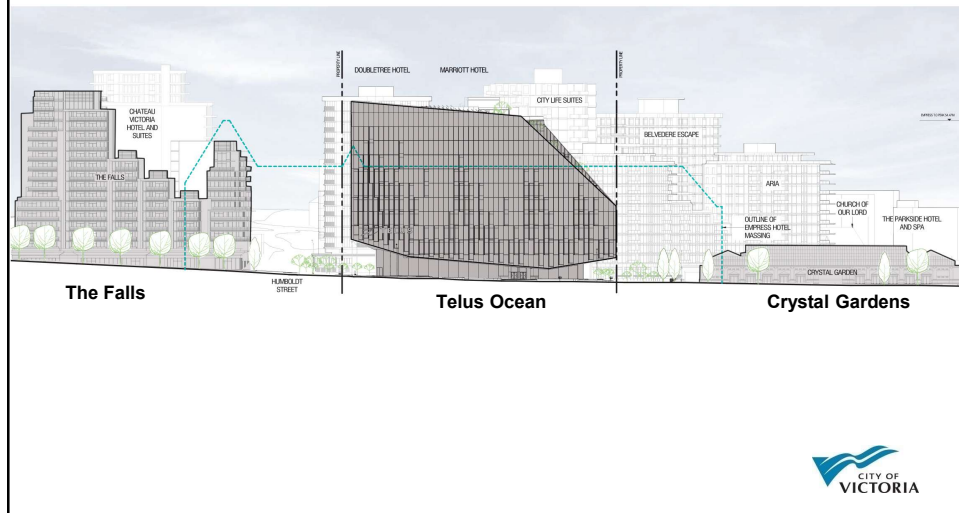
23

## Density



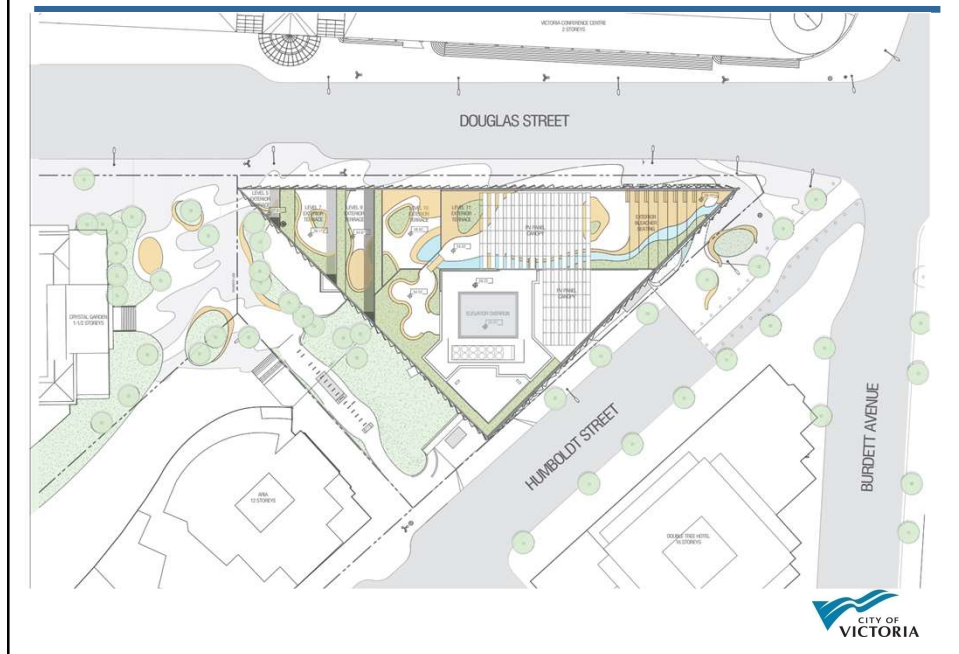
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## Context streetscape



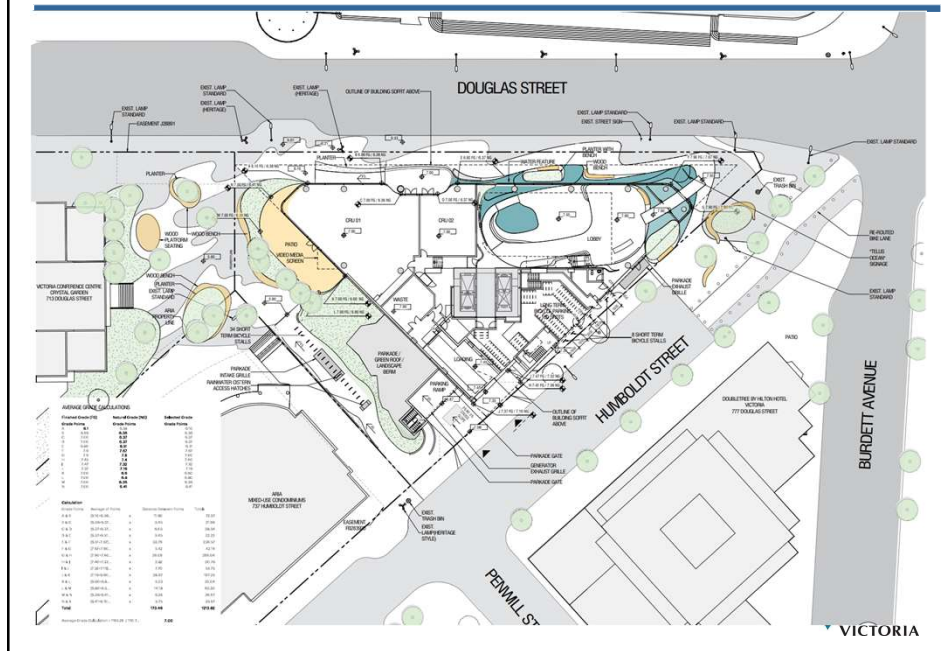
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## Public Realm/ Site Plan



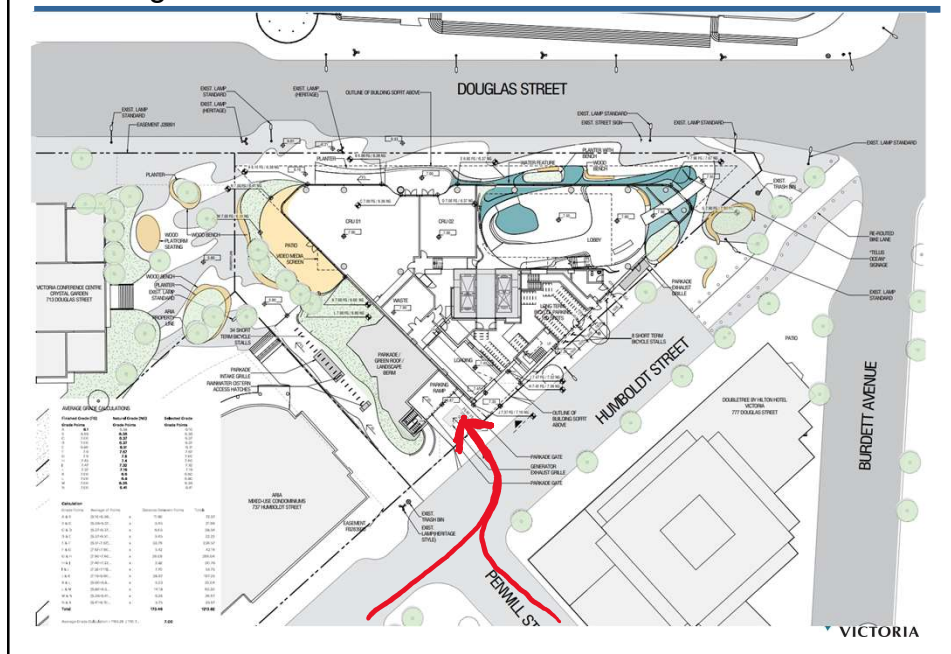
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## Public Realm/ Site Plan



27

## Parking Access



28

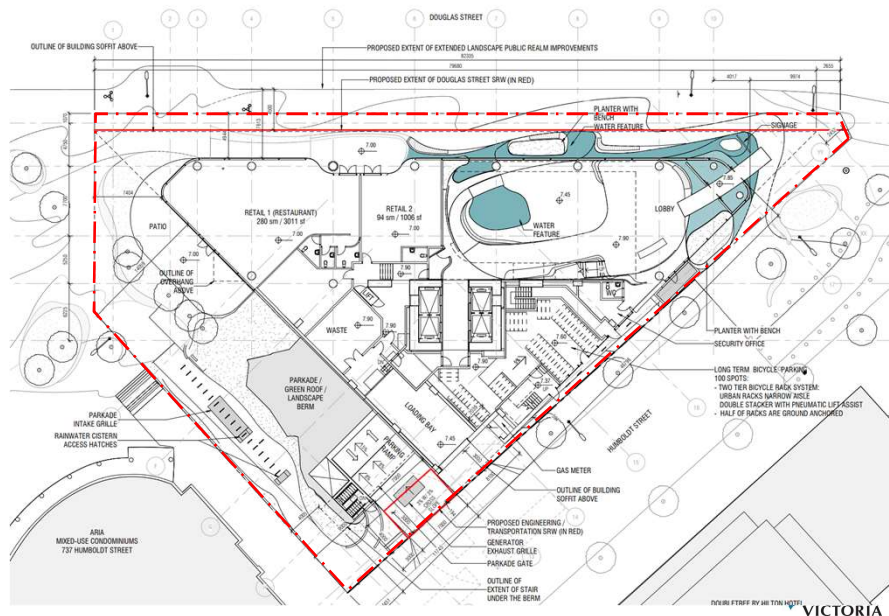


## Under ground Parking



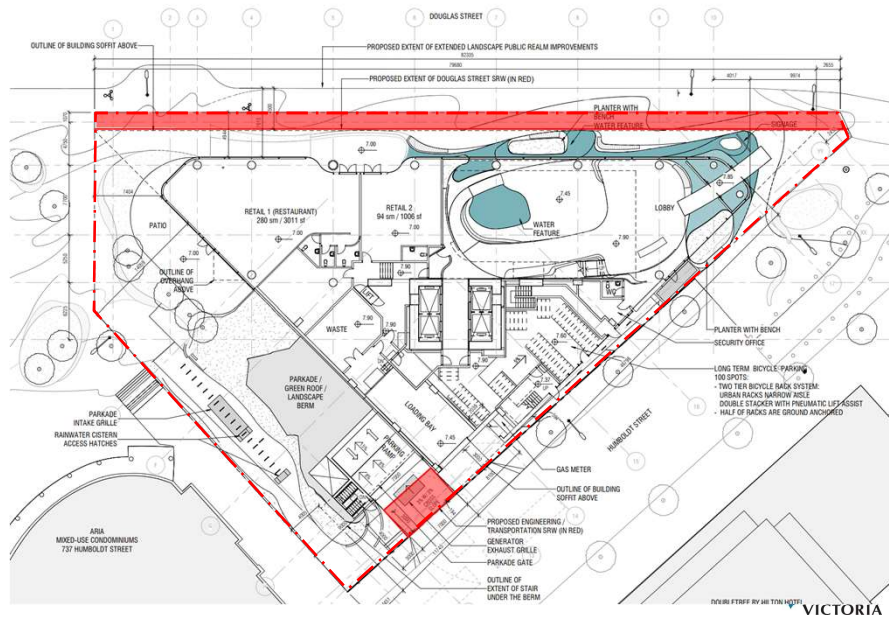
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## Ground Floor



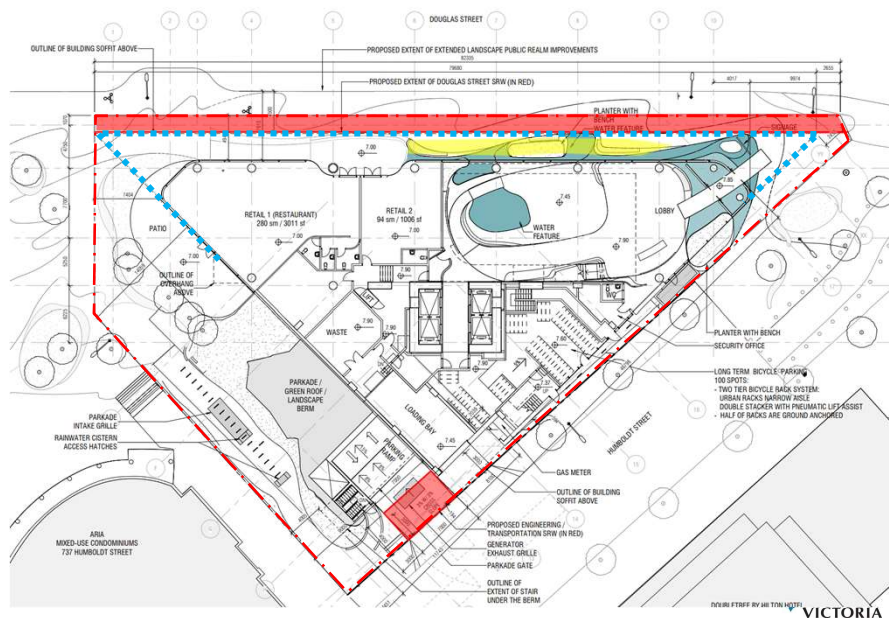
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## Statutory Rights-of-Way



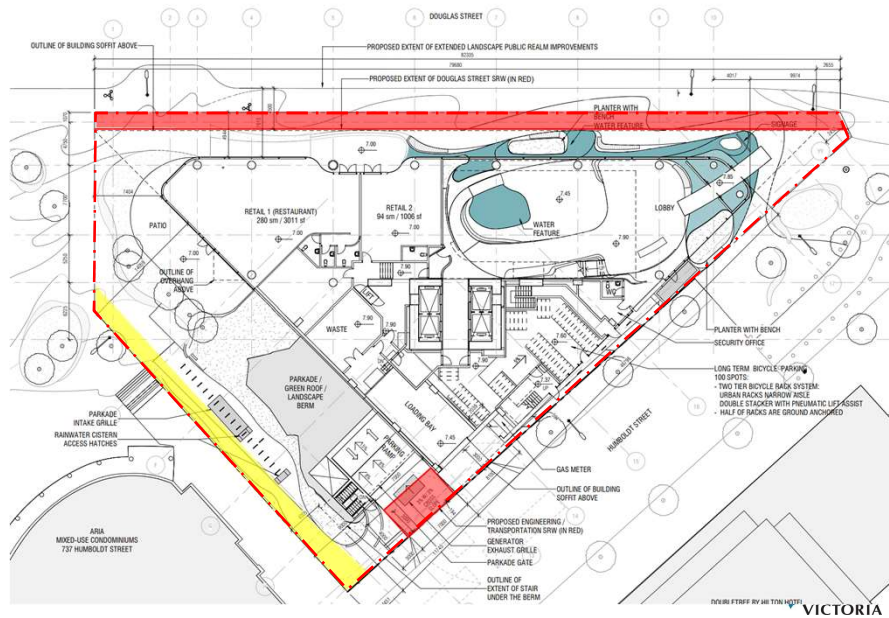
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## Statutory Rights-of-Way



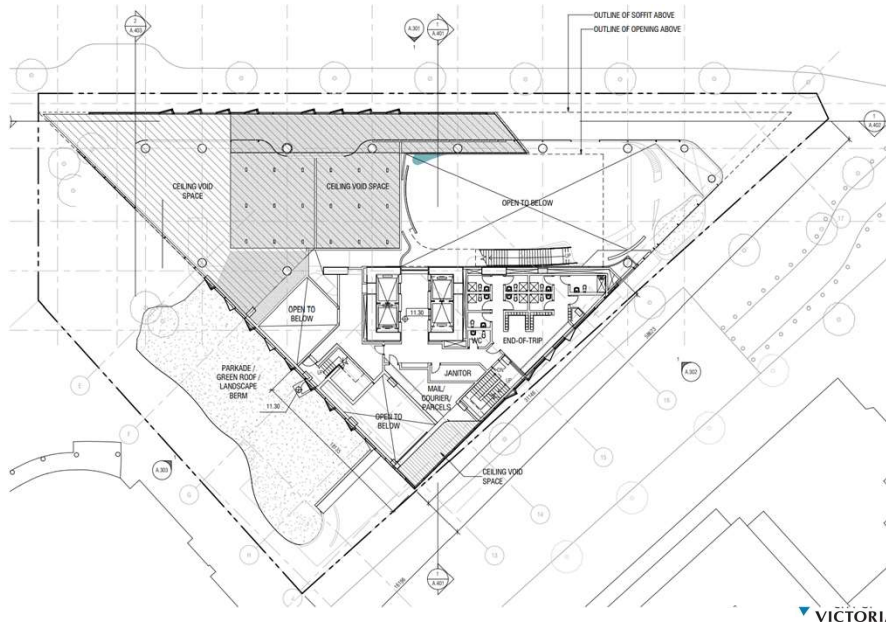
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## Statutory Rights-of-Way



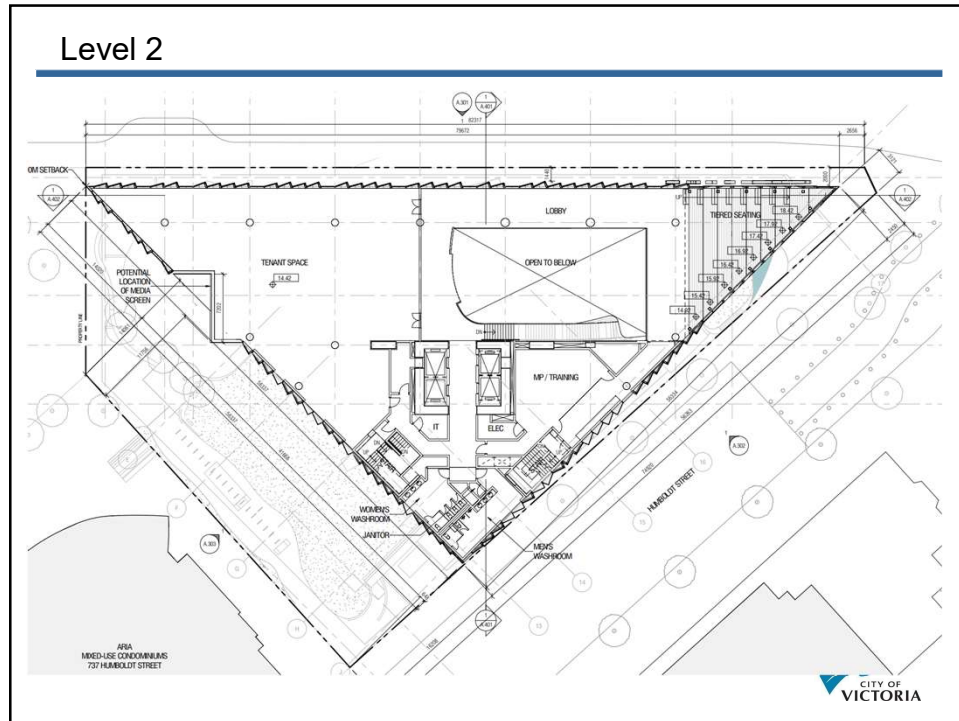
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## Level Mezzanine

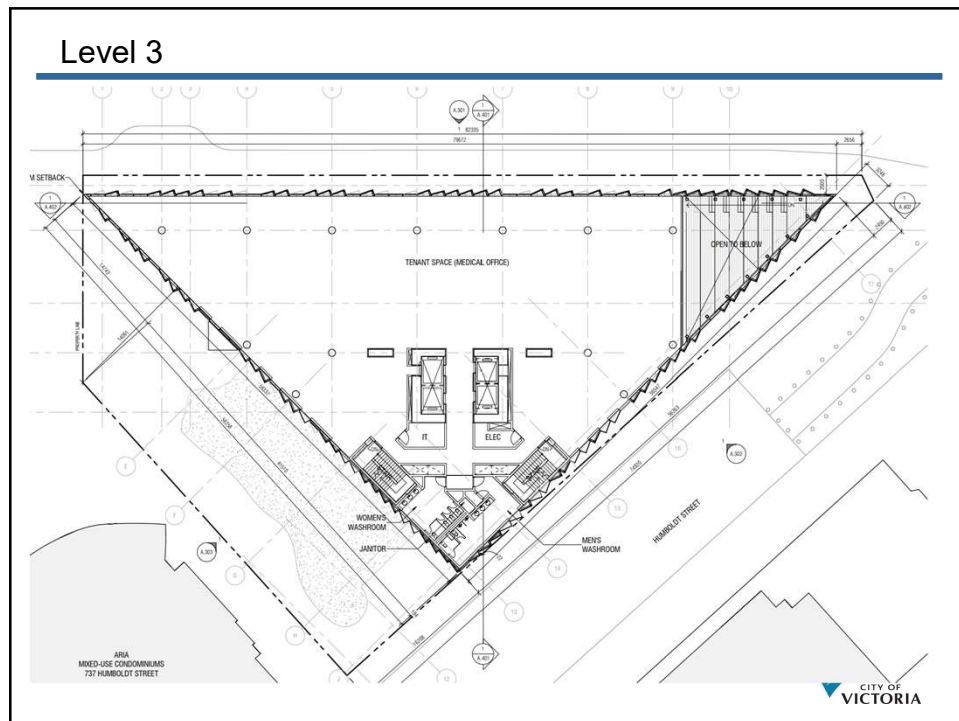


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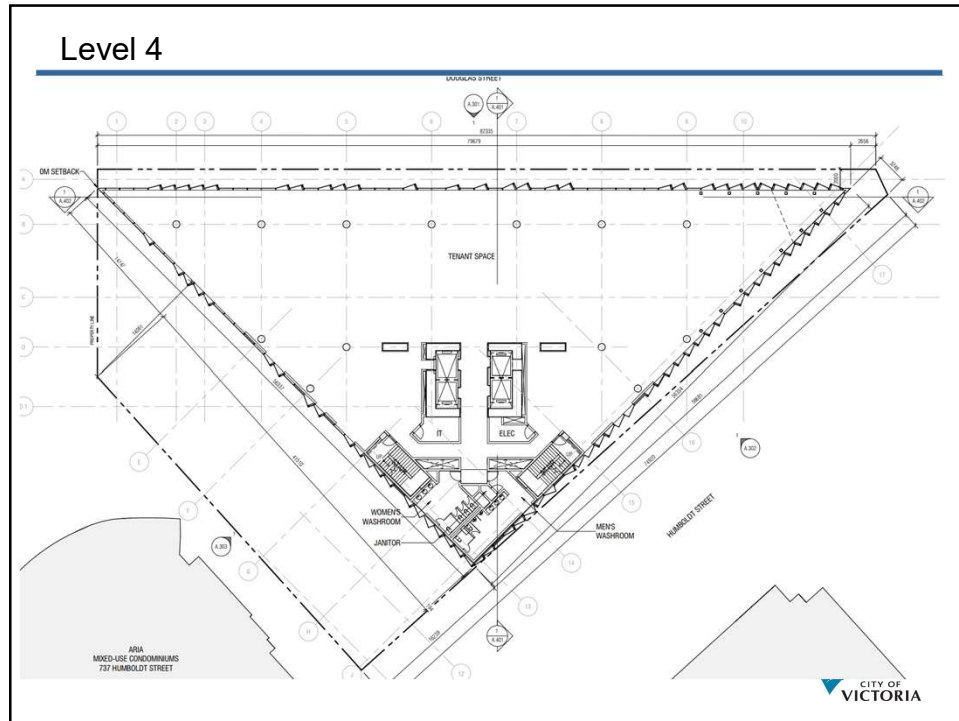




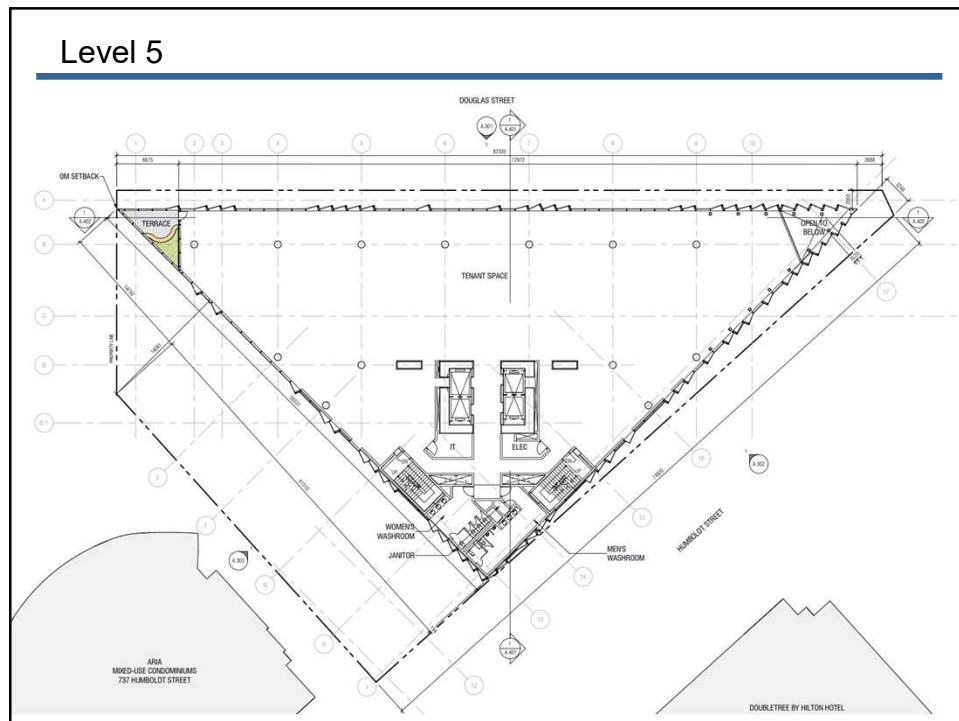
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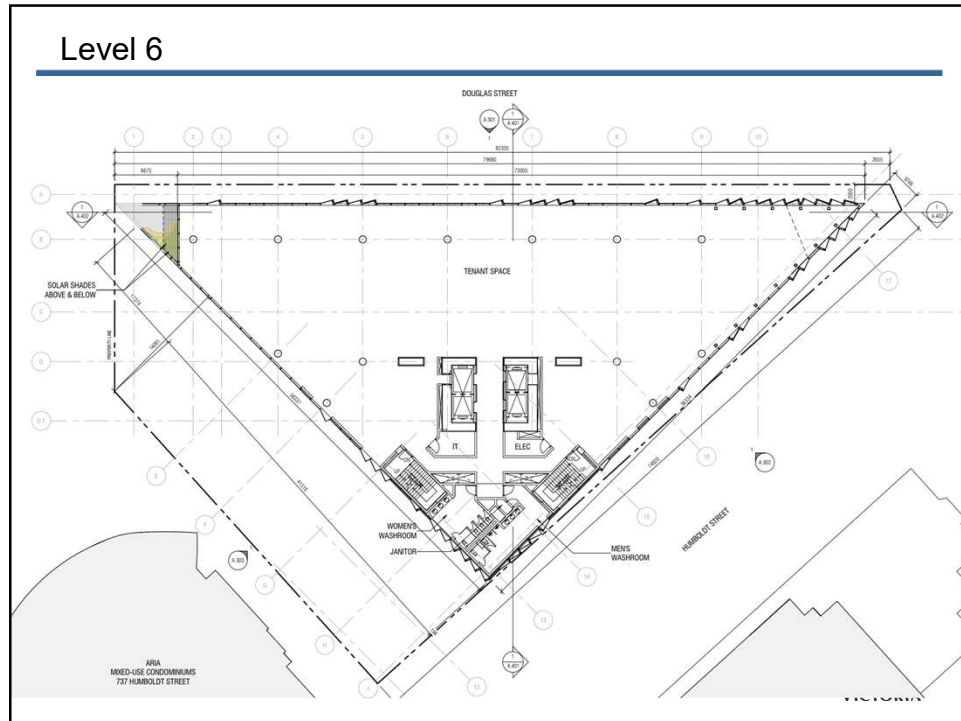
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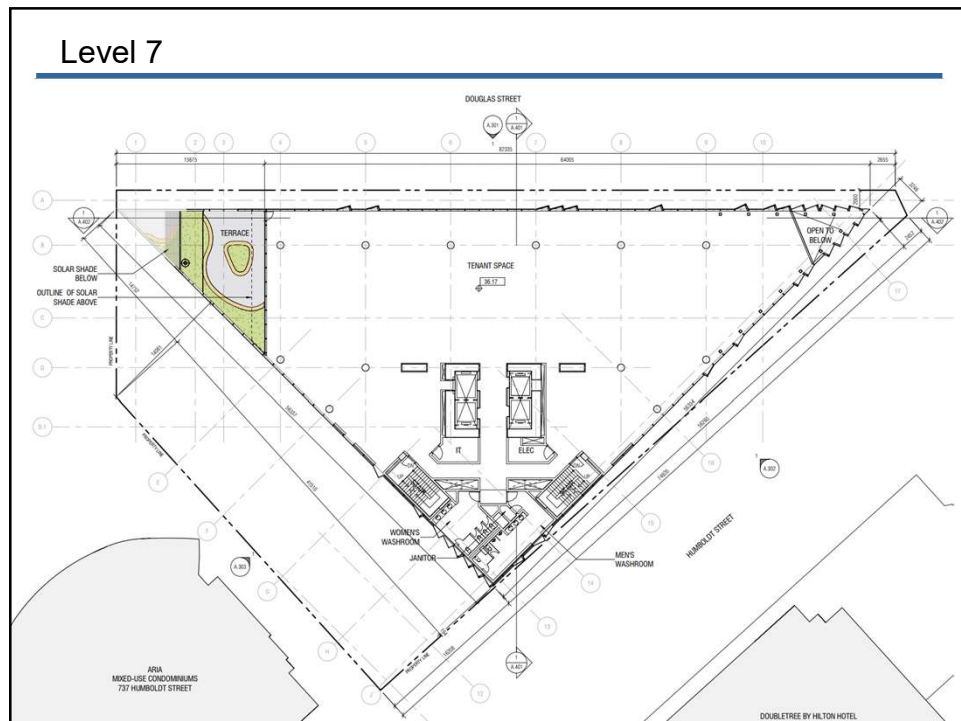
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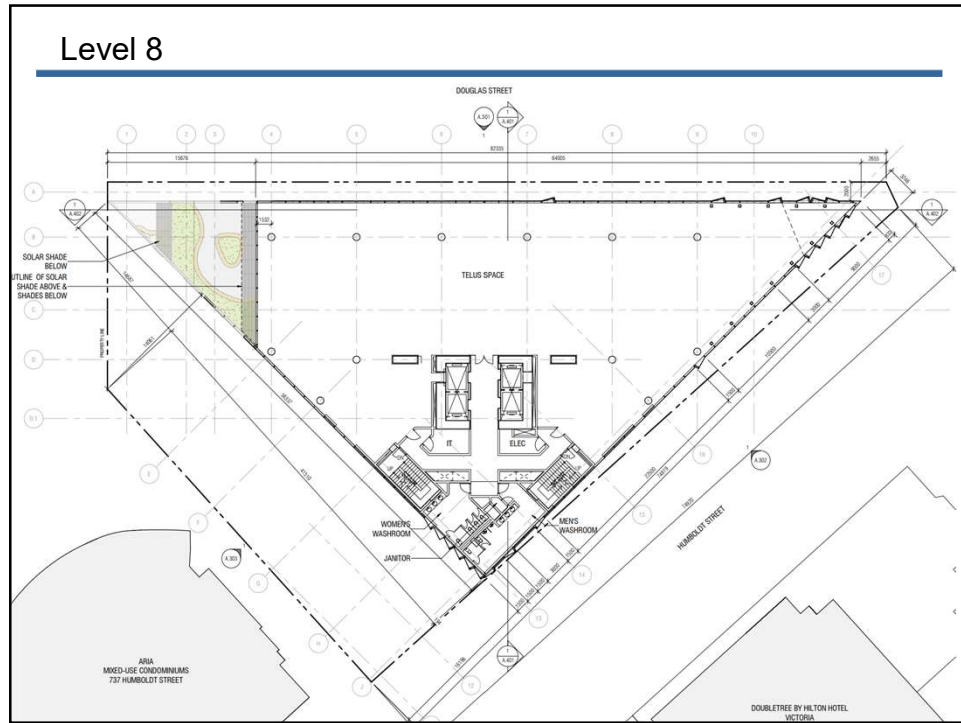
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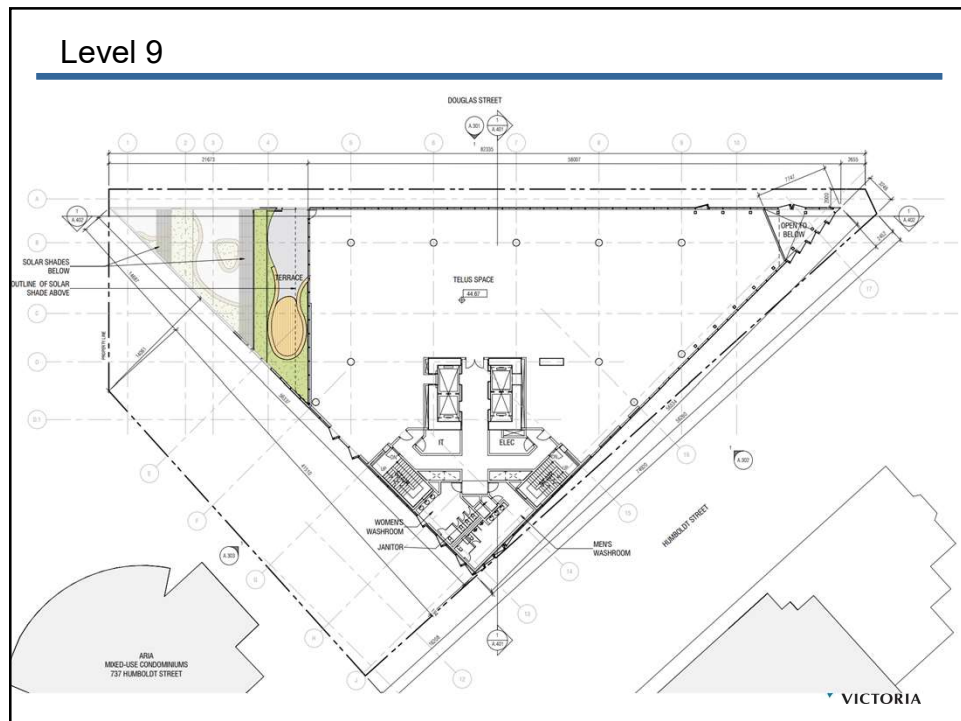
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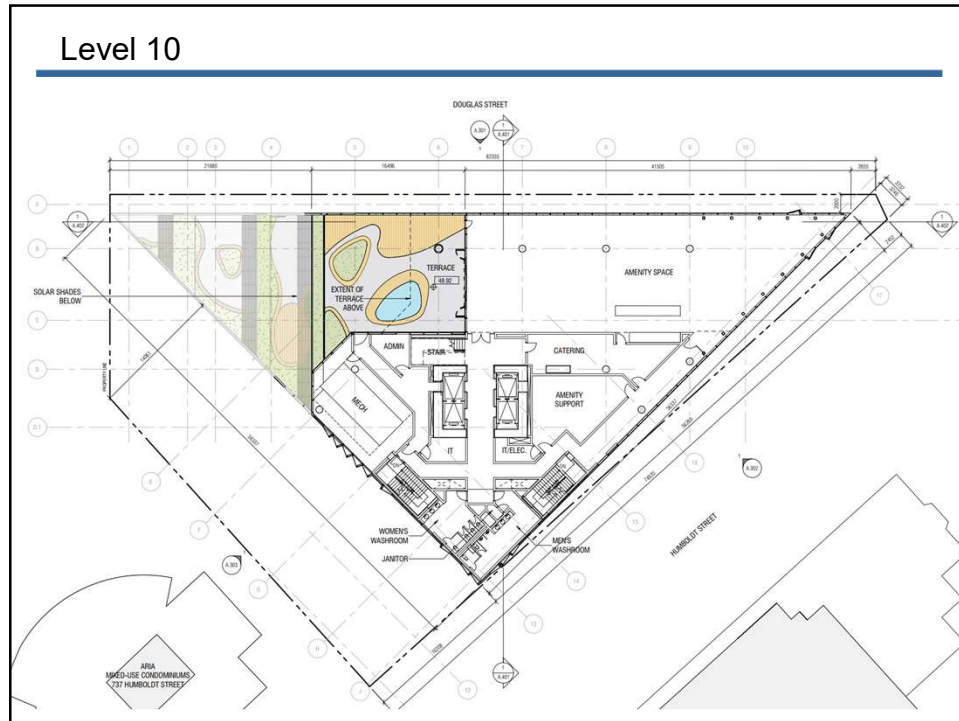
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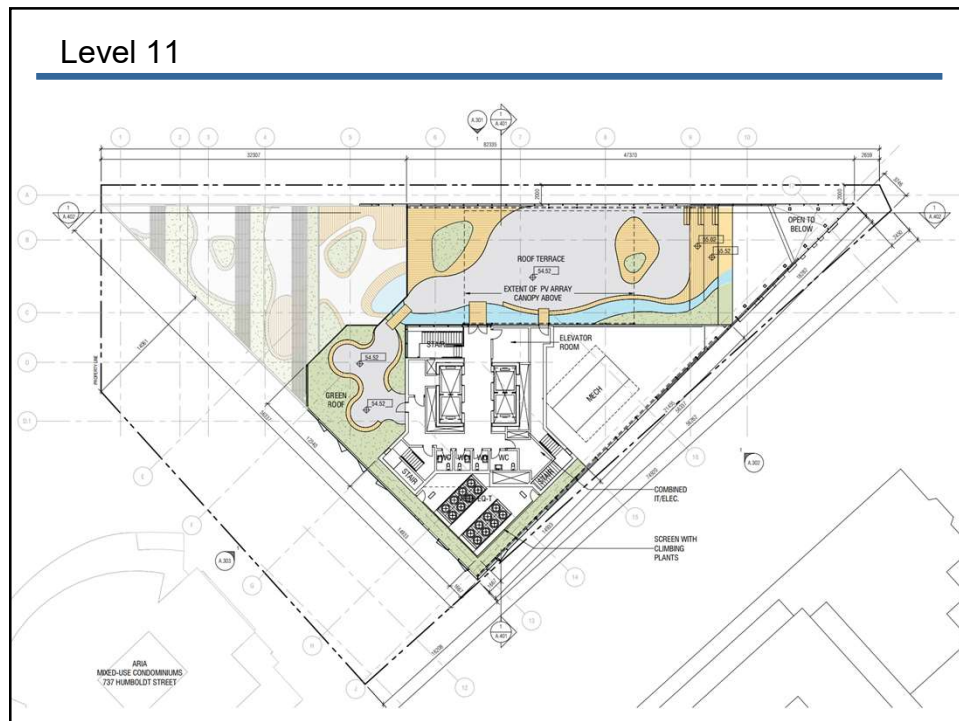
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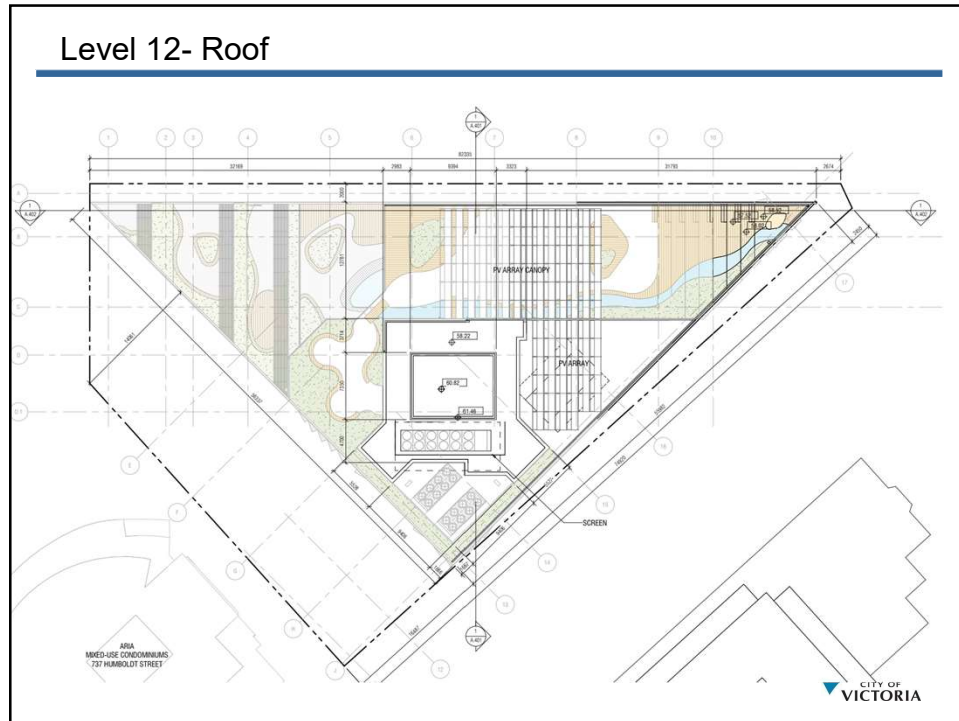


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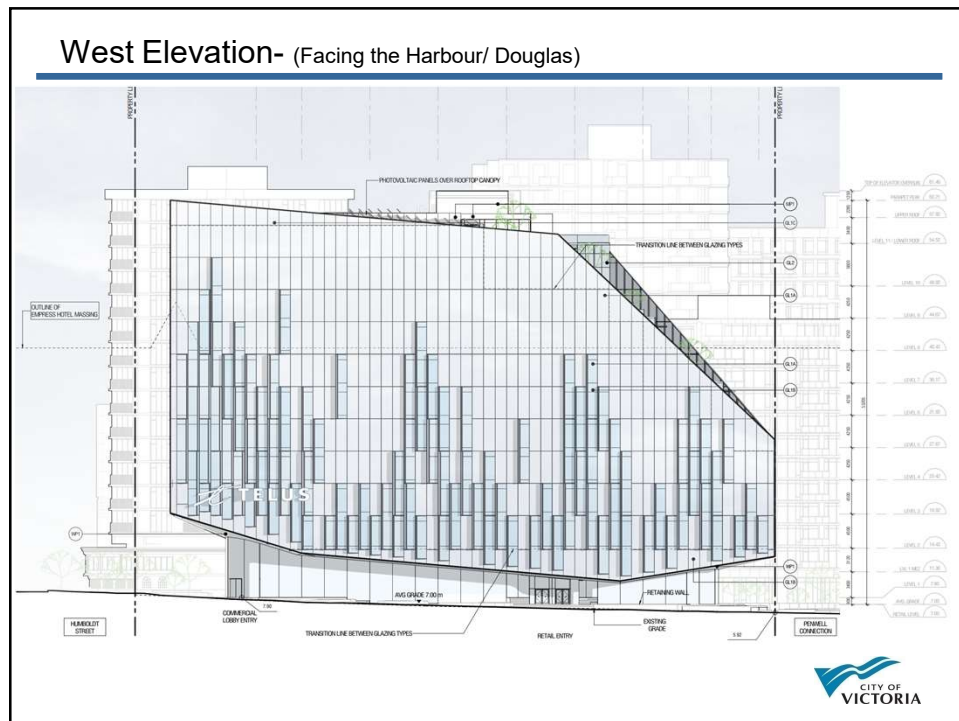


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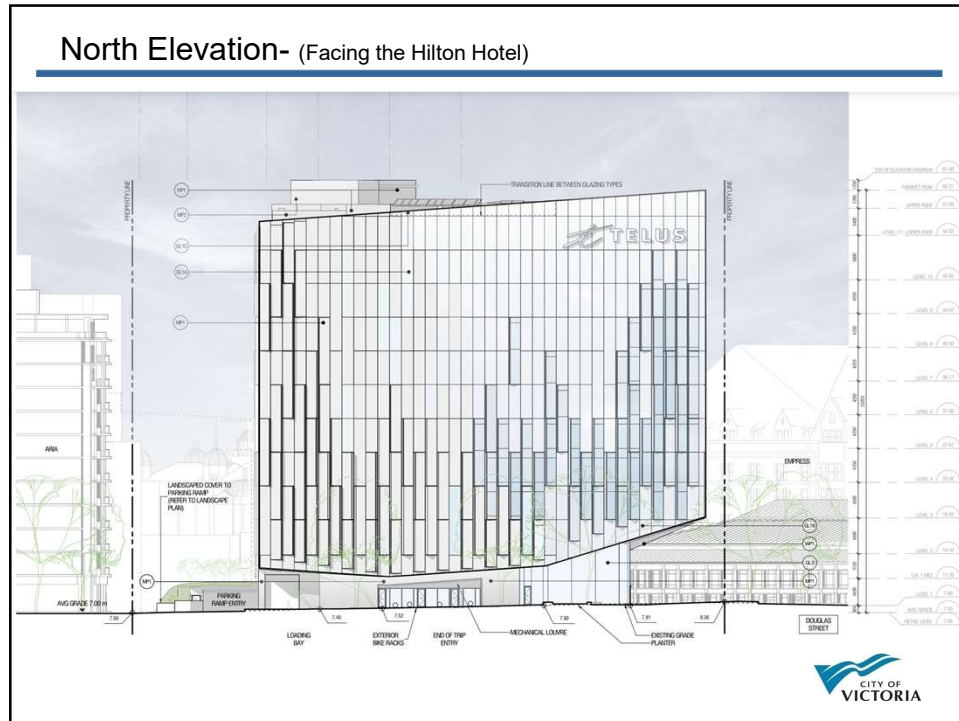


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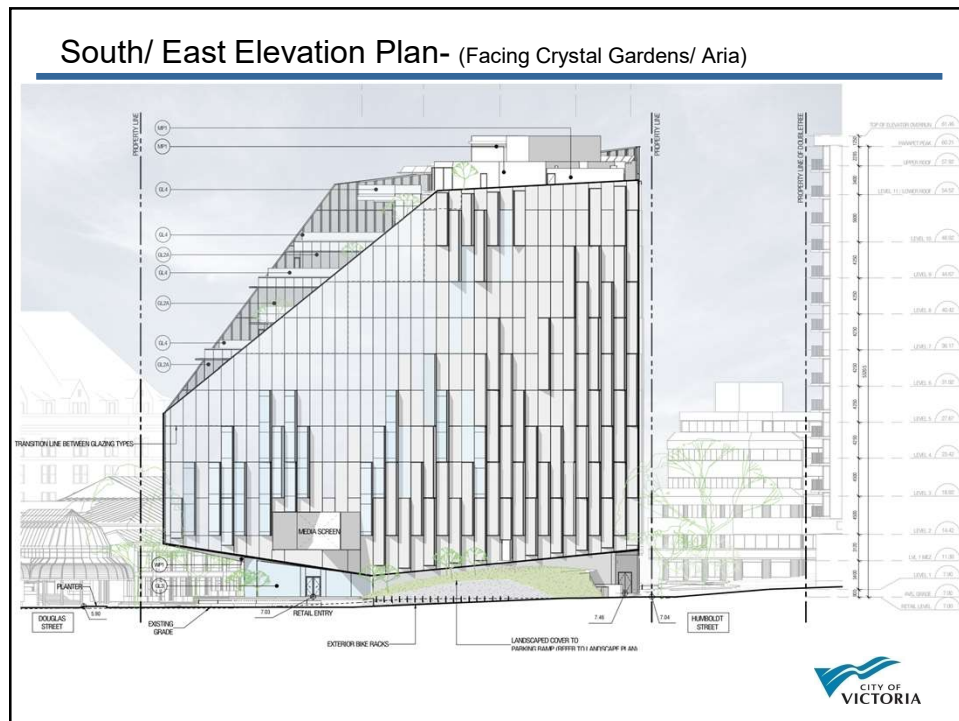


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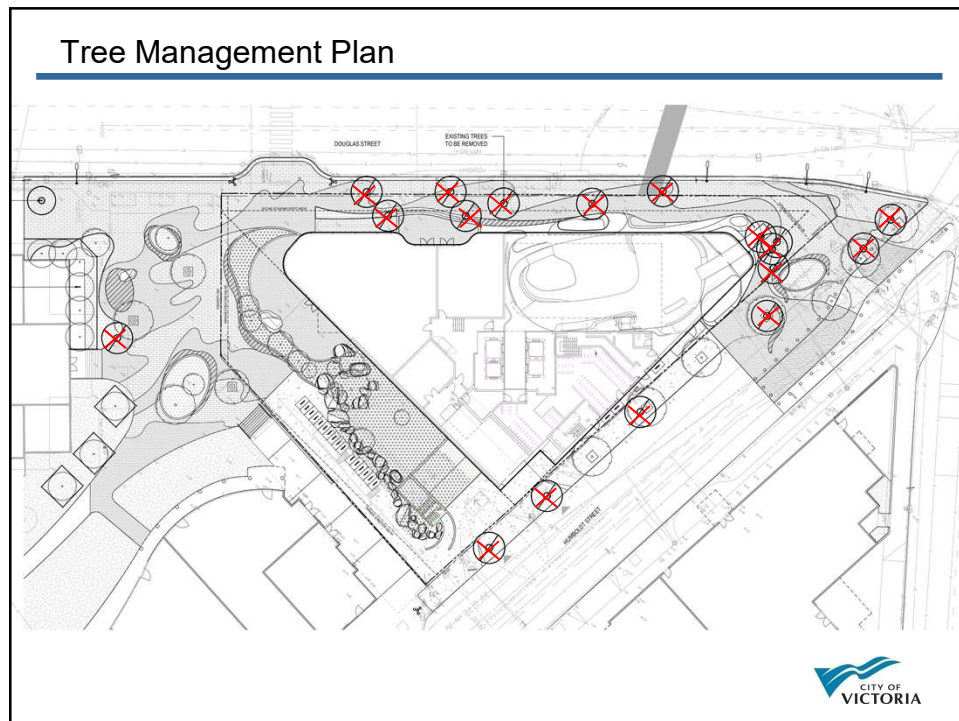
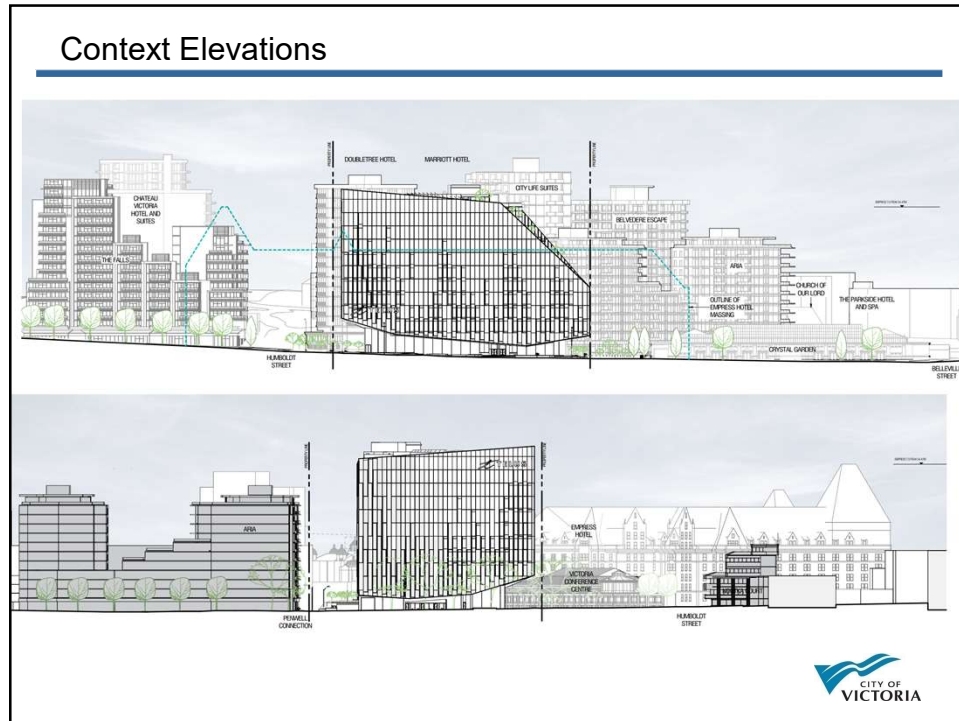


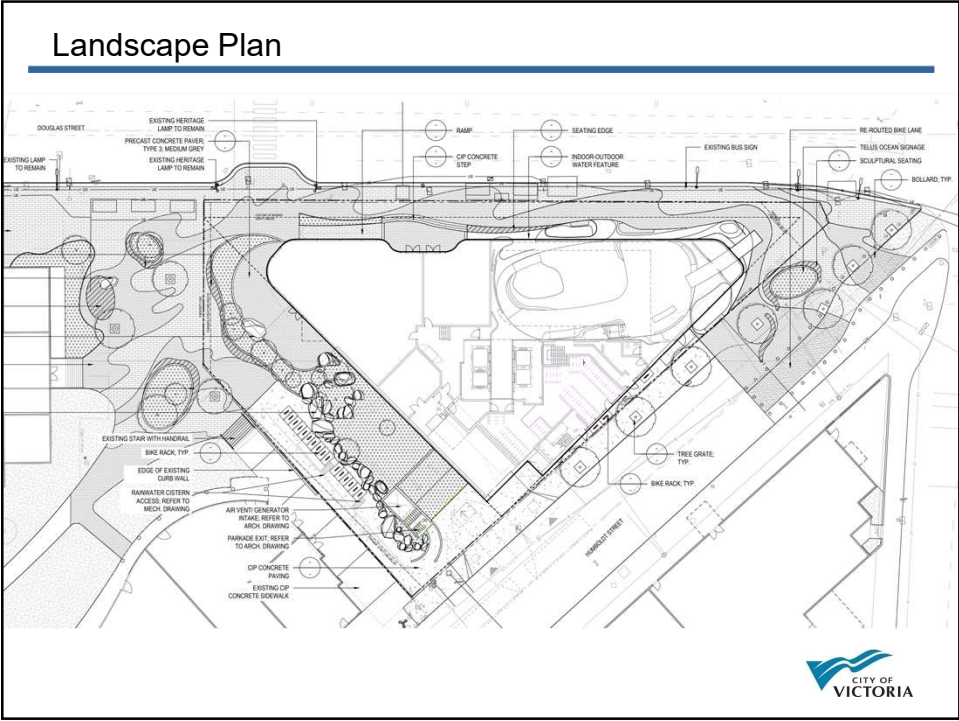


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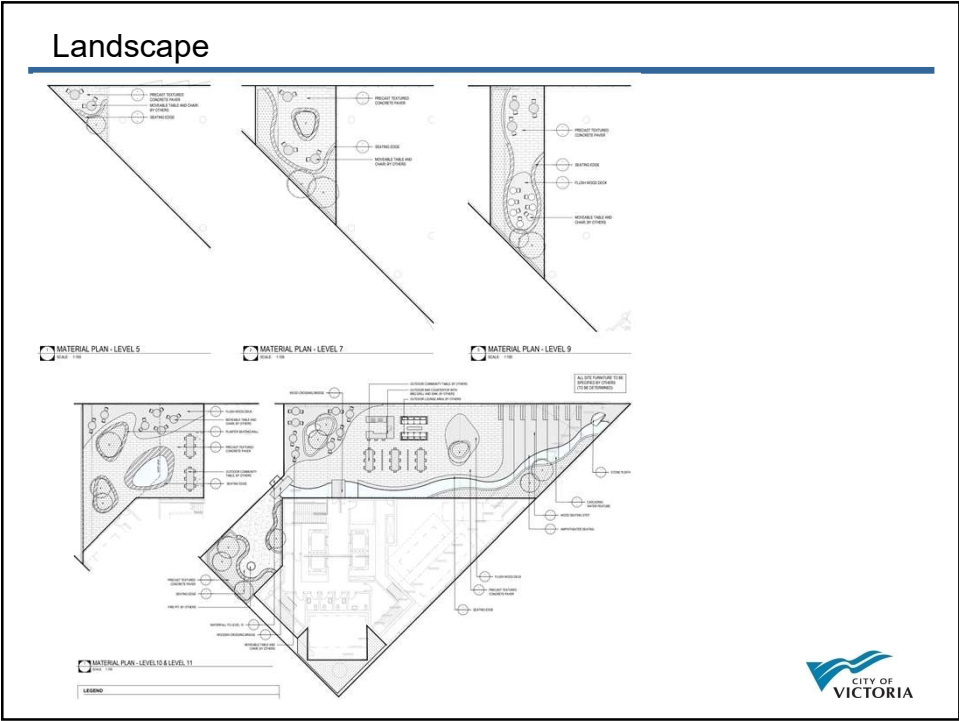


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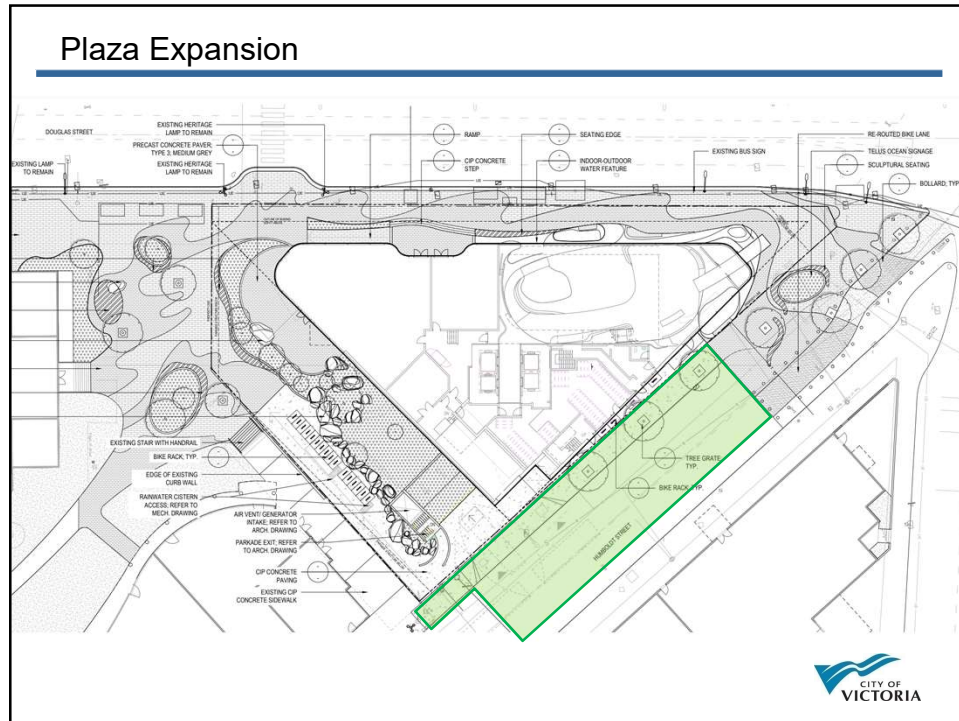


51



52





53



54



55

#### Additional Information — ADP Commentary



56



### Rendering 3 – Media Screen

Rendering of potential location of the media screen



57

### Rendering 3




58



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END



59

Additional Information

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60

### Additional Information – Bird Collision Glass.

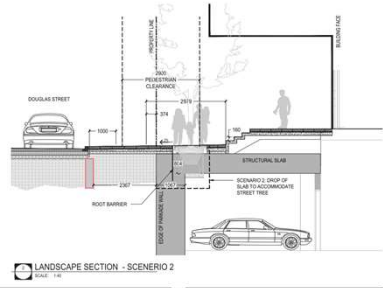
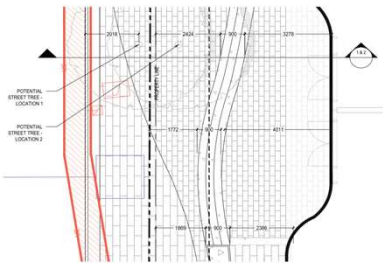
Elevations showing the extent of anti-collision treatment



Several strategies will be used to reduce bird collisions. Glazing in proximity to the terrace trees will be treated with frit or film that is only visible to birds (such as Orilux). To reduce the appeal of the interior spaces to birds as potential perches, careful consideration will be given to the location of exterior and interior planting to reduce confusion. Overall lighting levels will be reduced at night time to avoid confusion of migratory birds.

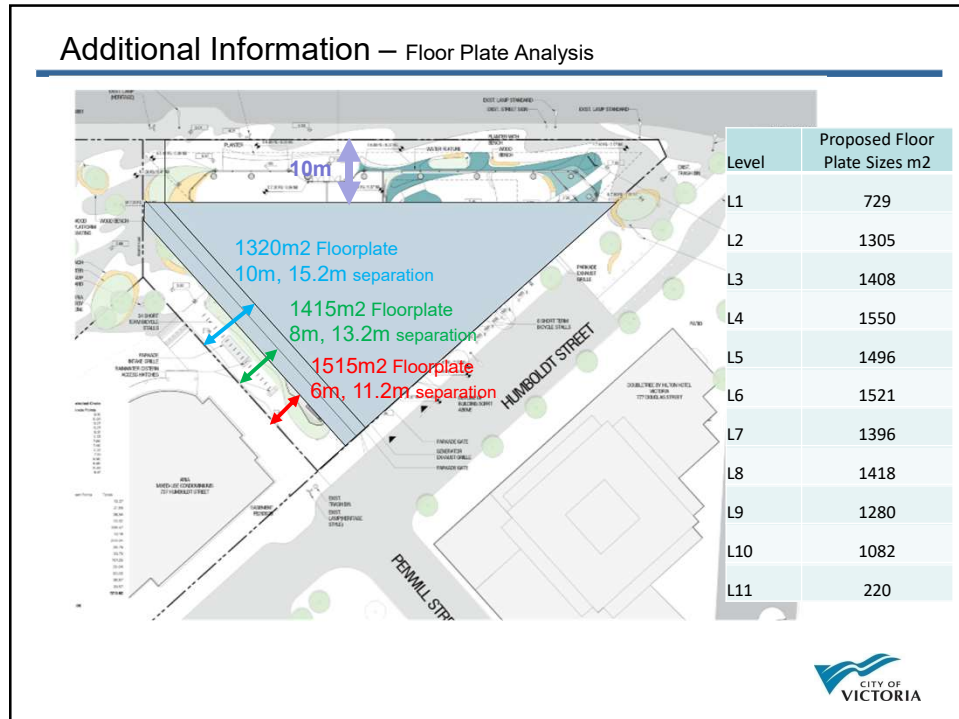


### Additional Information – Trees on Douglas St.

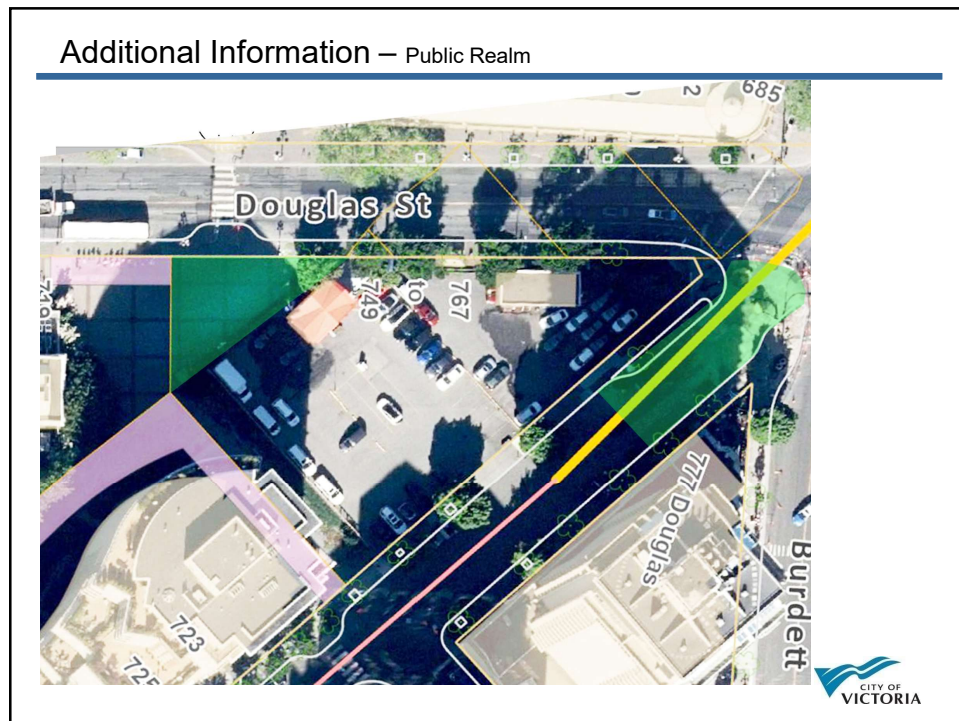


LANDSCAPE SECTION - SCENARIO 2



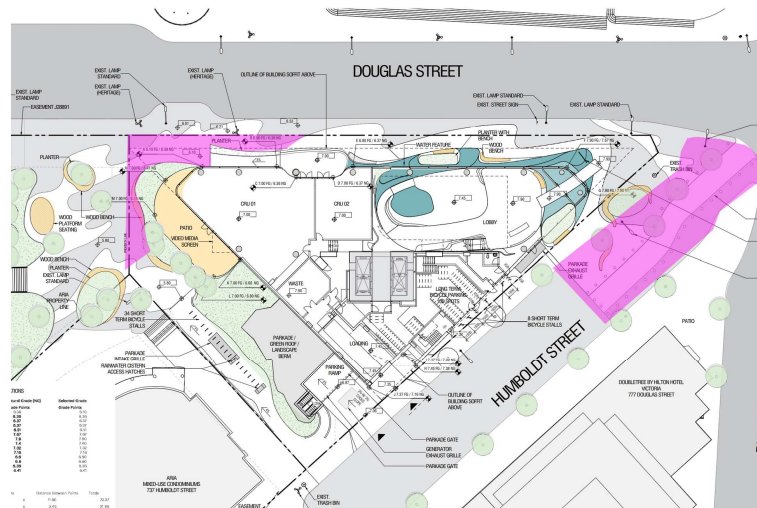


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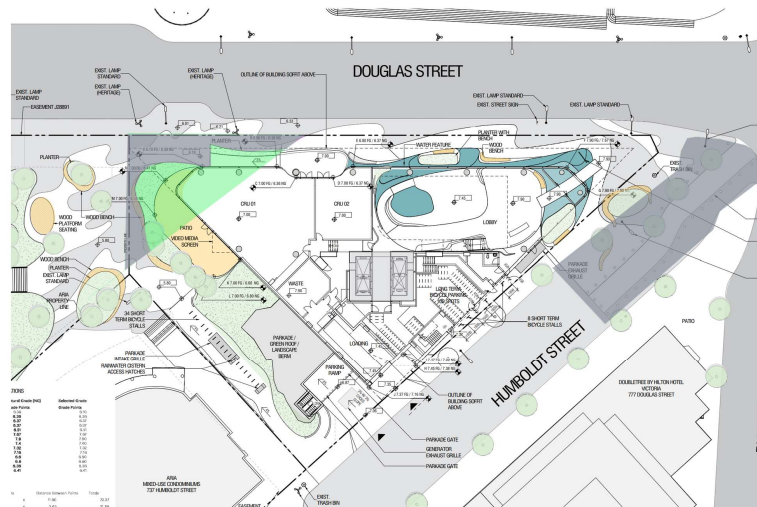
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## Additional Information – Public Realm



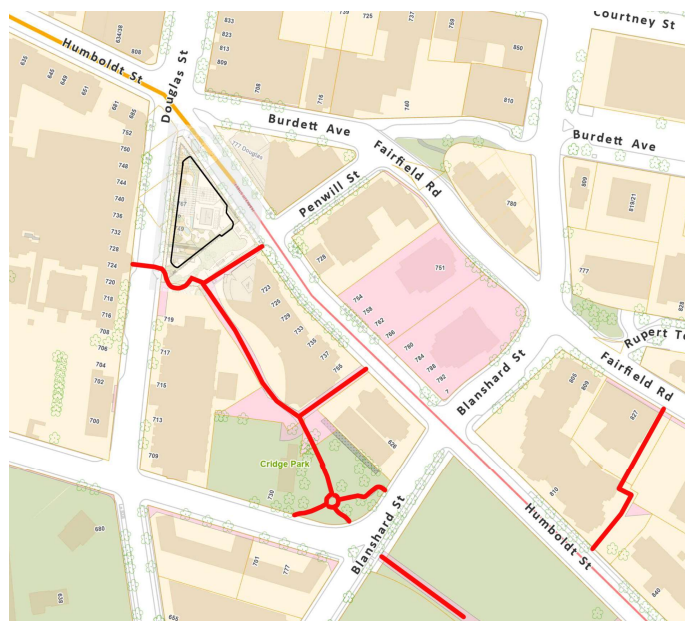
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## Additional Information – Public Realm



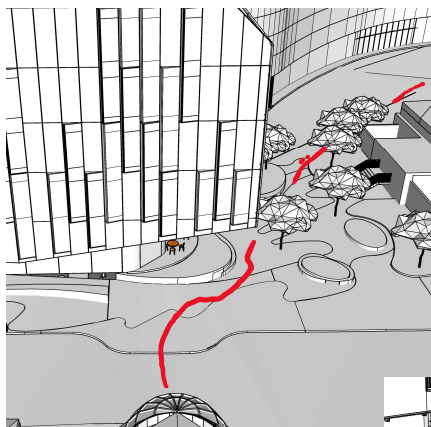
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## Path Network



67

## Path Network



68

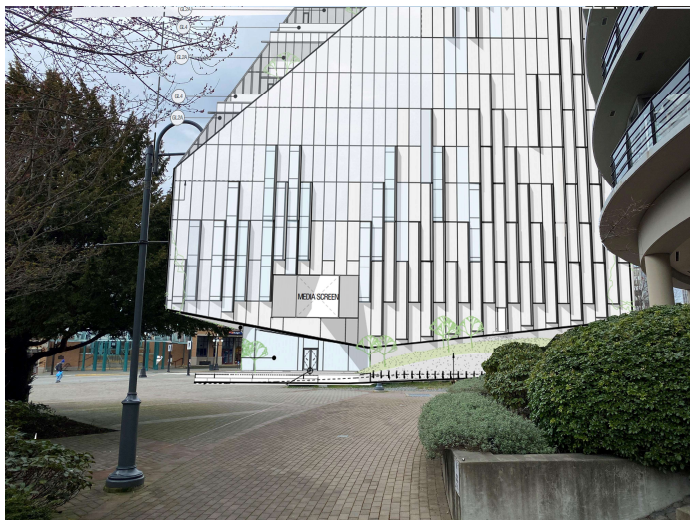


## Views — Additional — Through Block



69

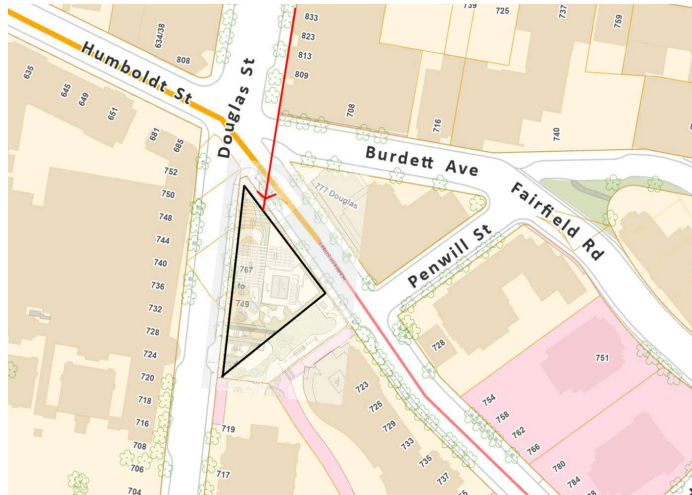
## Views — Additional — Through Block



70

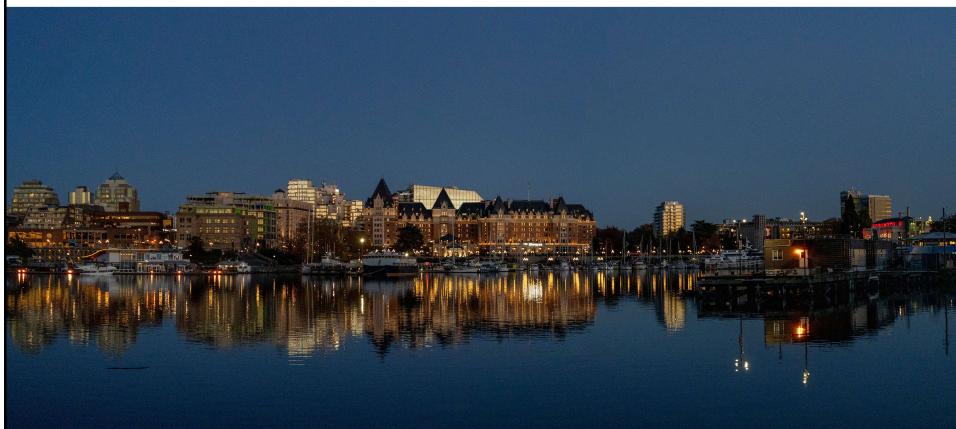


## Building Alignment



71

## Views – Evening Illumination - Manipulated



72

Additional Information — Examples of Building Articulation/ Contemporary



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Carol Tyson

Interested Stakeholder

I have lived on Vancouver Island since 1978. Victoria is a jewel and a unique

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Christopher white  
Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Michael Trirogoff  
Victoria Resident

City of Victoria Mayor and Councillors,

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- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Clare MacGregor  
Victoria Resident



City of Victoria Mayor and Councillors,

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- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

James Porter  
Victoria Resident

City of Victoria Mayor and Councillors,

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- o Contribute to a stronger, more resilient economy.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Jim Brohm  
Interested Stakeholder

City of Victoria Mayor and Councillors,

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- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Karen Roughley  
Victoria Resident

City of Victoria Mayor and Councillors,

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.

Thank you for your consideration.

Sincerely,

Kaylee Duckmanton  
Victoria Resident

City of Victoria Mayor and Councillors,

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- o Create new vibrant, inviting, and productive public space.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Trish Waters  
Interested Stakeholder

City of Victoria Mayor and Councillors,

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- o Contribute to a stronger, more resilient economy.
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- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Ashley Tilsley  
Victoria Resident



City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.

Thank you for your consideration.

Sincerely,

Chinonye Egbejimba  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Nathanael Glenn  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.

Thank you for your consideration.

Sincerely,

Sue Lapointe  
Victoria Resident

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- o Create high-value jobs in the tech and innovation sectors.
- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.

Thank you for your consideration.

Sincerely,

Joel Collier  
Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Robert Bain  
Victoria Resident

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Phil Kuzdub  
Victoria Resident



City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Bill Farrant  
Victoria Resident

City of Victoria Mayor and Councillors,

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- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Evelyn Webb

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Rhonda McCleary

Interested Stakeholder

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create new vibrant, inviting, and productive public space.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.
- I feel that this proposal is in keeping with the surrounding context and will improve the public realm behind the hotel.
- That's a high traffic area that would be much better served than it currently is. It's also an appropriate height

Thank you for your consideration.

Sincerely,

Dan Barham

Interested Stakeholder

City of Victoria Mayor and Councillors,

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- Contribute to a stronger, more resilient economy.
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- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Manasweeta Bhatia

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Owen Madrick  
Victoria Resident



City of Victoria Mayor and Councillors,

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- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
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Thank you for your consideration.

Sincerely,

Andrew McLeod  
Victoria Resident,

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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Thank you for your consideration.

Sincerely,

Noémie Bénard

Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Nicola MacDonald  
Interested Stakeholder

City of Victoria Mayor and Councillors,

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Thank you for your consideration.

Sincerely,

Devesh Bharadwaj  
Victoria Resident

City of Victoria Mayor and Councillors,

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- o Contribute to a stronger, more resilient economy.
- o Create new vibrant, inviting, and productive public space.
- o Offer sustainable office space in the Central Business District.
- o Bring life to an existing vehicle parking lot in a prominent Downtown location.
- o Complement the surrounding community with world-class, iconic architecture.

Thank you for your consideration.

Sincerely,

Kieran Buggy  
Victoria Resident

City of Victoria Mayor and Councillors,

As a tradesperson in Victoria, I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria for the following reason(s):

- It is an iconic \$100m regional head office investment in the Central Business District by Western Canada's largest employer
- It will create more than 500 local, living wage jobs for skilled labourers and tradespeople during the duration of construction
- It will provide ample capacity building opportunities for skills development and growth due to the innovative and high-quality design

Jesse Kliman  
Interested Stakeholder



February 16, 2021

Kip Clancy  
Project Management Western Canada, CBRE Limited  
530 8 Ave SW Suite 500  
Calgary, AB  
T2P 3S8

Dear Kip:

This letter serves as a confirmation that CBRE Limited and Telus have signalled their interest in pursuing a Salmon-Safe assessment process and urban site certification for the Telus Ocean development in Victoria, BC.

Salmon-Safe BC is one of Canada's first eco-certification programs that recognizes and promotes environmentally friendly land and water management practices that minimize impacts on water quality and aquatic biodiversity. Salmon-Safe provides expert guidance for developers, landowners and property managers interested in demonstrating environmental stewardship that helps to protect salmon health and habitat.

Salmon-Safe's peer-reviewed standards and rigorous on-site inspections provide independent validation of environmental performance and leadership, as well as a framework to inform ongoing operations. Salmon-Safe's high visibility media outreach and communication campaigns provide public recognition to certified sites, building their reputation for excellence in environmental stewardship and efforts to go beyond regulatory compliance. Salmon-Safe Certification is valid for a 5-year period and entitles the certified institution to display the Salmon-Safe logo and incorporate Salmon-Safe messaging within internal and external communications.

As a first step in the certification process for the Telus Ocean development, Salmon-Safe will conduct a pre-assessment review of current drawings and complete a memo outlining areas of kudos and areas in need of further alignment with Salmon-Safe's core areas of focus: stormwater management, water use management, erosion and sediment control, pesticide reduction and water quality protection and enhancement of urban ecological function.

We look forward to getting to know the project in greater depth as the design and certification processes move forward.

Kind regards,

A handwritten signature in black ink, appearing to read 'Theresa Fresco', is positioned above a faint, light blue circular stamp. The stamp contains some illegible text, possibly a date or reference number.

Theresa Fresco  
Program Manager, Salmon-Safe BC &  
Manager, Greater Vancouver- Sea to Sky Region,  
Fraser Basin Council

CC:  
Dan Kent, Executive Director, Salmon-Safe US  
Anna Huttel, Certification Manager, Salmon-Safe US



Downtown Victoria Business Association  
20 Centennial Square  
Victoria, BC  
V8W 1P7

March 4, 2021

Mayor & Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P7

Re: Telus Ocean Development Project

To whom it may concern,

The Downtown Victoria Business Association (DVBA) supports the proposed “Ocean” office development Telus intends to build along Douglas Street. This notable investment in downtown will take largely unused space and transform it into an architecturally appealing modern building. It will also bring a great number of employees to the downtown core – 250 Telus professionals in advanced communications and information technology fields, as well as approximately 250 more in office space they intend to rent.

Telus is one of Western Canada’s largest companies, and they intend to invest \$100,000,000 in constructing this hub. It is currently planned to reach their sustainability goals of workplace wellness, carbon-neutral operations by 2030, carbon footprint mitigation, and social purpose governance. The design includes solar panels to generate renewable energy, rainwater harvesting systems, cycling facilities and electric vehicle charging space, and a triple-glazed insulated curtain wall.

The office closures due to the pandemic have made it clear that a balance of residences and offices are needed for the health of the downtown business community. An office complex of this size will have a significant impact and the rental offices will provide space for our growing high-tech industry. Telus has also paid attention to the public realm to ensure that locals and nearby residents will have a positive experience. They plan to have gardens with seating space, a tidal pool with native plants, an enhanced presence on Douglas Street, and an appealing pedestrian walkway.

On behalf of the DVBA I am happy to support this project. It will be a valuable addition to downtown and I look forward to seeing it become reality.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Bray".

Jeff Bray  
DVBA Executive Director

March 5, 2021

Victoria Mayor Lisa Helps and Council  
City of Victoria  
#1 Centennial Square  
Victoria, BC V8W 1P6

**Re. TELUS Ocean (REZ00746/DPV00155)**

Dear Mayor and Council,

The Greater Victoria Chamber of Commerce strongly supports the work being done by Aryze Developments on the TELUS Ocean building. This will be a significant investment in downtown Victoria and create a structure that compliments other buildings on this high-profile street.

The project is Platinum LEED certified with smart building technology and will create high-value employment, bringing up to 600 new jobs to downtown Victoria. These jobs will sustain families, enhance the long-term resiliency of our region's economy and contribute to our tech and innovation sector.

The impressive design work done on the project will add vibrancy to a vital area of the city, creating value for citizens, downtown workers and people visiting our destination. The iconic architecture is fitting for this prominent location and will breathe new life to a street that is home to Crystal Gardens and the Victoria Convention Centre.

I encourage you to support Aryze Developments on this proposal. As always, please reach out to me directly if you have any questions.

Sincerely,



Bruce Williams  
CEO,  
Greater Victoria  
Chamber of Commerce

Dear Mr. Betanzo,

I am writing in support of the rezoning application for 749 Douglas Street, also known as the "Telus Ocean" project. I have reviewed the documents available at Victoria's development tracker.

I live in Vic West, and often walk or cycle in this area. In addition, I frequently walk along the Songhees Walkway. My first comments are based on how I would personally interact with the project.

- I am satisfied that the project will not detract from the view of the city from the Songhees Walkway.
- The landscaping the general interaction with the street, that this project proposes are a huge improvement over what's there now. The current street level is an eyesore, and the proposal is excellent.
- The retail and dining spaces are a welcome addition to the area, and will help activate the pedestrian realm. This is a good thing.
- I often ride my bicycle down Wharf Street, and then up Humboldt as these are key parts of the city's AAA bicycle network. In the current use as a rental car parking lot, I have been concerned about the curb cut on Humboldt. The proposal's underground parking also enters and exits onto Humboldt Street. My comments on this are:
  - Having the parking enter and exit on Humboldt is clearly the best solution given site constraints.
  - I suspect that most users of the underground parking will be employees and frequent visitors, and will therefore be familiar with the large number of people using the bicycle infrastructure. This is a good thing, and I expect the result will be safer for everyone.
  - I commend Telus for proposing a reduced amount of underground parking for this site. The site has excellent active transportation connectivity, and it will be easy for people to come to the building by foot, by bicycle, and by transit. This is exactly what the city should be encouraging

More generally:

- I believe strongly that the most important aspect of building design is the way that the building interacts with the street. To me, this is far more important than height, FSR, or other measures that some people and organizations get hung up on. I will take a taller building with good street level interactions over a shorter building with mediocre street level interactions every single time. This proposal has excellent street interactions.
- The overall architecture is pleasing to me, and is not out of place with the surrounding, mostly modern, buildings.

- I think that having Telus locate right next to the Victoria Conference Centre is a great idea, will benefit both organizations, and will help activate the area.

Overall, therefore, this seem like an excellent proposal and should be fully supported by Council.

Sincerely,

Jim Mayer  
G3-389 Tyee Road, Victoria BC V9A 0A9



Dear Mayor and Council,

The attached "open letter" concerning the Telus-Ocean development, as then proposed, was mailed to Telus CEO, Mr. Darren Entwistle, on December 14, 2020. To date I have not received a response. I note however it still does not seem to meet my main concerns expressed at that time. I would be most grateful if your forthcoming review as per your agenda for March 11 would take my observations into consideration.

Yours truly,

Martin Segger  
1760 Patly Street  
Victoria, BC

**Prof. Martin Segger F.R.S.A.  
1760 Patly Place  
Victoria, Vancouver Island,  
British Columbia  
Canada V8S 5J5**

**Open letter to:**

Mr. Darren Entwistle, CEO  
Telus Corp.  
510 W. Georgia St. 23rd Floor  
Vancouver, British Columbia  
V6B 0M3

**Re: Design of the proposed Telus Ocean building in Victoria, British Columbia**

Dear Darren,

My generation first knew “Telus” as B.C.Tel and remember the BC Tel Christmas choral concerts (black and white TV) along with the seven digit rotary-dial phone number and a real operator on the “0”. Fast forward through the merger with AGT/Telus and today your company still proudly projects its “friendly” brand.

I want to bring to your attention then, the very unfriendly approach your company is making with plans for a massive “Telus” branded building in the historic heart of Downtown Victoria.

I understand the City-owned proposed site was originally optioned in concert with one of Victoria’s most reputable developers, Jawl Properties. Somehow Jawls have disappeared and you now are “committed” to the lease of two floors. Already this signals questionable credibility.

Next, a New York/Toronto architectural firm proposes to parachute in a glazed high-rise, so at odds with the character of Victoria, that one thinks they may have mistaken our “Inner Harbour District” site for one in Calgary Centre where it might be better appreciated. The proposed block is more than double (that’s right, double!) the current bulk originally anticipated for the site, nearly double the permitted density, and almost 30 feet higher than the limit as per the zoning. Is this an expression of the Alberta roots of your company rather than its British Columbia heritage?

As such, the Telus\Ocean will severely compromise some of Victoria’s iconic view-scapes, particularly those from the Inner Harbour. At night the building will rise above the roof line of the Empress Hotel like a back lit blimp, certainly a blot on the one of Victoria’s most treasured vistas. Is the roof-top back-lit Telus sign intended as a competing corporate colonial statement? Another classic view, southward on Douglas Street to the distant snow-capped Olympic Mountains, will be obstructed by the vast bulk of the new edifice.

Your design/development team has chosen to ignore almost every design directive that applies to this site, articulated in quite some detail, in our *Official Community Plan 2020*, the *Downtown Core Area Plan 2020*, and the *Downtown Design Guidelines 2019*. In many jurisdictions these documents are summarily dismissed by insensitive multi-national corporate developers as naïve unenlightened small-town, small-minded minor obstructions. Well, in Victoria they are not. These documents all recently updated, worked on intensively over several years with wide and extensive community input, express deeply felt community values. This design makes a mockery of them.

In Victoria those public values, when it comes to urban design, emphasize fit of scale, orientation, height, materials, details, and stylistic expression to an historic context, in particular due respect for our historic monuments which set the scale and character of the City. Across the street the contemporary award-winning Victoria Conference Centre, and the adjacent Aria demonstrate how this can be done. Nearby the Telus/Ocean's immediate heritage neighbours (the Empress, Crystal Gardens, Church of Our Lord) are overpowered by the sheer massing of the proposed structure. Soaring glass curtainwalls, crowding out over the public space at street level, are in defiant opposition to the set-backs, height, and materials required in our public planning documents.

Indeed, your multi-national architectural firm's comments to local intervenors with these kinds of questions were quite frank: "we are creating our own "unique" architectural statement!" The glazed curtain-wall-over-powering monumentality of the multi-national late-capitalist style may be appropriate to Vancouver, Calgary or New York. It is not to Victoria. And it is not very "friendly"!

As a former City councillor, and a long-time participant in many local boards and commissions, I can only interpret this intervention in the fabric of our historic Downtown as extreme corporate arrogance. Victoria residents are not push-overs when it comes to the city we all love. I believe you will meet massive resistance, which will only serve to tarnish your reputation.

Surely you appreciate that respect for local existing planning rules and design guidelines is essential to directing ongoing economic and social investments in the evolving urban fabric, a regime under which you and others are most welcome.

Indeed, Telus has a unique obligation to respect the heritage fabric of Victoria. Your corporate ancestry can be traced back to the Victoria and Esquimalt Telephone Company founded here in 1875.

I understand your international architectural consultants might not want to sully their reputations with a more modest example of respectful contextual design taking its cues from the local traditional built-forms and materials. But I think you should start afresh.

On the chance you might actually read this, many thanks for doing so.

I am taking the liberty of copying this to my highly respected and long-time friend, Mel Cooper. Victoria is proud that he was able for many years to provide leadership in the development of the Telus Friendly Future Foundation, which is overall, a better example of your corporate citizenship than this current building design promises to be.

Best wishes,

Martin Segger

March 9, 2021

Dear Mayor Helps and Council:

The staff recommendation coming before you in the COTW proposes, among other things, to rectify the problem of TELUS Ocean obstructing the protected view corridor of the Olympic Mountains seen down Douglas Street. More specifically, it recommends that you send the current proposal back to staff to work with TELUS / Aryze to move the building 10 meters back from the property line along Douglas, noting that this still would meet any requirement in terms of setback from the east property line facing the ARIA Condominium, and by implication that the ARIA should have no expectation that any more generous separation was due.

It is true that the TELUS Ocean Brief makes a strong argument that the reason for creating the “Penwell Extension” between that building and the ARIA is out of consideration to the residents closest to it. However, it is also true that, in the original pitch to the City by then partner TELUS / Jawl Properties (noted further below), TELUS had enunciated as a key design consideration:

“The project should be set back from the eastern property line to enhance the existing pedestrian connection and **maintain view corridors to the south along the Penwell Street right-of-way from the Doubletree and Marriott Hotels.**”

In trying to solve the protected Olympic Mountain view issue, it is not in anyone’s best interests to create further problems. If TELUS Ocean’s position on the site should change, **the least obstructive course is to reduce the building’s size to better fit the lot.** The city planners note the building’s very considerable mass “that is challenging to sensitively distribute on the site.” In fact, any movement from the west boundary would require changes to the building’s longest face, because the lot narrows progressively. Thus, the building’s dimensions will have to change. The City’s brief to the developers was to design a prominent building, not an overwhelming one.

In fact, the Notice of Disposition of Property which guides the sale of this lot states, in clause (d):

“TELUS to construct project generally in accordance with its project concept submitted to the City as part of its Requests for Expressions of Interest submission.”

While the details of that submission remain secret for proprietary reasons, a heavily redacted version has been made public. And it clearly states **that the winning proposal the City selected was not oversized.**

*“As proposed the Project complies with the 45 meter height guideline contained in both the OCP urban place designation and DCAP’s urban design directions applicable to the Site.....Specifically when viewed from key perspectives to the west identified in the DCAP, the Project is not visible over the Empress Hotel’s roofline and this has been confirmed by digital modeling. Additionally, the Project substantially complies with the urban design guidelines contained in the DCAP with respect to street wall configuration and upper floor setbacks and the Project’s place making, open space and urban design strategies are in sync with the principles and specific strategies outlined in the OCP”.*

**It is clear that TELUS (as noted, then in partnership with Jawl Properties) believed that a smaller and more context sensitive building was viable and met the goals of their brief to build a landmark building.** Staff are proposing a process where they work with the developers to “ seek.. siting and

massing changes as well as form and character amendments...toward achieving a proposal that better aligns with the Official Community Plan.”

We support the intent of this recommendation but urge Council to direct staff further to explicitly seek a less bulky building design and take into account the merits of the “Penwell Extension” in balancing the building’s impacts.

Respectfully yours,

Ruth Annis  
737 Humboldt Street  
Chair, Humboldt Valley Committee

March 9, 2021

Dear Mayor Helps and Council:

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Respectfully yours,

Ruth Annis  
737 Humboldt Street  
Chair, Humboldt Valley Committee

March 9, 2021

Mayor & Council – City of Victoria  
Centennial Square  
Victoria, BC V8W 1P6

Submitted by email: mayorandcouncil@victoria.ca

Dear Mayor and Council

Subject: Letter of support for Telus Ocean

I am writing to you today to voice my support for the proposed development the Telus Ocean building at 1150 Douglas Street. I believe that, in addition to being a well-designed building, this development fits Victoria's strategic priorities well.

Reminiscent of the NYC flatiron building, I see the Telus Ocean building as a beautiful, landmark building that is worthy of its location. I appreciate the project's emphasis on quality design and integration of sustainability. I am looking forward to seeing events hosted in the rooftop gardens and love the idea of incorporating solar panels into the space, in addition to many other sustainable design elements. I also believe that the compromise of having 12 stories instead of 15 in exchange for a higher FSR is reasonable.

I believe that it is in Victoria's strategic and economic best interests that the Telus Ocean project is approved. The project will further three objectives of the Victoria 3.0 plan and will create approximately 500 high quality jobs for the region. Approval of the Telus Ocean project will help Victoria cultivate a strong innovation ecosystem and create a strong and resilient economy.

As a UVic student, and a young person who is looking for employment opportunities in Victoria, I am pleased to see projects like this. I am confident that many future UVic graduates will find their dream job at the Telus Ocean Regional Headquarters. I thank council, in advance, for their consideration not only of the current residents of Victoria but also of the needs and challenges of the city's future residents and workers, a cohort now represented by students and children. I ask you to support this project in full.

Sincerely,

Rowan Damant

215 Beechwood Avenue  
Victoria, BC V8S 3W6

March 10, 2021

Mayor & Council – City of Victoria

Centennial Square

Victoria, BC V8W 1P6

Submitted by email: mayorandcouncil@victoria.ca

Dear Mayor and Council

Subject: Letter of support for Telus Ocean

Dear Mayor and Council,

I am writing to you today to help support the proposed development on 1150 Douglas street, the TELUS ocean project.

I think the building would be a great addition to Victoria's downtown core, especially since the sustainable practices which the building brings fit very well with culture in Victoria. In addition, the max height of 54 M will bring a good presence while at the same time not being too high or obnoxious for the people of the city. The new style of architecture and green outdoors also brings something very unique to Victoria that I think the residents would really take to.

As a UVIC student and someone who is apart of the Urban development club I think that the design, layout and economic interest would all make sense and only benefit the city of Victoria. As the city is developing and becoming more open to things like this, I only see it as something that is beneficial to the progress of the entire city. I want to thank council for their consideration and recognition and please ask that you support this project in full.

Sincerely,

Ben MacDonald

3540 Robinson road

North Vancouver, BC V7J 3P7



**D Byrne Construction & Excavating Ltd**

---

**Subject Line: TELUS Ocean (REZ00746/DPV00155)**

City of Victoria Mayor and Councillors,

As a tradesperson in Victoria, I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria for the following reason(s):

- It is an iconic \$100m regional head office investment in the Central Business District by Western Canada's largest employer
- It will create more than 500 local, living wage jobs for skilled labourers and tradespeople during the duration of construction
- It will provide ample capacity building opportunities for skills development and growth due to the innovative and high-quality design

per Daniel Byrne  
D Byrne Construction and Excavation Ltd

BAB

March 10th, 2021

Mayor & Council - City of Victoria  
Centennial Square  
Victoria, BC V8W 1P6

Submitted by email: mayorandcouncil@victoria.ca

Subject: Letter of support for Telus Ocean

Dear Mayor and Council

I am writing to you today in support of the proposed development the Telus Ocean building at 1150 Douglas Street. While I like the design for the space, I am more excited about the job opportunities the building will have for people my age. While Victoria is becoming a technology hub, I believe there is still quite a bit of infrastructure needing to come in, if we want to retain the right talent.

As someone who wants to build technology companies in Canada, I am always in support of building new buildings both commercial and residential. With increased supply comes affordable rent which is exactly what we need.

Sincerely,

Jack Campbell

3944 Telegraph Bay Road, Victoria, BC, V8N,4H7, Canada

March 10, 2021

Mayor & Council – City of Victoria

Centennial Square

Victoria, BC V8W 1P6

Submitted by email: [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)

RE: TELUS Ocean (REZ00746/DPV00155)

Dear Mayor and Council,

I am writing to you today to express my support for the proposed development at 767 Douglas St. This development will not only create new housing units which the city desperately needs but also will include innovative and sustainable office space.

This city is an amazing place to live, however, the extent of our housing crisis has made it inaccessible and unavailable for many potential students, young professionals, and moderate-income households. I personally have lived in Victoria my whole life, and I along with friends have wondered about our futures and whether or not we will be able to find housing, let alone affordable housing when we enter our professional lives. This particular project would mean an increase in densification for the neighbourhood, however, with its proximity to the downtown core this project will increase the value of the area tremendously.

As a geography student at UVIC, I am always looking at new inspiring ways in which developments are moving towards green initiatives and the TELUS Ocean development is one of the leading developments for sustainability. As we move forward into the future we have to start looking at new ways to grow and expand while maintaining our natural resources and I believe this project will be the start of many new sustainable developments to lead the way in lowering our carbon footprint. The location is currently not being used to its full potential, and with the addition of the TELUS ocean building, we can anticipate a vibrant and inviting public space to be incorporated.

In our ever-changing world, we must not stay stagnant, this development is desperately needed to allow the city to expand and grow to meet the needs of our growing population. The location of the project is along direct transit lines to the University and is in a prime location to create new high-value tech jobs in the city.

Thank you for your time and consideration, and I ask for your full support in this project.

Sincerely,

Rachel Litton

3200 Richmond Rd

Victoria BC, V8P 4P1





**TELUS ocean**  
767 Douglas Street

Date: MARCH 5<sup>th</sup>, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

.....  
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Thank you for your consideration.

Sincerely,

NICOLAS JERKILL  
Name

[Signature]  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: March 5<sup>th</sup> 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

David Warren

Name

[Signature]

Signature

☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: march 5/21

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Jordan King  
Name

Jordan King  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: 5 March 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
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- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Garrett Clark  
Name

Garrett Clark  
Signature

☐ Victoria Resident

☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: March 5, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
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- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Christian Dogoette

Name

Signature

☒ Victoria Resident

☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: 5 March 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
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- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Emily Henderson  
Name

[Signature]  
Signature

- ☐ Victoria Resident      ☒ Interested Stakeholder





**TELUS ocean**  
767 Douglas Street

Date: .....

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

*Jason Tuttle*

Name

*[Signature]*

Signature

☐ Victoria Resident      ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: 2/23/21

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Name

MIKE EARLE

Signature

☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: 03/01/2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Mike Farley

Name

Mike Farley

Signature

☒ Victoria Resident

☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: March 1, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Rebecca Fishburne

Name

[Signature]

Signature

- ☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: March 2nd, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Rich Becker

Name

[Signature]

Signature

☒ Victoria Resident      ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: 03/02/21

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

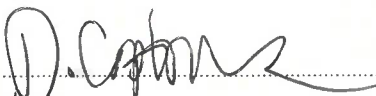
- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
- ☒ Create new vibrant, inviting, and productive public space.
- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Andrew Copleston  
Name

  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder





**TELUS ocean**  
767 Douglas Street

Date: March 1, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.

☐ Other:

support for restaurants, bars, and retail.

Thank you for your consideration.

Sincerely,

Raid James, Hotel Grand Pacific  
Name

[Signature]  
Signature

☐ Victoria Resident ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date:

March 2 / 2020

Attn:

Victoria City Council  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Vincent Zerr

Name

Signature

☐ Victoria Resident ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: Feb 24/21

Attn:

Victoria City Council  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Alun L Freeman-Wood  
Name

[Signature]  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: FEB 24, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
- ☒ Contribute to a stronger, more resilient economy.
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- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.
- ☒ Other:

TAX DOLLARS FOR VICTORIA BIKE LANES.

Thank you for your consideration.

Sincerely,

JOEL CHOICEIGH

Name

[Signature]  
Signature

☐ Victoria Resident

☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: 2021-02-24

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Norm Baver  
Name

[Signature]  
Signature

☐ Victoria Resident ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: Feb. 24 / 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
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- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Deanna Comartin  
Name

[Signature]  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder





**TELUS ocean**  
767 Douglas Street

Date: Feb 24, 2021

Attn:

Victoria City Council  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☒ Create high-value jobs in the tech and innovation sectors.
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- ☒ Offer sustainable office space in the Central Business District.
- ☒ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☒ Complement the surrounding community with world-class, iconic architecture.

☐ Other:

Thank you for your consideration.

Sincerely,

Tara McColl

Name

[Signature]  
Signature

☒ Victoria Resident

☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: FEBRUARY 24, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- Create high-value jobs in the tech and innovation sectors.
- Contribute to a stronger, more resilient economy.
- Create new vibrant, inviting, and productive public space.
- Offer sustainable office space in the Central Business District.
- Bring life to an existing vehicle parking lot in a prominent Downtown location.
- Complement the surrounding community with world-class, iconic architecture.
- Other:

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Thank you for your consideration.

Sincerely,

B. McNEILAGE  
Name

[Signature]  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: FEBRUARY 24 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

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- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

STEPHEN NICHOLSON

Name

Stephen Nicholson

Signature

☐ Victoria Resident      ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: February 23, 2021

Attn:

Victoria City Council  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: TELUS Ocean (REZ00746 / DPV00155)

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

Thank you for your consideration.

Sincerely,

Terry Friesen  
Name

[Signature]  
Signature

☐ Victoria Resident ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: Tuesday February 23<sup>rd</sup> 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Sheal. Bard

Name

[Signature]

Signature

☐ Victoria Resident ☒ Interested Stakeholder



**TELUS ocean**  
767 Douglas Street

Date: TUESDAY FEBRUARY 23<sup>RD</sup>, 2021

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

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Thank you for your consideration.

Sincerely,

Donna Adair  
Name

[Signature]  
Signature

☒ Victoria Resident      ☐ Interested Stakeholder





**TELUS ocean**  
767 Douglas Street

Date: .....

Attn:

**Victoria City Council**  
1 Centennial Square  
Victoria, BC V8W 1P6

Re: **TELUS Ocean (REZ00746 / DPV00155)**

City of Victoria Mayor and Councillors,

I am writing to express my support for TELUS Ocean. I welcome the proposed TELUS Ocean development vision to Downtown Victoria because I believe it will:

- ☐ Create high-value jobs in the tech and innovation sectors.
- ☐ Contribute to a stronger, more resilient economy.
- ☐ Create new vibrant, inviting, and productive public space.
- ☐ Offer sustainable office space in the Central Business District.
- ☐ Bring life to an existing vehicle parking lot in a prominent Downtown location.
- ☐ Complement the surrounding community with world-class, iconic architecture.
- ☐ Other:

.....  
.....  
.....

Thank you for your consideration.

Sincerely,

*Jayden Prescott*  
.....  
Name

*Jayden Prescott*  
.....  
Signature

- ☒ Victoria Resident      ☐ Interested Stakeholder

City of Victoria Mayor and Councillors,

I welcome the proposed TELUS Ocean development vision to Downtown Victoria:

[illegible]

**City of Victoria Mayor and Councillors,**

I welcome the proposed TELUS Ocean development vision to Downtown Victoria:

NAME	DATE	EMAIL	SIGNATURE
EMILY SUTHERLAND	2021-02-23	[REDACTED]	[REDACTED]
Terry Friesen	2021-02-23	[REDACTED]	[REDACTED]
Melanie Osgunc	2021/02/23	[REDACTED]	[REDACTED]
Shealynne Leitt	2021/02/23	[REDACTED]	[REDACTED]
Phaal Bond	2021/02/24	[REDACTED]	[REDACTED]
Shara Arnold	2021/02/24	[REDACTED]	[REDACTED]
Heather Forth	2021/02/24	[REDACTED]	[REDACTED]
Adam Broadshaw	2021/02/24	[REDACTED]	[REDACTED]
Abby Vidal	2021/02/24	[REDACTED]	[REDACTED]

**MINUTES OF THE**  
**ADVISORY DESIGN PANEL MEETING**  
**HELD WEDNESDAY SEPTEMBER 23, 2020**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:00 PM**

**Present:** Marilyn Palmer (Chair), Brad Forth, Devon Skinner,  
Sean Partlow, Ben Smith, Ruth Dollinger, Trish  
Piwowar

**Absent:** Matty Jardine, Joseph Kardum

**Staff Present:** Charlotte Wain – Senior Planner, Urban Design  
Miko Betanzo – Senior Planner, Urban Design  
Alena Hickman – ADP Secretary

**2. APPLICATIONS**

**2.1 Development Permit Application No. 000155 for 749 to 767 Douglas Street**

The City is considering a Development Permit Application for a twelve-storey office building with ground floor commercial and requires an Official Community Plan (OCP) amendment and Rezoning for density and Development Permit Application for form and character.

Applicant meeting attendees:

LUKE MARI  
DAVID DOW  
ELENA CHERNYSHOV  
KELTY MCKINNON

ARYZE DEVELOPMENT INC  
DIAMOND SCHMITT ARCHITECTS  
DIAMOND SCHMITT ARCHITECTS  
PFS STUDIO

Miko Betanzo provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- overall scale and massing relative to the heritage landmark policies that seek to respect the visual prominence and character defining importance of heritage landmark buildings
- overall scale and massing with respect to building floor plate and street setback policies aimed to reduce the bulkiness of buildings and shadowing impacts
- impact on protected views to the harbour in terms of policies that seek to ensure new developments complement and respond to the surrounding context
- massing along Douglas street in terms of the length of building relative to policies that promote a human scale and visual interest through building articulation
- materiality approach with respect to the extent of proposed glazing within a heritage landmark radius and in terms of the general form and character of the area
- any other aspects of the proposal on which the ADP chooses to comment.

David Dow provided the Panel with a detailed presentation of the site and context of the proposal. Kelty McKinnon provided the panel with a detailed presentation of the landscaping plan.

The Panel asked the following questions of clarification:

- Has the bundling been designed with any sustainability ratings or if any energy modeling has been done?
  - Yes, it is in Telus's branding to make sure their buildings have great sustainability. We have done preliminary modeling but haven't quantified specific targets yet.
- Do you have a rendering or view from the north side of the building looking towards Douglas?
  - No, we don't have an updated rendering
- Did you explore any other material pallets for the ground floor?
  - Our intent is to make the tactile experience as powerful as possible for pedestrians. And a lot of the elements go throughout the lobby. We are looking at higher qualities of materials for other aspects of the building.
- Can the applicant please speak to the trees that are being removed and replaced?
  - We are aware and wanting to save as many trees as possible. Because of parking we have had to replace more than we wanted to. Most trees had to come out because of past contamination of the site.
- Where have you acknowledged any of the contextual requirements for this site and can you point them out?
  - The site is a challenging one. It's a key site as a landmark spot, which must be balanced with context and how to appropriately balance between context and the desire for form and representation. We have long views of the building from Songhees and Laurel Point that look at the relationship to the Empress. We can stylistically attempt to mimic the same context, or we can try to provide a back draw and foil to that. If you look at it from those viewpoints, we have basically given a new backdrop to the roofline of the Empress. It sets the skyline off in a far stronger matter than currently exists. We are trying to achieve a texture and rhythm that will fit within the cadence of the street.

Panel members discussed:

- this side of Douglas Street the proposed building contextually does fit with the surrounding buildings
- this corner is very dead and is needing to be activated and I think this building amplifies it
- great visual interest
- appreciation for the interesting architectural concept on that corner
- appreciation for the integrity of the landscape plan
- concern with the Douglas Street frontage green space
- concern with the vague drawings regarding finishes and details
- concern with size and placement of the Telus logo

- materiality is missing with regard to the textured surfaces
- support for the gesture of the opening of the south point of the terraces, but some concern on how well they would be occupied
- appreciation for the form and design of the building
- appreciation for the pedestrian connection and the relief that was created
- concern for the area that is demarcated as a site that has significant considerations of character and integration
- if the building was placed on a different site anywhere else it would be wonderful. However, there are more than a few areas in which the application is non-conforming with City policies, specifically the OCP, the Urban Place Designation for the Core Inner Harbour District and DPA 9 Inner Harbour. For those reasons I would not vote in support of this application.

**Motion:**

It was moved by Brad Forth, seconded by Ben Smith, that the Development Permit Application No. 000155 for 749 to 767 Douglas Street be approved with the following changes:

- Commitment that the south plaza be redeveloped as part of the project
- Reduce or lower signage on the waterfront side
- Warmer pallet included on soffit particularly at the north entrance

**Carried 6:1**

### **3. ADJOURNMENT**

The Advisory Design Panel meeting of September 23, 2020 was adjourned at 2:15 pm.

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Marilyn Palmer, Chair





## Committee of the Whole Report For the Meeting of March 11, 2021

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**To:** Committee of the Whole **Date:** February 25, 2021  
**From:** Karen Hoese, Director, Sustainable Planning and Community Development  
**Subject:** Development Variance Permit Application No. 00255 for 161-167 Robertson Street

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### RECOMMENDATION

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

“That Council authorize the issuance of Development Variance Permit Application No. 00255 for 161-167 Roberson Street, in accordance with:

1. Plans date stamped November 25, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. Floor area of all floor levels combined (maximum) be increased from 300m<sup>2</sup> to 373m<sup>2</sup>.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 161-167 Robertson Street. The proposal is to allow an additional 73m<sup>2</sup> of floor area within the basement level of the existing single-family dwelling.

The following points were considered in assessing this application:

- The excavation for the dwelling revealed sub-surface soil conditions that required a deeper foundation than initially anticipated, thus triggering a change to the approved building plans. The change requested is to allow an area of 73m<sup>2</sup> originally shown as

crawlspace to be used as habitable floor area.

- The request to allow additional floor area in the basement level does not contribute to the building mass of the dwelling.
- The additional floor area within the basement involves no changes to the exterior of the dwelling, and, as such, there are no privacy or overlook issues resulting from the additional floor area.
- The density provision of the existing R1-G Zone, Single Family Dwelling (Gonzales) District, is not exceeded as the additional floor area in the basement level is exempt from the definition of floor space ratio; however, the combined floor area regulations for all levels of the building is exceeded by 73 m<sup>2</sup>.

## **BACKGROUND**

### **Description of Proposal**

A one-and-a-half-storey, single-family dwelling with a basement is nearing completion on the subject property. The applicants have advised that in order to accommodate the design and seismic requirements of the new house, substantial excavation was required. This excavation was deeper than originally anticipated and as a result provided an opportunity to create additional habitable floor area.

The proposed variance is related to allowing an additional 73m<sup>2</sup> floor area in the basement level of the dwelling.

### **Sustainability**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation**

The applicant has not identified any active transportation impacts associated with this application.

### **Public Realm**

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

### **Accessibility**

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### **Data Table**

The following data table compares the proposal with the existing R1-G Zone, Single Family Dwelling (Gonzales) District. An asterisk is used to identify where the proposal does not meet the requirements of the existing zone. A double asterisk identifies an existing situation. A triple asterisk is used to identify Board of Variance approvals. Note that only one variance (in **bold**) is requested with this current application.

Zoning Criteria	Proposal	Zone Standard R1-G	Comments
Site area (m <sup>2</sup> ) – minimum	875	460.00	
Lot width (m) – minimum average	13.72 **	15.00	Existing non-conforming
Density (Floor Space Ratio) – maximum	0.27:1	0.5:1	Basement exempt from total floor area & FSR
1 <sup>st</sup> and 2 <sup>nd</sup> storey floor area (m <sup>2</sup> ) – maximum	239.94	240	
Total floor area (m <sup>2</sup> ) – maximum	<b>372.77 *</b>	300.00	Variance requested
Height (m) – maximum	8.08 ***	7.60	Board of Variance approved
Storeys – maximum	1.5 with basement	1.5 or 2 storey with basement	Half-storey is less than 70% of floor area of first storey
Site coverage (%) – maximum	29.82	30	
<b>Open site space (%) – minimum</b>	50.88	50	
Area of the lot			
Front yard	50.03	50	
<b>Setbacks (m)</b>			
Front – minimum	30.76	7.5	
Rear – from the front lot line to the rear of the building for water lots – maximum	50.00 *	36.50	Board of Variance approved
Side - minimum	2.06	2.06	15% of lot width
Side - minimum	2.19	2.06	15% of lot width
Combined side yards (minimum)	4.25 *	5.40	Board of Variance approved
Parking – vehicular – minimum	2	1	
Accessory structure (garage) – location (Robertson Street)	Front yard ***	Rear yard	Board of Variance approved
Accessory structure height at shoreline – maximum	5.22m ***	3.5m	Board of Variance approved

## Relevant History

In 2019, a building permit for a new single-family residence was issued. The design of the new house and accessory building required a number of Board of Variance approvals, which are detailed in the Data Table. A Board of Variance appeal to allow the additional floor area in the basement was declined on March 12, 2020, and therefore the applicants are pursuing an approval through the Development Variance Permit process. The Board of Variance minutes are attached (Attachment F).

The applicant has provided a report from Ryzuk Geotechnical dated March 2, 2020, providing details of the excavation and foundation conditions. The excavation created a deeper foundation, which created an opportunity to change area in the basement from a crawlspace to habitable area. This is more fully described in the section titled Regulatory Considerations.

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on December 10, 2020 the application was referred for a 30-day comment period to the Fairfield-Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

### Tree Preservation Bylaw and Urban Forest Master Plan

There are no *Tree Preservation Bylaw* impacts with this application for additional floor area in the basement.

### Regulatory Considerations

The property is subject to the regulations of the R1-G Zone, Single Family Dwelling (Gonzales) District. This Zone allows for a single-family dwelling, with the following limitations to the floor area of the dwelling:

- maximum floor space ratio of 0.5:1
- maximum floor area for the first and second storey combined of 240 m<sup>2</sup>
- maximum total floor area of all levels (first and second storey and basement) of 300 m<sup>2</sup>.

The development of the subject property meets the requirements for floor space ratio and for the maximum floor area of the first and second storey combined. The floor space ratio is 0.27:1, which is below the requirement 0.5:1. The new or additional floor area outside the scope of the regulations is within the basement level. According to the definition of basement within the *Zoning Regulation Bylaw*, the lowest level ceiling cannot be more than 1.2m above grade. The changes requested by this variance application do not impact the interpretation of the bylaw as the lower level remains consistent with the definition of basement and is 1.2m below grade.

In order to be considered floor area, the floor to ceiling height must be greater than 1.5m (4.9 feet). Floor to ceiling height less than 1.5m in height is considered non-habitable crawlspace, which is generally used for storage or utilities within a home. The approved building plans for

this dwelling originally showed approximately half the basement level as crawlspace. With the deeper excavation the clearance height was increased, converting 73m<sup>2</sup> of area formerly noted as crawlspace to habitable area. This change to the floor plans in the basement level allows for a larger bedroom and full height storage. In the applicant's letter dated November 25, 2020, it is indicated that the additional floor area may accommodate a secondary suite at a later date, which is permitted within the zone.

This application presents a conundrum in that it appears to circumvent regulations that are intended to cap the total floor area and limit the overall size of houses and potential ancillary uses such as secondary suites. However, the structure and additional floor area are already built and the remedy for compliance with the *Zoning Regulation Bylaw* is to fill in or build a bulkhead or suspended ceiling within the additional 73m<sup>2</sup> of floor area to return it to its classification of crawlspace. While this sort of corrective approach would bring the building in line with the *Zoning Regulation Bylaw*, it would not change the outward appearance nor reduce the massing of the existing single-family dwelling. As such, there would be no change in terms of the building's impact on the adjacent properties.

## **CONCLUSIONS**

Requesting approval after the fact is not an ideal situation; however, the exterior form and massing of the single-family dwelling has not changed as a result of the additional floor area and no privacy impacts to adjacent neighbours are attributed to the additional floor area.

## **ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 000255 for the property located at 161-167 Robertson Street.

Respectfully submitted,

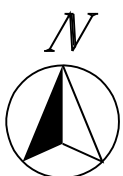
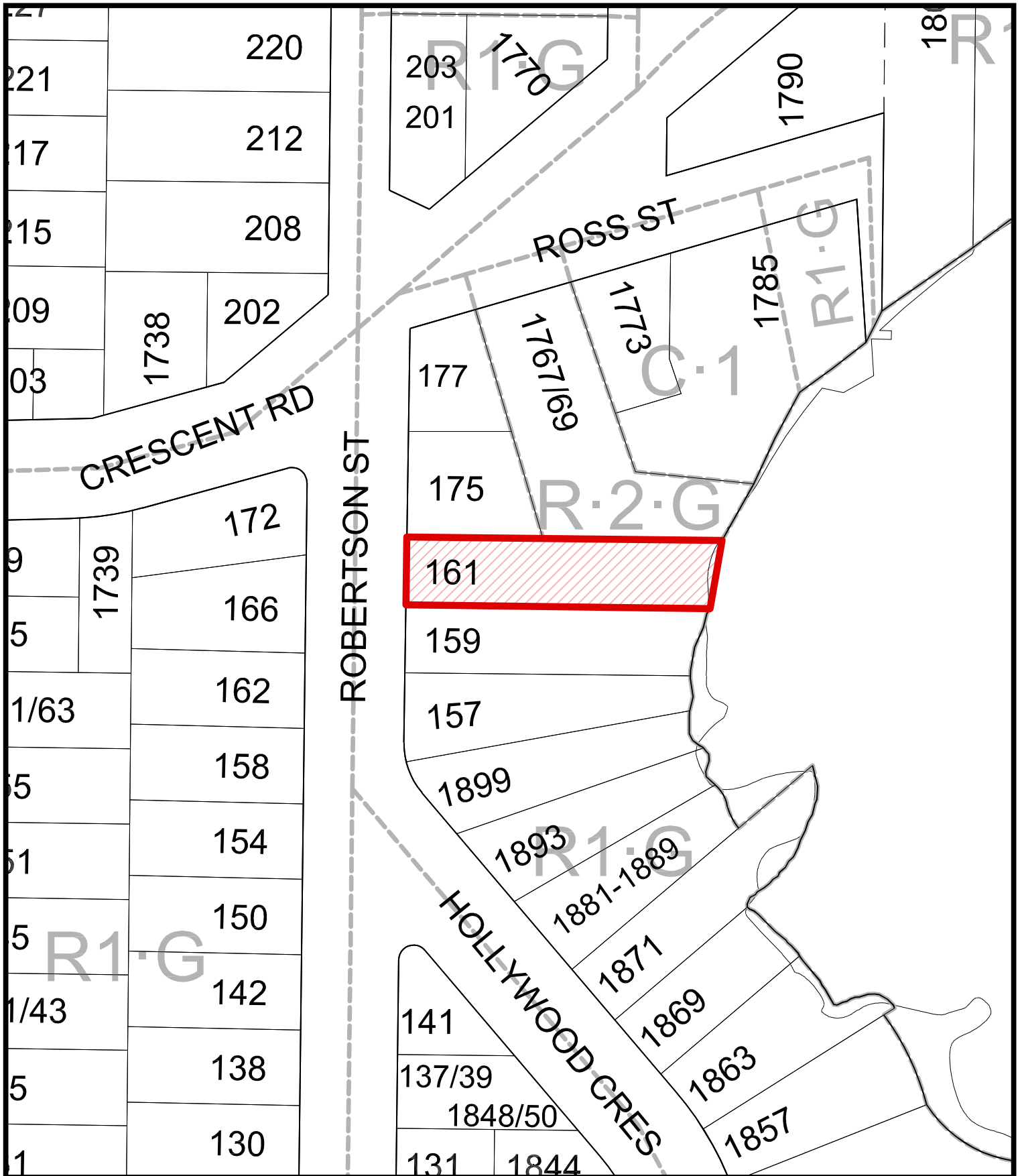
Lucina Baryluk  
Senior Planner  
Development Services

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

## **List of Attachments**

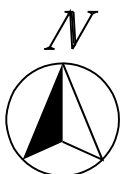
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 25, 2020
- Attachment D: Letter from applicant to Mayor and Council dated November 25, 2020
- Attachment E: Letter from Ryzuk Geotechnical dated March 2, 2020
- Attachment F: Board of Variance minutes, dated March 12, 2020
- Attachment G: Correspondence.



161 Robertson Street  
Development Variance Permit No.00255



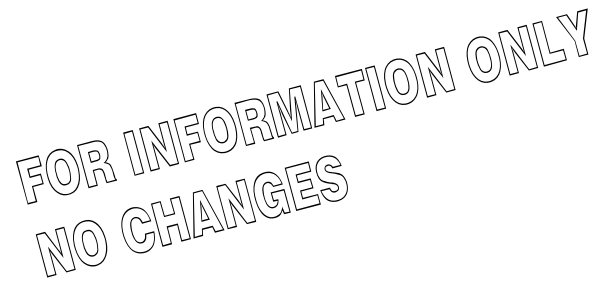




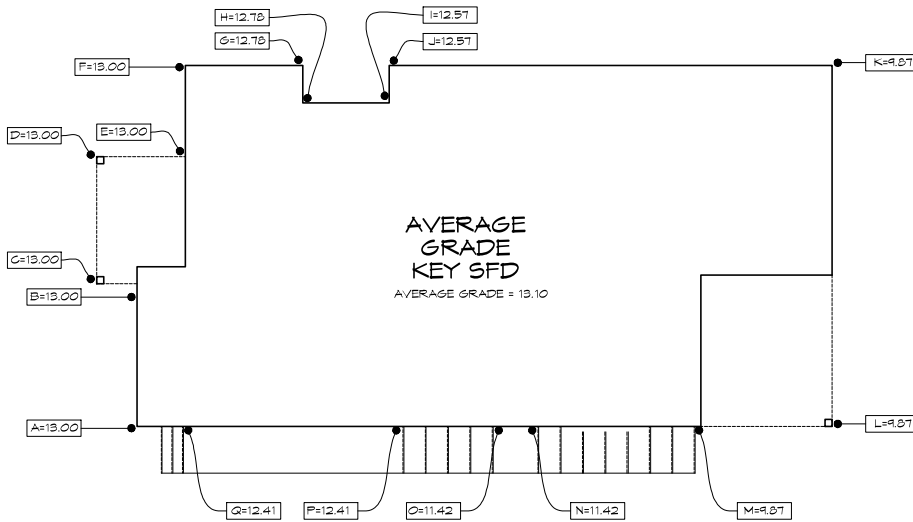
161 Robertson Street  
Development Variance Permit No.00255







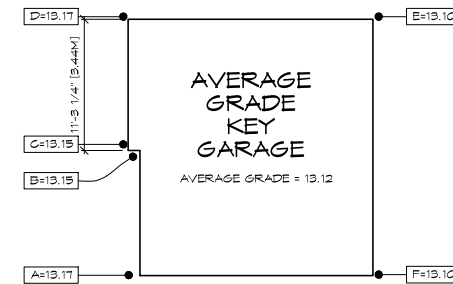
749



161 Robertson - Average Grade Calculation

SEGMENT	Start	Finish	Average	Distance	Factor	Total Factors	Perimeter	Average grade (total factors / perimeter)
AB	13.00	13.00	13.00	3.73	48.49	690.42	59.33	11.637
BC	13.00	13.00	13.00	1.05	13.65			
CD	13.00	13.00	13.00	3.33	43.29			
DE	13.00	13.00	13.00	2.32	30.16			
EF	13.00	13.00	13.00	2.39	31.07			
FG	13.00	12.78	12.89	3.07	39.57			
GH	12.78	12.78	12.78	0.98	12.52			
HI	12.78	12.57	12.68	2.26	28.65			
IJ	12.57	12.57	12.57	0.98	12.32			
JK	12.57	9.87	11.22	11.58	129.93			
KL	9.87	9.87	9.87	9.45	93.27			
LM	9.87	9.87	9.87	3.43	33.85			
MN	9.87	11.42	10.65	4.27	45.45			
NO	11.42	11.42	11.42	1.19	13.59			
OP	11.42	12.41	11.92	2.34	27.88			
PQ	12.41	12.41	12.41	5.77	71.61			
QA	12.41	13.00	12.71	1.19	15.12			
<b>TOTAL</b>				<b>59.33</b>	<b>690.42</b>			

**AVERAGE GRADE**  
**11.64**



161 Robertson Garage - Average Grade Calculation

SEGMENT	Start	Finish	Average	Distance	Factor	Total Factors	Perimeter	Average grade (total factors / perimeter)
AB	13.17	13.15	13.16	3.27	43.03	343.99	26.22	13.119
BC	13.15	13.15	13.15	0.30	3.95			
CD	13.15	13.10	13.13	3.44	45.15			
DE	13.10	13.10	13.10	6.40	83.84			
EF	13.10	13.10	13.10	6.71	87.90			
FA	13.10	13.17	13.14	6.10	80.12			
<b>TOTAL</b>				<b>26.22</b>	<b>343.99</b>			<b>13.12</b>

FOR INFORMATION ONLY  
NO CHANGE

**Andrew SFD & Garage**  
161 Robertson Street, Victoria February 20, 2020



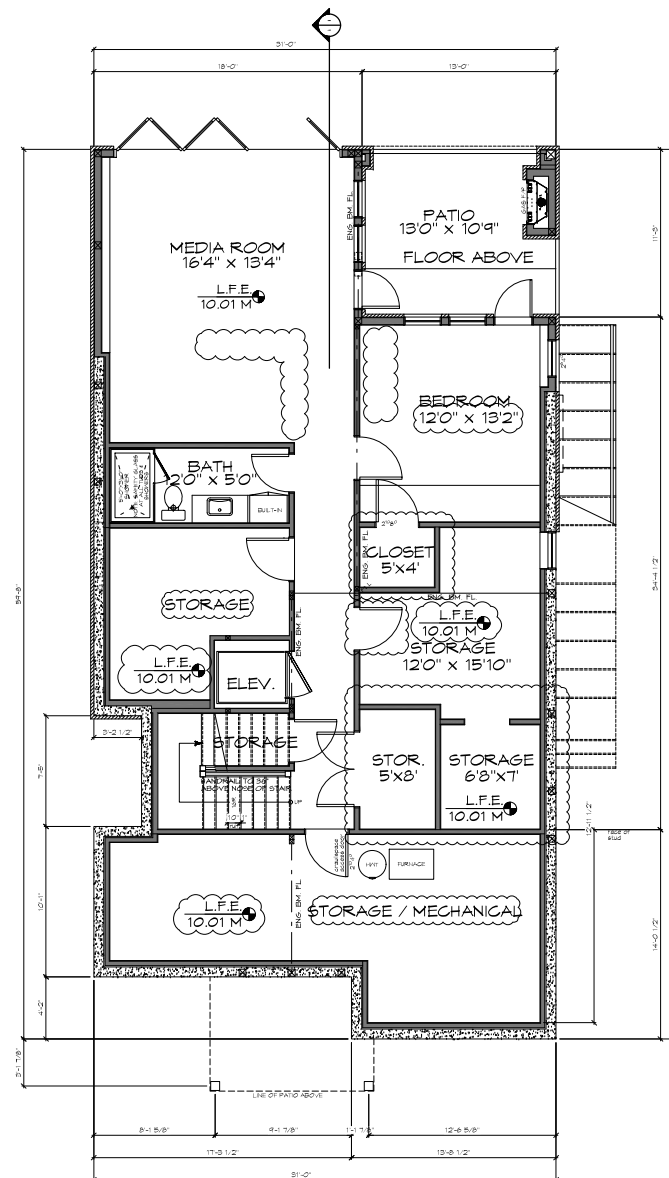
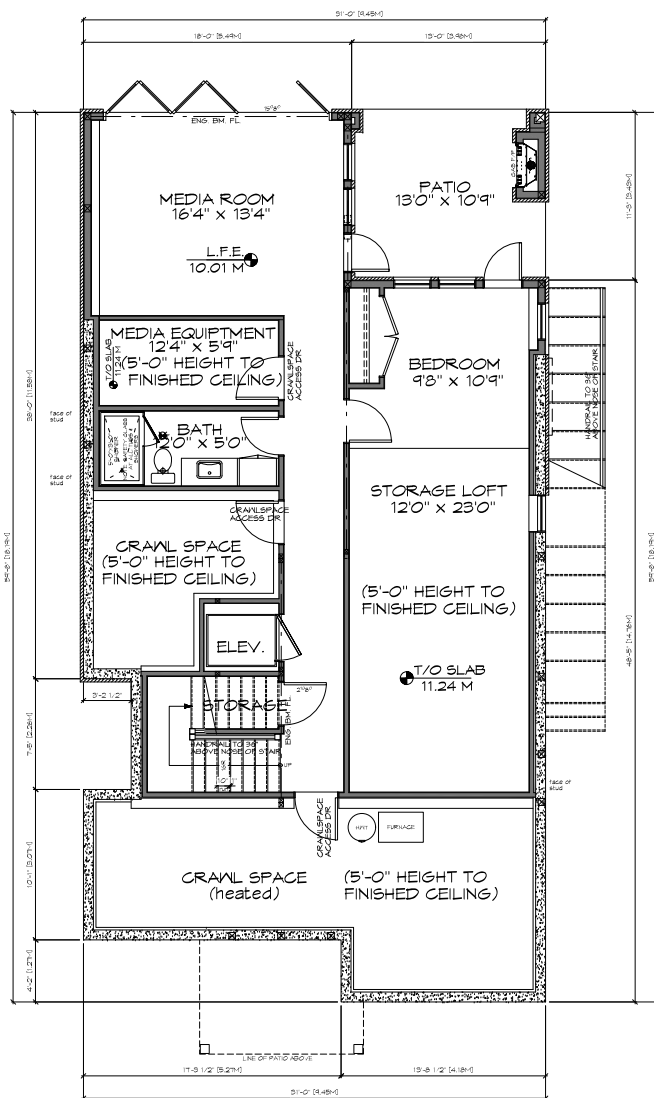
**SITE DATA - NEW SFD & GARAGE @ 161 ROBERTSON STREET**

LEGAL DESCRIPTION - LOT 2, BLOCK1, SECTION 19, VICTORIA DISTRICT, PLAN 970  
ZONING - R1-G

PROPOSED SFD	REQUIRED	PROPOSED	COMMENTS
LOT AREA	460.00 M <sup>2</sup>	875.89 M <sup>2</sup> (9429.03 FT <sup>2</sup> )	non-conforming
LOT WIDTH	15.00 M	13.71 M (44.98')	
LOT DEPTH (AVG.)		64.15 M (210.47')	
FRONT YARD AREA		422.04 M <sup>2</sup> (4542.77 FT <sup>2</sup> )	
REAR YARD AREA		190.11 M <sup>2</sup> (2046.24 FT <sup>2</sup> )	
SETBACKS			
FRONT	7.50 M	30.76 M (100.92')	variance granted 10/15/18
REAR	36.50 M (from front lot line)	50.00 M (164.04')	
SIDE (north)	2.06 M (15.00% lot width)	2.06 M (6.76')	
SIDE (south)	2.06 M (15.00% lot width)	2.19 M (7.19')	
SIDE COMBINED	5.40 M	4.25 M (13.94')	variance granted 10/15/18
AVERAGE GRADE		11.56 M (37.93')	
BUILDING HEIGHT	7.60 M	8.08 M (26.51')	variance granted 10/15/18
STOREYS	1 1/2 STOREYS + BSMT	1 1/2 STOREYS + BSMT	
FLOOR AREA			
UPPER FLOOR		48.79 M <sup>2</sup> (1063.41 FT <sup>2</sup> )	
MAIN FLOOR		14.15 M <sup>2</sup> (151.93 FT <sup>2</sup> )	
BASEMENT		132.83 M <sup>2</sup> (1424.81 FT <sup>2</sup> )	FORMERLY 60.03 m <sup>2</sup> (646.2 FT <sup>2</sup> )
TOTAL FLOOR AREAS			
MAIN AND UPPER FLOORS		238.94 M <sup>2</sup> (2562.74 FT <sup>2</sup> )	
ALL FLOORS COMBINED	240 M <sup>2</sup>	572.77 M <sup>2</sup> (4012.46 FT <sup>2</sup> )	variance required
FLOOR AREA RATIO	0.50	0.49	
SITE COVERAGE	30.00%	24.62%	
OPEN SITE SPACE	50.00%	50.89%	
OPEN SITE SPACE - FRONT YARD	50.00%	50.03%	
PARKING	1	3	
ACCESSORY GARAGE			
MUST BE IN REAR YARD			
REAR YARD			
SETBACKS			
TO HOUSE	2.40 M	15.02 M (49.28')	
REAR	0.60 M	49.46 M (159.99')	
SIDE NORTH	0.60 M	0.61 M (2.00')	
SIDE SOUTH	0.60 M	6.40 M (21.00')	
AVG. GRADE		13.12 M (43.04')	
BUILDING HEIGHT	3.50 M	3.43 M (11.25')	
FLOOR AREA	37.00 M <sup>2</sup>	36.76 M <sup>2</sup> (395.71 FT <sup>2</sup> )	
SITE COVERAGE	25.00 % OF REAR YARD	0.00 % OF REAR YARD	
ACCESSORY BUILDING			
SETBACKS			
TO HOUSE	2.40 M	7.71 M (25.49')	
REAR	0.60 M	4.58 M (15.03')	
SIDE NORTH	0.60 M	0.81 M (2.66')	
SIDE SOUTH	0.60 M	6.98 M (22.90')	
AVG. GRADE		5.87 M (19.26')	
BUILDING HEIGHT	3.50 M	2.66 M (8.73')	
FLOOR AREA	37.00 M <sup>2</sup>	18.68 M <sup>2</sup> (201.05 FT <sup>2</sup> )	
SITE COVERAGE	25.00 % OF REAR YARD	9.83 % OF REAR YARD	
ACC. BLDG-POOL/HOT TUB			
SETBACKS			
TO HOUSE	2.40 M	4.82 M (15.81')	
REAR	0.60 M	6.99 M (22.93')	
SIDE NORTH	0.60 M	1.22 M (4.00')	
SIDE SOUTH	0.60 M	1.52 M (4.99')	
GRADE		4.65 M (15.26')	
HEIGHT	3.50 M	5.22 M (17.13')	
FLOOR AREA	37.00 M <sup>2</sup>	27.26 M <sup>2</sup> (293.41 FT <sup>2</sup> )	
SITE COVERAGE	25.00 % OF REAR YARD	14.34 % OF REAR YARD	
NORTHEAST STAR			
SETBACKS			
REAR	0.60 M	0.61 M (2.00')	
SIDE NORTH	0.60 M	0.70 M (2.30')	
AREA		2.40 M <sup>2</sup> (26.67 FT <sup>2</sup> )	LESS THAN 2 ABOVE NATURAL GRADE
EAST STAR			
AREA			
ACCESSORY BLDG-COMBINED			
REAR YARD			
FLOOR AREA BUILDING	37.00 M <sup>2</sup>	18.68 M <sup>2</sup> (201.05 FT <sup>2</sup> )	
FLOOR AREA (POOL/TUB)	37.00 M <sup>2</sup>	27.26 M <sup>2</sup> (293.41 FT <sup>2</sup> )	
EAST STAR AREA		0.71 M <sup>2</sup> (8.25 FT <sup>2</sup> )	
SITE COVERAGE	25.00 % OF REAR YARD	24.57 % OF REAR YARD	
VARIANCES			
(SFD) REAR YARD SETBACK	36.50 M (from front lot line)	50.00 M (164.04')	VARIANCE (44.29')
(SFD) SIDE COMBINED	5.40 M	4.25 M (13.94')	13.50 M (44.29')
(SFD) BUILDING HEIGHT	7.60 M	8.08 M (26.51')	1.15 M (3.77')
GARAGE IN REAR YARD	REAR YARD	FRONT YARD	0.48 M (1.57')

REQUESTED VARIANCE INDICATED BY SYMBOL

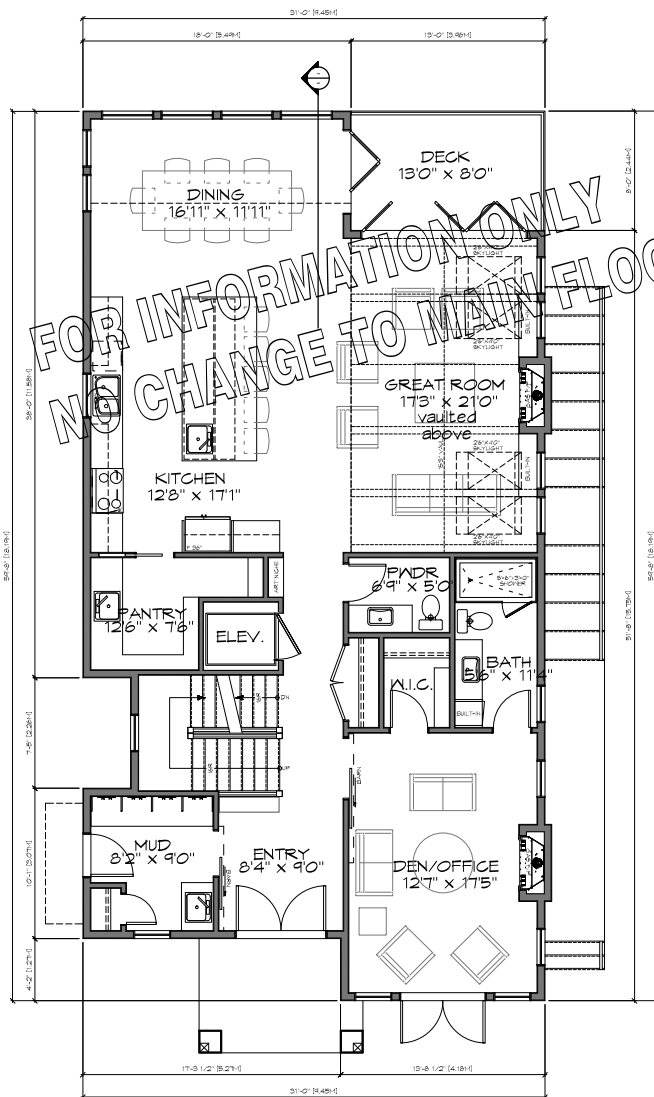




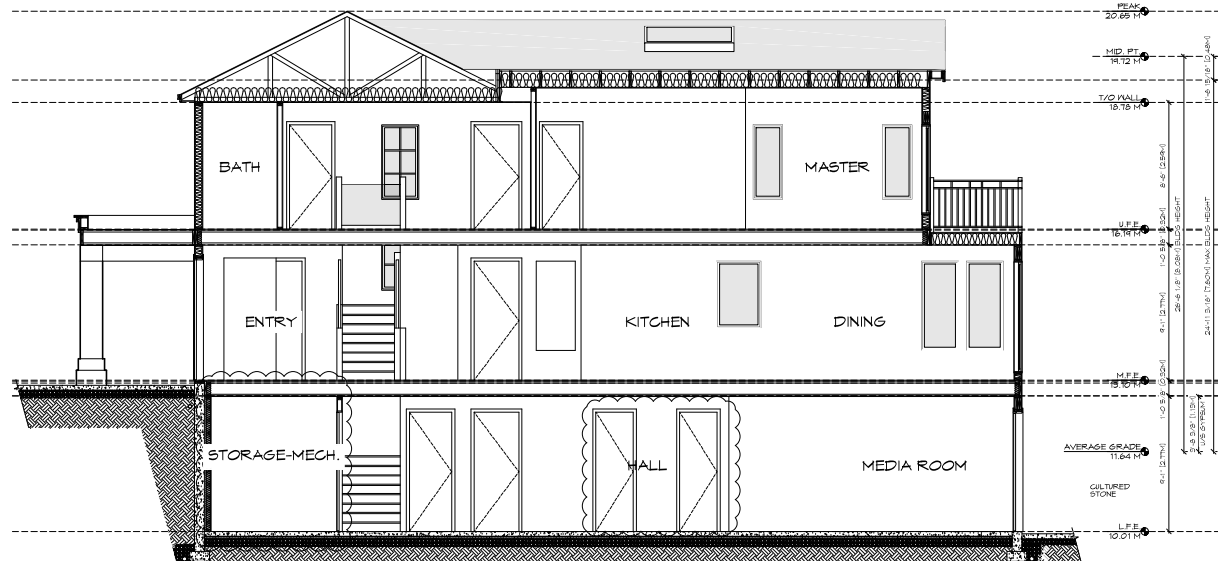
BOVO4a  
BVP-V1



Andrew SFD & Garage  
161 Robertson Street, Victoria November 16, 2020



Existing Main Floor Plan  
SCALE 1 : 100



Building Section CHANGE TO BASEMENT LEVEL ONLY  
SCALE 1 : 100

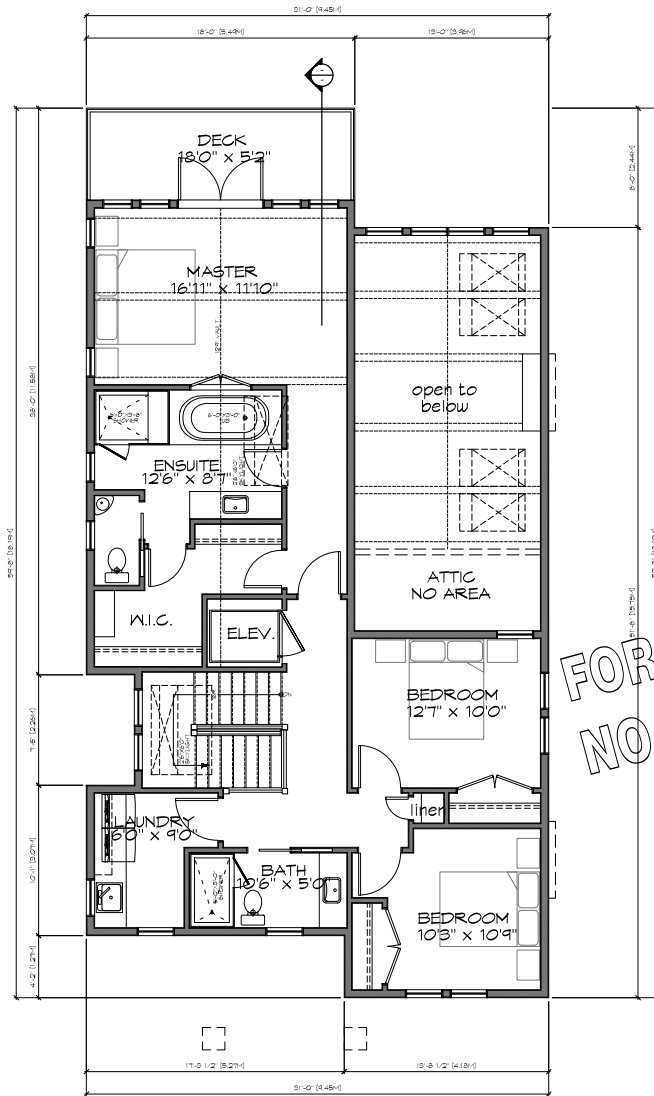
BOVO4  
DVP-V1



Andrew SFD & Garage  
161 Robertson Street, Victoria November 16, 2020

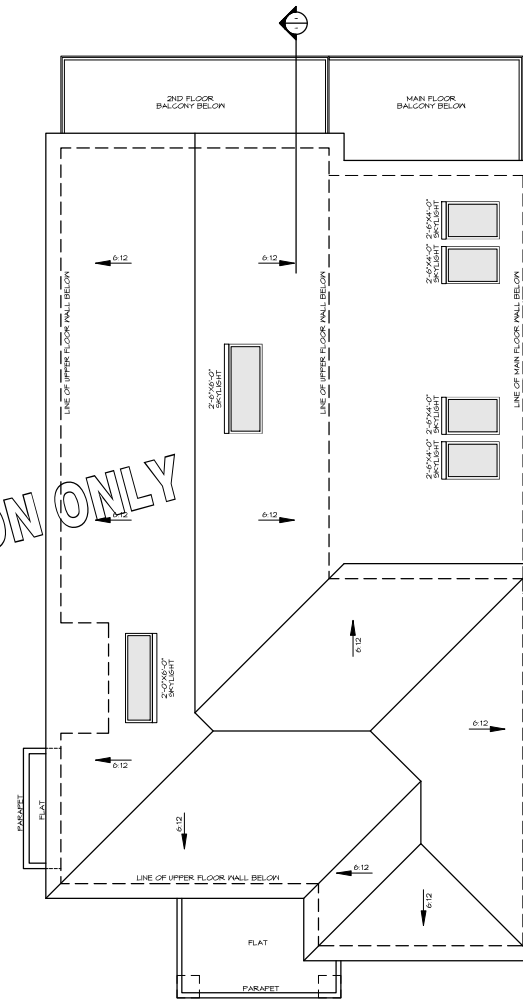
1161 NEWPORT AVE  
Victoria, B.C. V8S 5E6  
Phone: (250) 360-2144  
Fax: (250) 360-2115





Existing Upper Floor Plan  
SCALE 1 : 100

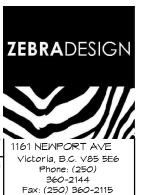
FOR INFORMATION ONLY  
NO CHANGES



Existing Roof Plan  
SCALE 1 : 100

Andrew SFD & Garage  
161 Robertson Street, Victoria November 16, 2020

BOV05  
DVP-V1



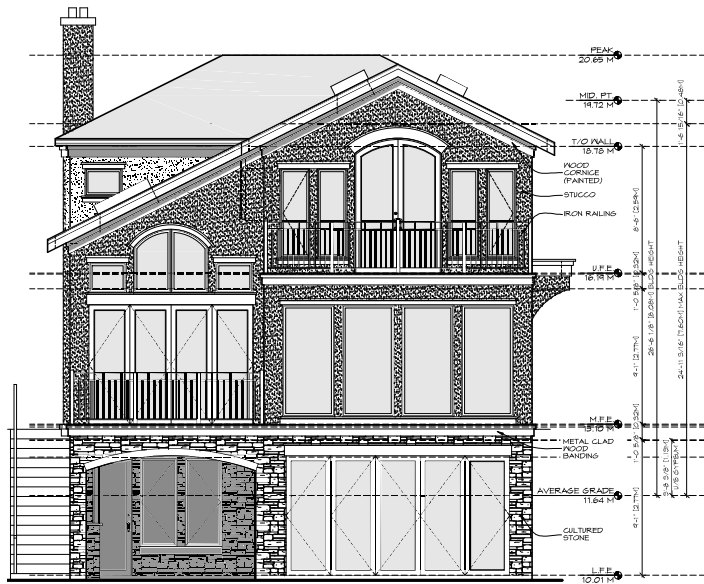


Existing Front Elevation  
SCALE 1 : 100



Existing Side Elevation - North  
SCALE 1 : 100

FOR INFORMATION ONLY  
NO CHANGES



Existing Rear Elevation  
SCALE 1 : 100

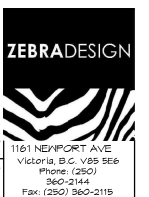


Existing Side Elevation - South  
SCALE 1 : 100

FOR INFORMATION ONLY  
NO CHANGES

Andrew SFD & Garage  
161 Robertson Street, Victoria November 16, 2020

BOV07  
DVP-V1



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

November 25, 2020

Dear Mayor and Council,

Thank you for taking the time to review the application for a variance pertaining to the maximum floor area for our property under construction at 161 Robertson Street. In order to achieve seismic stability during construction, we were forced to excavate deeper than expected. As a result, what was intended to be crawlspace ended up as full height basement, which is included in total floor area calculations. Because the proposed variance pertains only to the below grade portion of the basement, it would have no impact on the outward appearance of the property or on city services.

During professional design of our family home, we had anticipated that we would encounter bedrock near the surface on the west (uphill) side of the property, because most of the properties nearby are known to have bedrock relatively near the surface. We therefore designed a home with a 5 foot storage crawlspace in this 73 square meter section in order to minimize the need for disruptive blasting.

Because our new family home is in a high-risk Tsunami zone, seismic stability is extremely important to us. During excavation, routine assessment by Ryzuk Geotechnical revealed that, not only was bedrock deeper than expected, but that we would need to excavate deeper on that 73 square meter (8% of the lot) in order to be able to achieve the most solid footing possible. As a result of this unexpected consideration, excavation for the planned 73 square meter crawlspace ended up being an additional 4' in height, resulting in accessible basement where previously there would have been a 5' crawlspace. Please see the attached letter from Ryzuk Geotechnical for details.

There is no impact to the appearance of the building as the additional square footage was added by excavating below grade. Openings, services, site coverage, and external appearance remain completely unchanged. The floor area ratio remains well within required limits.

As a result of this 4' additional excavation and finishing it at basement level, this 73 square meter space is now included in Floor Area calculation. We are therefore requesting a relaxation of the Floor Area to allow for this larger basement. By keeping the whole basement area accessible, we preserve an area which could one day be used to create a 100 square meter two bedroom apartment.

We herewith request the relaxation of the following zoning requirement:

**Floor Area (R1-G part 1.6.3.c): From the required 300 square meters to 372.77 square meters.**

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is stylized and appears to be 'Stephanie'. The signature on the right is also stylized and appears to be 'John Andrew'.

Stephanie and John Andrew

**RYZUK GEOTECHNICAL**

Engineering &amp; Materials Testing

28 Crease Avenue, Victoria, BC, V8Z 1S3 Tel: 250-475-3131 Fax: 250-475-3611 www.ryzuk.com

March 2, 2020  
File No: 8393-1Alan Andrew  
1966 Fairfield Rd  
Victoria, BC  
V8S 1H4

Attn: Alan Andrew (email: j.alan.andrew@gmail.com)

Dear Sir,

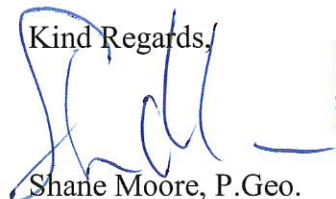
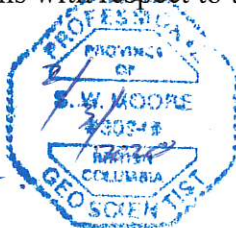
Re: Board of Variance  
161 Robertson St – Victoria, BC

We understand that the marginal increase in floor area due to basement space rather than crawlspace has resulted in a requirement for you to make application to the Board of Variance. This letter summarizes the geotechnical conditions that contributed to the circumstances that have resulted in such.

During design, we had undertaken a subsurface investigation to confirm the existing geotechnical conditions, however, the depth to bedrock was extrapolated based on that information as well as the visible conditions along the shoreline slope and on the neighbouring properties. Unfortunately, during the process of excavation, we discovered that the bedrock plummeted more rapidly than anticipated, and we encountered soils that were not suitable for support of the residence considering the current BC Building Code for seismic stability. Accordingly, we recommended that the foundations be extended and secured to bedrock at an elevation that was lower than designed. Subsequently, given that the excavation had taken place, there was sound rationale to make use of that space as basement rather than infill back up to a higher elevation for a crawlspace.

If you have any questions with respect to the above, please contact us.

Kind Regards,

Shane Moore, P.Geo.  
Senior Geoscientist/Managing Partner

---

**12:50 Board of Variance Appeal #00827**  
**David Yamamoto, Applicant; Alan Andrew, Owner**  
**161 Robertson Street**

---

Present Zoning: R1-G - Four single family dwellings (cottages)  
Present Use: R1-G - Single Family Dwelling

The proposal is to convert crawlspace to basement area in a single-family dwelling currently under construction.

***Bylaw Requirement***

***Relaxation Requested***

Section 1.6.3 (c) Increase the maximum floor area of all floor levels combined from 300m<sup>2</sup> to 372.77m<sup>2</sup>.

David Yamamoto, applicant; Alan Andrew & Stephanie Andrew, homeowners; were present.

Applicant

- The basement is being claimed for floor space because the original excavation was only done to the depth in which to permit the original crawlspace areas.
- Hardpan conditions were much lower than expected, making excavation deeper than originally planned.
- The property is still under the floor area ratio limit.
- There is no aesthetic change to the house.
- Wheelchair accessible space is important for our family because of some past personal experiences.

Board

- Has the excavation taken place?
  - Yes.
- Has the slab been poured?
  - Yes.
- Prior to getting the building permit what geotechnical investigation was taken?
  - The owners had a specialist, but no digging was done. The consultant had worked on the neighbour's project beside our house in 2008 and thought he had a good grasp on the soil conditions.
- What are the options moving forward if this application was denied?
  - The applicant would have to look into building the floor up, dropping the ceiling down or to drop in a mezzanine level.

*Public portion of the meeting closed.*

- This is a significant amount of space, 800sq ft added to the residence



**Motion:**

**Moved:** Jaime Hall

**Seconded:** Margaret Eckenfelder

That the following variances be declined:

Section 1.6.3 (c)

Increase the maximum floor area of all floor levels  
combined from 300m<sup>2</sup> to 372.77m<sup>2</sup>.

**Carried Unanimously**

Hi Alex,

I am writing to urge you and city council to consider rejecting the variance permit application for the above-noted property. Here are my concerns:

1. *"... what was intended to be crawlspace ended up as full height basement."*

The whole notion of applying for a variance permit after the fact seems disingenuous. This is a multi-million \$ house built on the edge of a steep slope leading to the water and it is inconceivable why the owners wouldn't have undertaken proper geotechnical assessment work prior to construction if, as they state, "seismic stability is very important to us".

2. *"There is no impact to the appearance of the building as the additional square footage was added by excavating below grade."*

Based on my understanding of this project I think this is incorrect. If the owners had completed a proper geotechnical assessment prior to construction and identified the need to excavate deeper, then the entire house could have been built with the originally planned 5' crawlspace but the house would sit 4' lower compared to how it sits now. In an area with potential waterfront views, a difference of 4' can make a huge difference to the view of water and Gonzales Hill to the residents on the opposite side of Robertson Street.

3. *"By keeping the whole basement area accessible, we preserve an area which could one day be used to create a ... two bedroom apartment."*

This really seems like they are grasping at straws. They clearly have no intention of developing this space as a rentable apartment and it is highly unlikely that any future owner of this multi-million \$ waterfront mansion is going to need a "mortgage helper" suite. However, the additional floor space undoubtedly adds a considerable amount to the value of this property.

It is unfortunate that this work went ahead without permission and it certainly puts the City in a difficult position. I am not sure what an appropriate mitigation would be.

Sincerely,

Jack Sutcliffe  
Victoria

1

# Development Variance Permit Application for 161 Robertson Street

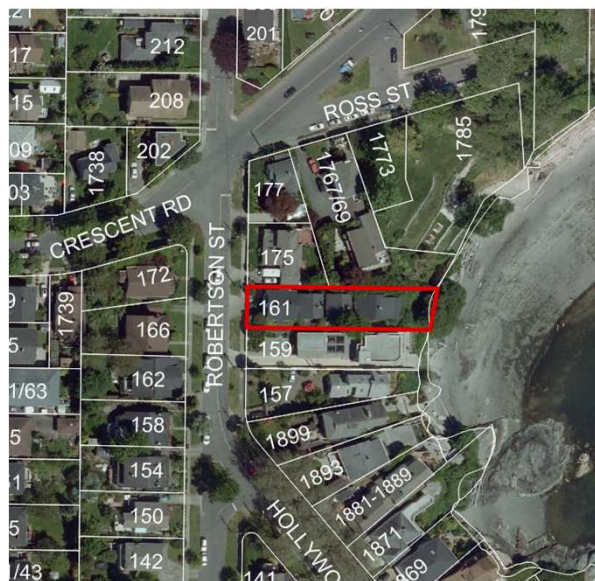
## Convert crawlspace to basement



1

2

## Aerial View



2

## Subject Property

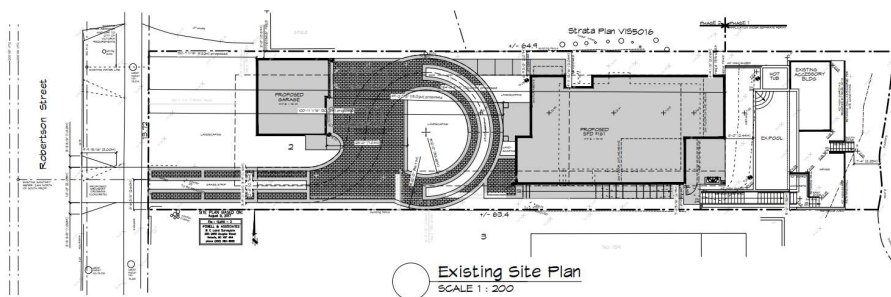
3



3

## 161 Robertson – Existing Site Plan

4

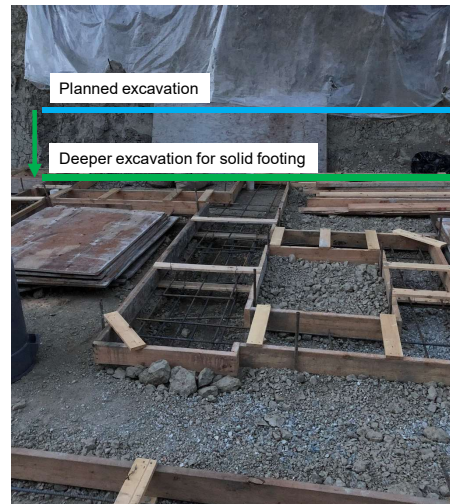


4

## Excavation detail

5

- During excavation, the geotechnical engineer, Ryzuk Geotechnical, determined that bedrock was deeper than expected, requiring additional excavation to achieve solid footing



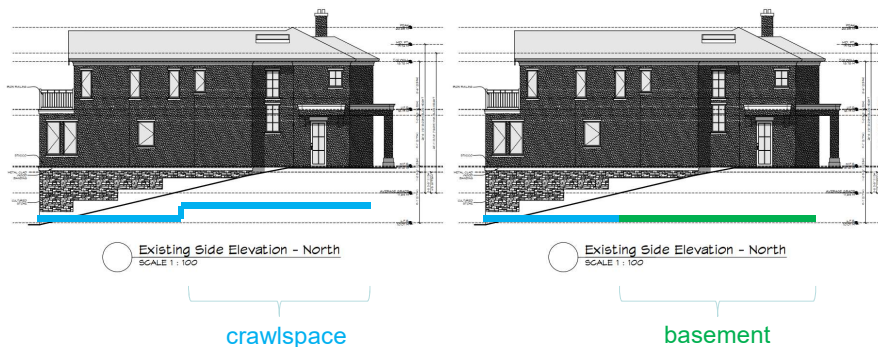
5

## Elevations – original and modified

6

Original

Modified

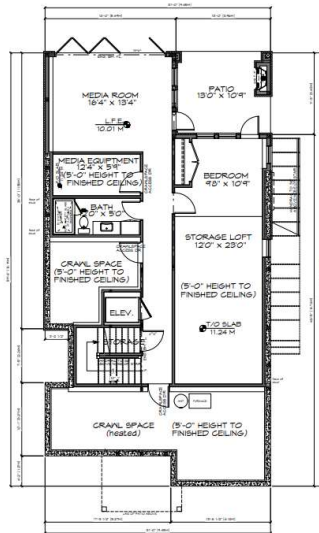


6

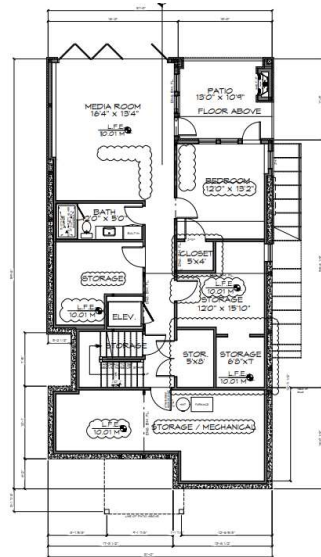
## Floor plans – lower level

7

Original Basement



Modified Basement



7

## 161 Robertson – Applicant's rationale

8

- Conditions encountered during construction made it more efficient to build full basement
- Reduce need for fill materials
- No impact on city services, external appearance of house, trees, open area, greenspace, etc



8





## Committee of the Whole Report For the Meeting of March 11, 2021

---

**To:** Committee of the Whole **Date:** February 26, 2021  
**From:** Karen Hoese, Director, Sustainable Planning and Community Development  
**Subject:** Development Variance Permit Application No. 00251 for 540 Dallas Road

---

### RECOMMENDATION

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 Variance Permit Application No. 00251 for 540 Dallas Road in accordance with:

1. Plans date stamped November 12, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. increase the maximum site coverage from 40.0% to 44.15%;
  - ii. reduce the minimum open site space from 60.0% to 46.7%.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 540 Dallas Road. The proposal is to add a small addition to the rear of the existing seniors residential building in order to create an enclosed walkway. The variances are related to increasing the site coverage and reducing the open site space.

The following points were considered in assessing this application:

- The new enclosed walkway would facilitate a more efficient and logical use of the adjoining activity and common areas of the building by both residents and staff.

- The addition is minor in nature, located at the rear and not visible from the street and it would not have privacy or shading impacts on neighbouring properties.
- The site currently is non-conforming in terms of open site space and site coverage. While the addition requires further variances to these aspects of the *Zoning Regulation Bylaw*, the actual change is minor and would have minimal impacts to the greenspace on site.

## **BACKGROUND**

### **Description of Proposal**

The proposal is for a small addition to the rear of the existing seniors residential building in order to create an enclosed walkway. The addition is part of a larger interior renovation intended to reconfigure the amenity and common areas; the walkway will allow more direct access between spaces. The addition requires variances to slightly increase the site coverage and reduce the amount of open site space.

### **Sustainability**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation**

The applicant has not identified any active transportation impacts associated with this proposal.

### **Public Realm**

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

### **Accessibility**

*The British Columbia Building Code* regulates accessibility as it pertains to buildings. The applicant has stated that this new enclosed connection would reduce the need for residents to walk through busy common areas and would greatly decrease the distance required to travel between activity areas.

### **Existing Site Development and Development Potential**

The site is presently a residential facility for seniors.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no *Tree Preservation Bylaw* impacts or impacts to public trees associated with this application.

### **Data Table**

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

Zoning Criteria	Proposal	R3-2 Zone	Comments
Site area (m <sup>2</sup> ) – minimum	6664.0	920.0	
Density (Floor Space Ratio) – maximum	1.57:1	1.60:1	
Total floor area (m <sup>2</sup> ) – maximum	10,446.41	N/A	
Height (m) – maximum	13.20	18.50	
Storeys – maximum	4	N/A	
Site coverage (%) – maximum	<b>44.15*</b>	40.00	Existing on site: 43.45**
Open site space (%) – minimum	<b>46.70*</b>	60.00	Existing on site: 47.40**
<b>Setbacks</b> (m) – minimum			
Street Boundary / Front	5.30**	10.50	
Rear	6.50** (23.50 for proposed addition)	6.60	
Side (East)	5.30**	6.60	
Side (South)	9.90**	6.60	

## Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, on October 1, 2020 the application was referred for a 30-day comment period to the James Bay Neighbourhood Association CALUC. At the time of writing this report, a letter from the CALUC had not been received.

## ANALYSIS

### Development Permit Area and Design Guidelines

The *Official Community Plan, 2012* (OCP) identifies this property within DPA 16, General Form and Character. This Development Permit Area encourages multi-family residential development that provides a sensitive transition to neighbouring properties and includes considerations of accessibility in the building design. The proposed addition occupies a small area, tucked into stepped back portion of the existing building and does not create additional shading or privacy impacts on neighbouring properties. The purpose of the addition is to create a more separated and direct route for residents and staff within the building to move between activity and common areas, which is consistent with DPA 16 and associated guidelines to include considerations of accessibility in building designs.

## Variances

The site is currently non-conforming in terms of open site space and site coverage. While the addition requires further variances to the open site space and site coverage, the actual change is minor. The site coverage is increasing from 43.45% to 44.15%. The open site space is decreasing from 47.40% to 46.70%. The subject property is relatively large with multiple landscaped areas and the addition would not impact any significant portions of landscaped space. Given the minor nature of the variances and minimal impacts on the site and surrounding properties, staff consider the variances to be supportable.

## **CONCLUSIONS**

The proposal to create an enclosed corridor at the rear of the existing building is consistent with applicable OCP policies to include considerations of accessibility within building design. The associated variances to reduce the open site space and increase the site coverage are minimal and do not adversely impact the landscaping across the site.

## **ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 00251 for the property located at 540 Dallas Road.

Respectfully submitted,

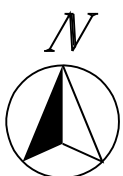
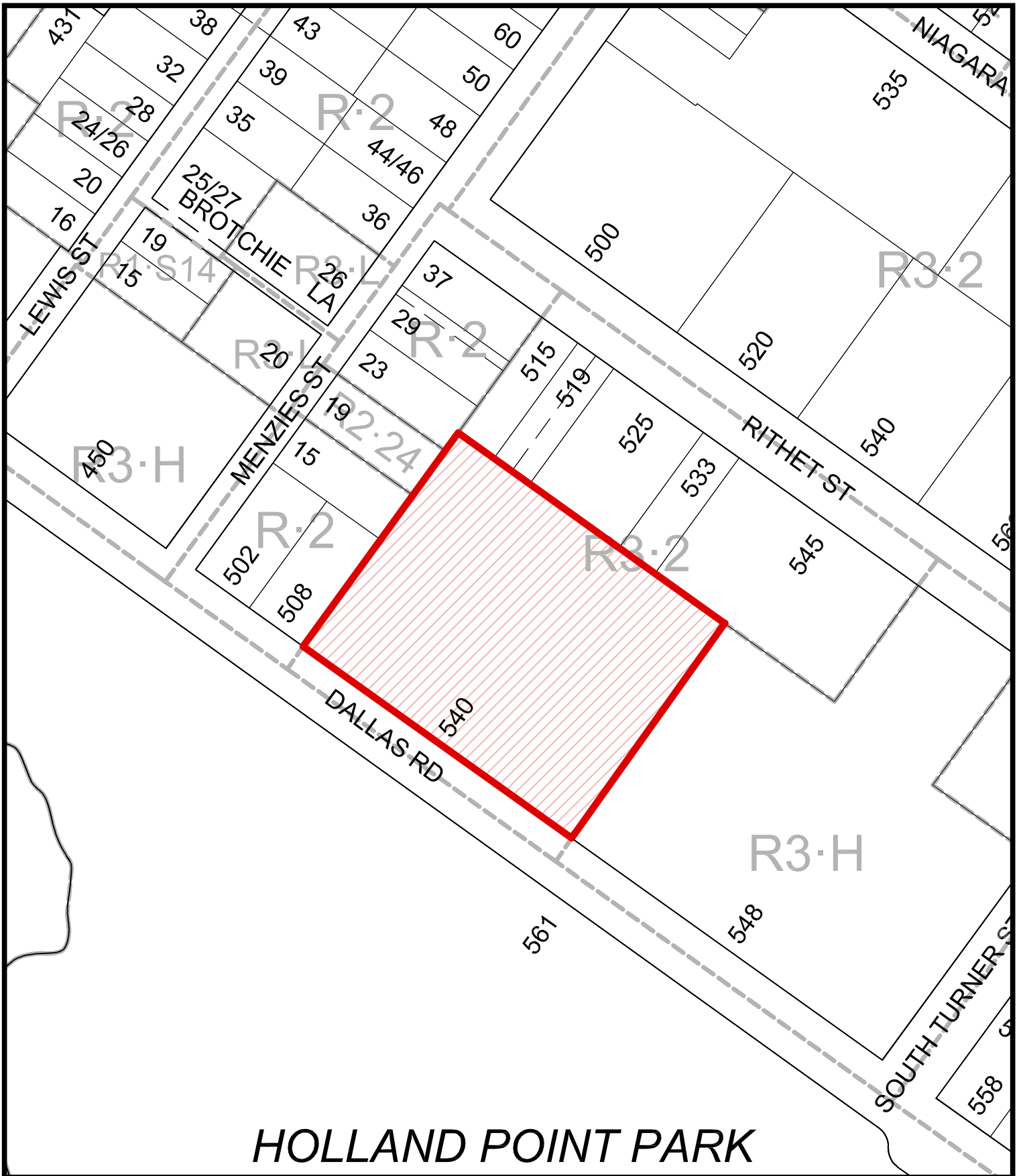
Chloe Tunis  
Planner  
Development Services

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

## **List of Attachments**

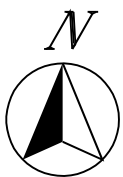
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 12, 2020
- Attachment D: Letter from applicant to Mayor and Council dated September 25, 2020.



540 Dallas Road  
Development Variance Permit No.00251







540 Dallas Road  
Development Variance Permit No.00251





AMICA AT SOMERSET HOUSE
ISSUED FOR DEVELOPMENT VARIANCE PERMIT

ATTACHMENT C

Christine Lintott Architects Inc.
Suite 1, 864 Queens Avenue, Victoria, BC V8T 1M5
Telephone: 725-384-1969
www.lintottarchitect.ca



Table with 2 columns: FLOOR AREA, Level. Rows include Existing Area (Levels 1-4) and Proposed Area (Level 1).

Floor Area Ratio: 10447.66 / 6664 = 1.57 (1.6:1 Allowable)
FLOOR AREA: CALCULATED TO INSIDE FACE OF EXTERIOR WALLS. DOES NOT INCLUDE BALCONIES OR LANDSCAPED AREAS/PATIO'S

Project Information & Zoning Outline

Table with 2 main sections: PROJECT DESCRIPTION and ZONING OUTLINE. Includes details on project location, zoning district (R3-2), and various site metrics like area, height, and setbacks.



- GENERAL NOTES:
1. NO RECORDS OF EXISTING FIRE RATINGS WERE AVAILABLE FOR THIS BUILDING...
2. FIRE EXTINGUISHERS ARE TO BE ADDED OR REPLACED AS NEEDED TO MEET THE REQUIREMENTS OF NFPA 10.
3. CONTRACTOR TO ENSURE THAT RESIDENT SAFETY AND REQUIRED EXIT ROUTES ARE MAINTAINED DURING CONSTRUCTION.
4. NO SPECIFIC LANDSCAPE UPGRADES ARE INCLUDED IN THE SCOPE OF WORK.

SHEET LIST

Table with 2 columns: SHEET NUMBER, SHEET NAME. Lists sheets A0.00 to A3.01 including cover sheet, floor plans, elevations, and site space.

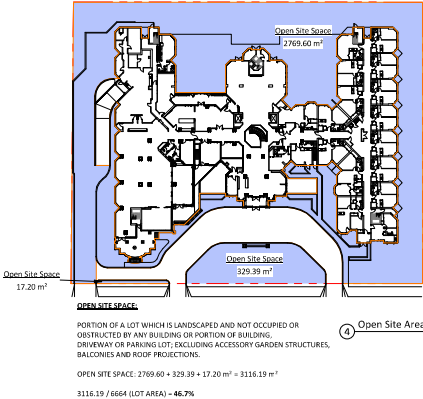
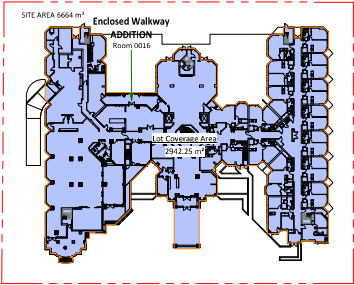
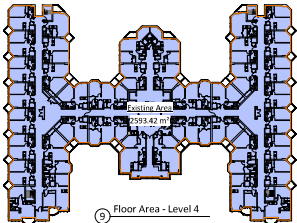
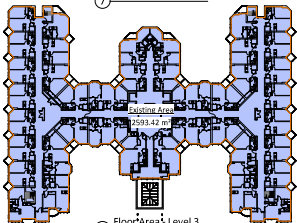
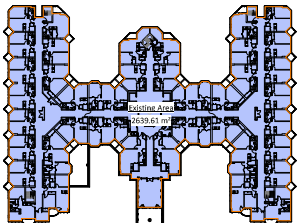
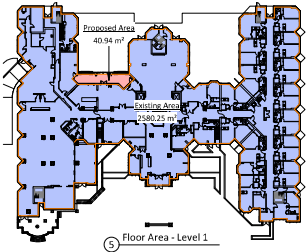


Table with 2 columns: OWNER, ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, SURVEYOR, GEOTECHNICAL. Lists project team members and their contact information.

Table with 2 columns: Issue, Date. Lists Development Variance Permit and Resubmission 1 with their respective dates.

Table with 3 columns: No., Description, Date. Lists revisions to the Open Site Space and Landscape sheets.

Revisions
Received Date: November 12, 2020

Consultant

Amica at Somerset House
540 Dallas Road

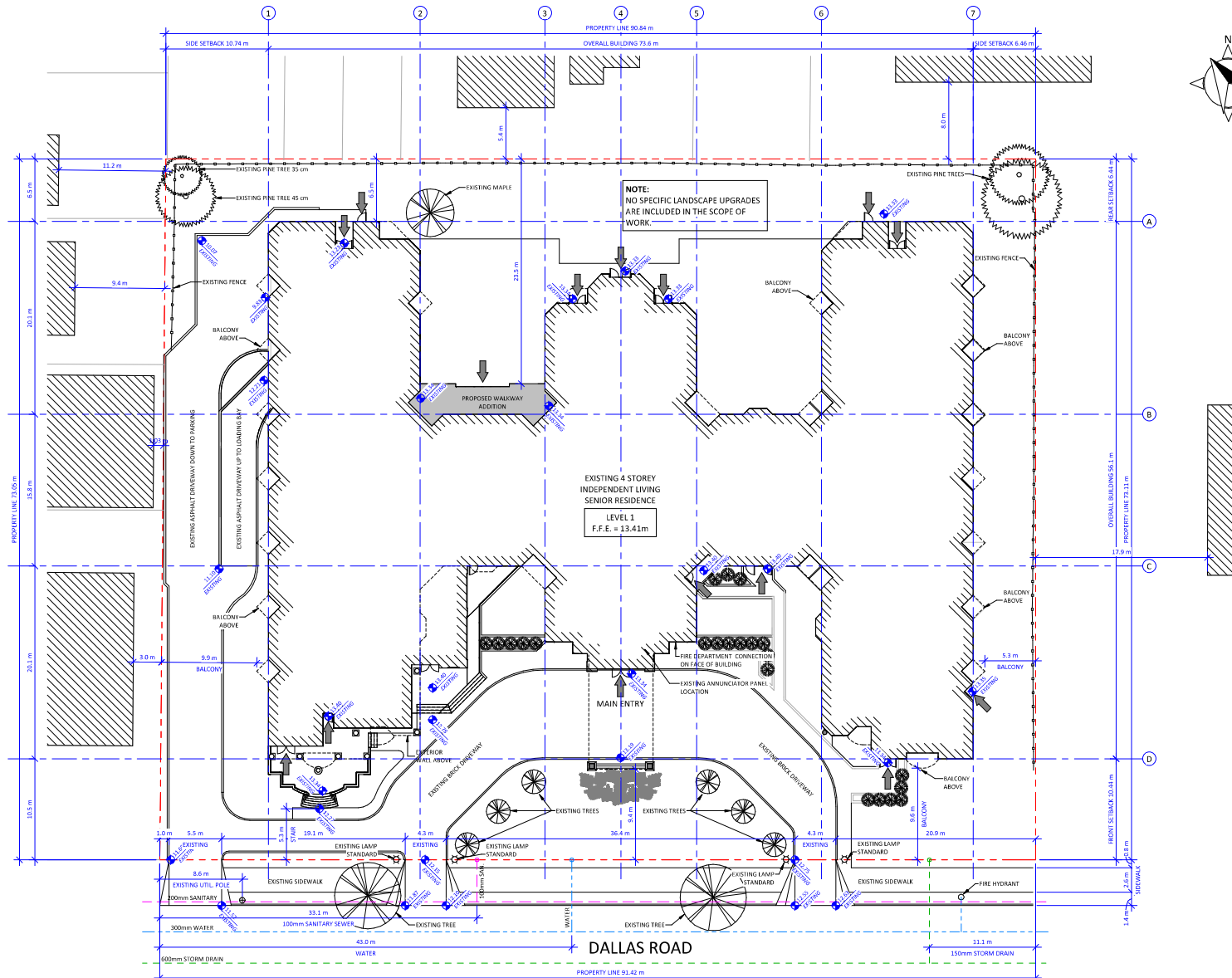
COVER SHEET

Table with 2 columns: Date, Drawn by, Checked by. Includes project date (09/04/18) and names of Christine Lintott and CL.

A0.00

Scale As indicated

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



Christine Lintott  
Architects Inc.



Suite 1, 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250-384-1969  
www.lintottarchitect.ca

Issue Date

Development Variance Permit Sept 25, 2020

Development Variance Permit Resubmission 1 Nov 12, 2020

Revision

No. Description Date

Consultant

Amica at Somerset  
House

540 Dallas Road

PROPOSED SITE PLAN

Date 05/06/19

Drawn by BH

Checked by CL

A0.02

Scale 1 : 200

Christine Lintott  
Architects Inc.



Suite 1, 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250-384-1969  
www.lintottarchitect.ca

Issue Date

Development Sept 25, 2020  
Variance Permit

Development Nov 12, 2020  
Variance Permit  
Resubmission 1

Revision

No. Description Date

Consultant

Amica at Somerset  
House

540 Dallas Road

SURVEY PLAN

Date 04/10/19

Drawn by BH

Checked by CL

A0.03

Scale 1 : 200

**SITE PLAN**

AMICA SENIOR  
LIFESTYLES

LOT A, BECKLEY FARM,  
VICTORIA CITY,  
PLAN 46454

ADDRESS : 540 Dallas Road, Victoria BC

PROJECT SURVEYOR : RP

DRAWN BY : LG DATE : May 17/19

OUR FILE : 31924 REVISION :

J. D. I. S.

SURVEYORS - ENGINEERS

4812 GRANFORD AVE, VICTORIA, B.C. V8T 4B7  
TEL: 250-727-2254 FAX: 250-727-3389  
E-MAIL: info@jedis.com  
VICTORIA-NANAIMO-PARKSILLIE-CAMPBELL RIVER



The intended plot size of this plan is 864m in width by 960m in height, 3 size, when plotted at a scale of 1:200.

If this plan is used in digital form, J.E. Anderson & Associates will only assume responsibility for information content shown on original unaltered drawing.

Lot dimensions are derived from Field Survey.

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Subject to charges, legal notations, and interests shown on:

Title No. C4730779 (P.L.O. 010-308-806)

Elevations are in metric based on geoid datum (CGVD28) and are derived from control monuments 5-26 (elevation =10.581 m) and 8-102 (elevation = 10.732 m).

All distances are in metres and decimals thereof.

Elevations are at natural grade unless noted otherwise.

Elevations are in metres.

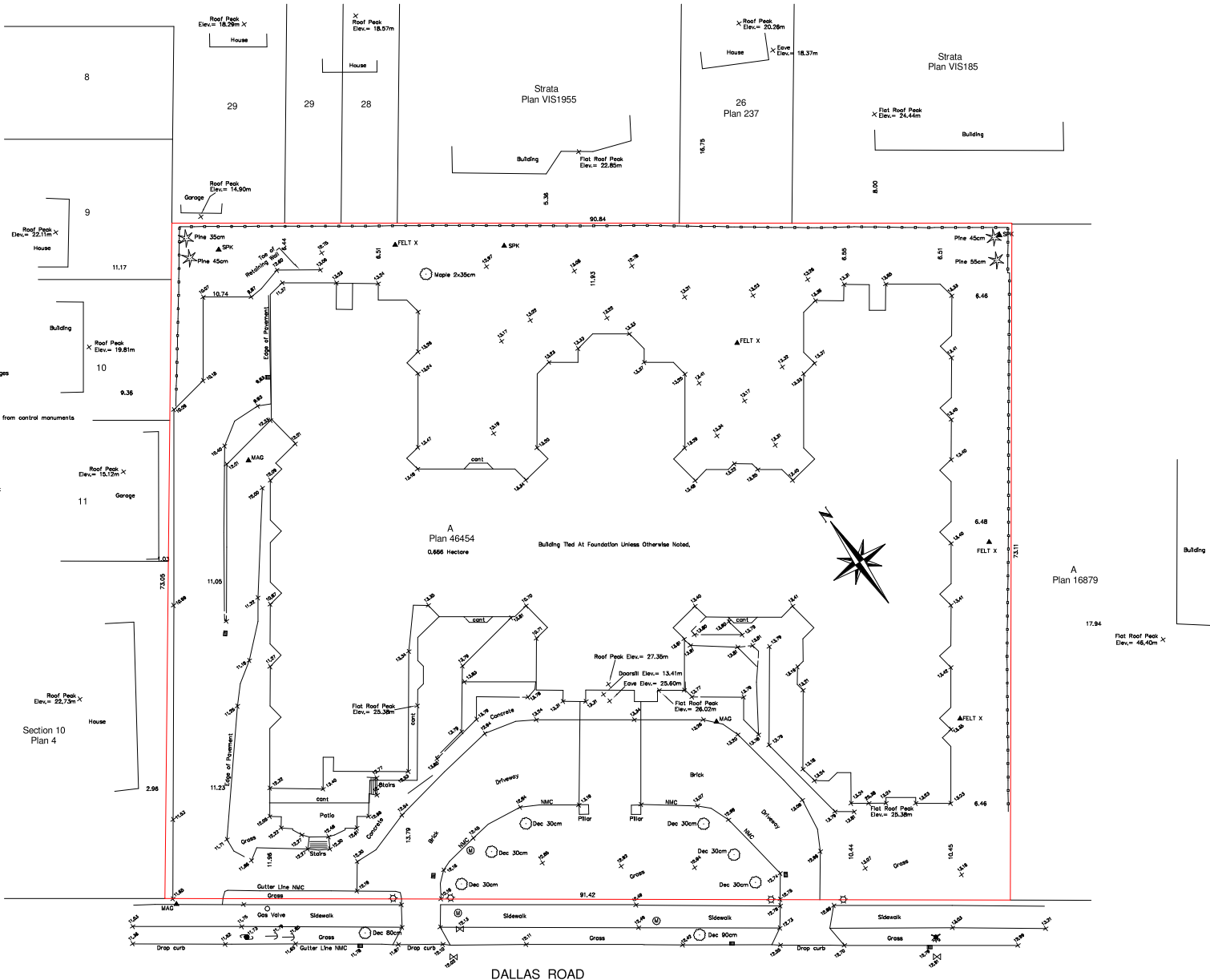
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# LEGEND

- ▲ — Denotes Traverse Station
- ⊙ — Denotes Manhole
- ⊕ — Denotes Hydrant
- ⊕ — Denotes Utility Pole
- ⊕ — Denotes Typical Spot Elevation
- ⊕ — Denotes Utility Pole Anchor
- ⊕ — Denotes Coniferous Tree
- ⊕ — Denotes Deciduous Tree
- ⊕ — Denotes Lamp Standard
- ⊕ — Denotes Catch Basin
- ⊕ — Denotes Water Valve Box
- ⊕ — Denotes Wood Fence
- ⊕ — Denotes 0.2m Retaining Wall (Toe)
- ⊕ — Denotes Property Line
- Dec — Denotes Deciduous
- NMC — Denotes Non-mountable Curb
- Elev. — Denotes Elevation
- Cont. — Denotes Contour

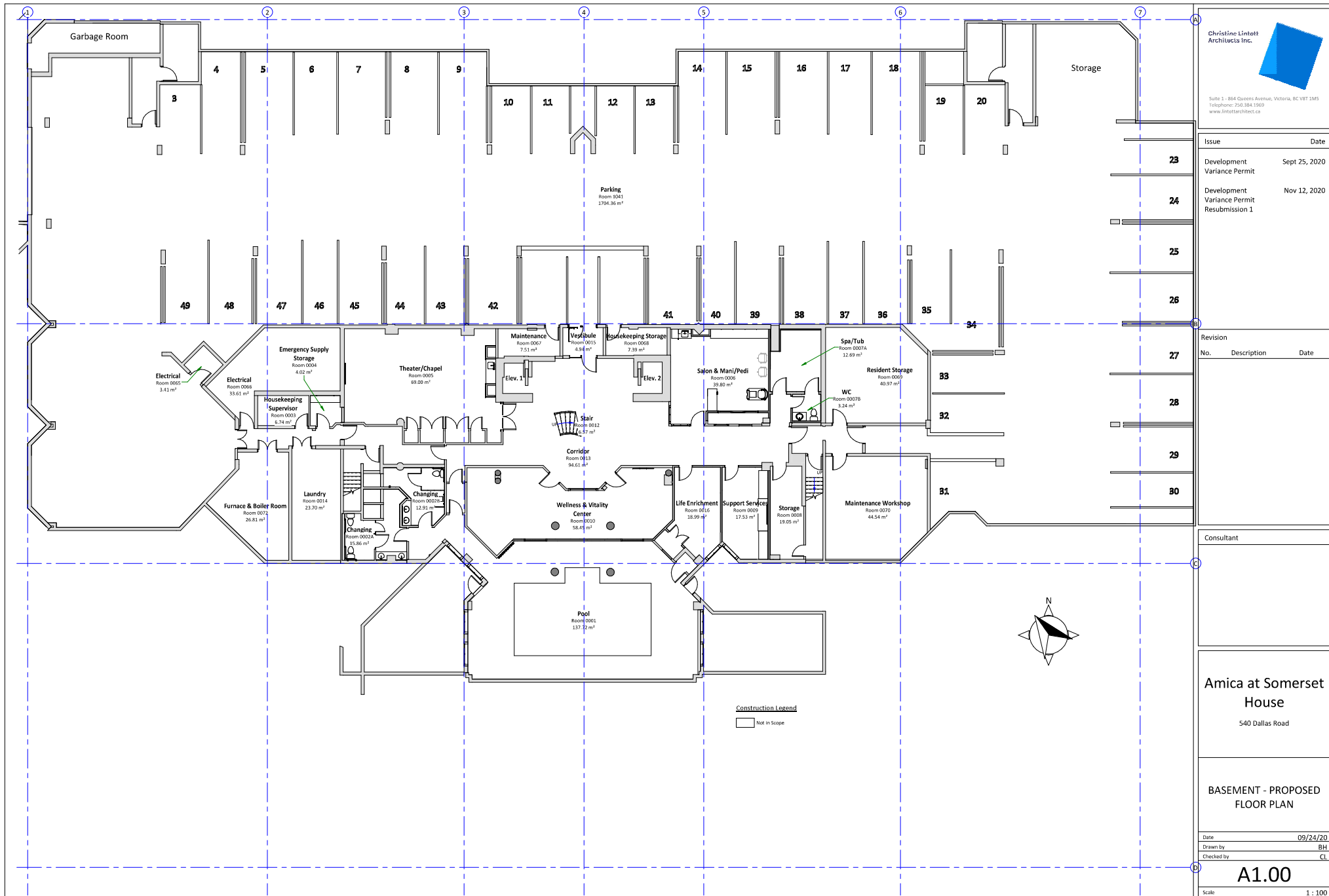
This plan lies within the City of Victoria.

This plan lies within the Capital Regional District.



DALLAS ROAD

1 Survey Plan



Christine Lintott  
Architects Inc.



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Issue Date

23 Development Variance Permit Sept 25, 2020

24 Development Variance Permit Resubmission 1 Nov 12, 2020

25

26

Revision

No. Description Date

27

28

29

30

Consultant

Amica at Somerset  
House

540 Dallas Road

BASEMENT - PROPOSED  
FLOOR PLAN

Date 09/24/20

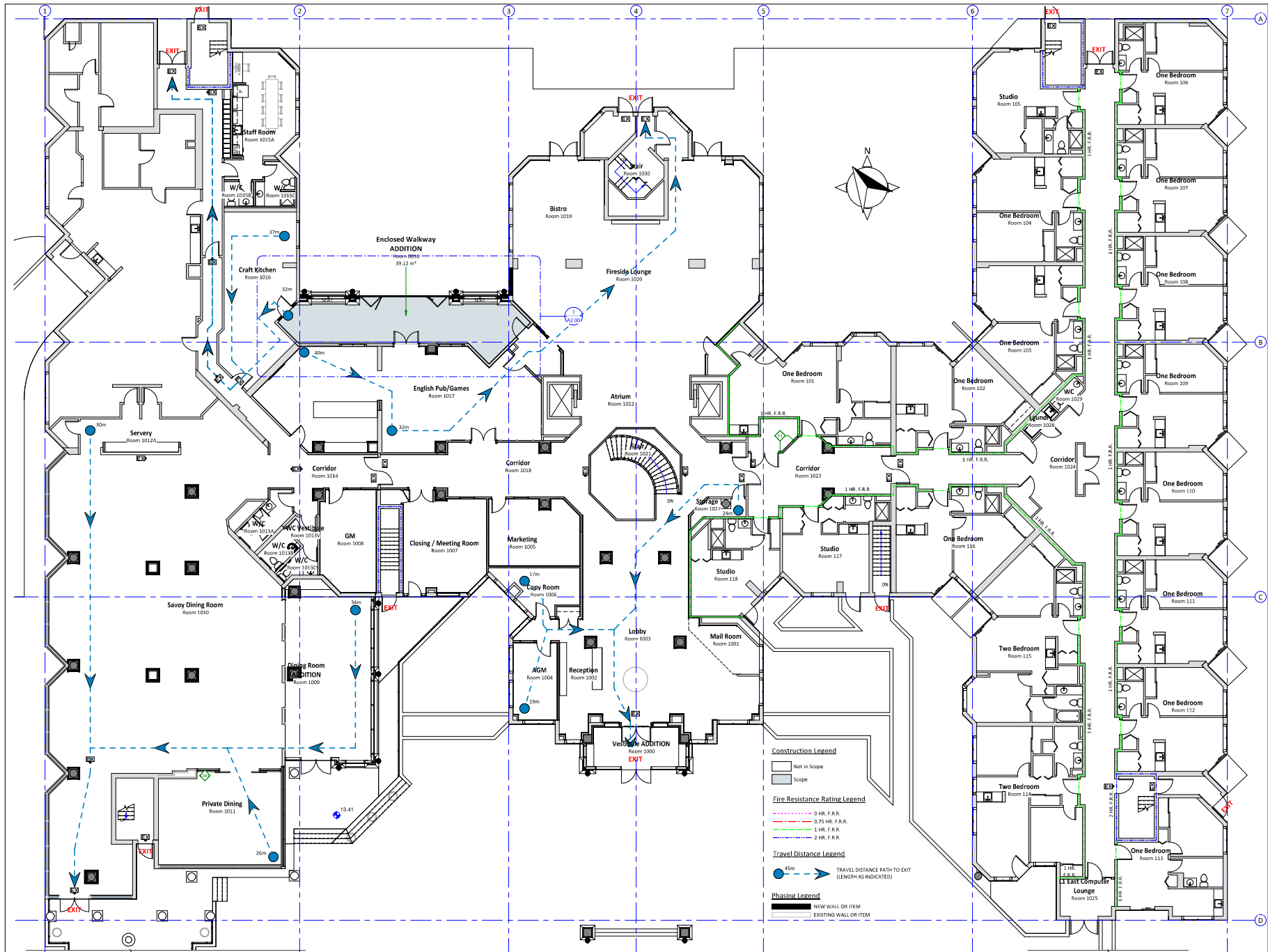
Drawn by BH

Checked by CL

A1.00

Scale 1 : 100

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Issue	Date
Development Variance Permit	Sept 25, 2020

Development Variance Permit Resubmission 1	Nov 12, 2020
--	--------------

Revision No.	Description	Date
3	Exit Paths & Travel Distances Added	Nov. 12, 2020

Consultant

**Amica at Somerset House**  
540 Dallas Road

**LEVEL 1 - PROPOSED FLOOR PLAN**

Date	06/02/17
Drawn by	BH
Checked by	CL

**A1.01**

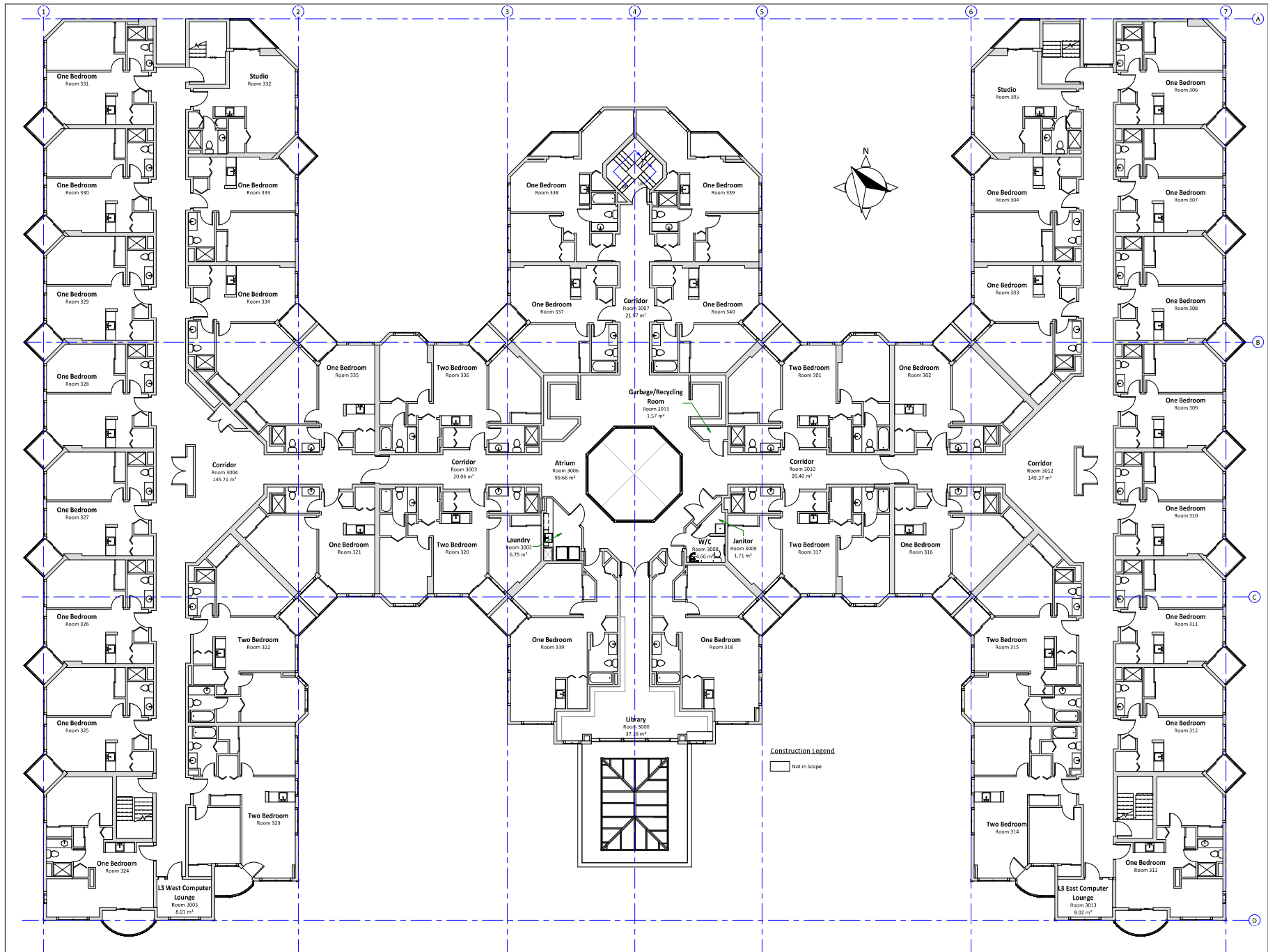
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Issue	Date
Development Variance Permit	Sept 25, 2020
Development Variance Permit Resubmission 1	Nov 12, 2020

Revision No.	Description	Date
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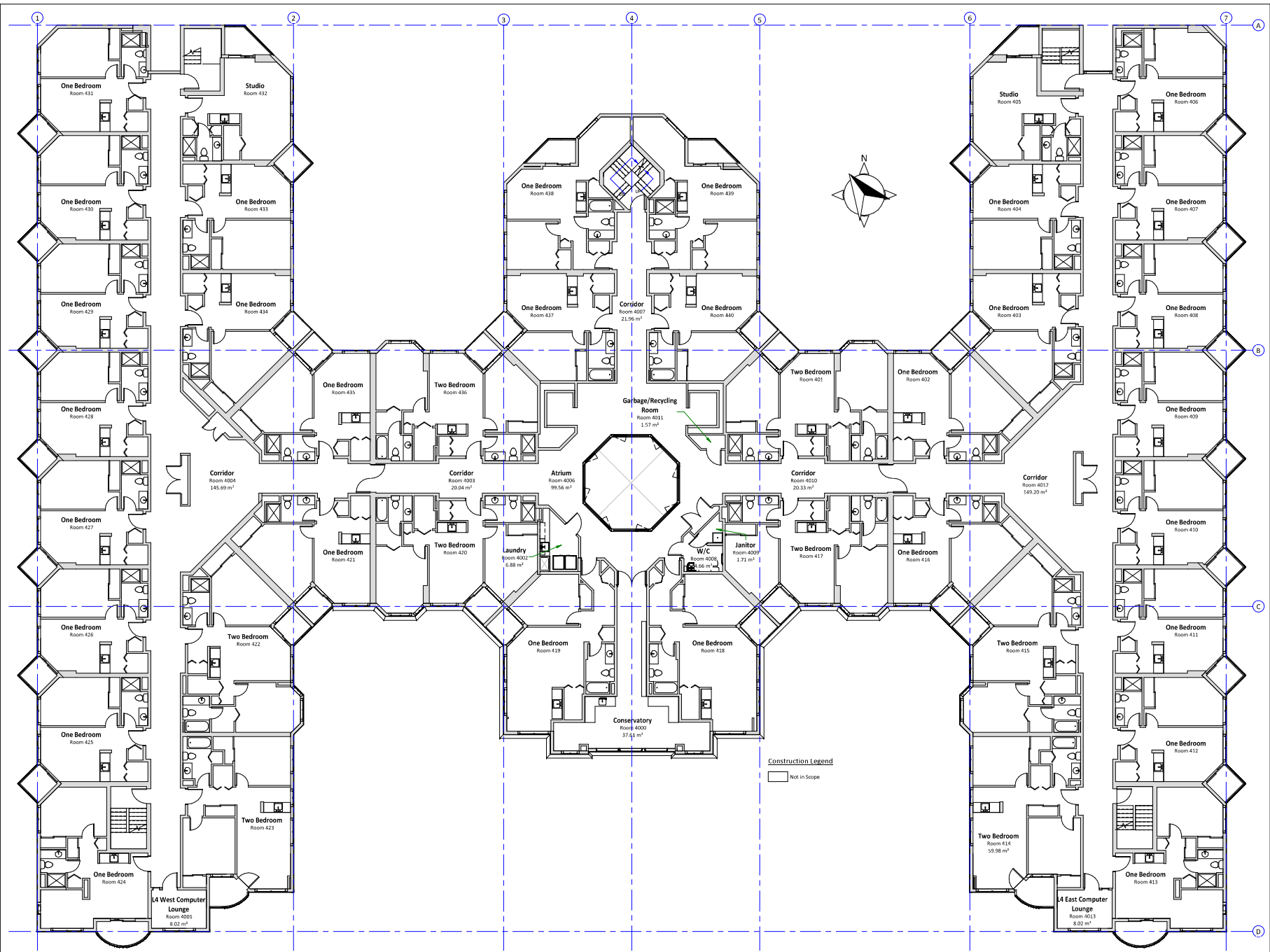
Consultant

**Amica at Somerset House**  
 540 Dallas Road

**LEVEL 3 - PROPOSED FLOOR PLAN**

Date	09/24/20
Drawn by	BH
Checked by	CL
<b>A1.03</b>	
Scale	1 : 100

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Issue Date

Development Variance Permit Sept 25, 2020

Development Variance Permit Resubmission 1 Nov 12, 2020

Revision

No. Description Date

Consultant

Amica at Somerset  
House

540 Dallas Road

LEVEL 4 - PROPOSED  
FLOOR PLAN

Date 09/24/20

Drawn by BH

Checked by CL

A1.04

Scale 1 : 100

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Development Variance Permit	Sept 25, 2020
Development Variance Permit Resubmission 1	Nov 12, 2020

Revision		
No.	Description	Date

Consultant

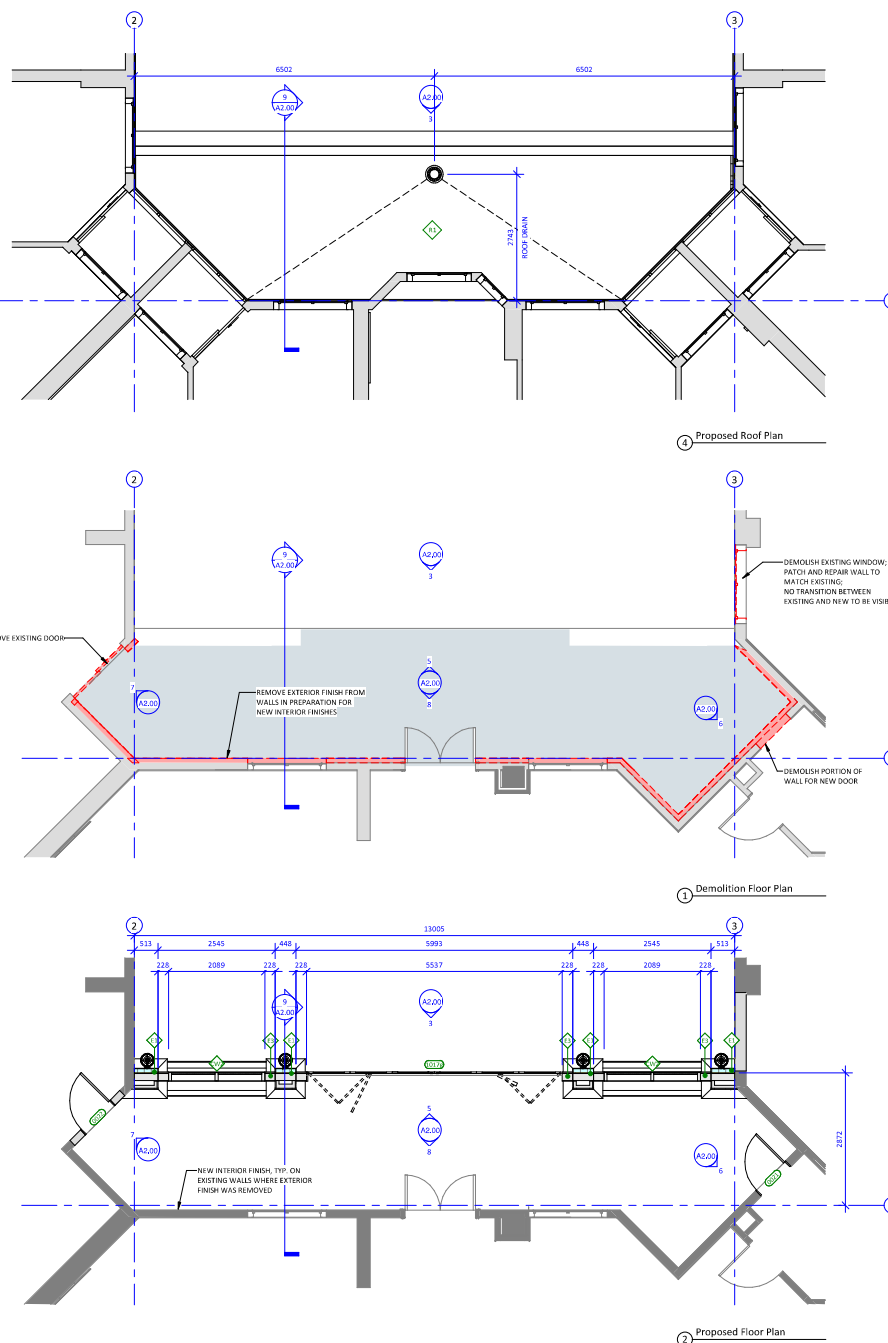
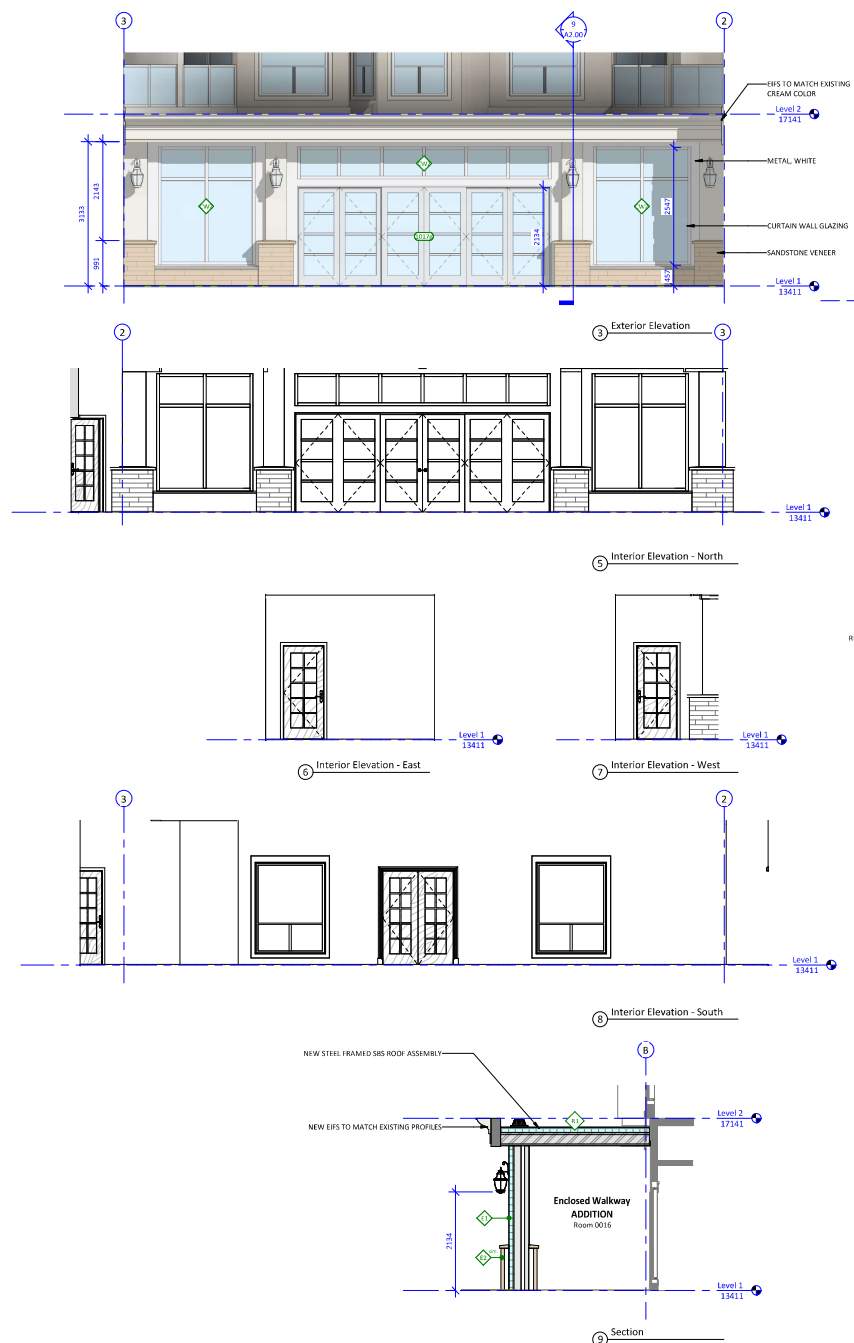
Amica at Somerset  
House  
540 Dallas Road

ENCLOSED WALKWAY  
ADDITION

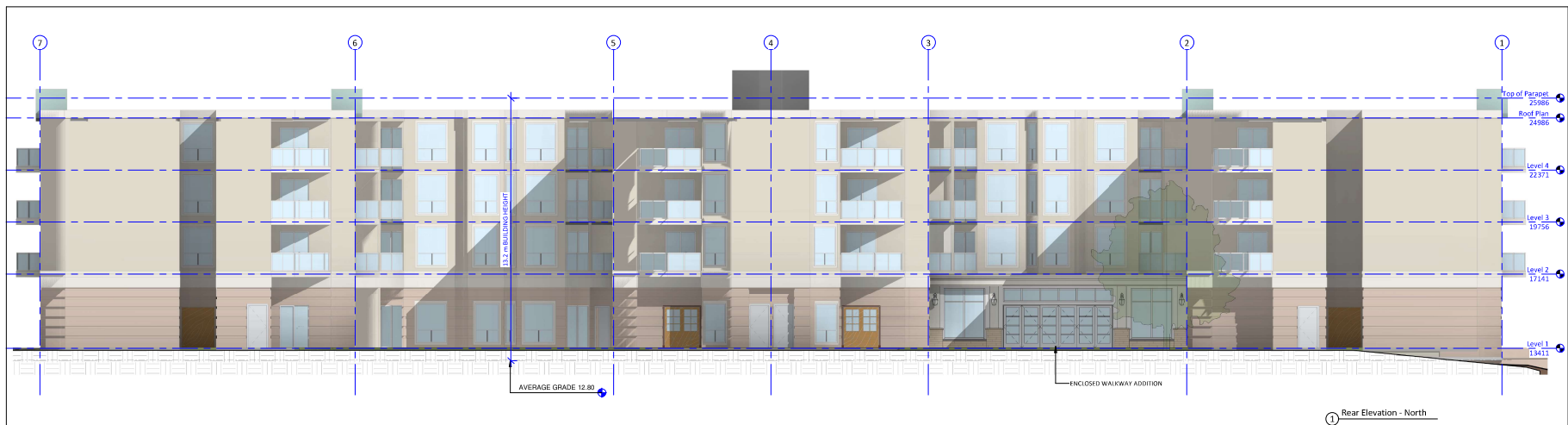
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Checked by	CI

A2.00

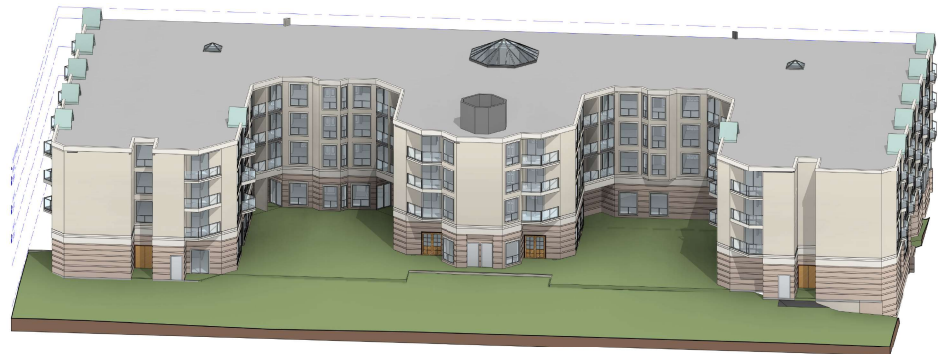
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① Rear Elevation - North



② Axo - North Elevation (Existing)



④ Axo - North Elevation (Proposed)

EXTERIOR WALLS	EXTERIOR WALL - STUCCO SIDING		EXT.
	FRR	NONE	E1
	FIRE SEPARATION	NO	
	NON-COMBUSTIBLE	YES	
ROOF ASSEMBLIES	STC	N/A	
	RSI	2.43	
	<ul style="list-style-type: none"> <li>5mm MIN. 100% ACRYLIC BASED DIRT PICK UP RESISTANT FINISH COAT TO MATCH EXISTING</li> <li>7mm POLYMER BASED CEMENTITIOUS BASE COAT AND REINFORCING MESH</li> <li>EPS INSULATION SYSTEM TO MATCH EXISTING</li> <li>LIQUID APPLIED AIR/MOISTURE/VAPOUR BARRIER</li> <li>15mm FIBRE REINFORCED GYPSUM SHEATHING</li> <li>152mm METAL STUD w/740mm ROCK WOOL BATT INSULATION (MIN. R-20)</li> <li>77mm AIR GAP</li> <li>92mm METAL STUD</li> <li>15mm TYPE X GYPSUM WALL BOARD w/ PAINT FINISH</li> </ul>		
	*EXISTING ASSEMBLY TO BE EXPLORED AT TIME OF CONSTRUCTION ABOVE ASSEMBLY TO BE ADJUSTED TO MATCH. ENSURE A SMOOTH FINISH BETWEEN NEW AND EXISTING ASSEMBLIES		
EXTERIOR WALLS	EXTERIOR WALL - STONE CLAD		EXT.
	FRR	-	E2
	FIRE SEPARATION	-	
	NON-COMBUSTIBLE	YES	
ROOF ASSEMBLIES	STC	N/A	
	RSI	N/A	
	<ul style="list-style-type: none"> <li>75mm STONE</li> <li>25mm AIR GAP</li> <li>STAINLESS STEEL MASONRY TIES w/INSULATION SUPPORT</li> <li>89mm SEMI-RIGID INSULATION</li> <li>SELF-ADHESIVE AIR/MOISTURE/VAPOUR BARRIER</li> <li>15mm FIBRE REINFORCED GYPSUM SHEATHING</li> <li>152mm METAL STUD w/740mm FIBREGLASS BATT INSULATION</li> <li>15mm GWB WITH PAINT FINISH</li> </ul>		
	*EXISTING ASSEMBLY TO BE EXPLORED AT TIME OF CONSTRUCTION ABOVE ASSEMBLY TO BE ADJUSTED TO MATCH. ENSURE A SMOOTH FINISH BETWEEN NEW AND EXISTING ASSEMBLIES		
EXTERIOR WALLS	EXTERIOR WALL - METAL CLAD INFILL WALL		EXT.
	FRR	-	E3
	FIRE SEPARATION	-	
	NON-COMBUSTIBLE	YES	
ROOF ASSEMBLIES	STC	N/A	
	RSI	N/A	
	<ul style="list-style-type: none"> <li>METAL FLASHING/PANEL SYSTEM TBC</li> <li>SELF-ADHESIVE AIR/MOISTURE/VAPOUR BARRIER</li> <li>15mm FIBRE REINFORCED GYPSUM SHEATHING</li> <li>152mm METAL STUD w/740mm FIBREGLASS BATT INSULATION</li> <li>15mm GWB WITH PAINT FINISH</li> </ul>		
	*EXISTING ASSEMBLY TO BE EXPLORED AT TIME OF CONSTRUCTION ABOVE ASSEMBLY TO BE ADJUSTED TO MATCH. ENSURE A SMOOTH FINISH BETWEEN NEW AND EXISTING ASSEMBLIES		
ROOF ASSEMBLIES	FLAT ROOF AT DINING ROOM ADDITION		EXT.
	FRR	NONE	R1
	FIRE SEPARATION	NO	
	NON-COMBUSTIBLE	YES	
ROOF ASSEMBLIES	STC	N/A	
	RSI	2.43	
	<ul style="list-style-type: none"> <li>2 PLY SBS ROOFING MEMBRANE</li> <li>13mm ROOFING PROTECTION BOARD</li> <li>2% TAPERED FOAM INSULATION: 100mm MIN. THICKNESS</li> <li>AIR/MOISTURE/VAPOUR BARRIER</li> <li>13mm PLYWOOD SHEATHING</li> <li>38mm STEEL ROOF DECK</li> <li>STRUCTURAL STEEL BEAMS (REFER TO STRUCTURE)</li> <li>22mm HAT CHANNEL</li> <li>13mm GWB WITH PAINT FINISH</li> </ul>		
	*EXISTING ASSEMBLY TO BE EXPLORED AT TIME OF CONSTRUCTION ABOVE ASSEMBLY TO BE ADJUSTED TO MATCH. ENSURE A SMOOTH FINISH BETWEEN NEW AND EXISTING ASSEMBLIES		

③ Construction Assemblies

Christine Lintott  
Architects Inc.



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Issue Date

Development Variance Permit Sept 25, 2020

Development Variance Permit Resubmission 1 Nov 12, 2020

Revision

No. Description Date

Consultant

Amica at Somerset  
House

540 Dallas Road

EXTERIOR ELEVATIONS

Date 04/04/19

Drawn by BH

Checked by CL

A3.00

Scale As indicated

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Issue	Date
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Development Variance Permit Resubmission 1	Nov 12, 2020

Revision	No.	Description	Date
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Consultant

**Amica at Somerset  
House**  
540 Dallas Road

**EXTERIOR ELEVATIONS**

Date	09/24/20
Drawn by	BH
Checked by	CL

**A3.01**

Scale 1 : 100

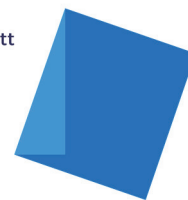
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September 25, 2020

Mayor Helps and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

Christine Lintott  
Architects



Re: Amica at Somerset, 540 Dallas Road, Development Variance Permit

Dear Mayor Helps and Council,

The proposed variance for the above noted property seeks to add a small addition to the rear, west courtyard in order to provide a heated, convenience walkway between three adjacent amenity spaces. The referenced property is currently under construction to update the resident amenity spaces to provide opportunities for activities more in line with the interests of the population that resides there.

Included in these changes are the addition of a Craft Kitchen on the West wing looking onto the courtyard. This room is used for cooking demonstrations and to allow for residents to cook or bake with supervision. The front area of the courtyard will now host an English Pub where residents can socialize and play games. The existing Fireside Lounge and Bistro is located on the east of the courtyard.

The existing corridor in the center of the building connecting these spaces is a long route circumnavigating around these spaces, rather than tying them together. Providing a direct, enclosed connection through the present courtyard drastically decreases the distance that the residents would be required to travel. The resident's health and comfort are the foremost priority for Amica Senior Lifestyles, and this direct, convenient, enclosed connection aligns with that objective. The proposed enclosure to accomplish this connection triggers a variance to the lot coverage and open site space to account for the new walkway. While these zoning requirements were already above the maximum and minimum allowed in these categories, the walkway itself is a minimal increase of 0.7% to lot coverage. This would bring the overall lot coverage to 4.2% (124sqm.) over the allowable 40%.

The proposed addition is screened from all properties by the existing building, except for the property directly north of the site. The addition is a single storey so does not add to the overall building height and is discreet and consistent in character to the existing building architecture. It is our opinion that the impact on the surrounding properties is insignificant while the benefit to the residents of the building is substantial.

Sincerely,

Christine Lintott, Architect AIBC, FRAIC  
Christine Lintott Architects Inc.



---

# Development Variance Permit Application for 540 Dallas Road

# Subject Property

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# Subject Property

---



# Subject Property

---





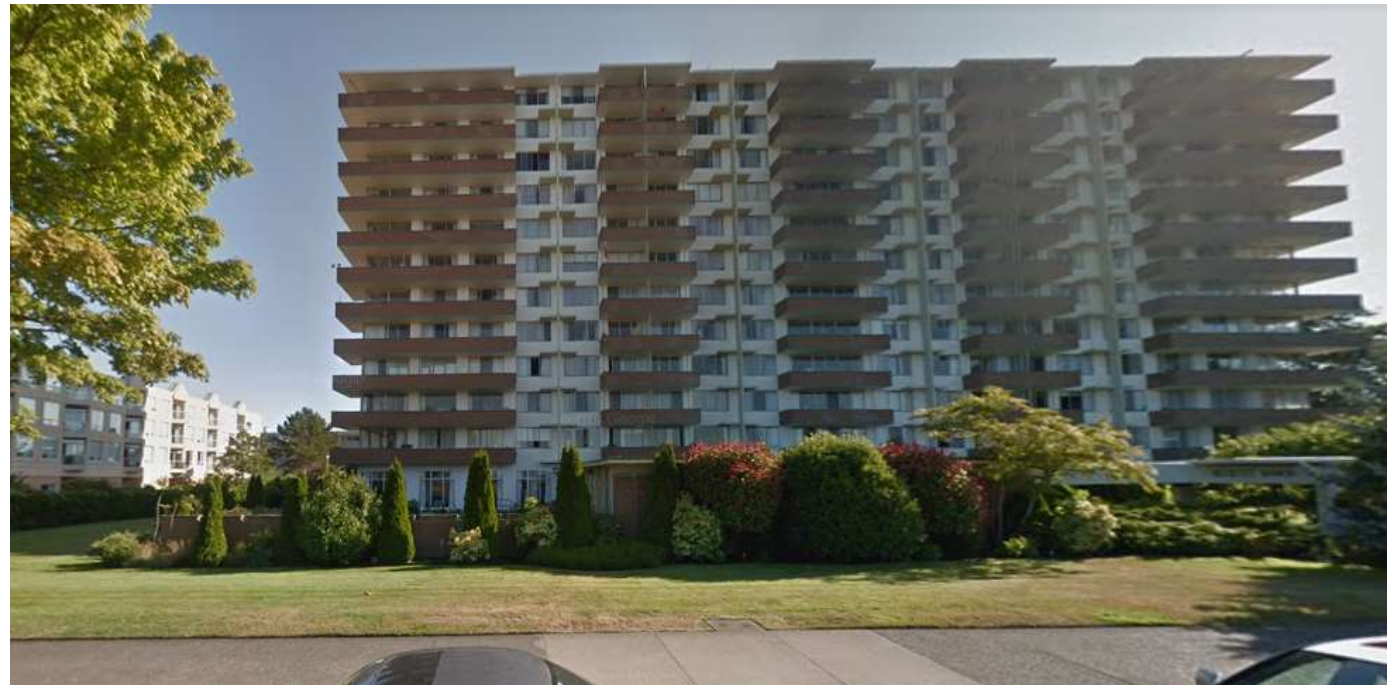
# Street Context – Across the Street

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# Street Context – Neighbouring Properties

---







## MAP 26

### James Bay Strategic Directions

#### Urban Place Designations\*

- Core Inner Harbour/Legislative
- General Employment
- Marine Industrial
- Large Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Working Harbour
- Marine

#### Public Facilities

- Existing Public School
- Community Centre

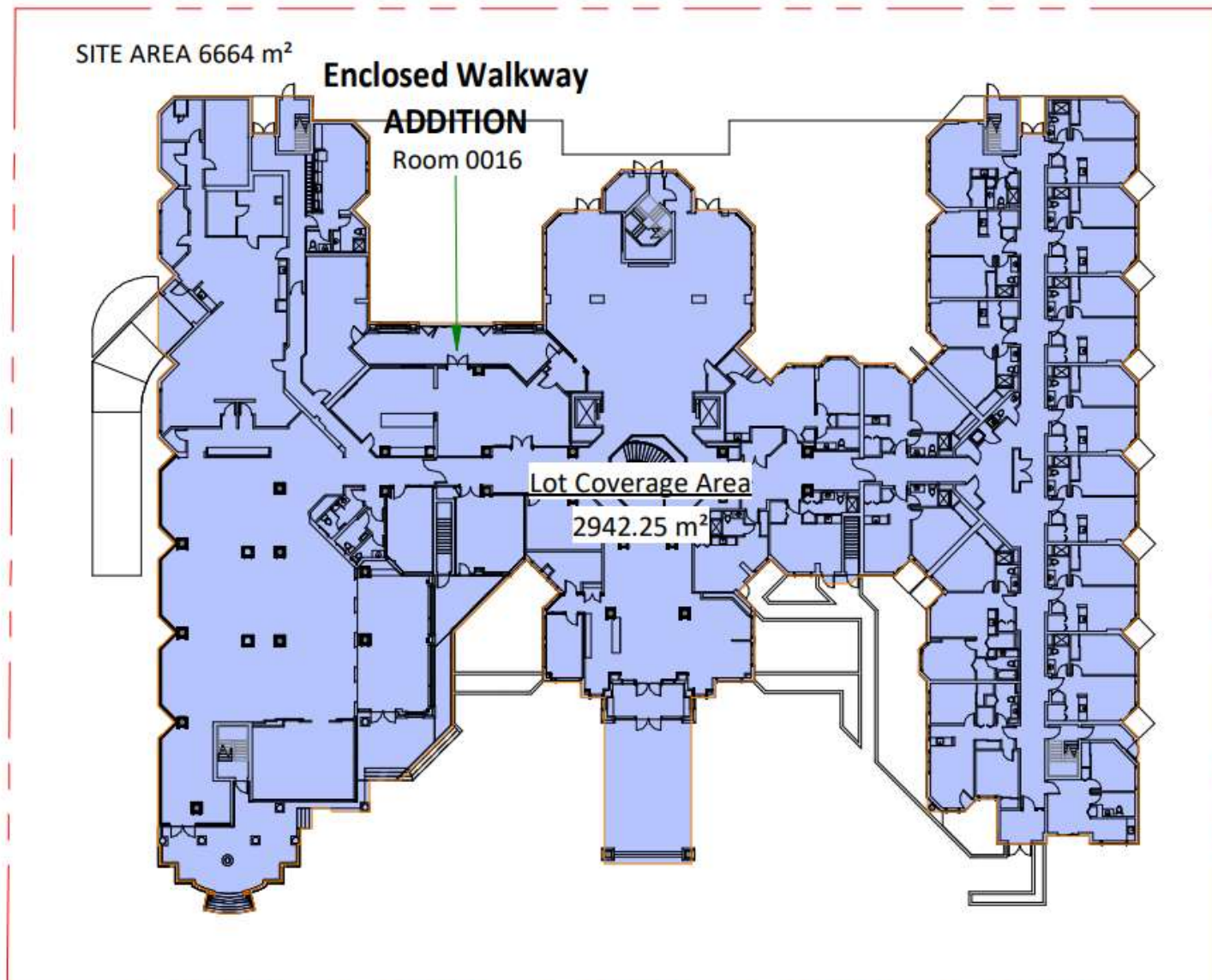
\*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.

\_\_\_\_\_





# Site Plan



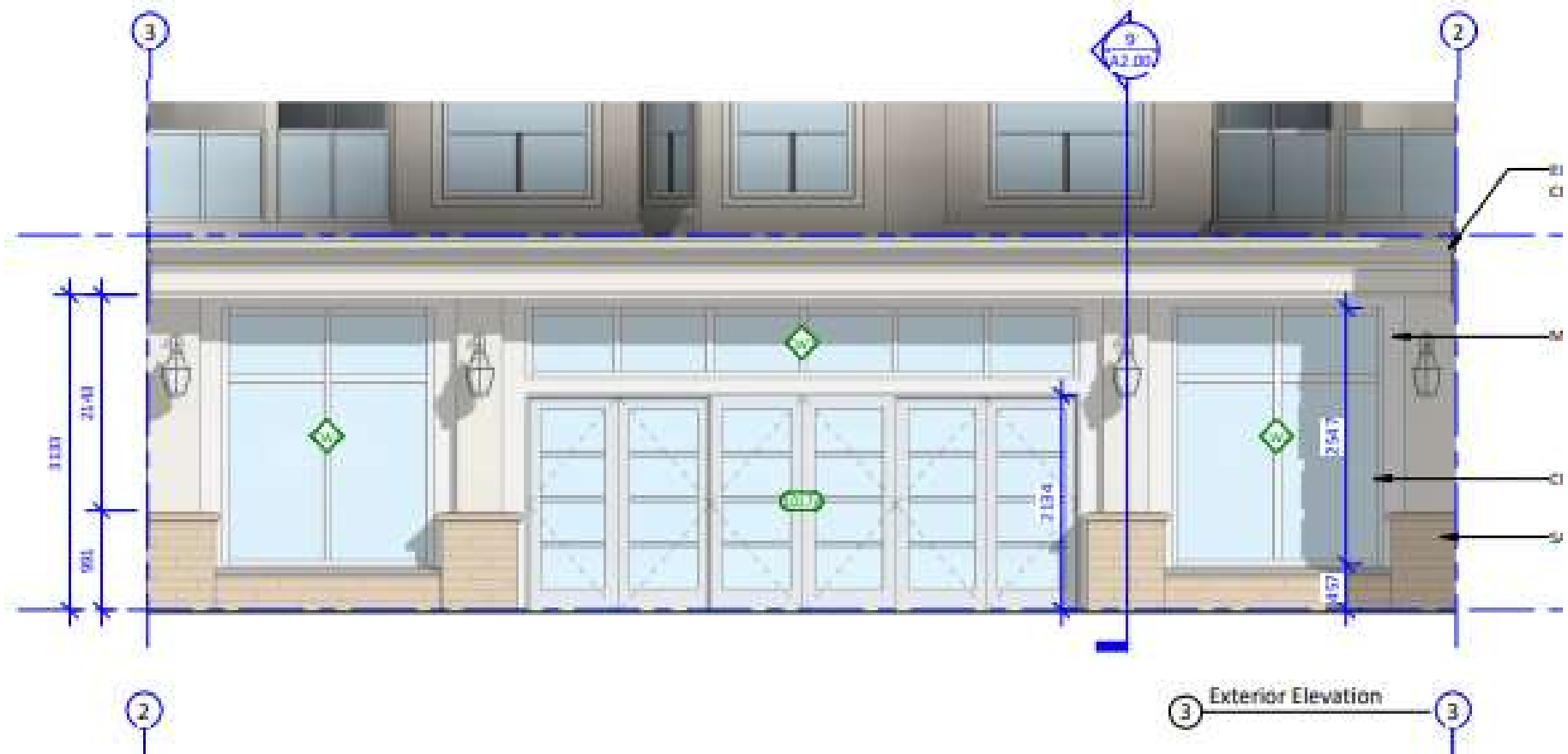
Dallas Road

# Proposed Addition – Rear Elevation Plan



Area of addition

# Proposed Addition – Rear Elevation Plan



# Rendering of Rear Addition



② Axo - North Elevation (Existing)







## Committee of the Whole Report For the Meeting of March 11, 2021

---

**To:** Committee of the Whole **Date:** February 26, 2021

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

**Subject:** Development Variance Permit Application No. 00252 for 123/125 Government Street

---

### RECOMMENDATION

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 Variance Permit Application No. 00252 for 123/125 Government Street in accordance with:

1. Plans date stamped October 2, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Reduce the required parking from two stalls to one stall;
  - ii. Reduce the setback requirement for a lower storey window on the side elevation (south) from 3.0 m to 2.4 m.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 123/125 Government Street. The proposal is to reduce the parking requirement from two stalls to one and to reduce the required setback from a window on the lower level. This window already exists and the variance is needed to legitimize its placement in this location.

The following points were considered in assessing this application:

- The original dwelling on the subject parcel was constructed in 1906. There has been a number of changes to the original structure resulting in a complex history of approvals, which permitted the two-family dwelling in 1967 and further renovations in 2019.
- The applicant's desire to strata subdivide the building requires that zoning irregularities, are addressed, triggering the requirement for two variances as noted above.
- The reduction in required parking from two stalls to one is considered supportable as it is a small variance and the active transportation measures help mitigate the shortfall.
- The variance for an existing window on the lower level is supportable as it is minor in nature and does not create any privacy issues.
- No additional physical changes are proposed as part of this application as the changes to the original structure were undertaken under previous approvals.

## **BACKGROUND**

### **Description of Proposal**

The application is to reduce the required parking from two stalls to one and to formalize the placement of a bay window in the side yard that is already in situ. The bay window was inadvertently missed as requiring a variance during a previous approval process. This application is being triggered by the applicant's desire to strata subdivide the existing two-family dwelling and the process requires full compliance with the *Zoning Regulation Bylaw*. No new construction is proposed as part of this application.

### **Affordable Housing**

The retention of an existing two-family dwelling maintains the variety of housing units in the area and the renovation enhances the quality of the supply. This two-family dwelling is occupied by members of the same family and no change in occupancy is anticipated at this time.

### **Sustainability**

The retention and renovation of an existing building creates less construction waste. Permeable paving is in place for the driveway and parking stall.

### **Accessibility**

The British Columbia Building Code regulates accessibility as it pertains to buildings. The pathways and driveway are designed to be accessible.

### **Active Transportation**

Although two-family dwellings are exempt from requiring bike parking, in this instance secure bicycle parking for use by the residents is proposed to be accommodated in the existing accessory building.

### **Public Realm**

No public realm improvements beyond the City's standard requirements are proposed in association with this application.

## Relevant History

The existing dwelling was constructed in 1906 as a single-family dwelling and converted to a two-family dwelling in 1967. In 2019, the existing structure was raised to create more useable living space for each unit and the building was extensively renovated on all floors. At that time, a Board of Variance approval was obtained to allow for the additional building height. The additional setback variance required for the new bay window on the lower level would have been an appropriate variance for Board of Variance deliberation, however, it was not part of the application and therefore is now being considered as part of this Development Variance Permit application.

## Data Table

The following data table compares the existing two-family dwelling with the R-2 Zone, Two Family Dwelling District. For clarity, it is noted that no further construction is considered on the subject property and the intent of the requested variances is to facilitate the strata subdivision of the existing two family dwelling.

An asterisk is used to identify where the proposal does not meet the requirements of the existing zone; two asterisks identify where this is an existing condition, and an explanatory note of approval history is provided.

Zoning Criteria	Proposal (Existing two-family dwelling)	R-2 Zone	Notes
Site area (m <sup>2</sup> ) – minimum	653	555	
Floor space ratio – maximum	0.49:1	0.5:1	
Height (m) – maximum	8.61**	7.6	Board of Variance granted approval in 2019 to allow additional height
Storeys – maximum	3**	1.5	Legal non-conforming - original structure
Site coverage (%) - maximum	29.8	40	
<b>Setbacks (m) – minimum</b>			
Front (Government Street)	6.38**	7.5	Legal non-conforming-original footprint
Rear	18.74	15.01	
Side (north)	1.88	1.52	
Side (south)	<b>2.4*</b>	3.0	Variance requested to accommodate existing bay window.

<b>Zoning Criteria</b>	<b>Proposal (Existing two- family dwelling)</b>	<b>R-2 Zone</b>	<b>Notes</b>
Combined side yards	4.74	4.5	
Vehicle Parking – minimum	<b>1*</b>	2	Variance requested

## Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, the application was referred to the James Bay Neighbourhood Association. No comments have been received to date.

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.

The applicant has also canvassed the neighbours with respect to the parking variance and has provided petitions to support their application.

## ANALYSIS

### Official Community Plan and James Bay Neighbourhood Plan

The proposal is consistent with the *Official Community Plan*, 2012 (OCP) and *James Bay Neighbourhood Plan*, which both support maintaining a variety of housing types and tenures. The strategic directions for the James Bay area include to “enable adaption and renewal of existing building stock” (Policy 21.16.4). By considering and supporting minor variances to the existing two-family dwelling, these policy objectives are realized.

### Zoning Regulation Bylaw

The proponent's plan to strata subdivide the existing two units, triggers the need to ensure full compliance with the *Zoning Regulation Bylaw* and formalize any irregularities. If the second dwelling unit is used as rental only, it does not trigger the need for an additional parking stall; however, an additional stall is required to facilitate the change in tenure. If the building qualified as a house conversion under Schedule G – House Conversion Regulations, it would not be required to provide any parking regardless of how many units were proposed; however, since there were modifications to the building in 2019 that added floor area and raised the building more than 0.6m (two feet), it does not qualify as a conversion until five years has passed. The following sections address the two proposed variances.

#### Parking Variance

Schedule C requires one parking stall per unit for two-family dwellings. Only one parking stall is provided on site. However, there is sufficient paved area in the front of house and a driveway to accommodate deliveries or short-term parking when required.

This section of Government Street is designated for resident parking only and creates opportunity for the occupants to use street parking when available. Further, the two units are existing, and therefore no change in the parking demand is anticipated as a result of strata titling the units.

The parking variance request may be partially mitigated by the active transportation measure, of including secure bicycle parking in the accessory building.

The site is also in close proximity to services and amenities within James Bay neighbourhood, which supports less reliance on vehicles.

### Setback Variance

The side yard setback requirement is 3.0m and the bay window which was installed on the lower level as part of the 2019 renovations has a 2.4m setback. As such, a further variance is required. There are no overlook or privacy issues associated with the placement of this window as it provides light into a non-habitable area and there is adequate buffering from the adjacent neighbour. This variance is considered minor in nature and was inadvertently omitted from the Board of Variance application that considered the additional floor area and changes that were approved in 2019, hence the request to formalize its placement with this Development Variance Permit Application.

### **CONCLUSIONS**

The application is consistent with policies within the *Official Community Plan*, which supports a diversity of housing types in each neighbourhood and further encourages the renewal of existing housing stock. The parking stall shortfall of one stall is supportable as mitigation measures are in place. The setback variance for a bay window is supportable as it does not create any privacy issues. The variances are minor in nature and are requested to create conformity with the applicable regulations to facilitate the strata subdivision of an existing building.

### **ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 00252 for the property located at 123/125 Government Street.

Respectfully submitted,

Lucina Baryluk  
Senior Planner  
Development Services

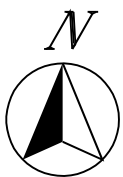
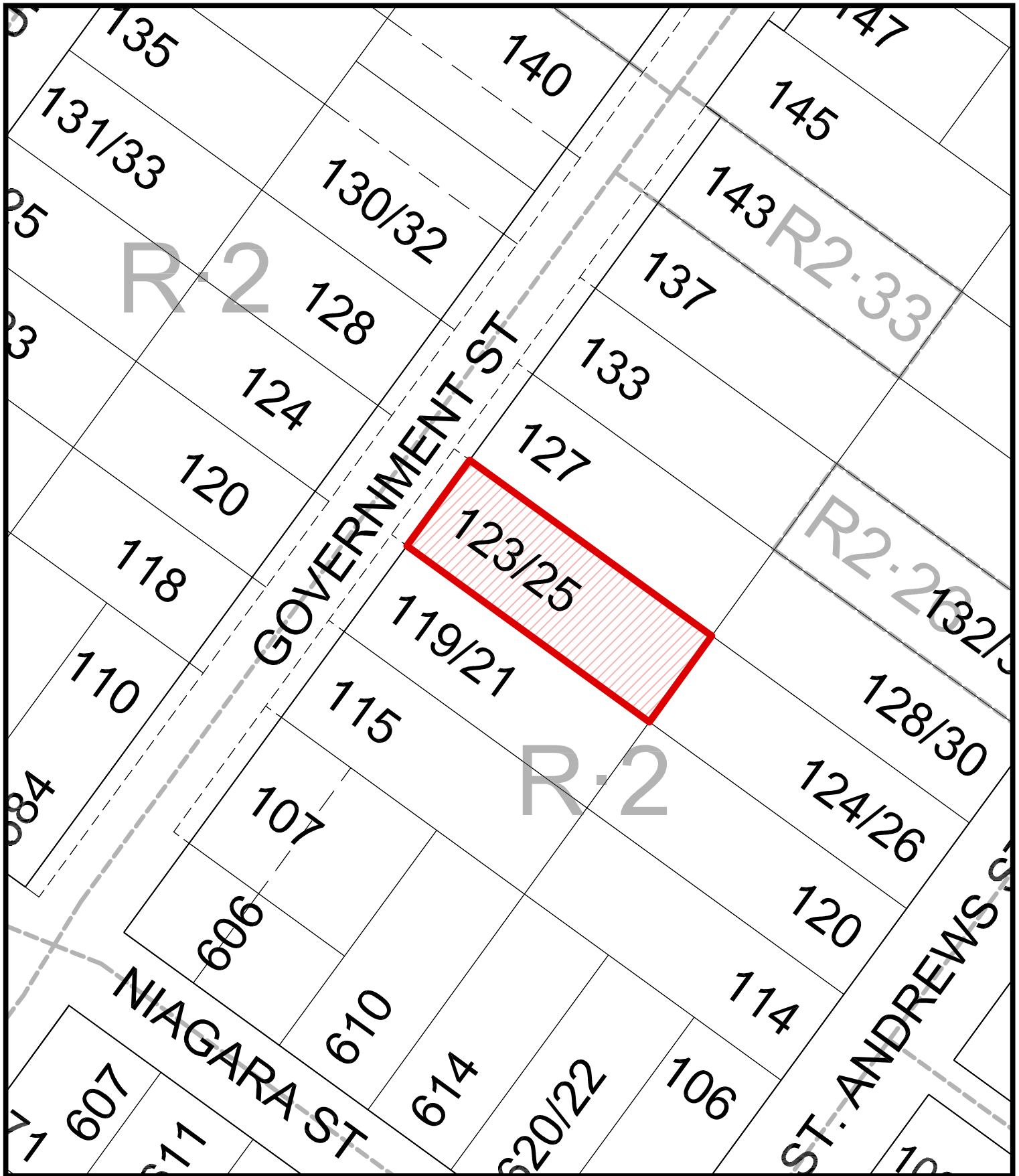
Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

### **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped October 20, 2020
- Attachment D: Letter from applicant to Mayor and Council dated August 24, 2020
- Attachment E: Correspondence – petitions submitted by agent on behalf of owner.

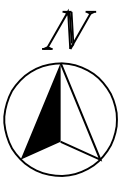




123 and 125 Government Street  
Development Variance Permit No.00252







123 and 125 Government Street  
Development Variance Permit No.00252





# 125 Government St.

VICTORIA, BC

PROPOSED PARKING VARIANCE:

## PROJECT INFORMATION:

RESIDENTIAL DESIGNER: LATITUDE 48 DESIGN LTD.  
ryan@latitude48design.com  
778,977,4848

INTERIOR DESIGNER: MAVRIKOS DESIGN LTD.  
250-852-9677

GENERAL CONTRACTOR: FLINTSTONES CONSTRUCTION LTD.  
250,880,1188

STRUCTURAL ENGINEER: HEROLD ENGINEERING LTD.  
250,590,4875

SURVEYOR: EXPLORER LAND SURVEYING INC.  
250,381,2257

## PROJECT ADDRESS:

SITE ADDRESS: 125 GOVERNMENT STREET

LEGAL DESCRIPTION: LOT 12, PLAN V1P786, SECTION 2,  
LAND DISTRICT S7, BECKLEY FARM, EXC W 9 FT THEREOF

## PROJECT SCOPE OF WORK:

PARKING VARIANCE - APPROVE THE EXISTING  
GRANDFATHERED PARKING STATUS IN A STRATA DUPLEX

## SHEET INDEX:

A0.0 COVER SHEET

A2.1 FOUNDATION & LOWER FLOOR PLAN

A2.2 MAIN & UPPER FLOOR PLAN

A3.1 SECTION & ROOF PLAN

A4.1 ELEVATIONS

A4.2 ELEVATIONS

A6.1 PERSPECTIVES

### FLOOR AREA CALC. PER UNIT

SECOND FLOOR:	903 SF
MAIN FLOOR:	1150 SF
TOTAL UPPER UNIT:	2053 SF
LOWER FLOOR UNIT:	1404 SF

## ZONING ANALYSIS:

ZONE: R-2

LOT AREA: 653,6m<sup>2</sup> REQUIRED PARKING - 2 STALLS

AVG. GRADE: 16,09m AVAILABLE PARKING - 1 STALL

ZONING REQUIREMENTS	ALLOWABLE	EXISTING
FLOOR SPACE RATIO (FSR):	0,50	0,49
GROSS FLOOR AREA (GFA):		
MAIN FLOOR (UNIT #1):	280,0m <sup>2</sup>	106,9m <sup>2</sup>
SECOND FLOOR (UNIT #1):		83,9m <sup>2</sup>
LOWER FLOOR (UNIT #2):		130,5m <sup>2</sup>
TOTAL:	326,8m <sup>2</sup>	321,3m <sup>2</sup>
SHED:	37,0m <sup>2</sup>	35,3m <sup>2</sup>

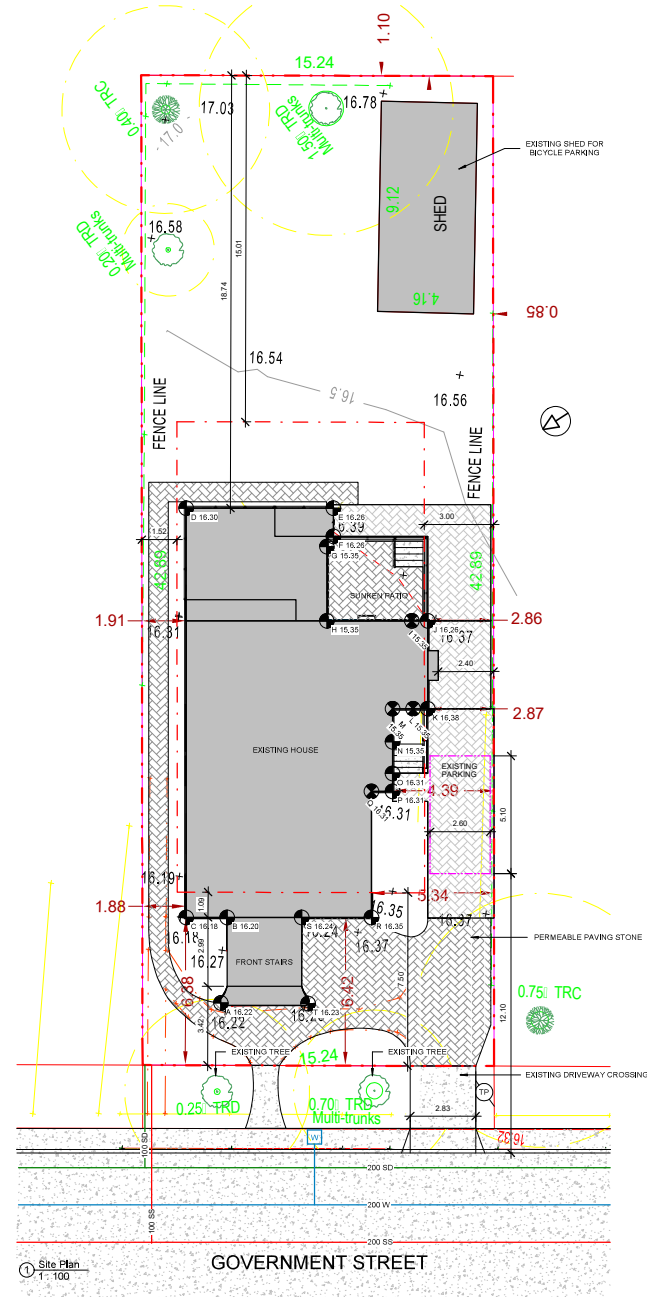
LOT COVERAGE:		
HOUSE:		157,1m <sup>2</sup>
SHED:		38,0m <sup>2</sup>
TOTAL:	40,0% (261,4m <sup>2</sup> )	195,1m <sup>2</sup>
HEIGHT:	7,60m	8,61m

SETBACKS:		
FRONT (NW):	7,50m	3,42m
BACK (SE):	15,01m (35%)	18,74m
SIDE (NE):	1,52m	1,88m
SIDE (SW):	3,00m	2,86m

## COMMUNITY MAP



AVERAGE GRADE CALC.				
POINT	GRADE	AVG. OF POINTS	DBT. BETWEEN	TOTAL
A	16.22	A-B ((16.22 + 16.20) / 2)	3.79m	61.43
B	16.20	B-C ((16.20 + 16.16) / 2)	1.78m	28.82
C	16.16	C-D ((16.16 + 16.30) / 2)	17.73m	287.94
D	16.30	D-E ((16.30 + 16.26) / 2)	6.40m	104.16
E	16.26	E-F ((16.26 + 16.26) / 2)	1.22m	18.84
F	16.26			
G	15.35	G-H ((15.35 + 15.35) / 2)	3.45m	52.96
H	15.35	H-I ((15.35 + 15.35) / 2)	4.17m	64.01
I	15.35			
J	16.26	J-K ((16.26 + 16.26) / 2)	3.81m	61.95
K	16.38			
L	15.35	L-M ((15.35 + 15.35) / 2)	1.52m	23.33
M	15.35	M-N ((15.35 + 15.35) / 2)	2.79m	42.83
N	15.35			
O	16.31	O-P ((16.31 + 16.31) / 2)	0.79m	12.88
P	16.31	P-Q ((16.31 + 16.31) / 2)	0.91m	14.84
Q	16.31	Q-R ((16.31 + 16.35) / 2)	5.48m	85.16
R	16.35	R-S ((16.35 + 16.24) / 2)	3.04m	46.54
S	16.24	S-T ((16.24 + 16.23) / 2)	3.79m	61.53
T	16.23	T-U ((16.23 + 16.22) / 2)	3.78m	61.33
U				
TOTAL			64.43m	1036.58
GRADE CALCULATION			1036.58 / 64.43m	16.09m



### GENERAL NOTE:

- It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of any work. The contractor is to ensure that all work is done in accordance with the approved plans and specifications. The contractor is to ensure that all work is done in accordance with the approved plans and specifications. The contractor is to ensure that all work is done in accordance with the approved plans and specifications.
- All notes and details shown on the drawings are typical unless otherwise noted.
- All designs, drawings, and specifications prepared by the designer shall be the property of the designer. The designer shall not be responsible for any work completed or not completed by the contractor or owner. The designer shall not be responsible for any work completed or not completed by the contractor or owner. The designer shall not be responsible for any work completed or not completed by the contractor or owner.
- All work is to comply with the latest version of the BC Building Act and the BC Building Code. The contractor is to ensure that all work is done in accordance with the approved plans and specifications. The contractor is to ensure that all work is done in accordance with the approved plans and specifications. The contractor is to ensure that all work is done in accordance with the approved plans and specifications.

No.:	
By:	
Rev:	
Drawing Description:	
Date:	

Flintstones  
DESIGN & BUILD

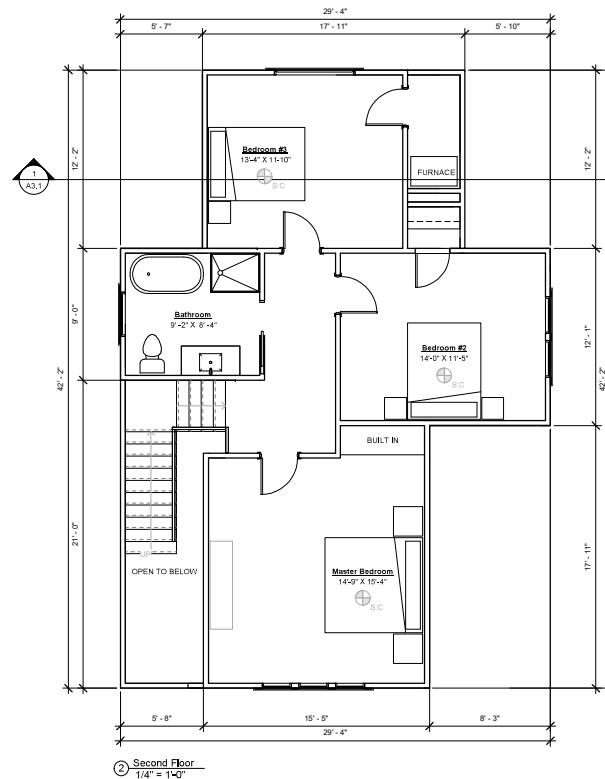
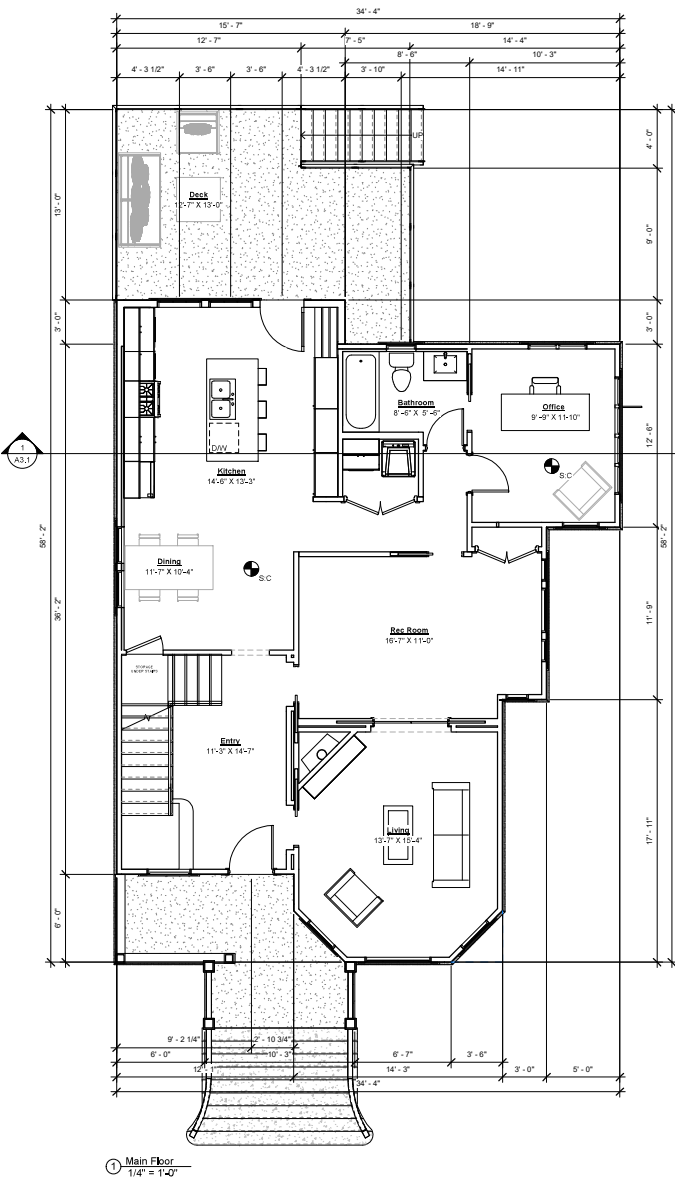
Project:  
125 Government Street

Sheet Title:  
Cover Page

Project No.:  
18067

Sheet:  
A0.0





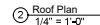
GENERAL FRAMING NOTES	
1	ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE.
2	ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE.
3	DOUBLE CRIPPLE STUDS TO BE USED ON ALL UNITS OVER 5' IN SPAN.
4	ALL WALL AND ROOF SHEATHING TO BE 1/2" PLYWOOD UNLESS NOTED OTHERWISE.
5	ALL UNITS TO BE MINIMUM 4x12 LUMBER UNLESS NOTED OTHERWISE.
6	ALL CONCRETE TO BE A MINIMUM 25MPa AT 28 DAYS.
7	END DRAWINGS WILL SUPERSEDE ALL ARCHITECTURAL NOTES AND DETAILS.
8	TYPICAL WINDOW & DOOR HEIGHTS: LOWER FLOOR: 7'-0" MAIN FLOOR: 7'-0" SECOND FLOOR: 7'-0"
9	ALL EXPOSED LUMBER TO BE TREATED WITH AN INDUSTRY APPROVED PRESERVATIVE.

PLAN LEGEND	
WALL	---
LINE OF ROOF OVER	---
LINE OF INTERIOR VAULT	---
LINE OF FLOOR OVER	---
LINE OF WALL BELOW	---
POST / COLUMN	⊗
ORDER TRUSS	---
DROP BEAM	---
FLUSH BEAM	---
SIMPLE CARBON DETECTOR	⊙
DOOR SEE TAG (READ AS 2'6"X7'0")	⊙
WINDOW SEE TAG (READ AS 3'0"X5'0")	⊙
JOIST/Rafter SPAN DIRECTION	---

GENERAL NOTES:	
1. It is the responsibility of the contractor to verify all dimensions and elevations prior to the commencement of work. The contractor is to ensure that only the design of any areas and regulations identified within the drawings are to be followed with the exception of the project.	
2. All notes and details shown on the drawings are typical unless otherwise noted.	
3. All designs, drawings and specifications prepared by the designer shall be the property of the designer and shall remain confidential. No part of the drawings or specifications shall be reproduced or used in any other form or project.	
4. All work is to comply with the latest version of the BCBC, local municipal bylaws, and provincial environmental regulations.	
5. All changes or deviations are the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.	
6. The Contractor shall work with an ASCE certified surveyor to confirm elevations, sight and placement of the proposed building or structure prior to commencing any work. The Designer is not responsible for any errors resulting in regards to elevations, sight or placement of the building or structure. Any changes to the work shall be reviewed and confirmed with the surveyor prior to starting the project.	
No.:	
By:	RW B
Drawing Description:	
Date:	20/Aug/24
Parking / Variance	
Project:	
125 Government Street	
Sheet Title:	
Main & Upper Floor Plan	
Project No.:	
18067	
Sheet:	
A2.2	

FLOOR AREA CALC. PER UNIT	
SECOND FLOOR:	903 SF
MAIN FLOOR:	1150 SF
TOTAL UPPER UNIT:	2053 SF
LOWER FLOOR UNIT:	1404 SF



- PLAN LEGEND:

DOOR SIZE TAG  
(READS AS 28"X70")  
WINDOW SIZE TAG  
(READS AS 30"X50")  
JC(ST/RAFTER SPAN DIRECT

- | Date:     | Drawing Description: | By: | No.: |
|-----------|----------------------|-----|------|
| 20/Aug/24 | Parking Variance     | RW  | 8    |
|           |                      |     |      |
|           |                      |     |      |
|           |                      |     |      |

## EXTERIOR WALL ASSEMBLIES

EWG	EXTERIOR WALL- SHINGLE CLADDING (INSULATION UPGRADE)	RSI	R
1	EXTERIOR AIR FILM	0.03	0.17
2	CEDAR SHINGLES (EXISTING)	0.95	0.97
3	BUILDING PAPER (EXISTING)	0.00	0.00
4	SHEATHING (EXISTING)	0.11	0.62
5	R-10 BATT INSULATION (NEW)	2.36	13.4
6	2x4 WALL STUDS @ 16" O.C (EXISTING)	0.00	0.00
7	2x2 FURRING STRIPS (NEW)	0.00	0.00
8	9mil POLY AN BARRIER (NEW)	0.00	0.00
9	1/2" GYPSUM WALL BOARD (NEW)	0.08	0.45
10	FINISH TO OWNERS SPECIFICATION	0.00	0.00
	INTERIOR AIR FILM	0.12	0.68
	EFFECTIVE RSI/ R VALUE OF ENTIRE ASSEMBLY	2.89	16.2

## INTERIOR WALL ASSEMBLIES

1	FINISH TO OWNERS SPEC.	0.00	0.00
2	SIS' TYPE X GYPSUM WALL BOARD	0.00	0.00
3	2X4 WALL STUDS @ 16" O/C (SPF #2 OR BETTER)	0.00	0.00
4	MINERAL WOOL INSULATION	0.00	0.00
5	SIS' TYPE X GYPSUM WALL BOARD	0.00	0.00
6	INTERIOR AIR FILM	0.00	0.00
EFFECTIVE RSI / R VALUE OF ENTIRE ASSEMBLY		N/A	N/A

## FLOOR ASSEMBLIES

7	4" FURR FLOORING (NEW)	0.00	0.00
8	1/2" (3/32 EQ.) 36 S INSUL. (A-V BARRIER) (NEW)	3.56	2.00
9	MINERAL WOOL INSULATION (NEW)	1.82	0.50
10	STEEL FURRR CHANNELS @ 16" O.C (NEW)	0.00	0.00
11	2-LAYERS 5/8" TYPE X GYPSUM CD BOARD (NEW)	0.10	0.00
12	INTERIOR AIR FILM	0.12	0.00
<b>EFFECTIVE RSI R VALUE OF ENTIRE ASSEMBLY</b>		<b>5.43</b>	<b>3.00</b>

## ROOF ASSEMBLIES

0
2
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FLOOR AREA CALC. PER UNIT	
SECOND FLOOR:	903 SF
MAIN FLOOR:	1150 SF
TOTAL UPPER UNIT:	2053 SF
LOWER FLOOR UNIT:	1404 SF





2 North West  
1/4" = 1'-0"

SPATIAL SEPARATION CALCULATION NORTH WEST - ELEVATION	
AREA OF BUILDING FACE (ABF)	73.8m <sup>2</sup>
LIMITING DISTANCE	6.0m
ALLOWABLE GLAZED AREA (AGA)	34.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m <sup>2</sup>	(73.8m <sup>2</sup> X 34%) =
AREA OF GLAZED OPENINGS PROPOSED	25.1m <sup>2</sup>
PERCENTAGE OF GLAZED AREA PROPOSED	13.9m <sup>2</sup>
	18.8%

ELEVATION NOTES	
1	ASPHALT SHINGLE ROOFING
2	3-PLY MOD. BIT. ROOFING
3	SHINGLE SIDING
4	STONE VENEER
5	GUARD RAILING
6	PAINTED KNEE BRACE

EXTERIOR FINISH	
WINDOW TRIM	2X6 PAINTED WOOD TRIM CW SLOPED TAPER CUT 2X4 SILL & 2X4 SUB SILL
DOOR TRIM	2X6 PAINTED WOOD TRIM
SOFFIT	CONTINUOUS VENTED WOOD SOFFIT
GUTTER	5" ALUMINUM GUTTER
BARGE BOARD	2X12 PAINTED WOOD TRIM BOARD CW 1X4 SUB TRIM
FASCIA BOARD	2X6 PAINTED WOOD TRIM BOARD
BELLY BAND	2X6 PAINTED WOOD TRIM
GABLE SOFFIT BANDS	2X10 PAINTED WOOD TRIM BOARD

SPATIAL SEPARATION CALCULATION SOUTH WEST - ELEVATION - AREA 1	
AREA OF BUILDING FACE (ABF)	18.4m <sup>2</sup>
LIMITING DISTANCE	2.8m
ALLOWABLE GLAZED AREA (AGA)	22.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m <sup>2</sup>	(18.4m <sup>2</sup> X 22%) =
AREA OF GLAZED OPENINGS PROPOSED	4.3m <sup>2</sup>
PERCENTAGE OF GLAZED AREA PROPOSED	22.0%

SPATIAL SEPARATION CALCULATION SOUTH WEST - ELEVATION - AREA 2	
AREA OF BUILDING FACE (ABF)	25.8m <sup>2</sup>
LIMITING DISTANCE	4.0m
ALLOWABLE GLAZED AREA (AGA)	39.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m <sup>2</sup>	(25.8m <sup>2</sup> X 39.0%) =
AREA OF GLAZED OPENINGS PROPOSED	10.1m <sup>2</sup>
PERCENTAGE OF GLAZED AREA PROPOSED	25.1%

SPATIAL SEPARATION CALCULATION SOUTH WEST - ELEVATION - AREA 3	
AREA OF BUILDING FACE (ABF)	39.8m <sup>2</sup>
LIMITING DISTANCE	5.0m
ALLOWABLE GLAZED AREA (AGA)	50.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m <sup>2</sup>	(39.8m <sup>2</sup> X 50.0%) =
AREA OF GLAZED OPENINGS PROPOSED	20.2m <sup>2</sup>
PERCENTAGE OF GLAZED AREA PROPOSED	16.8%

- GENERAL FRAMING NOTES:**
1. ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE.
  2. ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE.
  3. DOUBLE CHIMNEY STUCCO TO BE USED ON ALL WALLS OVER 2 IN. SPAN.
  4. ALL WALL AND ROOF SHEATHING TO BE 1/2" PLW/WOOD UNLESS NOTED OTHERWISE.
  5. ALL UNITS TO BE MINIMUM 3/4" X 2 IN. LUMBER UNLESS NOTED OTHERWISE.
  6. ALL CONCRETE TO BE A MINIMUM 25MPa AT 28 DAYS.
  7. FIN. DRAWINGS WILL SUPERSEDE ALL ARCHITECTURAL NOTES AND DETAILS.
  8. TYPICAL WINDOW & DOOR HEIGHTS:  
MAIN FLOOR 7'-0" VARIES  
SECOND FLOOR 7'-0" VARIES
  9. ALL EXPOSED LUMBER TO BE TREATED WITH AN INDUSTRY APPROVED PRESERVATIVE.

**PLAN LEGEND:**

WALL	---
LINE OF ROOF OVER	---
LINE OF INTERIOR VAULT	---
LINE OF FLOOR OVER	---
LINE OF WALL BELOW	---
POST / COLUMN	⊗
GIRDER / TRUSS	---
DROP BEAM	---
FLUSH BEAM	---
SMOKE/CO/IBO DETECTOR	⊙
DOOR SILE TAG (READ: 45 28 770)	⊙
WINDOW SILE TAG (READ: 45 37000)	⊙
JOIST/RAPPER SPAN DIRECTION	---

- GENERAL NOTES:**
1. It is the responsibility of the contractor to verify all dimensions and elevations prior to the commencement of any work. The contractor is to ensure that the design of any work and its installation complies with the drawings and the specifications of the project.
  2. All notes and details shown on the drawings are typical unless otherwise noted.
  3. All design, drawings, and specifications prepared by the designer shall be the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.
  4. All work is to comply with the latest version of the BCBC, local municipal bylaws, and provincial environmental regulations.
  5. The contractor shall work with an ASBC certified surveyor to confirm elevations, and the placement of the proposed building or structure prior to commencing any work. Unless the Designer is not responsible for any work related to the project in relation to the design, siting, or placement of the building or structure. Any change to the work shall be reviewed and confirmed with the surveyor prior to starting the project.

No.	By:	Drawing Description:	Parking	Variance
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Project:  
125 Government Street

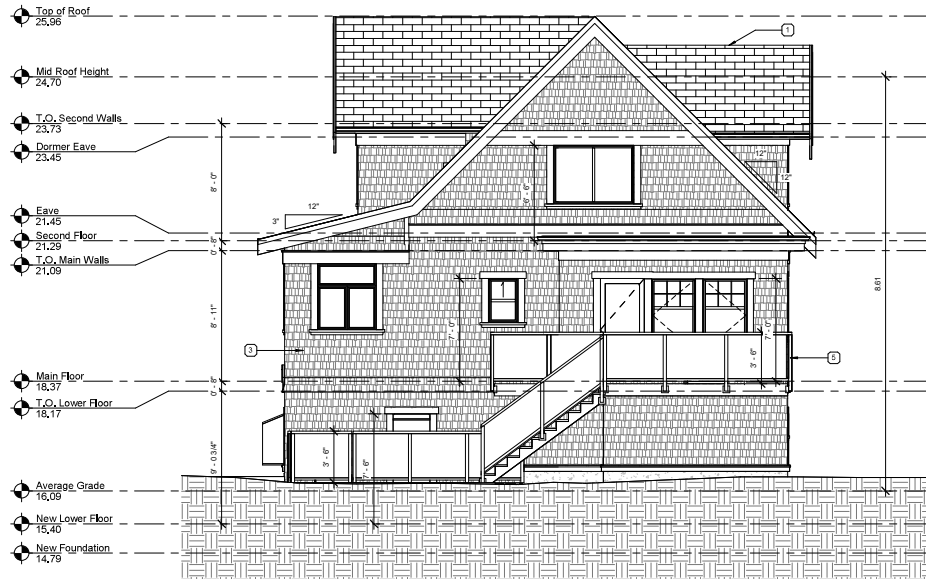
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Elevations

Project No.:  
18067

Sheet:  
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1 South West  
1/4" = 1'-0"



① South East  
1/4" = 1'-0"

SPATIAL SEPARATION CALCULATION SOUTH EAST - ELEVATION	
AREA OF BUILDING FACE (ABF):	75.4m <sup>2</sup>
LIMITING DISTANCE:	22.0m
ALLOWABLE GLAZED AREA (AGA):	100.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m <sup>2</sup>	75.4m <sup>2</sup>
(75.4m <sup>2</sup> X 1.00) =	
AREA OF GLAZED OPENINGS PROPOSED:	10.2m <sup>2</sup>
PERCENTAGE OF GLAZED AREA PROPOSED:	13.5%

ELEVATION NOTES	
①	ASPHALT SHINGLE ROOFING
②	1/2" PLY WOOD, BIF. ROOFING
③	SHINGLE SIDING
④	STONE VENEER
⑤	GUARD RAILING
⑥	PAINTED KNEE BRACE

EXTERIOR FINISH	
WINDOW TRIM	2X6 PAINTED WOOD TRIM CW SLOPED TAPE
DOOR TRIM	2X6 PAINTED WOOD TRIM
SOFFIT	CONTINUOUS VENTED WOOD SOFFIT
GUTTER	5" ALUMINUM GUTTER
BAROE BOARD	2X10 PAINTED WOOD TRIM BOARD CW
FASCIA BOARD	2X6 PAINTED WOOD TRIM BOARD
BELLY BAND	2X6 PAINTED WOOD TRIM
GABLE SOFFIT	2X10 PAINTED WOOD TRIM BOARD
BANDS	

SPATIAL SEPARATION CALCULATION NORTH EAST - ELEVATION	
AREA OF BUILDING FACE (ABF):	88.4m <sup>2</sup>
LIMITING DISTANCE:	1.8m
ALLOWABLE GLAZED AREA (AGA):	7.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m <sup>2</sup>	6.2m <sup>2</sup>
(88.4m <sup>2</sup> X 0.07) =	
AREA OF GLAZED OPENINGS PROPOSED:	6.0m <sup>2</sup>
PERCENTAGE OF GLAZED AREA PROPOSED:	6.8%

- GENERAL FRAMING NOTES**
- ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE
  - ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE
  - DOUBLE CRIPPLE STUDS TO BE USED ON ALL LINES OVER 8' IN SPAN
  - ALL WALL AND ROOF SHEATHING TO BE 1/2" PLYWOOD UNLESS NOTED OTHERWISE
  - ALL LUMBER TO BE MINIMUM 4x12 2x10 LUMBER UNLESS NOTED OTHERWISE
  - ALL CONCRETE TO BE A MINIMUM 25MPa AT 28 DAYS
  - END DRAWINGS WILL SUPERSEDE ALL ARCHITECTURAL NOTES AND DETAILS
  - TYPICAL WINDOW & DOOR HEIGHTS: LOWER FLOOR: 7'0" MAIN FLOOR: 7'-0" VARIES SECOND FLOOR: 7'-0" VARIES
  - ALL EXPOSED LUMBER TO BE TREATED WITH AN INDUSTRY APPROVED PRESERVATIVE

**PLAN LEGEND**

- WALL  
LINE OF ROOF OVER  
LINE OF INTERIOR VAULT  
LINE OF FLOOR OVER  
LINE OF WALL BELOW  
ORDER TRUSS  
SHOP BEAM  
FLUSH BEAM  
SMOKE/CO2 DETECTOR  
DOOR SEE TAG  
(READ AS 2' X 7'0")  
WINDOW SEE TAG  
(READ AS 7'0" X 5'0")  
JOIST/Rafter SPAN DIRECTION



- GENERAL NOTES:**
- It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of work. The contractor is to ensure that only the design of any areas and regulations specified within the drawings are to be followed. Any deviations from the design are to be noted and approved by the designer prior to construction.
  - All notes and details shown on the drawings are typical unless otherwise noted.
  - All design, drawings, and specifications prepared by the designer shall be in accordance with the current BC Building Code and all applicable regulations. The designer shall not be responsible for any errors or omissions in the drawings or specifications or for any consequences arising from the use of the drawings or specifications for any purpose other than that for which they were prepared.
  - All work is to comply with the latest version of the BCBC, local municipality, and all other applicable regulations.
  - All changes or deviations on the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.
  - The contractor shall work with an ASBC certified surveyor to confirm elevations, site, and placement of the proposed building or structure prior to commencing any work. Unless the Designer is not responsible for any inaccuracies in the survey or site information, the contractor is to be responsible for any inaccuracies in the work shown on the drawings and confirmed only on the survey plan to starting the project.



② North East  
1/4" = 1'-0"

No.	By:	Rev	Date:	Drawing Description:	Parking	Variance
			20/Aug/24			



Project:  
125 Government Street

Sheet Title:  
Elevations

Project No.:  
18067

Sheet:  
A4.2



GENERAL NOTES:

1. It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of work. The contractor shall not rely on the drawings as a guide and shall verify the design of any areas and irregularities existing within the drawings prior to moving forward with the construction of the project.
2. All notes and details shown on the drawings are typical unless otherwise noted.
3. All designs, drawings, and specifications prepared by the designer shall be used. Design and construction shall be in accordance with the applicable building codes and standards. The contractor shall be responsible for obtaining all necessary permits and approvals for the project.
4. All work is to comply with the latest edition of the applicable building codes and standards.
5. All changes or deviations are the responsibility of the owner or contractor and must be approved by the Designer for verification and review.
6. The contractor shall work with an ASCE-certified surveyor to confirm elevations, slope and placement of the proposed building or structure prior to commencing any work. Flintstones Design & Build is not responsible for any errors resulting from the building construction. Any changes to the work shall be reviewed and confirmed with the designer prior to starting the project.

No.	By:	Drawing Description:	Date:
8	RW	Parking / Variance	20/Aug/24

**Flintstones**  
DESIGN & BUILD

Project:  
125 Government Street

Sheet Title:  
Proposed Perspectives

Project No.:  
18067

Sheet:  
A6.1

August 24<sup>th</sup>, 2020

Mayor & Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

Dear Mayor & Council Members,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. submits the following application to the City of Victoria. The details and justification of our request are outlined below.

The Two-family dwelling at 125 Government Street is an existing 3 storey home that was built in 1906. It has recently undergone a substantial renovation improvement that established upper and lower dwelling units, with the current owner residing in one and close family members in the other. During the planning for the renovation, we established that the single available parking stall was grandfathered in place for a two family dwelling and was all that was needed between the two families given the location of the home to the downtown core.

The requirement for a parking variance comes as we move forward to strata title the two-family dwelling. As the City of Victoria defines a strata title as a change of use on the property, we lose our existing grandfathered status for the single parking stall. We require a parking variance due to the existing site restrictions to meet the current "Schedule C" parking requirements. Under the current bylaw, we would need to provide one parking stall per dwelling unit (two in total), which we cannot accommodate on this property.

Given the limitation on parking stalls, there is ample room within the existing shed to accommodate bicycle parking for each unit. Additionally, the walkability of the property to nearby shops, restaurants, and bus routes allows future owners to reconsider the need for a vehicle.

Thank you for your consideration and attention to this application.

Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal



RE: 125 Government Street – Parking Variance Application

To whom it may concern,

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Thank you for your consideration and attention to this application.

Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: Karl Fritz / Monica Fritz  
Date: Aug 27/20  
Address: 3119 Glasgow St. Victoria B.C.  
I support this Variance Application: Yes ☒ No ☐

Signature: 

RE: 125 Government Street – Parking Variance Application

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Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: Derek Hawksley

Date: Aug 26/20

Address: 128 Government St.

I support this Variance Application: Yes ☒ No ☐

Signature: 



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Thank you for your consideration and attention to this application.

Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: CARY WRIGHT

Date: Aug 28 / 20

Address: 121 GOVERNMENT ST

I support this Variance Application: Yes ☒ No ☐

Signature: 

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Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: Colleen Butler

Date: Aug 26<sup>th</sup> / 2020

Address: 124 Government St

I support this Variance Application: Yes ☒ No ☐

Signature: 

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Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: Karen Froebe

Date: Aug 26, 2020

Address: 130 St Andrews St

I support this Variance Application: Yes ☒ No ☐

Signature: Karen Froebe



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Thank you for your consideration and attention to this application.

Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: Monica Fritz

Date: Sept 10 / 20

Address: 3119 Glasgow ST.

I support this Variance Application: Yes ☒ No ☐

Signature: Monica Fritz

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Thank you for your consideration and attention to this application.

Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: Mauro Melo

Date: Sept 3/2020

Address: 120 Government St – owner.

I support this Variance Application: Yes ☒ No ☐

Signature: 

RE: 125 Government Street – Parking Variance Application

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On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. will be submitting the following application to the City of Victoria Council. The details and justification of our request are outlined below.

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Thank you for your consideration and attention to this application.

Sincerely,  
Latitude 48 Design Ltd.



Ryan Wyllie, TQ  
Principal

Steve Parry

Name: CORIN O'CONNOR

Date: Sept 17/20

Address: 127 GOVERNMENT ST

I support this Variance Application: Yes ☒ No ☐

Signature: CO' Connor



1

# Development Variance Permit Application for 123/125 Government Street



1

2

## Subject Map



2

### Existing duplex – as constructed

3

Arrow indicates setback variance

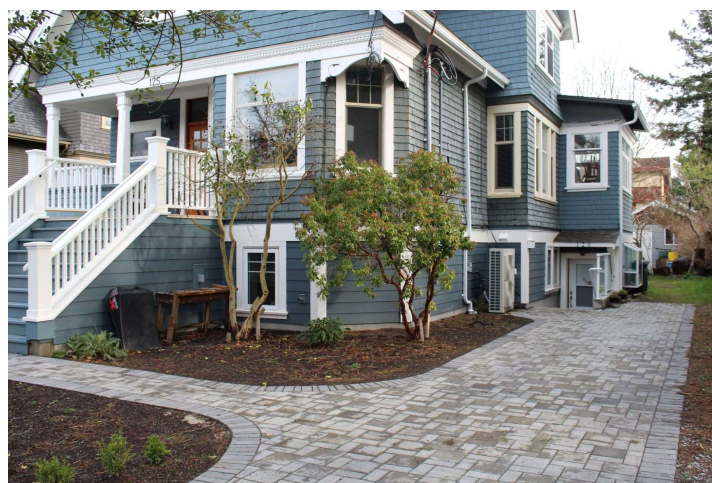


3

### Existing duplex – as constructed

4

Driveway detail



4



## **Committee of the Whole Report**

### **For the Meeting of March 11, 2021**

---

**To:** Committee of the Whole **Date:** February 26, 2021

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

**Subject:** **Request to Modify Covenants CA3641378 and CA3641382 for 506 and 514 Government Street**

---

### **RECOMMENDATION**

That Council authorize City Legal staff to modify Covenants CA3641378 and CA3641382 to remove clauses concerning the heritage restoration of 506 and 514 Government Street.

### **LEGISLATIVE AUTHORITY**

In accordance with section 219 of the *Land Title Act*, a local government may enter into an agreement with a land owner respecting the subdivision, development or use of a property. A section 219 agreement may contain provisions respecting the conservation and enhancement of amenities such as historical assets on the property.

### **EXECUTIVE SUMMARY**

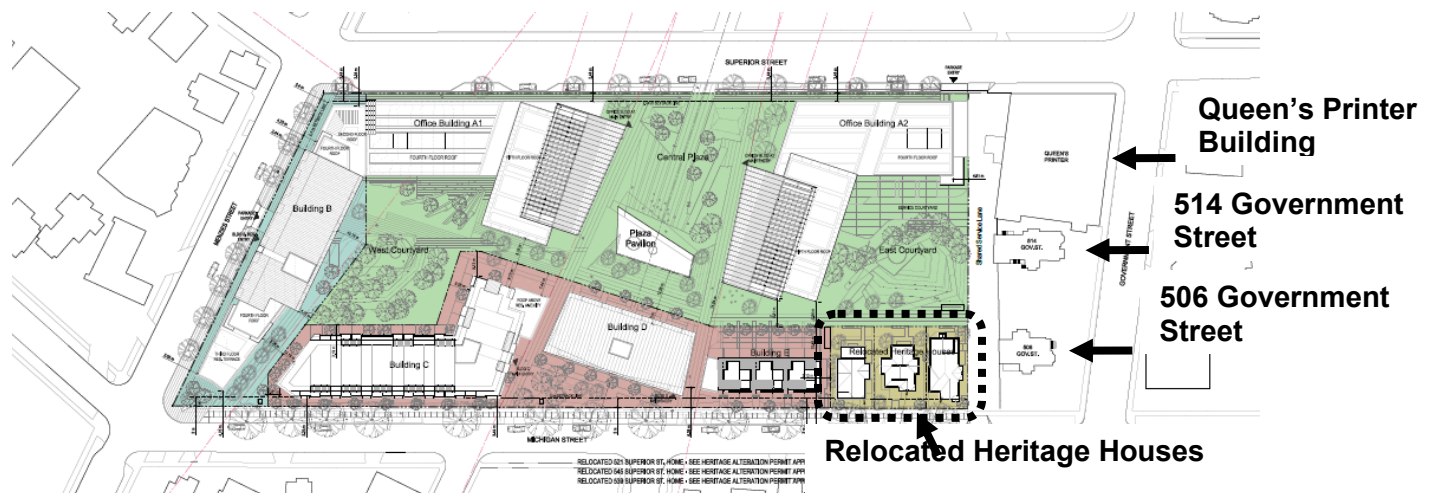
The purpose of this report is to provide Council with information regarding a Provincial Government request to modify Covenants CA3641378 and CA3641382, to remove clauses requiring restoration of a pair of two-storey heritage registered buildings located at 506 and 514 Government Street. The Province has restored the heritage buildings, consistent with Building Condition Assessments and a Restoration Plan by John Dam and Associates, which is on file with the City. Staff have inspected both buildings and confirmed that all of the required restoration work was completed. The restoration work was negotiated as a condition of the Capital Park Development occupying the majority of the block between Superior Street, Government Street, Michigan Street and Menzies Street.

### **BACKGROUND**

In 2014, the Province of BC applied for a Zoning Bylaw Amendment, Official Community Plan Amendment, Development Permits and subdivision approval for the block located south of the Parliament Buildings at 521-557 Superior Street, 524-584 Michigan Street, 506 Government Street, 430 Menzies Street and 450 Superior Street (the "South Block"). The purpose of the applications was to amend the approved 1994 master planned framework for the area to subdivide the portion of the block shown below. The proposed redevelopment consisted of

46,320 m<sup>2</sup> of mixed-use buildings and 11,990 m<sup>2</sup> of commercial, daycare, library and general offices. The development is also known as the Capital Park Development. It is currently mostly constructed.

The subdivision created a separate, provincially-owned lot on the east part of the block, which includes the Queen's Printer Building and the Heritage registered houses at 514 and 506 Government Street.



*Site Plan for Capital Park Development*

In 2014, when the development of the site was re-envisioned, the City re-negotiated the province's legal obligations under the 1994 master development agreement. The obligation to restore 506 and 514 Government Street as a condition of occupancy was transferred away from the Capital Park lands and included in a section 219 agreement registered on title of the remaining parcel containing the Queen's Printer building, 506 Government Street and 514 Government Street.

Covenant CA3641378 applies to 514 Government Street. Clause 7.5 under Section 7.0-Amenities, states:

*7.5 The Transferor shall not construct any buildings or structures on the lands until after the registered owner of the Queens Printer Lands has submitted for the Transferee's approval, and in accordance with the terms of the covenant registered against title to the Queens Printer Lands under section 219 of the Land Title Act on the same date as this Agreement was registered, a plan for the restoration of the heritage houses presently located on the Queens Printer lands, and having civic addresses of 506 Government Street and 514 Government Street (the "Restoration Plan"). The Transferor shall not occupy or permit the occupation of any buildings or structures constructed on the Lands following the Transferee's approval of the Restoration Plan until after the work outlined in the Restoration Plan is complete.*

Covenant CA3641382 applies to 506 Government Street. Clause 8.1 under Section 8.0-Heritage Building, states:

*8.1 Before constructing any additional buildings or structures on the Lands, the Transferor must submit for the Transferee's approval a plan for the restoration of the Heritage Houses. The Transferor must complete the restoration work outlined in the plan, as*

*submitted to and approved by the Transferee, before occupying or permitting the occupation of the additional buildings or structures to be constructed on the lands.*

In 2017 and 2018, the Province retained a qualified heritage consultant, John Dam and Associates, to complete a Building Condition Assessment of both buildings, which included a plan for the restoration and upgrading of the buildings. In 2018, the Province applied for a Delegated Heritage Alteration Permit (DHP No. 00082) for the restoration of 506 Government Street, including reconstruction of a fire exit stair. DHP No. 00082 was reviewed by the Heritage Advisory Panel and was issued in August 2018. Staff inspected both houses in March 2020 and concluded that the Province had met its obligations under the Section 219 Agreements.

## **Description of Historic Places**

### 506 Government Street

Designed by Samuel Cyris Burris, 506 Government Street was constructed for the Hon. John Robson, a BC MLA from 1871-75, and his wife Susan. It was built in the Italianate style with bracketed cornices, two-storey bay windows and pilastered corners. The Province bought the property in 1945.

### 514 Government Street

514 Government Street is a mirror image of 506 Government Street. John Robson, owner of 506 Government Street, commissioned the house for his daughter Frances Hunter and her husband Joseph. The Province bought the property in 1945 and used it for a variety of purposes including office space, which is its current use.

## **ISSUES AND ANALYSIS**

### **Building Condition & Restoration Measures**

#### 506 Government Street

John Dam and Associates completed restoration plans for 506 Government Street focused on the reconstruction of a fire exit stair on the south side of the house and the reinstatement of missing balustrade and trim elements. The restoration plans were submitted for the City's review as part of Delegated Heritage Alteration Permit No. 00082. The Heritage Advisory Panel reviewed and supported the restoration plan at their August 14, 2020 meeting. The Province has completed the following exterior restoration measures, which staff verified during a March 2020 site visit:

- redesigned and reinstated the belt course flashing
- repainted exterior wall elevations, including siding, trim and soffits
- reinstated and repaired missing and deteriorated trim elements
- reconstructed portico balustrade
- new roof membrane installed to accommodate post base and flashing details
- new portico doors
- rebuild existing fire escape
- reconstructed upper roof balustrade
- install exterior storm windows.

## **514 Government Street**

John Dam and Associates completed a Building Condition Assessment for 514 Government Street. The Province has completed the following exterior restoration measures, which staff verified during a March 2020 site visit:

- renewed the bitumen membranes and transition flashing on bay roofs
- repaired deteriorated wood siding and trim elements
- repainted the exterior wall elevations including siding, trim and soffits
- repaired broken window panes and renewed deteriorated glazing putty
- restored south doors with period-correct assemblies
- replaced the north and south stair structures with new exterior appropriate materials and details
- refastened the front plywood ramp.

## **CONCLUSIONS**

Staff have confirmed that the Province has completed an extensive restoration of both 506 and 514 Government Street. The exterior character defining elements of both buildings are now in excellent condition, and staff confirm that the Province has fulfilled its obligations under Covenants CA3641378 and CA3641382. Therefore, staff recommend that Council consider approving modifications to the Covenants to remove clauses related to the restoration of the buildings.

## **ALTERNATE MOTION**

That Council decline the application.

The section 219 covenants require the Province to restore 506 & 514 Government Street prior to occupancy of any buildings or structures constructed on the lands. Declining the Province's request to remove the obligations even after the restoration work has been completed would signal that the Province's obligations remain unfulfilled and could prevent occupancy of existing or future buildings and structures.

Respectfully submitted,

John O'Reilly  
Senior Heritage Planner  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

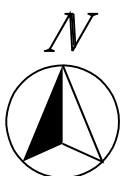
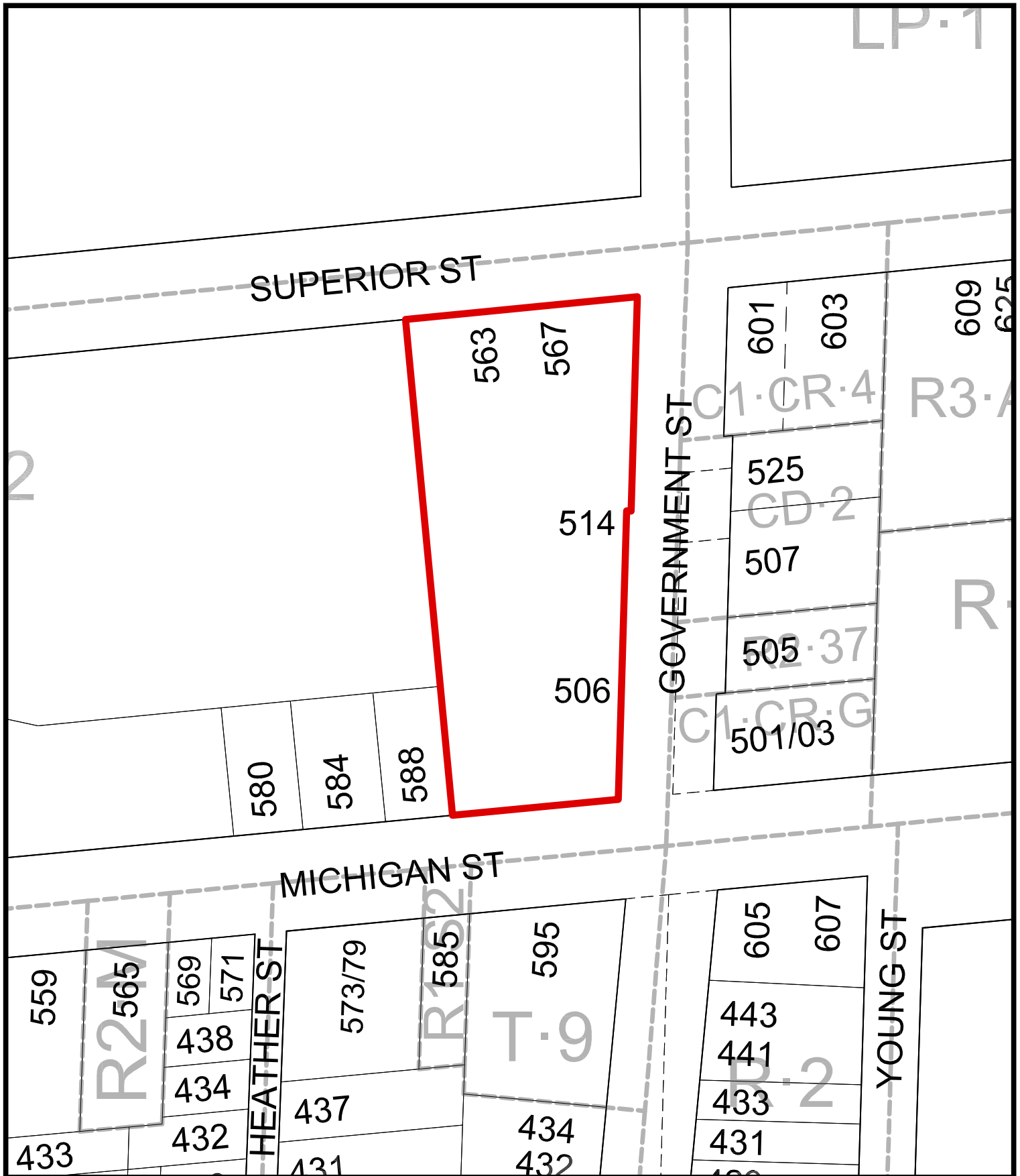
**Report accepted and recommended by the City Manager:**



Date: \_\_\_\_\_

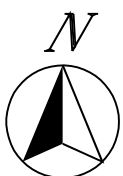
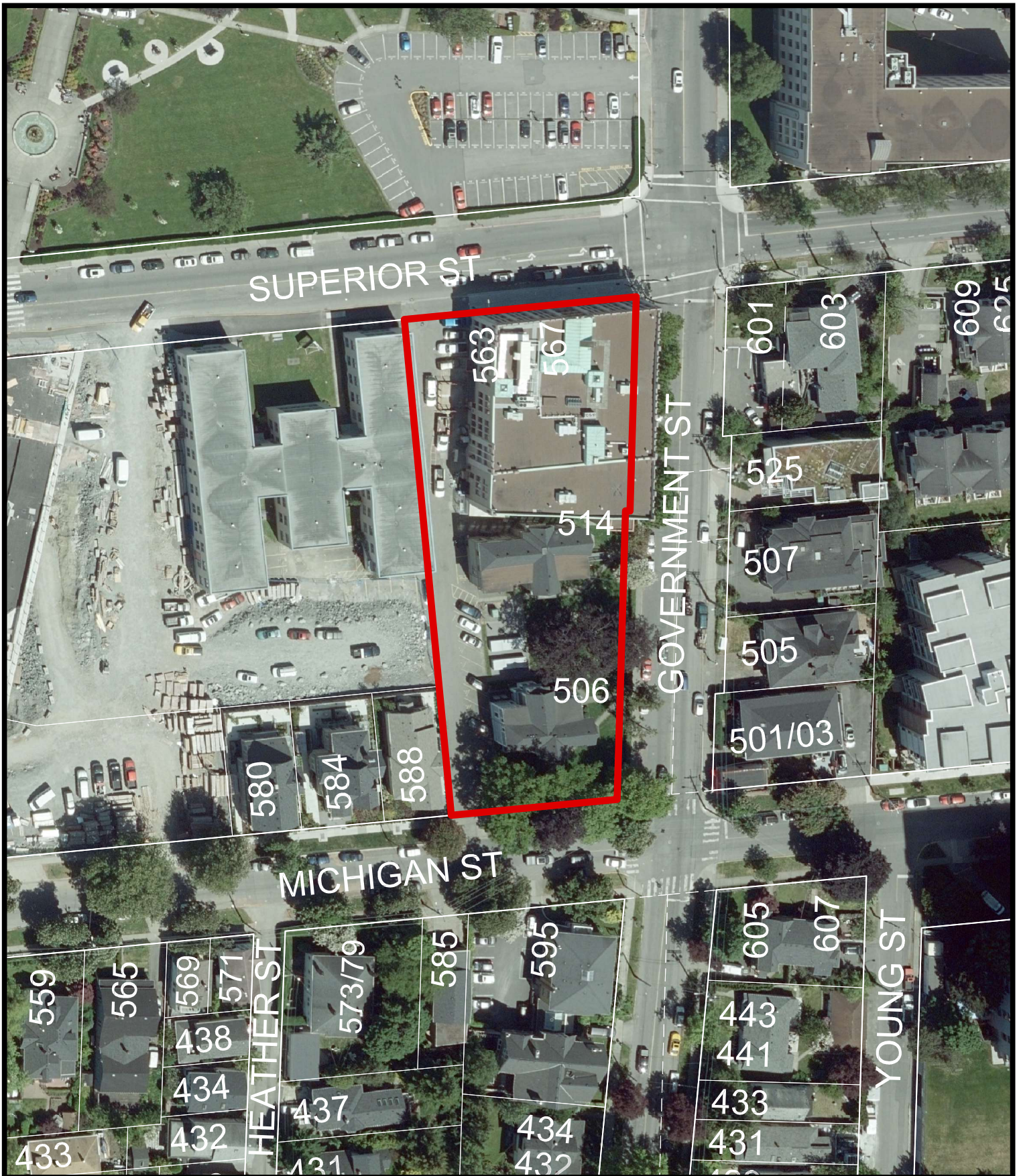
### **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: 506 & 514 Government Street- Final Inspection, dated March 17, 2020
- Attachment D: Covenant No. CA3641378
- Attachment E: Covenant No. CA3641382



506 and 514 Government Street





506 and 514 Government Street



## MEMORANDUM

Date: March 17, 2020  
To: File  
From: John O'Reilly, Senior Planner- Heritage  
Subject: 506 & 514 Government Street- Final Inspection

---

The following is a summary of a final inspection of completed heritage conservation work for 506 & 514 Government Street. Staff have reached two conclusions:

- 1. 506 Government Street- The work conforms to final approved plans under Delegated Heritage Alteration Permit No. 00082 and therefore fulfils the requirements of section 7.5 of Covenant CA3641378.**
- 2. 514 Government Street- The applicant has restored all exterior character-defining elements of the building in accordance with the Building Condition Assessment by John Dam and Associates, meeting the requirements of section 7.5 of Covenant CA3641378.**

Plans for 506 Government Street were prepared by John Dam, date stamped August 14, 2018 and stamped "Final Approved". When I inspected the building, it appeared to be in immaculate condition. The re-painting of the building was very detailed and technically complex, but it was done very well. All major conservation tasks identified on John Dam's Delegated Heritage Alteration Permit Plans were completed. Storm windows had also been installed in all windows and an enclosure constructed around HVAC equipment, which also prevents access to the basement areas. The enclosure was not shown on permit drawings, however is not attached to the building and therefore I conclude it did not require a heritage alteration permit. See attached

I photographed 514 Government Street, which appeared to be in excellent condition, however it was not the subject of a detailed review due to a lack of information about planned restoration measures.

### Attachments

Attachment 1- Detailed Evaluation of 506 Government Street  
Attachment 2- Photographs of 506 & 514 Government Street



## Attachment 1

Results of Evaluation of 506 Government Street		
Elevation	Conservation Work	Evaluation
Front (East) Elevation	Reconstruct Upper Roof Balustrade	Completed
	Re-paint soffit, siding, foundation skirting and trim	Whole building re-painted in historically appropriate colours
	Reconstruct portico balustrade as detailed. New roof membrane to be installed to accommodate post base and flashing details	Portico balustrade reconstructed. Scroll cut balusters have accurate proportions. Did not confirm if roof membrane installed.
	Remove and reinstate belt course flashing as necessary to accommodate membrane and flashing transitions with wall assembly	Belt course present on all building elevations. It has been painted in a different colour than the siding to accentuate it.
	New portico doors	Completed and installed
	Restore siding to cover electrical boxes if possible	No electrical boxes observed.
West (side) Elevation	Reinstate dislocated trim	Surveyed trim, it was firmly installed.
	Repaint soffit, siding, foundation skirting and trim	All components repainted
	Existing flashing to be removed and reinstated see R201 for details.	Portico balustrade reconstructed. Scroll cut balusters have accurate proportions. Did not confirm if roof membrane installed.
	Fire escape staircase to be renewed	Fire escape staircase completely rebuilt
	Replace water table trim where necessary	Present on all elevations. Appears to be securely fastened
South (side) elevation	Repaint soffit, siding, foundation skirting and trim	All elements re-painted.

	Reconstruct south porch and upper balustrade based on the form and detailing of the existing front portico. Similar building details and historic photographs. All design work to be reviewed and approved by JDA	Completely rebuilt as new. Finished product uses over-the-post handrail, which differs slightly from drawing. This is an acceptable variance in design, however.
	Fire escape to be renewed	Done
North (side) elevation	Reconstruct upper roof balustrade	Done
	Reconstruct portico balustrade as detailed. New roof membrane to be installed to accommodate post base and flashing details	Portico balustrade reconstructed. Scroll cut balusters have accurate proportions. Did not confirm if roof membrane installed.
	Remove and reinstate belt course flashing as necessary to accommodate membrane and flashing transitions with wall assembly	Belt course present on all building elevations. It has been painted in a different colour than the siding to accentuate it.
	Existing flashing to be removed and reinstated	Reinstated and appears to be brand new.
	Re-paint soffit, siding, foundation skirting and trim	Whole building re-painted in historically appropriate colours.



## Attachment 2- Photographs

### 506 Government Street



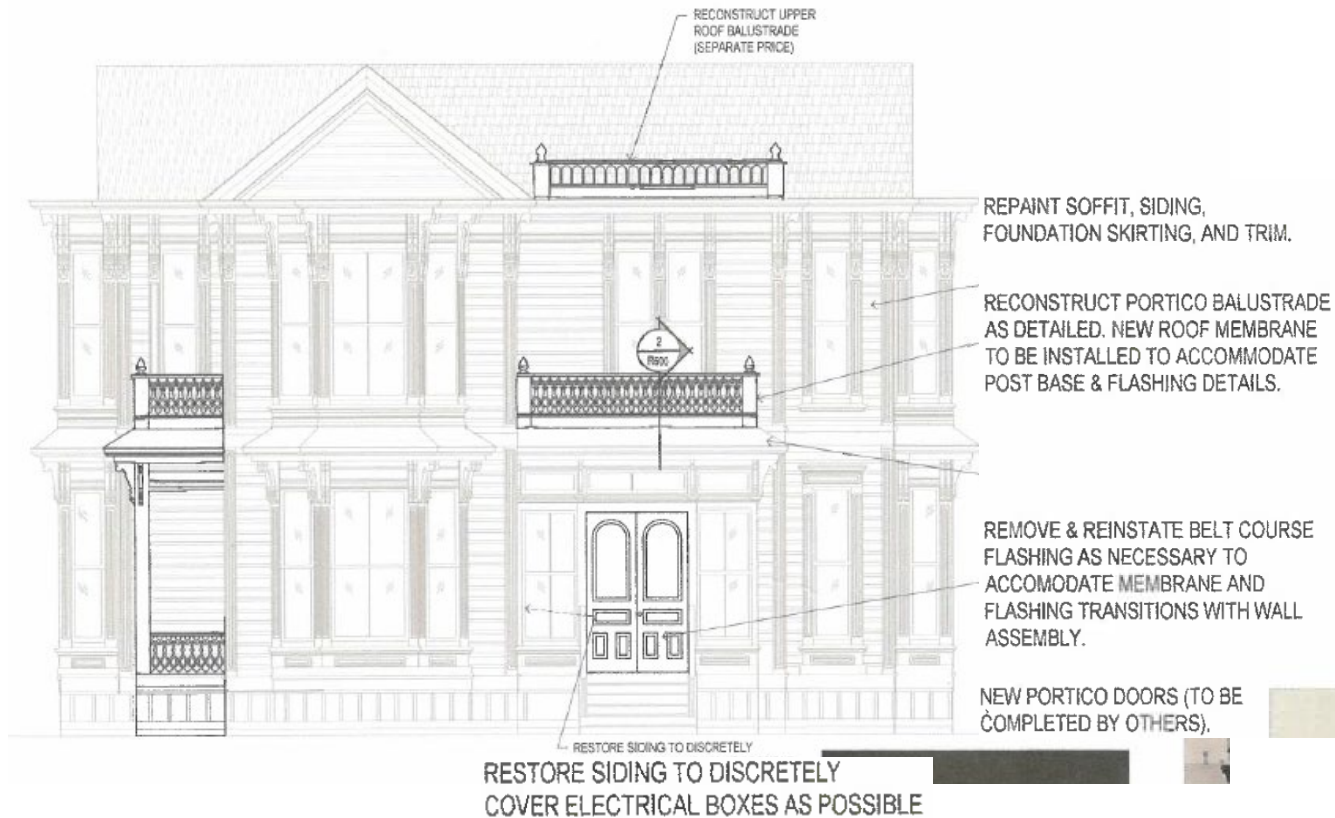
Cresting reinstalled at roof and balcony levels, lead abatement and re-painting



## 506 Government Street- Front (East) Elevation



**Photo:** March 12, 2020



East Elevation R303 from 506 Government Street Conservation  
Plans dated August 14, 2020 and stamped "Final Approved"



## 506 Government Street- West (side) Elevation



**Photo:** March 12, 2020



West Elevation R301 from 506 Government Street Conservation Plans dated August 14, 2020 and stamped "Final Approved"

## 506 Government Street- West (side) Elevation

Photo: March 12, 2020



West Elevation R301 from 506 Government Street Conservation Plans dated August 14, 2020 and stamped "Final Approved"



## 506 Government Street- Side (South) Elevation



**Photo:** March 12, 2020



South Elevation R300 from 506 Government Street Conservation Plans dated August 14, 2020 and stamped "Final Approved"



## 506 Government Street- North (side) elevation



**Photo:** March 12, 2020 RECONSTRUCT UPPER  
ROOF BALUSTRADE  
(SEPARATE PRICE)



North Elevation R302 from 506 Government Street Conservation  
Plans dated August 14, 2020 and stamped "Final Approved"



## 514 Government Street- March 12, 2020 Site Visit



Front (east) elevation



Side (south) elevation



## 514 Government Street- March 12, 2020 Site Visit

Side (south) elevation



Rear (west) elevation





## 514 Government Street- North- March 12, 2020 Site Visit

Side (north) elevation



## VICTORIA LAND TITLE OFFICE

DECLARATION(S) ATTACHED  
**CA3641378****LAND TITLE ACT**  
**FORM C (Section 233) CHARGE**

Mar-21-2014 09:56:48.010

**GENERAL INSTRUMENT - PART 1 Province of British Columbia**

1394743838 PAGE 1 OF 16 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

**Christopher  
Ferronato  
QLMTPP**

Digitally signed by Christopher  
Ferronato QLMTPP  
DN: c=CA, cn=Christopher Ferronato  
QLMTPP, o=Lawyer, ou=Verify ID at  
www.juricert.com/LKUP.cfm?  
id=QLMTPP  
Date: 2014.03.20 19:43:00 -0700

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Bull, Housser &amp; Tupper LLP

Barristers and Solicitors

Suite 900, 900 Howe Street

Vancouver

BC V6Z 2M4

(604) 687-6575

File No: 14-2268

Doc. No: 4911818

Document Fees: \$73.50

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

**NO PID NMBR LOT 2 OF LOTS 1888, 1889, 1890, 1891, 1892, 1893, 1914, 1915, 1916, 1917,  
1918, AND 1919, VICTORIA CITY, PLAN EPP38870**
STC? YES ☐Related Plan Number: **EPP38870**

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

**Covenant**

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA,  
PURSUANT TO THE PUBLIC AGENCY ACCOMMODATION ACT.**

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

**THE CORPORATION OF THE CITY OF VICTORIA  
1 CENTENNIAL SQUARE**

VICTORIA

BRITISH COLUMBIA

V8W 1P6

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

n/a

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Kevin Contzen

Barrister &amp; Solicitor

Ministry of Justice

Legal Services Branch

7th Floor, 1675 Douglas Street

Victoria BC V8W 2G2

(250) 387 7249

Y	M	D
14	03	13

Her Majesty the Queen in right of  
the Province of British Columbia, as  
represented by the authorised  
delegate of the Minister of  
Technology, Innovation and  
Citizens' Services,  
Michael Robinson

## OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT  
FORM D****EXECUTIONS CONTINUED**

PAGE 2 of 16 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

\_\_\_\_\_  
Donald S. Schaffer

Commissioner for Taking Affidavits in BC

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

Y M D

14 03 13

\_\_\_\_\_  
The Corporation of the City of Victoria,  
by its authorised signatory(ies)\_\_\_\_\_  
Name: Mayor Dean Fortin  
#1 Centennial Square  
Victoria BC V8W 1P6\_\_\_\_\_  
Name:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

## TERMS OF INSTRUMENT - PART 2

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**Section 219 Covenant**

**THIS AGREEMENT** dated for reference the       day of       , 2014.

AMONG:

**HER MAJESTY THE QUEEN IN RIGHT OF  
THE PROVINCE OF BRITISH COLUMBIA AS REPRESENTED BY  
THE MINISTER OF TECHNOLOGY, INNOVATION AND  
CITIZENS' SERVICES**  
4000 Seymour Place  
Victoria, British Columbia V8V 1X4

(the "**Transferor**")

OF THE FIRST PART

AND:

**THE CORPORATION OF THE CITY OF VICTORIA**  
#1 Centennial Square  
Victoria, British Columbia V8W 1P6

(the "**Transferee**")

OF THE SECOND PART

**WHEREAS:**

- A. The Transferor is the registered owner in fee-simple of those lands and premises located within the City of Victoria, in the Province of British Columbia, more particularly described as:

PID  
Lot 2, Victoria City, Plan EPP38870

(hereinafter referred to as the "Lands")

- B. The Transferee is a municipality incorporated under the laws of the Province of British Columbia;
- C. The Transferor and the Transferee are parties to the Victoria Accord – Legislative Precinct Master Development Agreement, made June 6, 1994, as extended by an Agreement to Renew made May 21, 2006, as amended by an agreement made March 5, 2007, and as further extended by an Agreement to Renew made June 2, 2010 (collectively the "Master Development Agreement"), respecting the



subdivision and development of the Lands as well as other lands within the Legislative Precinct in Victoria, British Columbia.

- D. In order to facilitate the subdivision and sale of portions of the lands that are subject to the Master Development Agreement, including the Lands, the Transferor and the Transferee have agreed to amend certain of the Transferor's obligations under the Master Development Agreement, to allocate the obligations under the Master Development Agreement to the parcels of land that will be burdened with those obligations following the subdivision and sale for the purpose of registering those obligations against title as a covenant pursuant to section 219 of the Land Title Act, and to release each other from their remaining obligations under the Master Development Agreement.
- E. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, or that land is to be built on in accordance with the covenant that land is not to be built on or subdivided except in accordance with the covenant, may be granted in favour of the Transferee and may be registered as a charge against the title to the Lands.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE (\$1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the Transferee (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

## **1.0 INTERPRETATION**

### **1.1** In this Agreement,

**"CD-2 Zoning Regulations"** means Part 12.2 of the City of Victoria Zoning Regulation By-law No. 80-159, as amended;

**"City Council"** means the Council of The Corporation of the City of Victoria;

**"Development Area"** means an area of the Lands designated as a Development Area under the CD-2 Zoning Regulations, and the words "Development Area" where immediately followed by a combination of letters and numerals such as "LP-1A", "LP-1B", "LP-2A", "LP-2B", "LP-2C", "LP-2D", "LP-2E", or "LP-4" means the Development Area with the corresponding alpha-numeric designation as shown on Schedule 2 to the CD-2 Zoning Regulations;

**"Legislative Precinct"** means, collectively, all of the lands subject to the CD-2 Zoning Regulations;

“**LPUDM**” means the design guidelines titled “Legislative Precinct Urban Design Manual” that are incorporated by reference into the provisions of Development Permit Area 12 (HC): Legislative Precinct under the City of Victoria Official Community Plan Bylaw No. 12-013;

“**Maximum Floor Area**” has the same meaning as under the CD-2 Zoning Regulations;

“**Queens Printer Lands**” means the lands legally described as Lot 1, Victoria City, Plan EPP38872;

“**South Block**” means the lands legally described as Lot 2, Victoria City, Plan EPP38872; and

“**TDMP**” means the Traffic Demand Management Plan attached to this Agreement as Schedule “A”.

## **2.0 PURPOSE AND INTENT**

- 2.1 The purpose of this Agreement is to establish the terms and conditions under which the Transferor agrees that it will subdivide and develop the Lands, and the Transferor therefore covenants and agrees with the Transferee that it shall not use or permit the use of the Lands or any building on the Lands, construct any building on the Lands or subdivide the Lands except in accordance with this Agreement.
- 2.2 The Transferor shall be solely responsible for all costs and expenditures required to fulfill its obligations under this Agreement, whether or not those costs and expenses are specifically referred to herein.

## **3.0 STREETS**

- 3.1 The Transferor shall not construct any new buildings on the Lands unless it constructs on the highways that immediately adjoin the portion of the Lands being developed the off-site works and services that are required for the development of the Lands, in accordance with the standards (including requirements for security) and specifications under the Transferee's Victoria Subdivision and Development Servicing Bylaw No. 12-042 (the “**Subdivision Bylaw**”), and in accordance with the requirements of the LPUDM, unless alternative standards and specifications are agreed to by the Transferor and the Transferee.
- 3.2 Concurrently with the development of any portion of the Lands for which a development permit has been issued by the Transferee, and in order to provide internal public circulation, the Transferor will provide on the portion of the Lands being developed a series of lanes, walkways and courtyards open to the public

as shown in the LPUDM, all to be provided, constructed and maintained at the expense of the Transferor in the locations and in accordance with the LPUDM.

- 3.3 The Transferor must provide for the reconstruction of the intersections of Menzies/Kingston Streets and Menzies/Superior Streets as part of the works and services to be installed by the Transferor upon the construction of a building on the Lands. As security for the Transferor's obligation hereunder, the Transferor shall provide the Transferee with a letter of credit in a form satisfactory to the Transferee in the amount of Three Hundred Thousand (\$300,000.00) Dollars, which shall be renewed annually. The Transferee acknowledges that it is currently holding a letter of credit from the Transferor in the required amount, in fulfillment of this obligation. The Transferor further agrees that in the event the Transferee wishes to proceed with any part of the said intersection improvements in advance of the Transferor's development of the Lands, the Transferee may do so and, without limiting the Transferor's obligations under this section 3.3, the Transferor agrees that the Transferee may draw upon the Letter of Credit up to an amount equal to the cost of the intersection improvements constructed by the Transferee.

#### **4.0 SUBDIVISION**

- 4.1 Each subdivision proposal for the Lands will require a development permit issued by City Council and the approval of the Transferee's Approving Officer.

#### **5.0 PERMITTED USES AND FLOOR SPACE ALLOCATION**

- 5.1 Except as provided in section 5.4, the Transferor agrees to develop the Lands in accordance with the permitted uses and maximum floor space allocations for each Development Area that are prescribed under the CD-2 Zoning Regulations.
- 5.2 The Transferor will work with the Transferee to develop a tracking system to monitor the assignment of floor space to each subdivided lot within a Development Area.
- 5.3 The Development Permit application for each building must specify the gross floor area allocated for each use and specify the unallocated gross floor area remaining for each use in the Development Area.
- 5.4 Notwithstanding any provision of the CD-2 Zoning Regulations to the contrary, the Transferor covenants and agrees that the Maximum Floor Area of all buildings on that part of the Lands within Development Area LP-1B shall not exceed 19,188.00 square meters.

## **6.0 TRANSPORTATION DEMAND MANAGEMENT PLAN**

- 6.1 In order to ensure the management of transportation in the Legislative Precinct and the adjacent neighbourhoods, the Transferor will comply with the terms of the TDMP as it applies to the development and use of the Lands.
- 6.2 The TDMP is based on charging market rates for parking and the following incentives to ensure the travel characteristic targets:
- bus passes through payroll deduction
  - bicycle storage and shower facilities
  - car pooling initiatives
- 6.3 Prior to the building permit being issued for the first office development on the Lands, the Transferor must provide to the Transferee two parking enforcement vehicles, equipped with two mobile phones to the satisfaction of the Transferee's Director of Engineering.
- 6.4 For any office development within the Lands, the Transferor must provide bicycle storage and shower facilities designed and constructed to the satisfaction of the Transferee's Director of Engineering.
- 6.5 In cooperation with the registered owner of South Block, the Transferor must establish and provide for the ongoing operation of a committee to monitor the TDMP, and the TDM strategies as agreed to by the Transferor and the Transferee under section 6.6. The committee must include representatives from the James Bay community, Government employees, Government Management, BC Transit, and the Transferor.
- 6.6 Prior to the issuance of a Development Permit for the first office building to be built on the Lands, the Transferor shall submit to the Transferee's Director of Engineering a traffic and parking impact study, prepared by an independent consultant at the expense of the Transferor, that analyzes the traffic and parking impact of all proposed office and residential development on the Lands, and that sets out proposals for transportation demand management ("TDM") strategies to be implemented as the development of the Land proceeds, which TDM strategies must be satisfactory to the Transferor and the Transferee, both acting reasonably.

## **7.0 AMENITIES**

- 7.1 As part of the first office building that is constructed within that part of the Lands situated within Development Area LP-1B, the Transferor must construct a multi-purpose meeting room with a capacity for at least 80 people, dividable into two

equal spaces, designed for government tenants, and available to the community, within 6 months after an occupancy permit for a building within that Development Area has been issued.

- 7.2 The operating principles and guidelines for the use of the meeting space will be developed by the Transferor in consultation with representatives of the Transferee's Sustainable Planning and Community Development Department and community representatives.
- 7.3 The Transferor must provide a 48 space child care facility in Development Area LP-1B which must be available to the public, within six months after an occupancy permit for the first office building on the Lands has been issued. [MDA section 6.5]
- 7.4 The Transferor shall not construct any buildings or structures on the Lands until after the registered owner of the Queens Printer Lands has issued an invited proposal call for community use of a minimum of 148 square meters of floor space of the heritage building located at 514 Government Street on the Queens Printer Lands (the "Community Use Space"), and has made the Community Use Space available to the successful bidder for a community use for \$1.00 with the use of the Community Use Space secured by a prepaid lease for not fewer than 41 years.
- 7.5 The Transferor shall not construct any buildings or structures on the Lands until after the registered owner of the Queens Printer Lands has submitted for the Transferee's approval, and in accordance with the terms of the covenant registered against title to the Queens Printer Lands under section 219 of the *Land Title Act* on the same date as this Agreement was registered, a plan for the restoration of the heritage houses presently located on the Queens Printer Lands, and having civic addresses of 506 Government Street and 514 Government Street (the "Restoration Plan"). The Transferor shall not occupy or permit the occupation of any buildings or structures constructed on the Lands following the Transferee's approval of the Restoration Plan until after the work outlined in the Restoration Plan is completed.

## **8.0 PUBLIC BODY**

- 8.1 Nothing contained or implied within this Agreement shall prejudice or affect the duties, rights and powers of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders or regulations, all of which may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered.
- 8.2 Nothing in this Agreement shall relieve the Transferor from any obligation or requirement arising under any applicable statute, bylaw or regulation in respect of the development of the Lands.

## 9.0 GENERAL PROVISIONS

- 9.1 At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.
- 9.2 Time is of the essence of this Agreement.
- 9.3 The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.
- 9.4 It is mutually understood, acknowledged and agreed by the parties hereto that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.
- 9.5 The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.
- 9.6 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 9.7 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 9.8 The enforcement of this Agreement shall be entirely within the discretion of the Transferee and the execution and registration of the Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the Transferee to the Transferor or to any other person to enforce any provision of the breach of any provision of this Agreement.
- 9.9 The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Transferee as a first charge against the Lands.



- 9.10 The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.
- 9.11 If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.
- 9.12 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached hereto.

**SCHEDULE "A"**  
**TRAFFIC DEMAND MANAGEMENT PLAN**

SCHEDULE F

**VICTORIA ACCORD**  
**TRANSPORTATION DEMAND MANAGEMENT**  
**IMPLEMENTATION PLAN**



Province of  
British Columbia  
Ministry of  
Transportation Services



## VICTORIA ACCORD TRANSPORTATION DEMAND MANAGEMENT PLAN

### 1.0 GENERAL

Transportation Demand Management (TDM) is the process of reducing employees use of single occupant vehicles commuting to and from the workplace, by promoting alternative transportation and work options.

TDM initiatives are to apply to the daily commute or work trip and include a reduction in the availability of parking with a corresponding increase in the use of transit, car pooling, van pooling, cycling, and walking.

The Government of British Columbia, as a major employer, is committed to the Victoria Accord TDM plan. The government recognizes that it must demonstrate leadership in establishing and implementing an effective TDM plan.

The Victoria Accord, a development agreement between the City of Victoria and Government of British Columbia, includes the implementation of a TDM plan for Ministry work sites in the Legislative Precinct to begin in September 1994 and "Y" Lot in January 1995.

This plan provides a framework for Ministries to:

- educate employees about the benefits of transportation management;
- promote the use of alternative modes of transportation;
- establish TDM objectives and targets;
- monitor the progress of TDM plans.

### 2.0 OBJECTIVES

The objectives of the Government's Victoria Accord TDM plan are to:

- provide leadership to all public and private sector employers/employees;
- encourage provincial government employees to use alternative modes of transportation;
- reduce the number of provincial government employees in the Legislative Precinct area traveling in Single Occupancy Vehicles to/from work and increase the number of provincial government employees traveling per vehicle.

### 3.0 SCOPE AND IMPLEMENTATION OF TDM PLAN

#### 3.1 Scope

This policy shall apply to all provincial government employees working in Ministry worksites located in the Victoria Accord area, which includes the Legislative Precinct and "Y" Lot.

#### 3.2 Implementation

The Ministry of Government Services will coordinate the development of TDM plans for Ministries with worksites in the Victoria Accord area, to incorporate initiatives for both the Legislative Precinct and Y Lot, by September 30, 1994. These plans will be submitted to the Deputy Ministers Committee, after consultation with a Joint Union-Management TDM Committee.

#### 3.3 Definitions

##### 3.3.1 Employee Transportation Administrators (ETA)

An ETA is the designated employee, responsible for educating staff and coordinating TDM initiatives at a worksite or in a Ministry on a full or part-time basis.

##### 3.3.2 Single Occupancy Vehicles (SOV)

An SOV is a vehicle in which there is only one person, the driver, travelling in the vehicle.

##### 3.3.3 High Occupancy Vehicles (HOV)

A HOV is a vehicle that has two or more people travelling together in the vehicle.

##### 3.3.4 Car Pool

A car pool is a motor vehicle occupied by two to four people travelling together for a commute trip that results in the reduction of a minimum of one motor vehicle commute.

##### 3.3.5 Van Pool

Van pool is a motor vehicle occupied by at least five people, including the driver, travelling together for their commute trip that results in the reduction of a minimum of one motor vehicle commute.

## 4.0 VICTORIA ACCORD INITIATIVES

INITIATIVE	MILESTONE	COMPLETION
1. 592 parking spots reduced (Q Lot) 300 parking spots reduced (Y Lot)	Notification to occupants Implementation at Q Lot Implementation at Y Lot	August 1, 1994 November 1, 1994 January 1995
2. Designated spaces for car/van pooling	Options identified with BCBC Spaces secured Spaces designated	May 16, 1994 August 1, 1994 September 1, 1994
3. Car pooling program (Legislative area)	Options, analysis and selection Pilot design Pilot implementation	May 31, 1994 August 30, 1994 September 1, 1994
4. Expanded car pooling to Ministry worksites in Capital Regional District	Pilot car pool program evaluation Expansion design Promotion Implementation start	November 30, 1994 January 30, 1995 February 15, 1995 March 1, 1995
5. Bicycle compound (525 Superior St.)	Compound conversion	June 1, 1994
6. Promotional program	City of Victoria approval of TDM plan Public Hearing Ministry ETA's appointed Commonwealth Games commute plan Development "Q" Lot	May 16, 1994 June 2, 1994 June 17, 1994 July 15, 1994 September 1, 1994
7. Education program for Van pooling	Coordinate with non-profit services (i.e. Jack Bell Foundation)	September 1, 1994
8. Annual bus pass purchase through payroll deduction	Final negotiations with BC Transit Design/policies Promotion Registration Issuance	May 31, 1994 June 30, 1994 July 15, 1994 August 1, 1994 September 1, 1994
9. Parking rates aligned to market	Treasury Board approval Notification Implementation	August 1, 1994 September 1, 1994 January 1, 1995
10. Joint Union-Management TDM Committee - preferential parking policy (assigned parking excluded)	Committee formation Policy developed Policy implementation	To be determined March 15, 1995 June 30, 1995
11. Parking enforcement program (BCBC)	Program developed Implementation start	June 1, 1994 Sept.-Nov. 1994

INITIATIVE	MILESTONES	COMPLETION
12. Participation in James Bay Community Committee	Representative selection	September 1994
13. Education program for transit, telework and Employees Transportation Administrator function	Program developed Program start	November 30, 1994 January 15, 1995
14. Consolidated TDM plans of ministries	Ministry plans prepared Ministry initiatives commence	September 30, 1994 January 1, 1995
15. Progress reports/monitoring/evaluation	First annual report to City of Victoria First annual reports by Ministries	September 1995 April 30, 1996

The majority of the preceding TDM initiatives relate to the Legislative Precinct. Additional initiatives related to Y Lot will be developed and recorded in Ministry TDM plans by September 30, 1994. Ministry TDM plans will be incorporated with the preceding initiatives to form the Victoria Accord TDM plan (with initiatives for both the Legislative Precinct and Y Lot).

### 3.0 ACCOUNTABILITIES

#### 3.1 Deputy Ministers shall ensure that:

- Ministry TDM initiatives are developed consistent with the Victoria Accord TDM plan;
- adequate resources are available to implement TDM initiatives;
- a monitoring and reporting system is established for measuring progress on goals;
- an Employee Transportation Administrator function is established with responsibility for coordinating the implementation of TDM initiatives in each Ministry.

#### 3.2 Ministry of Government Services shall:

- coordinate the development of Victoria Accord TDM plans for Ministries;
- ensure government-wide communication and training on the Victoria Accord TDM initiatives are developed and distributed to Ministries;
- provide support to Ministries in the implementation of TDM initiatives;
- coordinate cross-government TDM initiatives, where more effective, such as employee matching for car/van pools;
- provide guidelines for Ministry progress reports on TDM initiatives;
- provide an annual report on the Victoria Accord TDM plan to the Deputy Ministers Committee, with progress on proposed Victoria Accord targets.



### 5.3 Joint Union-Management TDM Committee shall:

- be a committee composed of a representative from the Ministry of Government Services, Public Service Employee Relations Commission and representatives of various Ministry interests, which will consult with applicable union designates on TDM issues;
- review the TDM plan and initiatives, and monitor progress of TDM initiatives;
- liaise with Community groups, as directed by the Partnership Committee, to identify and resolve TDM issues that have an impact on the local community.

### 6.0 Reporting and Evaluation

The Victoria Accord TDM Progress Report for the previous fiscal year will comment on benefits and costs for the TDM program implemented by the employer for applicable workers and will include:

- number of employees participating in each program;
- trends from previous years.

### 7.0 Travel Characteristic Targets

**Victoria Accord (Legislative Precinct)**

Travel Characteristic	Current	Target
Single occupancy vehicle	43%	22%
Transit	19%	33%
Car Pool	20%	23%
Walk/bike	18%	20%

**Victoria Accord ("Y" Lot)**

Travel Characteristic	Current	Target
Single occupancy vehicle	28%	16%
Transit	32%	40%
Car Pool	19%	21%
Walk/bike	21%	23%

**LAND TITLE ACT  
FORM DECLARATION**Related Document Number: **CA3641378**

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<b>Christopher Ferronato QLMTPP</b>	Digitally signed by Christopher
	Ferronato QLMTPP
	DN: c=CA, cn=Christopher
	Ferronato QLMTPP, o=Lawyer,
	QueVerify, ID at www.juricert.com/ LKUP.cfm?id=QLMTPP Date: 2014.03.26 10:37:26 -07'00'

I, CHRISTOPHER FERRONATO, declare that:

1. When a statement appears on a plan of subdivision that a covenant is required as a condition of the subdivision, the covenant filed concurrently with the plan of subdivision must also be approved by the approving officer for the City.
2. The Approving Officer for the City of Victoria has approved the form and the terms of the Covenant filed under No. CA3641378. Accordingly, page 2 of the Covenant filed under No. CA3641378 is hereby deleted and replaced with page 2 attached to this Declaration.

I make this declaration and know it to be true based on personal information / reasonable belief.

\_\_\_\_\_  
CHRISTOPHER FERRONATO

**NOTE:**

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$0.00

**LAND TITLE ACT  
FORM D****EXECUTIONS CONTINUED**

PAGE 2 of 16 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

\_\_\_\_\_  
Donald S. Schaffer

Commissioner for Taking Affidavits in BC

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

Y M D

14 03 13

The Corporation of the City of Victoria,  
by its authorised signatory(ies)\_\_\_\_\_  
Name: Mayor Dean Fortin  
#1 Centennial Square  
Victoria BC V8W 1P6\_\_\_\_\_  
Name:

14 03 25

THIS IS AN INSTRUMENT REQUIRED  
BY THE APPROVING OFFICER FOR  
SUBDIVISION PLAN EPP38870  
CREATING THE CONDITION OR  
COVENANT ENTERED INTO UNDER  
SECTION 219 OF THE LAND TITLE  
ACT.\_\_\_\_\_  
JEFF MITTON, APPROVING OFFICER  
Corporation of the City of Victoria**OFFICER CERTIFICATION:**Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

## VICTORIA LAND TITLE OFFICE

DECLARATION(S) ATTACHED

CA3641382

LAND TITLE ACT  
FORM C (Section 233) CHARGE

Mar-21-2014 09:56:48.016

GENERAL INSTRUMENT - PART 1 Province of British Columbia

1394743694 PAGE 1 OF 23 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Christopher  
Ferronato  
QLMTPP

Digitally signed by Christopher  
Ferronato QLMTPP  
DN: c=CA, cn=Christopher Ferronato  
QLMTPP, o=Lawyer, ou=Verify ID at  
www.juricert.com/LKUP.cfm?  
id=QLMTPP  
Date: 2014.03.20 19:42:29 -0700

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Bull, Housser &amp; Tupper LLP

Barristers and Solicitors

Suite 900, 900 Howe Street

Vancouver

BC V6Z 2M4

(604) 687-6575

File No: 14-2268

Doc. No: 4911885

Document Fees: \$73.50

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

**NO PID NMBR LOT 1 OF LOTS 1718, 1719, 1720, 1743, 1744, AND 1745, VICTORIA CITY,  
PLAN EPP38872**

STC? YES ☐Related Plan Number: **EPP38872**

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

**Covenant**

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA,  
PURSUANT TO THE PUBLIC AGENCY ACCOMMODATION ACT.**

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

**THE CORPORATION OF THE CITY OF VICTORIA  
1 CENTENNIAL SQUARE**

VICTORIA

BRITISH COLUMBIA

V8W 1P6

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

n/a

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Kevin Contzen

Barrister &amp; Solicitor

Ministry of Justice

Legal Services Branch

7th Floor, 1675 Douglas Street

Victoria BC V8W 2G5

250 387 7249

Y	M	D
14	03	13

Her Majesty the Queen in right of  
the Province of British Columbia, as  
represented by the authorised  
delegate of the Minister of  
Technology, Innovation and  
Citizens' Services,  
Michael Robinson

## OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT  
FORM D****EXECUTIONS CONTINUED**

PAGE 2 of 23 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

\_\_\_\_\_  
Donald S. Schaffer

Commissioner for Taking Affidavits in BC

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

Y	M	D
14	03	13

The Corporation of the City of Victoria,  
by its authorised signatory(ies)\_\_\_\_\_  
Name: Mayor Dean Fortin  
#1 Centennial Square  
Victoria, BC V8W 1P6\_\_\_\_\_  
Name:  
  
\_\_\_\_\_  
  
\_\_\_\_\_**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

## TERMS OF INSTRUMENT - PART 2

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**Section 219 Covenant**

**THIS AGREEMENT** dated for reference the       day of       , 2014.

AMONG:

**HER MAJESTY THE QUEEN IN RIGHT OF  
THE PROVINCE OF BRITISH COLUMBIA AS REPRESENTED BY  
THE MINISTER OF TECHNOLOGY, INNOVATION AND  
CITIZENS' SERVICES**

4000 Seymour Place  
Victoria, British Columbia V8V 1X4

(the "**Transferor**")

OF THE FIRST PART

AND:

**THE CORPORATION OF THE CITY OF VICTORIA**

#1 Centennial Square  
Victoria, British Columbia V8W 1P6

(the "**Transferee**")

OF THE SECOND PART

**WHEREAS:**

- A. The Transferor is the registered owner in fee-simple of those lands and premises located within the City of Victoria, in the Province of British Columbia, more particularly described as:

PID  
Lot 1, Victoria City, Plan EPP38872

(hereinafter referred to as the "Lands")

- B. The Transferee is a municipality incorporated under the laws of the Province of British Columbia.
- C. The Transferor and the Transferee are parties to the Victoria Accord – Legislative Precinct Master Development Agreement, made June 6, 1994, as extended by an Agreement to Renew made May 21, 2006, as amended by an agreement made March 5, 2007, and as further extended by an Agreement to Renew made



June 2, 2010 (collectively the "Master Development Agreement"), respecting the subdivision and development of the Lands as well as other lands within the Legislative Precinct in Victoria, British Columbia.

- D. In order to facilitate the subdivision and sale of portions of the lands that are subject to the Master Development Agreement, including the Lands, the Transferor and the Transferee have agreed to amend certain of the Transferor's obligations under the Master Development Agreement, to allocate the obligations under the Master Development Agreement to the parcels of land that will be burdened with those obligations following the subdivision and sale for the purpose of registering those obligations against title as a covenant pursuant to section 219 of the Land Title Act, and to release each other from their remaining obligations under the Master Development Agreement.
- E. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, or that land is to be built on in accordance with the covenant that land is not to be built on or subdivided except in accordance with the covenant, may be granted in favour of the Transferee and may be registered as a charge against the title to the Lands.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE (\$1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the Transferee (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

## **1.0 INTERPRETATION**

### **1.1 In this Agreement:**

**"CD-2 Zoning Regulations"** means Part 12.2 of the City of Victoria Zoning Regulation By-law No. 80-159, as amended;

**"City Council"** means the Council of The Corporation of the City of Victoria;

**"Development"** means the development that the Transferor proposes to construct on the Lands as contemplated under this Agreement;

**"Development Area"** means an area of the Lands designated as a Development Area under the CD-2 Zoning Regulations, and the words "Development Area" where immediately followed by a combination of letters and numerals such as "LP-1A", "LP-1B", "LP-2A", "LP-2B", "LP-2C", "LP-2D", "LP-2E", or "LP-4" means the Development Area with the corresponding alpha-numeric designation as shown on Schedule 2 to the CD-2 Zoning Regulations;

**“Heritage Houses”** means the houses existing on the Land as of the date of this Agreement with the following civic addresses: 506 Government Street and 514 Government Street;

**“Legislative Precinct”** means, collectively, all of the lands subject to the CD-2 Zoning Regulations;

**“LPUDM”** means the design guidelines titled “Legislative Precinct Urban Design Manual” that are incorporated by reference into the provisions of Development Permit Area 12 (HC): Legislative Precinct under the City of Victoria Official Community Plan Bylaw No. 12-013;

**“Maximum Floor Area”** has the same meaning as under the CD-2 Zoning Regulations;

**“Queens Printer Building”** means the building that is located on the Lands with a civic address of 563 Superior Street;

**“South Block”** means the lands legally described as Lot 2, Victoria City, EPP38872; and

**“TDMP”** means the Traffic Demand Management Plan attached to this Agreement as Schedule “A”.

## **2.0 PURPOSE AND INTENT**

- 2.1 The purpose of this Agreement is to establish the terms and conditions under which the Transferor agrees that it will subdivide and develop the Lands, and the Transferor therefore covenants and agrees with the Transferee that it shall not use or permit the use of the Lands or any building on the Lands, construct any building on the Lands or subdivide the Lands except in accordance with this Agreement.
- 2.2 The Transferor shall be solely responsible for all costs and expenditures required to fulfill its obligations under this Agreement, whether or not those costs and expenses are specifically referred to herein.

## **3.0 STREETS**

- 3.1 The Transferor shall not construct any new buildings on the Lands unless it constructs on the highways that immediately adjoin the portion of the Lands being developed the off-site works and services that are required for the development of the Lands, in accordance with the standards (including requirements for security) and specifications under the Transferee’s Victoria Subdivision and Development Servicing Bylaw No. 12-042 (the **“Subdivision**

**Bylaw**”), and in accordance with the requirements of the LPUDM, unless alternative standards and specifications are agreed to by the Transferor and the Transferee.

- 3.2 Concurrently with the development of any portion of the Lands for which a development permit has been issued by the Transferee, and in order to provide internal public circulation, the Transferor will provide on the portion of the Lands being developed a series of lanes, walkways and courtyards open to the public as shown in the LPUDM, all to be provided, constructed and maintained at the expense of the Transferor in the locations and in accordance with the LPUDM.
- 3.3 The Transferor agrees that upon the demolition or destruction of the Queen's Printer Building:
  - a) it shall grant the Transferee a statutory right of way for highway purposes pursuant to section 218 of the *Land Title Act*, on the terms and conditions attached as Schedule “B”, over that portion of the Lands fronting on Superior Street outlined and identified as “Area F” on Plan EPP38874, a reduced copy of which is attached hereto as Schedule “C”; and
  - b) it shall dedicate for highway purposes, by plan deposited in the Land Title Office under section 107 of the *Land Title Act*, that part of the Lands fronting on Government Street shown outlined and identified as “Area G” on Plan EPP38874.

#### **4.0 SUBDIVISION**

- 4.1 Each subdivision proposal for the Lands will require a development permit issued by City Council and the approval of the Transferee's Approving Officer.
- 4.2 The Transferor will submit an inventory of existing trees on the Lands within three months following the registration of this Agreement as a charge against the title to the Lands.
- 4.3 The inventory under section 4.2 must be acceptable to the Transferee's Director of Parks, Recreation and Culture.

#### **5.0 PERMITTED USES AND FLOOR SPACE ALLOCATION**

- 5.1 Except as provided in section 5.4, the Transferor agrees to develop the Lands in accordance with the permitted uses and maximum floor space allocations for each Development Area that are prescribed under the CD-2 Zoning Regulations.

- 5.2 The Transferor will work with the Transferee to develop a tracking system to monitor the assignment of floor space to each subdivided lot within a Development Area.
- 5.3 The Development Permit application for each building must specify the gross floor area allocated for each use and specify the unallocated gross floor area remaining for each use in the Development Area. [MDA section 3.2]
- 5.4 Notwithstanding any provision of the CD-2 Zoning Regulations to the contrary, the Transferor covenants and agrees that the Maximum Floor Area of all buildings on that part of the Lands within Development Area LP-2A shall not exceed 3,926.6 square meters, and the Maximum Floor Area of all buildings on that part of the Lands within Development Area LP-2E shall not exceed 684.8 square meters.
- 5.5 The Transferor covenants and agrees that it shall not construct any above-ground buildings or structures on that part of the Lands shown outlined and identified as "Area A" on Plan EPP38873, a reduced copy of which is attached hereto as Schedule "D" (the "No-Build Area"). Upon the demolition or destruction of the building that is located on South Block immediately to the west of the No-Build Area, the Transferee shall execute a modification of this Agreement in a form that may be registered in the Land Title Office, releasing the Transferor from the restriction under this section 5.5.

## **6.0 TRANSPORTATION DEMAND MANAGEMENT PLAN**

- 6.1 In order to ensure the management of transportation in the Legislative Precinct and the adjacent neighbourhoods, the Transferor will comply with the terms of the TDMP as it applies to the Lands.
- 6.2 The TDMP is based on charging market rates for parking and the following incentives to ensure the travel characteristic targets:
- bus passes through payroll deduction
  - bicycle storage and shower facilities
  - car pooling initiatives
- 6.3 For any office development within the Lands, the Transferor must provide bicycle storage and shower facilities designed and constructed to the satisfaction of the Transferee's Director of Engineering.
- 6.4 In cooperation with the registered owner of South Block, the Transferor must establish and provide for the ongoing operation of a committee to monitor the TDMP and the TDM strategies agreed to by the Transferor and Transferee under

section 6.6. The committee must include representatives from the James Bay community, Government employees, Government Management, BC Transit, and the Transferor.

- 6.5 Prior to the issuance of a Development Permit for the first building to be constructed on the Lands, the Transferor shall submit to the Transferee's Director of Engineering a traffic and parking impact study, prepared by an independent consultant at the expense of the Transferor, that analyzes the traffic and parking impact of all proposed office and residential development on the Lands, and that sets out proposals for transportation demand management ("TDM") strategies to be implemented by the Transferor as the development of the Land proceeds, which TDM strategies must be satisfactory to the Transferor and the Transferee, both acting reasonably.

## **7.0 AMENITIES**

- 7.1 The Transferor agrees that by no later than three months after the issuance of a building permit for the relocation or restoration of the existing building presently situated on that part of South Block with civic address 539 Superior Street, and in consultation with the Transferee's Director of Sustainable Planning and Community Development, the Transferor will issue an invited proposal call for community use of a minimum of 148 square meters of floor space of the heritage building located at 514 Government Street (the "Community Use Space"). The Transferor must make the Community Use Space available to the successful bidder for a community use for \$1.00 and the use of the Community Use Space must be secured by a prepaid lease for not fewer than 41 years.

## **8.0 HERITAGE BUILDING**

- 8.1 Before constructing any additional buildings or structures on the Lands, the Transferor must submit for the Transferee's approval a plan for the restoration of the Heritage Houses. The Transferor must complete the restoration work outlined in the plan, as submitted to and approved by the Transferee, before occupying or permitting the occupation of the additional buildings or structures proposed to be constructed on the Lands. .

## **9.0 PUBLIC BODY**

- 9.1 Nothing contained or implied within this Agreement shall prejudice or affect the duties, rights and powers of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders or regulations, all of which may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered.

- 9.2 Nothing in this Agreement shall relieve the Transferor from any obligation or requirement arising under any applicable statute, bylaw or regulation in respect of the development of the Lands.

## **10.0 GENERAL PROVISIONS**

- 10.1 At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.
- 10.2 Time is of the essence of this Agreement.
- 10.3 The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.
- 10.4 It is mutually understood, acknowledged and agreed by the parties hereto that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.
- 10.5 The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.
- 10.6 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 10.7 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 10.8 The enforcement of this Agreement shall be entirely within the discretion of the Transferee and the execution and registration of the Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the Transferee to the Transferor or to any other person to enforce any provision of the breach of any provision of this Agreement.
- 10.9 The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office



pursuant to section 219 of the *Land Title Act* as covenants in favour of the Transferee as a first charge against the Lands.

10.10 The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.

10.11 If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.

10.12 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached hereto.

**SCHEDULE "A"**  
**TRAFFIC DEMAND MANAGEMENT PLAN**

SCHEDULE F

**VICTORIA ACCORD**  
**TRANSPORTATION DEMAND MANAGEMENT**  
**IMPLEMENTATION PLAN**



Province of  
British Columbia  
Ministry of  
Transportation

**VICTORIA**  
*Accord*

## VICTORIA ACCORD TRANSPORTATION DEMAND MANAGEMENT PLAN

### 1.0 GENERAL

Transportation Demand Management (TDM) is the process of reducing employees use of single occupant vehicles commuting to and from the workplace, by promoting alternative transportation and work options.

TDM initiatives are to apply to the daily commute or work trip and include a reduction in the availability of parking with a corresponding increase in the use of transit, car pooling, van pooling, cycling, and walking.

The Government of British Columbia, as a major employer, is committed to the Victoria Accord TDM plan. The government recognizes that it must demonstrate leadership in establishing and implementing an effective TDM plan.

The Victoria Accord, a development agreement between the City of Victoria and Government of British Columbia, includes the implementation of a TDM plan for Ministry work sites in the Legislative Precinct to begin in September 1994 and "Y" Lot in January 1995.

This plan provides a framework for Ministries to:

- educate employees about the benefits of transportation management;
- promote the use of alternative modes of transportation;
- establish TDM objectives and targets;
- monitor the progress of TDM plans.

### 2.0 OBJECTIVES

The objectives of the Government's Victoria Accord TDM plan are to:

- provide leadership to all public and private sector employers/employees;
- encourage provincial government employees to use alternative modes of transportation;
- reduce the number of provincial government employees in the Legislative Precinct area traveling in Single Occupancy Vehicles to/from work and increase the number of provincial government employees traveling per vehicle.

### 3.0 SCOPE AND IMPLEMENTATION OF TDM PLAN

#### 3.1 Scope

This policy shall apply to all provincial government employees working in Ministry worksites located in the Victoria Accord area, which includes the Legislative Precinct and "Y" Lot.

#### 3.2 Implementation

The Ministry of Government Services will coordinate the development of TDM plans for Ministries with worksites in the Victoria Accord area, to incorporate initiatives for both the Legislative Precinct and Y Lot, by September 30, 1994. These plans will be submitted to the Deputy Ministers Committee, after consultation with a Joint Union-Management TDM Committee.

#### 3.3 Definitions

##### 3.3.1 Employee Transportation Administrators (ETA)

An ETA is the designated employee, responsible for educating staff and coordinating TDM initiatives at a worksite or in a Ministry on a full or part-time basis.

##### 3.3.2 Single Occupancy Vehicles (SOV)

An SOV is a vehicle in which there is only one person, the driver, travelling in the vehicle.

##### 3.3.3 High Occupancy Vehicles (HOV)

A HOV is a vehicle that has two or more people travelling together in the vehicle.

##### 3.3.4 Car Pool

A car pool is a motor vehicle occupied by two to four people travelling together for a commute trip that results in the reduction of a minimum of one motor vehicle commute.

##### 3.3.5 Van Pool

Van pool is a motor vehicle occupied by at least five people, including the driver, travelling together for their commute trip that results in the reduction of a minimum of one motor vehicle commute.

## 4.0 VICTORIA ACCORD INITIATIVES

INITIATIVE	MILESTONE	COMPLETION
1. 592 parking spots reduced (Q Lot) 300 parking spots reduced (Y Lot)	Notification to occupants Implementation at Q Lot Implementation at Y Lot	August 1, 1994 November 1, 1994 January 1995
2. Designated spaces for car/van pooling	Options identified with BCBC Spaces secured Spaces designated	May 16, 1994 August 1, 1994 September 1, 1994
3. Car pooling program (Legislative area)	Options, analysis and selection Pilot design Pilot implementation	May 31, 1994 August 30, 1994 September 1, 1994
4. Expanded car pooling to Ministry worksites in Capital Regional District	Pilot car pool program evaluation Expansion design Promotion Implementation start	November 30, 1994 January 30, 1995 February 15, 1995 March 1, 1995
5. Bicycle compound (525 Superior St.)	Compound conversion	June 1, 1994
6. Promotional program	City of Victoria approval of TDM plan Public Hearing Ministry ETA's appointed Commonwealth Games commute plan Development "Q" Lot	May 16, 1994 June 2, 1994 June 17, 1994 July 15, 1994 September 1, 1994
7. Education program for Van pooling	Coordinate with non-profit services (i.e. Jack Bell Foundation)	September 1, 1994
8. Annual bus pass purchase through payroll deduction	Final negotiations with BC Transit Design/policies Promotion Registration Issuance	May 31, 1994 June 30, 1994 July 15, 1994 August 1, 1994 September 1, 1994
9. Parking rates aligned to market	Treasury Board approval Notification Implementation	August 1, 1994 September 1, 1994 January 1, 1995
10. Joint Union-Management TDM Committee - preferential parking policy (assigned parking excluded)	Committee formation Policy developed Policy implementation	To be determined March 15, 1995 June 30, 1995
11. Parking enforcement program (BCBC)	Program developed Implementation start	June 1, 1994 Sept.-Nov. 1994

INITIATIVE	MILESTONES	COMPLETION
12. Participation in James Bay Community Committee	Representative selection	September 1994
13. Education program for transit, telework and Employees Transportation Administrator function	Program developed Program start	November 30, 1994 January 15, 1995
14. Consolidated TDM plans of ministries	Ministry plans prepared Ministry initiatives commence	September 30, 1994 January 1, 1995
15. Progress reports/monitoring/evaluation	First annual report to City of Victoria First annual reports by Ministries	September 1995 April 30, 1996

The majority of the preceding TDM initiatives relate to the Legislative Precinct. Additional initiatives related to Y Lot will be developed and recorded in Ministry TDM plans by September 30, 1994. Ministry TDM plans will be incorporated with the preceding initiatives to form the Victoria Accord TDM plan (with initiatives for both the Legislative Precinct and Y Lot).

### 3.0 ACCOUNTABILITIES

#### 3.1 Deputy Ministers shall ensure that:

- Ministry TDM initiatives are developed consistent with the Victoria Accord TDM plan;
- adequate resources are available to implement TDM initiatives;
- a monitoring and reporting system is established for measuring progress on goals;
- an Employee Transportation Administrator function is established with responsibility for coordinating the implementation of TDM initiatives in each Ministry.

#### 3.2 Ministry of Government Services shall:

- coordinate the development of Victoria Accord TDM plans for Ministries;
- ensure government-wide communication and training on the Victoria Accord TDM initiatives are developed and distributed to Ministries;
- provide support to Ministries in the implementation of TDM initiatives;
- coordinate cross-government TDM initiatives, where more effective, such as employee matching for car/van pools;
- provide guidelines for Ministry progress reports on TDM initiatives;
- provide an annual report on the Victoria Accord TDM plan to the Deputy Ministers Committee, with progress on proposed Victoria Accord targets.



### 5.3 Joint Union-Management TDM Committee shall:

- be a committee composed of a representative from the Ministry of Government Services, Public Service Employee Relations Commission and representatives of various Ministry interests, which will consult with applicable union designates on TDM issues;
- review the TDM plan and initiatives, and monitor progress of TDM initiatives;
- liaise with Community groups, as directed by the Partnership Committee, to identify and resolve TDM issues that have an impact on the local community.

### 6.0 Reporting and Evaluation

The Victoria Accord TDM Progress Report for the previous fiscal year will comment on benefits and costs for the TDM program implemented by the employer for applicable workers and will include:

- number of employees participating in each program;
- trends from previous years.

### 7.0 Travel Characteristic Targets

**Victoria Accord (Legislative Precinct)**

Travel Characteristic	Current	Target
Single occupancy vehicle	43%	22%
Transit	19%	33%
Car Pool	20%	23%
Walk/bike	18%	20%

**Victoria Accord ("Y" Lot)**

Travel Characteristic	Current	Target
Single occupancy vehicle	28%	18%
Transit	32%	40%
Car Pool	19%	21%
Walk/bike	21%	23%

**SCHEDULE "B"**  
**STATUTORY RIGHT OF WAY**

**TERMS OF INSTRUMENT - PART 2**

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**W H E R E A S:**

A. The Transferor is the registered owner in fee simple of the following land in the Province of British Columbia:

(the "**Lands**")

B. The Transferee is the Corporation of the City of Victoria;

C. This Right of Way is necessary for the operation and maintenance of the Transferee's undertaking as described in Recital D;

D. The Transferee wishes to be able to construct, operate and maintain a public highway and other works including but not limited to a system of roadways, sidewalks and utility services in perpetuity over a portion of the Lands; and

E. To facilitate the construction and use by the Transferee and the public of a public highway, and to facilitate the installation and use of works that may be placed by the Transferee on, under or over the highway including pavements, sidewalks, boulevards, curbs, gutters, drains, sewers, utility poles, wires, fences, overhead and underground cables, traffic signals, transit shelters, and landscaping including but not limited to trees, shrubs, flowers and grass, and irrigation works required for the maintenance of that landscaping, and any other works, facilities or appurtenants necessary for the use of the Right of Way as a public highway (collectively the "**Works**"), the Transferor has agreed to grant the Right of Way in this Agreement.

**NOW THEREFORE**, in consideration of the sum of One (\$1.00) Dollar of lawful money of Canada, now paid by the Transferee to the Transferor (the receipt and sufficiency of which is now acknowledged by the Transferor), and in consideration of the covenants and conditions agreed to be observed and performed by the parties and for other valuable consideration:

**1.0 THE TRANSFEROR:**

1.1 Pursuant to Section 218 of the Land Title Act, hereby grants, conveys, confirms and transfers, in perpetuity, to the Transferee, its officers, employees, contractors, licensees and invitees, including without limitation the general public, the full, free and uninterrupted right, licence, liberty, privilege, permission and right of way to use as a public highway, including but not limited to the right to enter onto, use, go, return, pass

over and across for highway purposes, that portion of the Lands, shown in heavy outline on the Right of Way Plan prepared by [Name of Surveyor] and filed in the Victoria Land Title Office under Plan No. \_\_\_\_\_ a reduced copy of which is attached hereto as Schedule "A" (the **"Right of Way"**);

1.2 Covenants and agrees to and with the Transferee that in connection with the grant under Section 1.1 of this Agreement, the Transferee and its officers, employees, contractors, licensees and invitees shall have the full, free and uninterrupted right, licence, liberty, privilege, permission and right of way to lay down, install, construct, entrench, operate, maintain, inspect, alter, repair, remove, replace, bury, cleanse, string, and otherwise establish one or more system of Works upon the Right of Way;

1.3 Covenants and agrees to and with the Transferee that the Transferee shall:

- (a) for itself and its agents, workers, contractors and all other licensees of the Transferee;
- (b) together with machinery, vehicles, equipment, and materials;
- (c) upon, over, under and across the Right of Way;
- (d) as may be necessary, useful, or convenient for the purposes in Section 1.1 and Section 1.2; and
- (e) in connection with the operations of the Transferee in relation to the Works;

be entitled at all times to enter, use, pass and repass, labour, construct, erect, install, dig, carry away soil or other surface or subsurface materials, and clear of all trees, growth, buildings or obstructions now or hereafter in existence (other than those underground buildings or structures that the Transferee's Director of Engineering has approved in writing pursuant to section 2.1 of this Agreement) upon, over, under and across the Right of Way;

1.4 Grants, conveys, confirms and transfers unto the Transferee for itself, and its employees, agents, workers, contractors and all other licensees of the Transferee together with machinery, vehicles, equipment and materials, the right at all times to enter upon and to pass and repass over such of the Lands of the Transferor as may reasonably be required for the purpose of ingress to and egress from the Right of Way;

1.5 Transfers, assigns and conveys to the Transferee all right, title and interest in and to any Works that the Transferee, or the Transferor have prior to this Agreement established or constructed or maintained or operated within the Right of Way or in relation to any similar Works previously constructed by any party whatsoever within the Right of Way.

**2.0 THE TRANSFEROR COVENANTS:**

2.1 Not, and not to permit or allow any other person, to erect, place, install or maintain any building, structure, addition to a building or structure, paved driveway or patio, pipe, wire or other conduit on, over or under any portion of the Right of Way, except those that are constructed underground at a depth that will not interfere with or obstruct the use of the Right of Way for the purposes identified in section 1.1, as approved in writing by the Transferee's Director of Engineering;

2.2 Not to do anything or to permit any act or thing which in the opinion of the Transferee in any way interferes with or damages or prevents access to or use of the Right of Way or is likely to cause harm to the Works installed in or upon the Right of Way;

2.3 To trim or, if the Transferee determines it is necessary, cut down any tree or other growth on the Lands which in the opinion of the Transferee, constitutes or may constitute a danger or obstruction to the Right of Way or the Works or those using same;

2.4 From time to time and at all times at the reasonable request and at the cost of the Transferee to do and execute or cause to be made, done or executed any further and other lawful acts, deeds, things, devices, conveyances and assurances in law required to ensure the Transferee of its rights under this Agreement; and

2.5 To permit the Transferee to peaceably hold and enjoy the rights hereby granted.

**3.0 THE TRANSFEE COVENANTS:**

3.1 As far as reasonably possible, to carry out all work in a proper and workmanlike manner so as to do as little injury to the Lands as possible; and

3.2 To make good at its own expense damage or disturbance which may be caused to the Lands in the exercise by the Transferee of its rights under this Agreement except as permitted under this Agreement.

**4.0 THE PARTIES COVENANT TO AND AGREE WITH EACH OTHER, as follows:**

4.1 The Transferor shall not diminish or increase the soil cover over any pipe installed in the Right of Way without the Transferee's prior written consent;

4.2 No right herein granted to or reserved by the Transferee shall require the Transferee to clear, repair or maintain the Works or the Right of Way unless the Transferee is expressly required herein to perform such cleaning, repairing or maintenance;

4.3 If the Transferor defaults in observance or performance of its obligations

hereunder, the Transferee, after 10 days prior written notice to the Transferor specifying the default and at any time in case of emergency, may (but is not obligated to) rectify the default, and the Transferor shall pay to the Transferee, on demand, its reasonable costs in connection with so rectifying;

4.4 The Transferor shall, after execution hereof by it at the expense of the Transferor, do or cause to be done all acts necessary to grant priority to this Agreement over all financial charges and encumbrances which are registered, or pending registration, against the Title to the Lands in the Land Title Office save and except those as have been specifically approved in writing by the Transferee or have been granted in favour of the Transferee;

4.5 Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party;

4.6 Whenever this Agreement creates a power or obligation of the Transferee to make a decision or to exercise any contractual right or remedy, the Transferee may do so in accordance with the provisions of this Agreement and no public law duty, whether arising from the principals of fairness or the rules of natural justice, shall have any application;

4.7 Notwithstanding anything herein contained, the Transferee reserves all rights and powers of expropriation otherwise enjoyed by the Transferee;

4.8 Without limiting Section 4.7, nothing contained or implied in this Agreement will derogate from the obligations of the Transferor under any other agreement with the Transferee or prejudice or affect the Transferee's rights, powers, duties or obligations in the exercise of its functions under all public and private statutes, by-laws, orders and regulations, which may be as fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by Transferor and the Transferee;

4.9 In spite of any rule of law or equity to the contrary, the Works brought on to, set, constructed, laid, erected in, upon or under the Right of Way by the Transferee shall at all times remain the property of the Transferee, even if the Works are annexed or affixed to the freehold, and the Works shall at any time and from time to time be removable in whole or in part by the Transferee;

4.10 No part of the title in fee simple to the Lands of the Transferor shall pass to or be vested in the Transferee under or by virtue of this Agreement, and the Transferor may fully use and enjoy all of the Lands of the Transferor subject only to the rights and restrictions in this Agreement;

4.11 If any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the Agreement;

4.12 This Agreement shall attach to and run with the Lands and each and every part to which the Lands may be divided or subdivided whether by subdivision plan, strata plan or otherwise howsoever, provided that if a parcel into which the Lands are subdivided does not have within its boundaries any portion of the Right of Way as defined on plan EPP\_\_\_\_\_, the Transferee shall at the request of the Transferor execute a release of this Right of Way from the title to such parcel, and the Transferor shall be responsible for the cost of preparation and registration of the release;

4.13 The Transferor acknowledges that (a) these Covenants are enforceable against the Transferor and his successors in title, but (b) the Transferor is not personally liable for breach of these Covenants where such liability arises by reason of an act or omission occurring after the Transferor named herein or any future owner ceases to have a further interest in the Lands;

4.14 If at the date hereof the Transferor is not the sole registered owner of the Lands of the Transferor, this Agreement shall nevertheless bind the Transferor to the full extent of his interest therein, and if he acquires a greater or the entire interest in fee simple, this Agreement shall likewise extend to such after-acquired interests;

4.15 Where the expression "Transferor" includes more than one person, all covenants made by the Transferor shall be construed as being several as well as joint with respect to all persons constituting the Transferor;

4.16 This Agreement shall continue to benefit and be binding upon the Transferor and Transferee, and their respective heirs, administrators, executors, successors and permitted assigns, as the case may be;

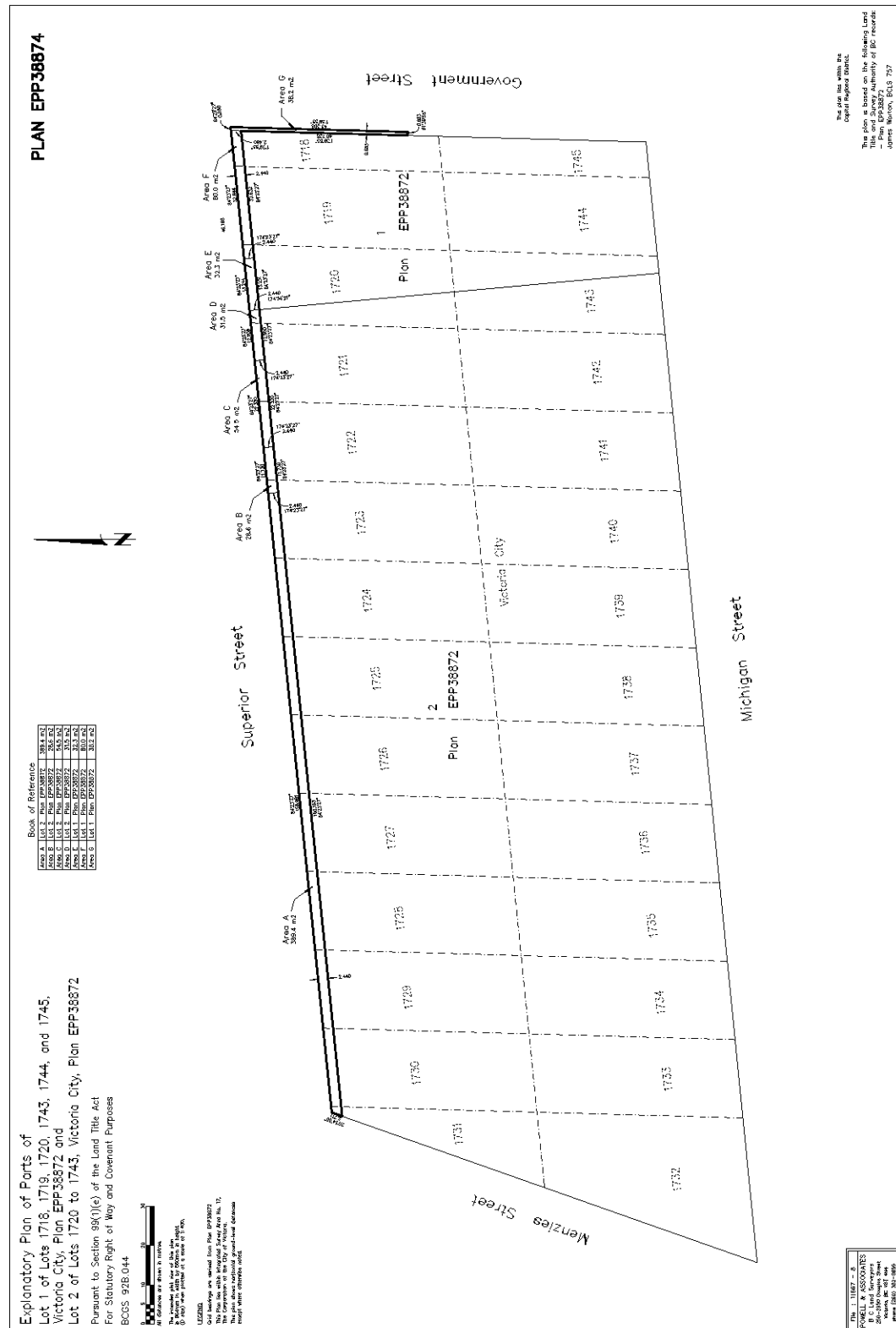
4.17 Gender specific terms include both genders and corporations, and the singular and plural forms are interchangeable, according to the context; and

4.18 This Agreement will be governed and construed according to the laws of the Province of British Columbia.

The parties hereto acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D attached hereto.

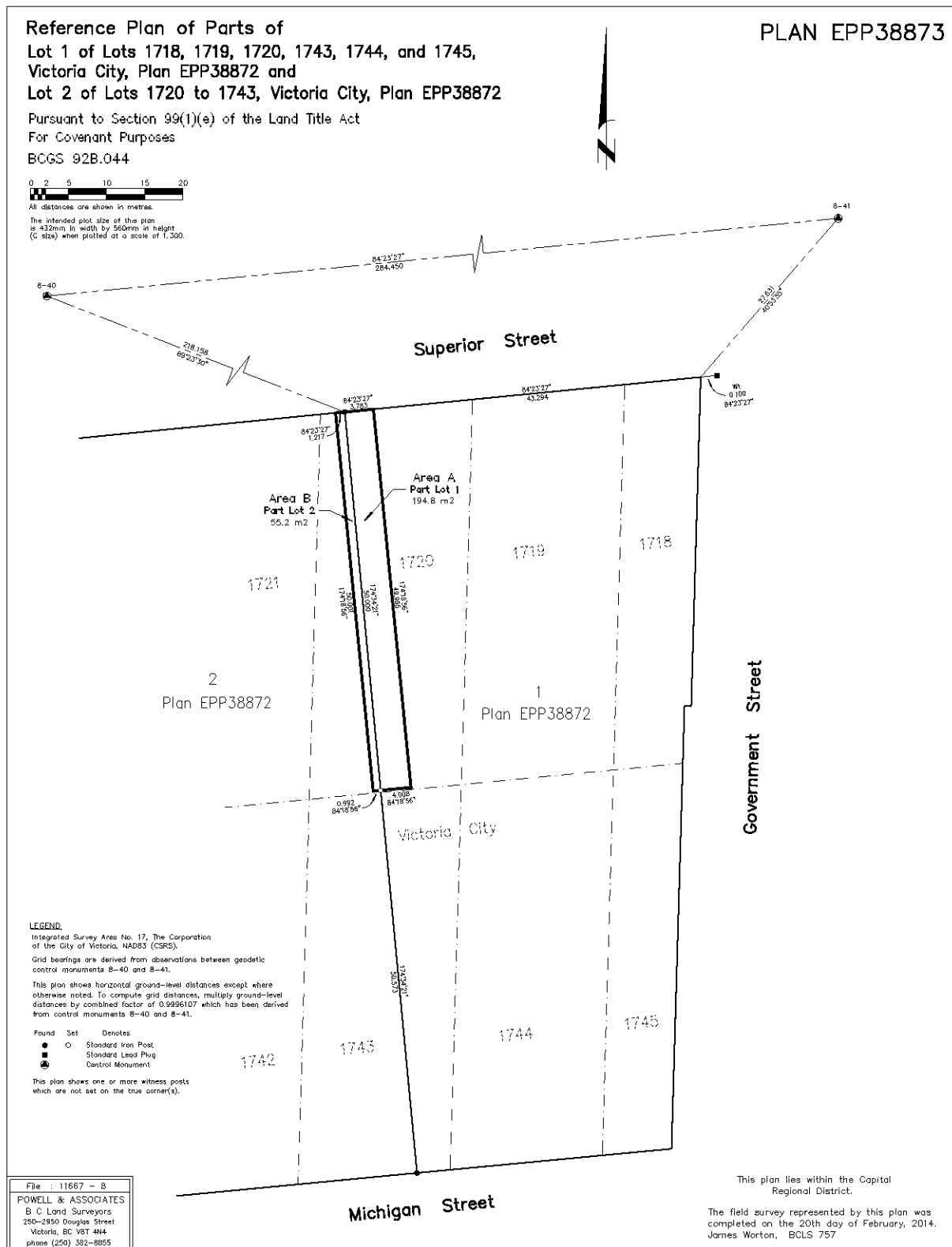


## SCHEDULE "C"

**PLAN EPP38874**

## SCHEDULE "D"

## PLAN EPP38873



**LAND TITLE ACT  
FORM DECLARATION**Related Document Number: **CA3641382**

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<b>Christopher Ferronato QLMTPP</b>	Digitally signed by Christopher Ferronato QLMTPP DN: c=CA, cn=Christopher Ferronato QLMTPP, o=Lawyer, ou=Verify, ID at www.juricert.com/ LKUP.cfm?id=QLMTPP Date: 2014.03.26 10:38:16 -07'00'
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I, CHRISTOPHER FERRONATO, declare that:

1. When a statement appears on a plan of subdivision that a covenant is required as a condition of the subdivision, the covenant filed concurrently with the plan of subdivision must also be approved by the approving officer for the City.
2. The Approving Officer for the Corporation of the City of Victoria has approved the form and the terms of the Covenant filed under No. CA3641382. Accordingly, page 2 of the Covenant filed under No. CA3641382 is hereby deleted and replaced with page 2 attached to this Declaration.

I make this declaration and know it to be true based on personal information / reasonable belief.

\_\_\_\_\_  
CHRISTOPHER FERRONATO

**NOTE:**

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

**Fee Collected for Document: \$0.00**

**LAND TITLE ACT  
FORM D**

**EXECUTIONS CONTINUED**

PAGE 2 of 23 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Donald S. Schaffer

Commissioner for Taking Affidavits in BC

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

Y M D

14 03 13

The Corporation of the City of Victoria,  
by its authorised signatory(ies)

Name: Mayor Dean Fortin  
#1 Centennial Square  
Victoria, BC V8W 1P6

Name:

14 03 25

THIS IS AN INSTRUMENT REQUIRED  
BY THE APPROVING OFFICER FOR  
SUBDIVISION PLAN EPP38872  
CREATING THE CONDITION OR  
COVENANT ENTERED INTO UNDER  
SECTION 219 OF THE LAND TITLE  
ACT.

JEFF MITTON, APPROVING OFFICER  
Corporation of the City of Victoria

**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

## 506 and 514 Government Street: Request to Modify Covenants CA3641378 and CA3641382



1



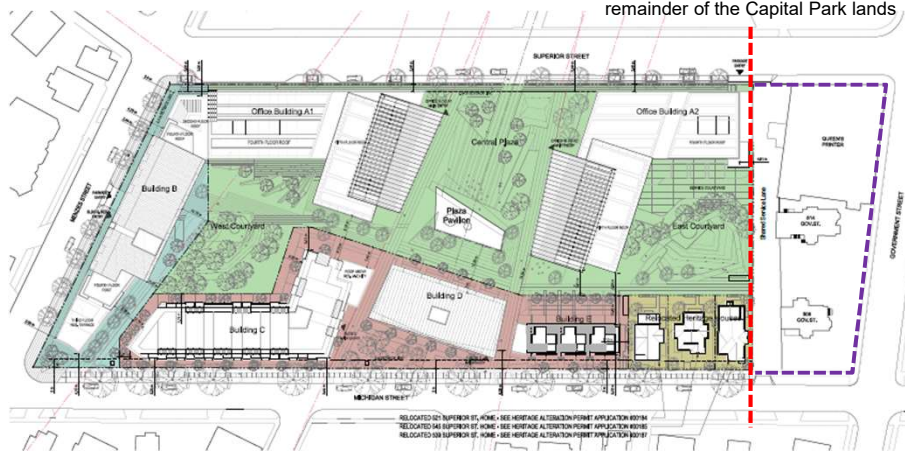
Aerial



2

## Capital Park Development

Queen's Printer, 506 & 514 Government  
severed to facilitate the sale of the  
remainder of the Capital Park lands



3

## 506 Government Street- Improvements

506 Government Street



4



## 506 Government Street- Improvements



5

## 506 Government Street- Improvements



Photo: March 12, 2020



Photo: March 12, 2020 RECONSTRUCT UPPER PORTAL (see left image)



6

## 514 Government Street- Condition Assessment



Front (east) elevation



Side (south) elevation



Side (south) elevation



Rear (west) elevation

7

## 514 Government Street- Condition Assessment

Side (north) elevation



8

### Covenant Provisions

Covenant CA3641378 applies to 514 Government Street.

*7.5 ...The Transferor shall not occupy or permit the occupation of any buildings or structures constructed on the Lands following the Transferee's approval of the Restoration Plan until after the work outlined in the Restoration Plan is complete.*

Covenant CA3641382 applies to 506 Government Street. Clause 8.1 under Section 8.0- Heritage Building, states:

*8.1 Before constructing any additional buildings or structures on the Lands, the Transferor must submit for the Transferee's approval a plan for the restoration of the Heritage Houses. The Transferor must complete the restoration work outlined in the plan, as submitted to and approved by the Transferee, before occupying or permitting the occupation of the additional buildings or structures to be constructed on the lands.*



9

### Staff Recommendation

That Council authorize City Legal staff to modify Covenants CA3641378 and CA3641382 to remove clauses concerning the heritage restoration of 506 and 514 Government Street.



506 Government Street



514 Government Street.



10



## **Committee of the Whole Report**

### **For the Meeting of March 11, 2021**

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**To:** Committee of the Whole **Date:** February 15, 2021  
**From:** Paul Bruce, Fire Chief  
**Subject:** Fire Prevention and Regulation Bylaw and False Alarms Bylaw Update

---

### **RECOMMENDATION**

That Council:

1. Direct staff to bring forward amendments, as outlined in this report, to the Fire Prevention and Regulation Bylaw No. 14-100, including consolidation of Smoke Alarm Bylaw 92-108 and,
2. Direct staff to bring forward amendments, as outlined in this report, to the False Alarms Bylaw No. 10-073.

### **EXECUTIVE SUMMARY**

The Fire Prevention and Regulation Bylaw 14-100 was amended and adopted in 2014 after a substantive update from previous Bylaw No. 96-010, originally adopted in 1996. The current bylaw does not effectively reflect and address “mobile” cooking operations, increased densification (multi-occupancy) increased building height and concrete structures within the City of Victoria, relating to the potential impact in the advancement of digital emergency radio communications, improved technology, equipment and, spacing allotments that may be required to support the effective operations of the Capital Region Emergency Services Telecommunications (CREST) infrastructure. Furthermore, the current bylaw does not presently include language related to the installation, necessity, and associated requirements which, are currently prescribed through a separate bylaw; Smoke Alarm Bylaw 92-018. Staff recommend the incorporation of the Smoke Alarm Bylaw as a component of the updating of the Fire Prevention and Regulation Bylaw. Additional amendments provide for added clarification on lock boxes for building access, open burning, parkade storage, fire safety plans and cost recoveries. This proposed bylaw also includes updates to “definitions”, to further support the clarified intent of amendments, as well as associated fees and fines.

The False Alarms Bylaw was originally adopted and implemented in 2010 and required amendments to provide clarity on the 12-month duration and, time associated with fee calculations based on attendance to multiple (more than three in a calendar year) false alarms, at the same civic address, due to faulty or malicious operations of the alarm systems. The proposed amendments also include additional reference for access to lock boxes and, reflect the changes to the Community Charter in assessing a maximum penalty for an Offence Act to \$50,000.

## **PURPOSE**

The purpose of this report is to provide information and seek Council approval on the suggested amendments to these bylaws, through staff review and recommendations. The amendments are intended to address identified omissions from the present bylaw(s) and provide additional clarity to the regulatory intent of the amended legislation.

## **BACKGROUND**

### **Fire Prevention and Regulation Bylaw**

The Fire Prevention and Regulation Bylaw 14-100, currently in force, was adopted in 2014 after a substantive update from previous Bylaw No. 96-01. The current bylaw, while satisfactory at the time, does not fully capture the increased objectives of departmental operations and, impacts related to the development growth within the City.

### **False Alarms Bylaw**

The False Alarms Bylaws No. 10-073 was adopted in 2010 and is intended to address and provide direction with mitigating response to multiple false alarms at the same civic location, access, contact person requirements, as well as associated levies assessed for response to four or more false alarms in a 12-month timeframe.

## **ISSUES & ANALYSIS**

As the City continues progression, issues of densification, building heights, increased concrete building processes through the addition of high-rise buildings and underground parkades, has the potential to impact effective fire ground emergency radio communications. With adoption of Fire Prevention and Regulation Bylaw 14-100 in 2014, the CREST radio system was operating on an analog technology platform. In recent years, CREST has transitioned to a digital technology platform with differing technological improvements and in some cases, factors requiring additional system “upgrades” to continue to deliver effective radio transmissions within the downtown core. With this implementation and focus on a continued assurance of an effective and efficient radio system, the current language in the bylaw does not effectively capture the requirements for potential installation, testing and maintenance, as well as addressing specific technical requirements for the system. The amendments in the proposed bylaw include direction on the installation of new equipment, maintenance of both existing and newly installed equipment and a new schedule that provides specific technical requirements. Emergency Radio Communications Bylaw are common in jurisdictions both locally and in the lower mainland. Staff drafted the amendments utilizing language from an existing emergency radio communications bylaw and, in consultation with representatives of CREST radio system.

The City of Victoria has experienced an increase in the use of mobile cooking operations, which range from food carts, trailers, and mobile food trucks since the time of the adoption of the Fire Prevention and Regulation Bylaw. With the increased number of mobile cooking operations in service at special events or, in semi permanent locations across the City, amendments have been prepared in this proposed bylaw to define fire protection service requirements in alignment with recognized referenced standards, to ensure safe operations of these services. Staff researched local government regulations and the proposed bylaw is in alignment with mobile cooking operational requirements in other jurisdictions.

Lock boxes for building access are installed on buildings throughout the City. The current requirement prescribed in Fire Prevention and Regulation Bylaw 14-100 provides direction to every owner of a premise which is an apartment building or commercial building with shared common properties, to have a fire safety plan or, if equipped with various fire protection equipment, firefighting elevator, or locked access areas, to have installed at the owner's expense, a lock box approved by the Fire Chief. Proposed amendments would permit an option for owners who provide 24 hours staffing or short intermittent periods of time without staffing coverage, to be exempt from the lock box installation requirements. This will require the owner to ensure a building representative is "on scene" within fifteen (15) minutes upon notification of the Fire Department in a non-emergent situation where fire alarm malfunction or, potential issues exist within their building security.

Supplemental amendments to the Fire Prevention and Regulation Bylaw include the consolidation of the language of the Smoke Alarm Bylaw, previously independent and referenced as City of Victoria Bylaw 92-018.

To address the aforementioned items, and in review of bylaws from other jurisdictions, staff have drafted amendments to the Fire Prevention and Regulation Bylaw and False Alarms Bylaw for Council's consideration, which are attached to this report as Appendix B and D.

## **OPTIONS & IMPACTS**

### **Option 1 (Recommended)**

Adoption of the Proposed Amendments to the Fire Prevention and Regulation Bylaw including consolidation of the Smoke Alarm Bylaw and, adoption of the amendments to the False Alarms Bylaw (recommended)

#### **Fire Prevention and Regulation Bylaw**

If adopted, an amended Fire Prevention and Regulation Bylaw will now consolidate the language and intent of the previously referenced Smoke Alarm Bylaw 92-018, providing greater clarity and direction on the installation of these life saving devices. Furthermore, amendments to the sections pertaining to emergency communications equipment and owner responsibilities, will further advance attention to the responsibility of developers and stakeholders in understanding the potential impact or, accountability towards ensuring emergency radio communications are preserved in a changing landscape. As amended, the Fire Prevention and Regulation Bylaw encompasses all applicable details to further support the intent and directive of the British Columbia Fire Code, Fire Services Act and provides the City of Victoria with clear authority in the delivery of essential fire and life safety issues.

Furthermore, the Fire Services Act is reportedly being amended and restructured as the Fire Safety Act, which may require additional amendments to address any significant legislative changes to the parent legislative intent and direction.

#### **Impacts:**

- Increased clarification on financial recovery for extraordinary staffing costs
- Additional support for operation of Emergency Radio Communications through detailed technological requirements
- Direction on mobile cooking operations to reflect requirements for installation, service, and inspection processes.



- Clarity on lock box installations, parkade storage issues, fire safety plan (storage and location) and, open burning
- Increased efficiency in consolidation of the Smoke Alarm Bylaw into the Fire Prevention and Regulation Bylaw.

### False Alarms Bylaw

An amended False Alarms Bylaw will clarify and align legislative language to better reflect current operations, updates and further, clarify the financial considerations and operations management for the Fire Department.

### Option 2

The Fire Prevention Regulation Bylaw, False Alarms Bylaw and Smoke Alarm Bylaw remain as adopted and does not provide benefit to the current operational and/or financial requirements, of the fire department or recognize the increased densification and growth within the City.

### Impacts:

- Clarification of financial recovery not accurately addressed
- Inability to effectively support installation, maintenance and testing of Emergency Radio Communications equipment within the City of Victoria
- There will be no language to address safety, service and inspection requirements for mobile cooking operations within the City
- Smoke Alarm Bylaw remains as a standalone bylaw
- No option for building owner's on "lock box" installations subject to conditional assessment
- Lack of clarity on open burning permits, parkade storage and fire safety plan storage requirements

### *2019 – 2022 Strategic Plan*

5. Health, Well-Being, and a Welcoming City

8. Strong, Liveable Neighbourhoods

### *Impacts to Financial Plan*

The proposed bylaw amendments are not expected to increase revenues to the City. It is forecasted that over the next years revenues will potentially decline as a direct result of conversions from oil burning appliances to alternate fuel sources, and the completion of submission of applicable fire safety plans for buildings within the City.

### *Official Community Plan Consistency Statement*

The City of Victoria Fire Department's operations are consistent with:

### Section 15 – Community Well-being

- Victoria is a safe city, where everyone feels secure in public, in their homes and workplaces.

## Section 18 – Emergency Management:

- Victoria is prepared to deal with known hazards and emerging threats, to limit the adverse impacts of events, and effectively manage emergencies.
- Victoria can respond rapidly and effectively to all emergencies, including events with long-term impacts and recovery times

## CONCLUSIONS

The proposed amendments to the Fire Prevention and Regulation Bylaw, in addition to the amendments to the False Alarms Bylaw, are intended to identify and, further clarify the expectations and intent of the regulation as it applies to various stakeholders, including staff. Additionally, addressing the introduction of “new” service delivery models (mobile cooking and radio communications) is not effectively addressed in the present bylaw. As legislation is amended through the Provincial Government, staff will continue to conduct periodic review and updating of regulatory tools, to confirm alignment with service expectations, community safety, and direction in operational inspection, implementation, and confirmation.

Respectfully submitted,

Chris Royle  
Deputy Fire Chief

Paul Bruce  
Fire Chief

**Report accepted and recommended by the City Manager:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## List of Attachments

Appendix A - Fire Prevention and Regulation Bylaw, Amendment Bylaw (No.1)  
Appendix B - Fire Prevention and Regulation Bylaw with Amendments  
Appendix C - False Alarms Bylaw, Amendment Bylaw (No.1)  
Appendix D - False Alarms Bylaw with Amendments

NO. 21-010

**FIRE PREVENTION AND REGULATION BYLAW, AMENDMENT BYLAW (NO. 1)**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to amend the Fire Prevention and Regulation Bylaw to update it in accordance with technological changes, City development changes, and the requirements of the Fire Department.

**Contents**

- 1 Title
- 2-7 Amendments
- 8 Consequential Amendments to Ticket Bylaw
- 9 Commencement

Under its statutory powers, including sections 8(3)(a), 8(3)(g), 8(3)(l), 66, 194 and 258 of the *Community Charter*, and sections 6, 10, 11, 21, 22, 25, 26 and 36 of the *Fire Services Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the “FIRE PREVENTION AND REGULATION BYLAW, AMENDMENT BYLAW (NO. 1)”.

**Amendments**

- 2 Bylaw No. 14-100, the Fire Prevention and Regulation Bylaw, is amended in the Contents as follows:
  - (a) by inserting the following new entry immediately after “17 Regular System of Inspection”:

“17A Mobile Cooking Operations”;
  - (b) at entry 24, by inserting “Transmission of” immediately after “False”;
  - (c) by inserting the following new entry immediately after entry 24:

“24A Smoke Alarms”; and
  - (d) by repealing entry 30 and substituting the following:

“30 Emergency Radio Communications Equipment”.
- 3 The Fire Prevention and Regulation Bylaw is further amended in section 2 as follows:

- (a) by inserting the following new definition directly before the definition for “Apparatus”:

**“Amplification System”** means

within-building radio communications support and enhancement systems designed to overcome the interruption of emergency radio communications;”;

- (b) by inserting the following new definition directly after the definition for “Dangerous Goods”:

**“Delivered Audio Quality of 3.4”** means

speech over radio that is understandable without repetition and may have some noise or distortion present;”;

- (c) by inserting the following new definition directly after the definition for “Fire Protection”:

**“Grease”** means

rendered animal fat, vegetable shortening, or other such oily matter used for the purpose of and resulting from cooking or preparing foods;”;

- (d) by inserting the following new definition directly after the definition for “Member”:

**“Mobile Cooking Operation”** means

any vehicle, cart, trailer, or other temporary or portable installation that is not part of a building and is utilized for the sale and production of food or beverages;”;

- (e) by inserting the following new definitions directly after the definition for “Motor Vehicle”:

**“NFPA 10”** means

the Fire Code referenced standard of the National Fire Protection Association’s “Standard for Portable Fire Extinguishers”, which is referred to as “NFPA 10” in the Fire Code;

**“NFPA 96”** means

the Fire Code referenced standard of the National Fire Protection Association’s “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations”, which is referred to as “NFPA 96” in the Fire Code;

**"NFPA 705" means**

the Fire Code referenced standard of the National Fire Protection Association's "Recommended Practice for a Field Flame Test for Textiles and Films", which is referred to as "NFPA 705" in the Fire Code;";

- (f) by inserting the following new definition directly after the definition for "Open Air Burning":

**"Operator" means**

a person carrying on the business of operating a Mobile Cooking Operation;";

- (g) in the definition for "Public Building", by striking out "." and substituting ","; and
- (h) by inserting the following new definitions directly after the definition for "Public Building":

**"Qualified Technician" means**

a person who demonstrates to the satisfaction of the Fire Chief that they have the certification and training necessary to perform inspections, testing and maintenance on fire protection equipment in accordance with manufacturer's specifications and the applicable standards;

**"Service" means**

the City's public safety communications service provider;

**"Shadowed Area" means**

an area that suffers attenuation or obstruction of radio signals to or from the area as a result of the interposition of all or any part of the building or structure in the radio signal path between the area and the transmitting/receiving site of the Service;

**"Smoke Alarm" means**

"smoke alarm" as defined by the Building Code.".

- 4 The Fire Prevention and Regulation Bylaw is further amended as follows:

- (a) in section 14(3)(a), by striking out "," and then inserting the following directly after "Incident":

"until such time as active fire operations and fire investigations have been completed and the care of the property returned to the Owner;";

- (b) in section 17(1), by inserting “churches,” directly after “Public Buildings,”;
- (c) in section 17, by renumbering current subsection (2) as subsection (3);
- (d) in newly renumbered section 17(3), by striking out “section 17(1)” and substituting “this section”;
- (e) in section 17, by inserting the following new subsection (2) directly after subsection (1):

“(2) Mobile Cooking Operations shall be inspected in accordance with section 17A.”;

- (f) by inserting the following new section 17A directly after section 17:

**“Mobile Cooking Operations**

- 17A (1) No person shall operate a Mobile Cooking Operation unless:
- (a) the Mobile Cooking Operation has been inspected and approved by the Fire Chief, or any Member authorized by the Fire Chief;
  - (b) the Operator has paid the fee for inspection specified in Schedule “B”; and
  - (c) the decal indicating that the Fire Chief has approved the Mobile Cooking Operation is displayed in a conspicuous place on the Mobile Cooking Operation.
- (2) Every approval pursuant to section 17A(1)(a) shall be valid until the 31st day of December of the same year, but the full inspection fee shall nevertheless be payable for every inspection.
- (3) On or before January 15 of every calendar year that the Operator continues to operate the Mobile Cooking Operation, the Operator must arrange for a new inspection pursuant to section 17A(1)(a) and pay the inspection fee specified in Schedule “B”.
- (4) The Operator of a Mobile Cooking Operation that produces Grease laden vapor must:
- (a) be in compliance with NFPA 96 and have appropriate equipment installed, used and maintained as to prevent a hazard; and
  - (b) display a valid service decal from a Qualified Technician on all fixed extinguishing systems.



- (5) The Operator of a Mobile Cooking Operation that has a fixed extinguishing fire protection system must have instructions for use of the system posted in a conspicuous place within the cooking area.
- (6) The Operator of a Mobile Cooking Operation must:
  - (a) have any hoods, Grease removal devices, fans, ducts and other appurtenances in the Mobile Cooking Operation cleaned at frequent intervals to prevent surfaces from becoming heavily contaminated with Grease or other residues;
  - (b) have any service on a hood system in the Mobile Cooking Operation completed by a Qualified Technician, and display a valid service decal upon the hood system indicating that service on the hood system has been completed;
  - (c) install portable fire extinguishers within the Mobile Cooking Operation in accordance with NFPA 10 requirements;
  - (d) have any portable fire extinguishers within the Mobile Cooking Operation serviced annually by a Qualified Technician and display a valid service decal accordingly;
  - (e) ensure that any temporary electrical power generators and connections for the Mobile Cooking Operation are:
    - (i) of proper grade and rated by a testing laboratory,
    - (ii) protected from weather, vehicle traffic, and restricted from public access,
    - (iii) properly grounded, and
    - (iv) used as per manufacturers specifications;
  - (f) ensure that any appliances and equipment used at the Mobile Cooking Operation are certified for commercial use and installed and maintained in accordance with their certification and applicable standards;
  - (g) subject to section 17A(7), not use any wood burning appliances for the Mobile Cooking Operation;
  - (h) if the Mobile Cooking Operation is located inside a Motor Vehicle or other vehicle utilizing natural gas or

propane, install and maintain within the Mobile Cooking Operation a gas monitoring detector with alerting capabilities with respect to unsafe levels of gas or propane;

- (i) ensure there is a barrier of no less than one meter horizontally and vertically between any cooking appliance of the Mobile Cooking Operation and the public;
  - (j) ensure that the Mobile Cooking Operation is a minimum distance of three meters from any other structure or Motor Vehicle; and
  - (k) if the Mobile Cooking Operation utilizes any tent or awning, the material of the tent or awning must be fire resistive and conform to the requirements of NFPA 705.
- (7) A Mobile Cooking Operation that utilized wood burning appliances and was approved by the Fire Chief prior to the date of adoption of Fire Prevention and Regulation Bylaw, Amendment Bylaw No. 1 (No. 21-010) may continue to use wood burning appliances, provided that the scale or extent of use is not significantly greater than at the time of approval.”;
- (g) in section 18(1), by striking out “section 17” and substituting “sections 17 and 17A” and by inserting “or a Mobile Cooking Operation” directly after “premises”;
- (h) by repealing section 18(2) and substituting the following:
  - “(2) If, after performing an inspection pursuant to section 17, 17A or 18(1), the Fire Chief, or any Member authorized by the Fire Chief, determines that a property or Mobile Cooking Operation is not in compliance with this bylaw or the Fire Code, or that one or more conditions exist which may be a fire hazard, increase the danger of fire or the danger to persons or property from a fire, the Fire Chief, and any Member authorized by the Fire Chief, may issue an order to the following persons to do what is necessary to remove the condition or to bring the property or Mobile Cooking Operation into compliance within a specified time period and advise of a return date for a re-inspection:
    - (a) for an inspection of a property, to the Owner or any Occupier of the property; or
    - (b) for an inspection of a Mobile Cooking Operation, to the Operator of the Mobile Cooking Operation.”;
- (i) in section 18(3), by inserting “, and into a Mobile Cooking Operation,” directly after “premises”;

- (j) in section 18(4), by striking out “site” inserting “property or premises”;
- (k) by striking out section 18(8)(5) and inserting the following sections 18(8)(5) – (7):
  - “(5) If upon the first re-inspection of a Mobile Cooking Operation pursuant to section 18(3), the Fire Chief, or any Member authorized by the Fire Chief, determines that an order issued pursuant section 18(2) has not been complied with, he or she may schedule a second re-inspection and further subsequent re-inspections, if required, to ascertain whether the order has been complied with, and the person to whom the order was made shall pay to the City the re-inspection fee specified in Schedule “B” for the second, and each subsequent, re-inspection.
  - (6) Notwithstanding any of the requirements of this section, anyone that fails to comply with an order issued pursuant to this section remains subject to penalties pursuant to this bylaw.
  - (7) An Owner, Occupier or Operator who is issued an order pursuant to
    - (a) section 18(2);
    - (b) section 18(4)(a); or
    - (c) section 18(5)
 must comply with the order in the time specified within the order.
- (l) in section (19), by inserting “, 17A” immediately after 17;
- (m) by repealing section 20 and substituting the following:
  - “20 (1) An Owner or Occupier of property or an Operator of a Mobile Cooking Operation who has been notified of an inspection to be conducted pursuant to this bylaw, or any other enactment relating to fire safety, must provide access to the site to any Member or other inspector conducting the inspection on the date and at the time specified in the notice, and any person who fails to do so shall pay to the City the fee specified in Schedule “A”.
  - (2) Access may be provided by the Owner, Occupier or Operator pursuant to section 20(1) by attending the site, having an agent attend on their behalf, or by providing access to a key.”;
- (n) in section 21, by inserting “and Operator of a Mobile Cooking Operation” immediately after the first occurrence of “property” and by striking out the second occurrence of “property” and replacing it with “location”;

- (o) at section 24, by inserting “Transmission of” immediately after “False” in the heading to the section;
- (p) by inserting a new section 24A immediately after section 24, as follows:

**“Smoke Alarms**

- 24A (1) Every Owner of a building shall ensure that Smoke Alarms are installed and maintained in accordance with the Building Code and the Fire Code.
  - (2) Smoke Alarms may only be individually battery powered in accordance with the Building Code.
  - (3) Smoke Alarms must be replaced when they become inoperable or have exceeded their lifespan as per the manufacturer’s specifications.”
- (q) in section 26(1), by striking out “Every” and replacing it with “Subject to section 26(2), every”;
  - (r) by renumbering current sections 26(3)-(5) as new sections 26(6)-(8), respectively;
  - (s) by repealing section 26(2) and replacing it with the following subsections (2)-(4):
    - “(2) An Owner of a premises is not required to install a lock box if a staff person is on site at the premises to provide the Fire Department access to all items listed in section 26(5) 24 hours per day, 7 days per week, subject to section 26(3).
    - (3) An Owner of a premises may intermittently not have a staff person on site in accordance with section 26(2), provided that at all such times, a staff person that can provide access is available and can be on the premises within fifteen minutes of notification by the Fire Department.
    - (4) Any Owner of a premises that does not contain a lock box in accordance with section 26(1):
      - (a) must provide the Fire Department with the contact details of any persons who are to provide access pursuant to sections 26(2) and (3); and
      - (b) is subject to penalties under this bylaw if none of the contacts provided pursuant to section 26(4)(a) are able to provide access to all items listed in section 26(5) within fifteen minutes of notification by the Fire Department.”

- (t) in newly renumbered section 26(5), by striking out “which exists” and replacing it with “items that are present”;
- (u) in newly renumbered section 26(6), immediately before “the approval of a Member”, by striking out “to” and replacing it with “with”; and
- (v) by striking out subsection 27(1)(b)(iii) and replacing it with the following:
  - “(iii) is in a secured box or enclosure that is clearly labelled “Fire Safety Plan” in contrasting colours; and”.

- 5 The Fire Prevention and Regulation Bylaw is further amended by striking out the entirety of section 30 and replacing it with the following:

**“Emergency Radio Communications Equipment**

- 30 (1) Where a building may cause poor radio communications for the Service, or where the Owner of the building is directed to do so by the Fire Chief or Member authorized by the Fire Chief, the Owner of the building must, at the Owner's expense, ensure that:
- (a) all of the following areas meet a minimum standard Delivered Audio Quality of 3.4, as certified by a professional engineer, registered in the Province of British Columbia:
    - (i) within the building, a minimum of 90% of the area of each floor of the building, including underground areas, and
    - (ii) within Shadowed Areas of the building, a minimum of 90% of all areas where Delivered Audio Quality of 3.4 could be achieved before the erection, construction or modification of the building or structure;
  - (b) continual monitoring is always active for any system put in place to ensure that the requirements specified in section 30(1)(a) are met;
  - (c) maintenance and testing is conducted annually by a professional engineer, registered in the Province of British Columbia, to ensure the requirements specified in section 30(1)(a) are met; and
  - (d) a record of the maintenance and testing referred to in section 30(1)(c) is maintained and available for inspection by the Fire Chief or Member authorized by the Fire Chief.
- (2) The radio frequency range that must be supported for radio communications pursuant to section 30(1) shall be any frequencies used by the network of the Service.
- (3) If a building fails to meet the requirements specified in section 30(1)(a), the Owner of the building must, as soon as the owner becomes aware of the failure:

- (a) notify the Fire Chief in writing as soon as practicable; and
  - (b) make repairs or other works within five business days, to meet the requirements specified in section 30(1)(a).
- (4) If the Owner of a building fails to complete repairs or other works under section 30(3)(b) to the satisfaction of the Fire Chief, the Fire Chief may have a temporary Amplification System installed in order to meet the requirements specified in section 30(1)(a) at the expense of the Owner of the building, to be recovered as a debt owing to the City, which, if not recovered from the Owner of the building by December 31, may be collected in the same manner as for property taxes.
- (5) If an Amplification System is required to meet the requirements specified in section 30(1)(a) in the building,
  - (a) the building Owner must coordinate with the Service to ensure that the Service's outdoor radio communication performance is not degraded by such amplification, and if the Service determines that the requirements of section 30(1)(a) cannot be met while still maintaining the Service's outdoor radio communication performance, the building Owner must communicate that decision promptly to the Fire Chief, in writing; and
  - (b) the Amplification System must comply with section 1 of Schedule "D", and may include any of the following in order to meet the requirements of section 30(1)(a):
    - (i) passive antenna systems or radiating cable systems,
    - (ii) distributed antenna systems with uni-directional or bi-directional amplifiers as needed,
    - (iii) voting receiver systems, or
    - (iv) another system that will improve audio quality of radio communications, as certified by a professional engineer, registered in the Province of British Columbia, and to the satisfaction of the Fire Chief;
  - (c) the Amplification System must be tested annually in accordance with section 2 of Schedule "D"; and
  - (d) if any testing of the Amplification System shows that communications within the building or within the Shadowed Area have degraded such that they fail to meet the requirements specified in section 30(1)(a), the Owner of the building shall make repairs or other works within five business days to remedy the problem and meet the requirements specified in section 30(1)(a), unless the Owner can demonstrate conclusively that the



degradation is solely the result of external changes not under their control.

- (6) If a new building has caused a decline below the requirements specified in section 30(1)(a) in an existing building, the Fire Chief, or a Member authorized by the Fire Chief, may require the Owner of the new building, at their expense, to provide for repairs or other works under section 30(3)(b) so that the existing building again meets the requirements specified in section 30(1)(a), to the satisfaction of the Fire Chief.
- (7) This section 30 shall not apply to:
  - (a) any single-family detached or semi-detached residence;
  - (b) any building or structure constructed of wood frame and not metal-clad;
  - (c) any building or structure less than 5000 square metres in floor space; or
  - (d) any building or structure less than 12 metres in height.
- (8) The construction or erection of a building or structure that interferes with the City's emergency radio or telecommunications networks shall constitute a nuisance because it threatens the health, safety and welfare of those in the City, and in addition to any other remedies or enforcement procedures provided in this bylaw, the City may seek an injunction to restrain such a nuisance."

6 The Fire Prevention and Regulation Bylaw is further amended as follows:

- (a) by renumbering current section 32 as section 32(1);
- (b) in newly renumbered section 32(1), by striking out "first" and inserting the following language immediately after "authorized by the Fire Chief":
 

", prior to the date of adoption of Fire Prevention and Regulation Bylaw, Amendment Bylaw No. 1 (No. 21-010)";
- (c) by inserting the following new section 32(2) after section 32(1):
 

“(2) In the event that the scale or extent of storage permitted pursuant to section 32(1) increases from that at the time of approval, then the storage is no longer permitted and the Owner must comply with section 32(1).”;
- (d) in section 37(1) by striking out "without first obtaining a Permit." and replacing it with:
 

“unless:

  - (a) the fire is for one of the purposes listed in section 38(1)(b), and

- (b) a Permit is first obtained.”;
- (e) by striking out section 38(3)(b) and replacing it with:
  - “(b) The person to whom a Permit has been issued shall:
    - (i) notify the Fire Department before the initiation and after the extinction of the fire;
    - (ii) be responsible for the management of the fire;
    - (iii) at all times ensure that a competent adult is keeping watch on the fire until the fire is completely extinguished; and
    - (iv) provide sufficient personnel, appliances and equipment to prevent the fire from becoming dangerous to life or property.”;
- (f) in section 42(b) by striking out “Motor Vehicle” and replacing it with “Mobile Cooking Operation”; and
- (g) in section 46(3) by striking out “\$10,000” and replacing it with “\$50,000”.

7 The Fire Prevention and Regulation Bylaw is further amended as follows:

- (a) by repealing Schedules “A” and “B” and replacing them with Schedules “A” and “B” attached to this Bylaw; and
- (b) by inserting the new Schedule “D” attached to this Bylaw after current Schedule “C”.

## Consequential Amendments to Ticket Bylaw

8 Bylaw No. 10-071, the Ticket Bylaw is amended by repealing Schedule O and replacing  
the Schedule O attached to this Bylaw as Appendix 1.

## Commencement

9 This Bylaw comes into force on adoption.

READ A FIRST TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2021

READ A SECOND TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2021

READ A THIRD TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2021

13

ADOPTED on the

day of

2021

CITY CLERK

MAYOR

**SCHEDULE A**

The fees specified in this schedule may be collected in the same manner and with the same remedies as property taxes, and if due and payable by December 31<sup>st</sup> and are unpaid on that date, are deemed to be taxes in arrears.

<b>ITEM #</b>	<b>SERVICE</b>	<b>SECTION</b>	<b>FEE</b>
1	Damage, destruction or demolition of building	12(4)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
2	Post-Incident Fire Watch	15(2)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site.
3	Securing Fire Damaged Building	16(3)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
4	Second and subsequent Condition and Compliance Re-inspections – Property or Premises	18(4)(a)	\$100.00 for second re-inspection and for each subsequent re-inspection.
5	Work to establish compliance – Property or Premises	18(4)(b)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
6	Failure to provide access to site for inspection appointment	20(1)	\$100.00 staffing costs for inspector travel time, attendance, and re-booking fee.
7	Member performing Prevention Fire Watch	28(4)(a)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site after the first hour.
8	Private Company performing Prevention Fire Watch	28(4)(b)	All expenses incurred by the City for obtaining private company services.
9	Member inspecting or attending event	39(2)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at a site.
10	Requested Inspection of property	42(a)	\$100.00
11	Damaged Equipment	44(1)	All expenses incurred by the City to clean,

			repair or replace Equipment used at an Incident.
12	Use of Extraordinary personnel or Equipment	44(2)	All expenses incurred by the City for special equipment and additional non-Member personnel.
13	Fire Investigation	45(1)	If one or more Members investigate at a site in excess of 90 minutes, all staffing costs, including any overtime rates, of each Member for actual time Member(s) attend at site and for actual time Member(s) work on all matters related to the investigation offsite, including report preparation. No fee for a site investigation which concludes in under 90 minutes.
14	Private Company Services at investigation	45(2)	All expenses incurred by the City for obtaining private company services.

**SCHEDULE B**

<b>ITEM #</b>	<b>SERVICE</b>	<b>SECTION</b>	<b>FEE</b>
1	Inspection of Mobile Cooking Operation	17A, 42(b)	\$100.00
2	Second and subsequent Condition and Compliance Re-inspections – Mobile Cooking Operation	18(5)	\$100.00 for second re-inspection and for each subsequent re-inspection
3	Fire Safety Plan Review	27(2)	\$150.00
4	Occupancy Load Calculation	40(2)	\$100.00 for occupancy load calculations of 100 occupants or less \$150.00 for occupancy load calculations of 101 occupants or more
5	File Search	43	\$40.00



## SCHEDULE D

### Requirements of Amplification System

- 1 (1) An Amplification System shall include filters that will protect the amplifiers from overload and protect the system from interference by out-of-band signals.
- (2) If any part of the Amplification System contains an electrically powered component, the system shall be equipped to operate on an independent uninterruptible power supply (“**UPS**”), using a battery or generator system, for a period of at least four hours without external power or maintenance.
- (3) All amplifiers and electronics required by the Amplification System shall be protected by National Electrical Manufacturers Association type 4 or higher electrical enclosures.
- (4) If the Amplification System operates on UPS,
  - (a) the UPS shall automatically charge the batteries in the presence of external power;
  - (b) the UPS shall provide a monitored alarm signal to indicate failure of primary power, failure of the UPS system power output, or discharge of the batteries; and
  - (c) the Owner of the building in which the Amplification System is located shall notify the Fire Department of any failure of the UPS no later than two hours after any power failure occurs.
- (5) Any critical alarms detected by the Amplification System equipment regarding battery condition and amplifier performance shall be reported to the Fire Department immediately.
- (6) The Owner of the building in which the Amplification System is located shall ensure that a system summary alarm for the Amplification System, consisting of a relay contact closure or equivalent, is provided to the building fire panel via a hard wired connection.
- (7) Any Amplification System shall be licensed by the federal regulator, Innovation, Science & Economic Development Canada (“**ISED**”), and shall comply with the applicable Standard Radio Systems Plan.
- (8) Any license required for the Amplification System shall be renewed annually by the building Owner and the cost of the licensing borne solely by the building Owner.
- (9) Any radio equipment within the Amplification System shall only be selected from the ISED Radio Equipment List.

## Testing of Amplification System

- 2 (1) Tests and measurements to verify and maintain compliance shall be made at the sole expense of the building Owner.
- (2) The procedures used to test Amplification Systems for initial acceptance shall be in accordance with the following guidelines:
  - (a) Acceptance tests and measurements shall be performed after completion of installation of the Amplification System;
  - (b) Tests shall be performed using radio frequencies assigned by the Service, after proper coordination with an authorized representative of that system and with the Fire Chief and the Officer in Charge of Police for the City;
  - (c) If queuing occurs on the radio system while testing is underway, testing shall be terminated immediately and resumed only when traffic levels on the system drop to the level where queuing will no longer occur;
  - (d) Where the Shadowed Area, or the floor plate area of the building, is greater than 4500m<sup>2</sup> the area shall be divided into a uniform grid of not more than fifteen metres on a side, or if the floor area is smaller than 4500m<sup>2</sup> it shall be divided into a uniform grid of approximately twenty equal areas, to a minimum of 9m<sup>2</sup> and measurements shall be taken in each grid area;
  - (e) The size of the grids shall also be reduced, or the number of grids increased, upon recommendation of the Fire Chief or Member authorized by the Fire Chief in areas where special construction or other obstruction may significantly affect communications;
  - (f) Tests shall also be performed in fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms, and high-hazard areas;
  - (g) Tests shall first be made using a portable (handheld) radio of the type used by emergency service personnel, carried at hip level (with external speaker/mic) and using a simple "rubber ducky" antenna, and shall be deemed satisfactory if Delivered Audio Quality of 3.4 or better can be achieved for a five second test transmission in each direction;
  - (h) If system access is not reliable, or if Delivered Audio Quality of 3.4 for five seconds cannot be achieved at any location, the test operator may move a maximum of 1.5 metre in any direction inside of the grid and repeat the test, and if system access continues to be unreliable, or if Delivered Audio Quality of 3.4 still cannot be achieved, or if there is any doubt about whether it can be achieved, a failure shall be recorded for that location;
  - (i) For all tests, a pre-defined "Harvard" sentence should be used, such that the listeners are not aware of the sentence in advance on each test, and

a different recorded sentence should be used at each location;

- (j) A maximum of two non-adjacent grid areas on a floor or in a Shadowed Area will be allowed to fail the test;
  - (k) In the event that three or more areas on a floor or in a Shadowed Area fail the test, the floor or Shadowed Area may be divided into forty approximately equal areas to a minimum of 4m<sup>2</sup>, and the tests repeated, and in such event, a maximum of four non-adjacent grid areas will be allowed to fail the test, and if the Amplification System fails the forty-area test, the building Owner must have the Amplification System altered to meet the 90% coverage requirement of section 30(1)(a) in order to be accepted;
  - (l) If the Amplification System fails to provide acceptable communication in any of the fire command centre, any portion of a stairwell, protect-in-place areas, lobby refuge areas, equipment rooms, or high-hazard areas, the building Owner must have the Amplification System altered to meet the 90% coverage requirement for these areas in order to be accepted;
  - (m) Backup batteries and power supplies for the Amplification System shall be tested under full load by generating communication traffic automatically for a duration of at least one hour, and if within the one-hour period, the battery shows no symptom of failure or impending failure, the test shall be continued for additional one hour periods to determine the integrity of the battery, and the battery must not fail within a four-hour continuous test period; and
  - (n) The gain values of all Amplification Systems shall be measured, using a service monitor that has been calibrated by a certified laboratory within the past twelve months, and the results shall be kept on file by the building Owner for future verification and monitoring of performance, and the gain records file must have multiple back-ups and be stored in more than one location.
- (3) The procedures used to test Amplification Systems annually shall be in accordance with the following guidelines:
- (a) At least annually, the building Owner shall test all active components of the Amplification System, including but not limited to all amplifiers, power supplies and back-up batteries;
  - (b) The Owner shall keep a record of any annual tests as part of the Fire Safety Plan for inspection by the Fire Department;
  - (c) The Amplification System's gain shall be adjusted if necessary in order to re-establish the gain recorded upon acceptance testing, and batteries and power supplies shall be tested under load for a period of at least one hour to verify that they will function properly during a power outage; and
  - (d) Additional tests or inspection of records with respect to the Amplification

System may be conducted from time to time by the Fire Department at the discretion of the Fire Chief, after giving reasonable notice to the building Owner.

**APPENDIX 1****Schedule O****Fire Prevention and Regulation Bylaw  
Offences and Fines**

Item #	Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
1	Enter limited area w/o permission	11(2)	\$200.00	\$175.00
2	Interfere with Member at Incident	14(1)(a)	\$350.00	\$300.00
3	Damage, destroy, obstruct, or otherwise interfere with Equipment	14(1)(b)	\$350.00	\$300.00
4	Refuse access to Member	14(1)(c)	\$350.00	\$300.00
5	Failure to comply with orders or provide information	14(2)	\$300.00	\$250.00
6	Enter building threatened by Incident	14(3)(a)	\$200.00	\$175.00
7	Enter designated area	14(3)(b)	\$200.00	\$175.00
8	Fail to leave designated area when directed	14(3)(c)	\$250.00	\$200.00
9	Remove ropes, guards or tapes	14(3)(d)	\$200.00	\$175.00
10	Failure to secure fire-damaged building	16(1)	\$250.00	\$200.00
11	Operating without inspection or approval	17A(1)(a)	\$250.00	\$200.00
12	Operating without paying inspection fee	17A(1)(b)	\$250.00	\$200.00
13	Operating without displaying valid fire inspection decal	17A(1)(c)	\$250.00	\$200.00
14	Failure to display valid service decal for fixed extinguishing system	17A(4)(b)	\$250.00	\$200.00
15	Failure to post instructions for fixed	17A(5)	\$250.00	\$200.00

	extinguishing			
16	Failure to display valid service decal for hood system	17A(6)(b)	\$250.00	\$200.00
17	Failure to have appropriate portable fire extinguishers	17A(6)(c)	\$250.00	\$200.00
18	Failure to display valid service decal for portable fire extinguisher	17A(6)(d)	\$250.00	\$200.00
19	Improper use of temporary electrical solutions	17A(6)(e)	\$250.00	\$200.00
20	Use of wood burning appliances	17A(6)(g)	\$250.00	\$200.00
21	Failure to have functioning gas leak detector	17A(6)(h)	\$250.00	\$200.00
22	Failure to maintain barrier between cooking appliance and public	17A(6)(i)	\$250.00	\$200.00
23	Failure to maintain 3 metres from structure or Motor Vehicle	17A(6)(j)	\$250.00	\$200.00
24	Improper tent or awning material	17A(6)(k)	\$250.00	\$200.00
25	Failure to comply with order	18(7)(a)	\$250.00	\$200.00
26	Failure to comply with order	18(7)(b)	\$300.00	\$250.00
27	Failure to comply with order	18(7)(c)	\$300.00	\$250.00
28	Failure to provide information	21	\$250.00	\$200.00
29	Withholding or providing false information	22	\$350.00	\$300.00
30	Obstruct Member during inspection	23	\$500.00	\$500.00
31	Make false alarm	24	\$350.00	\$300.00
32	Failure to install or maintain smoke alarm	24A(1)	\$250.00	\$200.00
33	Failure to replace smoke alarm	24A(3)	\$250.00	\$200.00
34	Violate no occupancy notice	25(2)	\$250.00	\$200.00



35	Remove no occupancy notice	25(3)	\$300.00	\$250.00
36	No approved lock box	26(1)	\$150.00	\$125.00
37	Failure to provide contact information for access	26(4)(a)	\$150.00	\$125.00
38	Failure to meet time requirements on site for access	26(4)(b)	\$150.00	\$125.00
39	Insufficient lock box contents	26(5)	\$150.00	\$125.00
40	Insufficient lock box	26(6)	\$150.00	\$125.00
41	Unauthorized access to lock box	26(7)	\$150.00	\$125.00
42	Failure to submit Fire Safety Plan	27(1)(a)	\$200.00	\$175.00
43	Improper storage of Fire Safety Plan	27(1)(b)	\$200.00	\$175.00
44	Failure to provide updated Fire Safety Plan	27(1)(c)	\$200.00	\$175.00
45	Failure to maintain fire watch	28(1)	\$250.00	\$200.00
46	Failure to maintain Fire Department Connections, standpipe systems and sprinklers	29	\$350.00	\$300.00
47	Failure to provide minimum standard communications	30(1)(a)	\$250.00	\$200.00
48	Failure to monitor standard of communications	30(1)(b)	\$250.00	\$200.00
49	Failure to maintain and test communications	30(1)(b)	\$250.00	\$200.00
50	Failure to maintain or make available record	30(1)(d)	\$250.00	\$200.00
51	Failure to notify of failure	30(3)(a)	\$250.00	\$200.00
52	Failure to repair in time	30(3)(b)	\$250.00	\$200.00
53	Failure of Amplification System to comply	30(5)(b)	\$250.00	\$200.00
54	Failure to test Amplification System	30(5)(c)	\$250.00	\$200.00

55	Failure to repair Amplification System	30(5)(d)	\$250.00	\$200.00
56	Failure to repair new building	30(6)	\$250.00	\$200.00
57	Failure to provide fire protection equipment	31(1)	\$300.00	\$250.00
58	Improper storage of materials	32(1)	\$200.00	\$175.00
59	Accumulate combustible materials	33(1)	\$200.00	\$175.00
60	Improper garbage storage	34(3)	\$200.00	\$175.00
61	Unauthorized use of fire hydrant	35(2)	\$200.00	\$175.00
62	Prohibited burning	36	\$250.00	\$200.00
63	Prohibited Open Air burning	37(1)	\$250.00	\$200.00
64	Fail to notify or supervise permitted fire	38(3)(b)	\$300.00	\$250.00
65	Obstruct access to Incident	41(1)	\$350.00	\$300.00
66	Refuse access to premises	41(2)	\$350.00	\$300.00
67	Impede, hinder, obstruct or otherwise interfere with Member executing bylaw	41(3)	\$350.00	\$300.00
68	Drive Motor Vehicle over Equipment	41(4)	\$150.00	\$125.00

NO. 14-100

**FIRE PREVENTION AND REGULATION BYLAW****A BYLAW OF THE CITY OF VICTORIA**

The purpose of this bylaw is to establish regulations pertaining to fire protection, fire prevention, fire suppression and the operation of the Fire Department within the City of Victoria.

Under its statutory powers, including sections 8.3(a), 8.3(g), 8.3(l), 66, 194 and 258 of the *Community Charter*, and sections 6, 10, 11, 21, 22, 25, 26 and 36 of the *Fire Services Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**CONTENTS****PART 1 – INTRODUCTION**

- 1 Title
- 2 Definitions
- 3 Adoption of Fire Code

**PART 2 – VICTORIA FIRE DEPARTMENT**

- 4 Continuation of the Fire Department
- 5 Fire Chief
- 6 General Authority
- 7 Deputy Fire Chief(s)
- 8 Limits of Jurisdiction
- 9 Rules, Regulations and Policies

**PART 3 – FIRE AND EMERGENCY OPERATIONS**

- 10 Right to Enter
- 11 Establish Boundary
- 12 Demolition
- 13 Section 25 of the *Fire Services Act*
- 14 Conduct of Persons at Incidents
- 15 Post-Incident Watch
- 16 Fire Damaged Buildings

**PART 4 – FIRE PREVENTION**

- 17 Regular System of Inspection
- 17A Mobile Cooking Operations
- 18 Condition and Compliance Inspection
- 19 Inspection of Fire Hazards
- 20 Inspection Attendance
- 21 Information at Inspection
- 22 False Information at Inspection
- 23 Obstruct Inspection
- 24 False Transmission of Alarm
- 24A Smoke Alarms

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- 25 No Occupancy
- 26 Lock Boxes for Building Access
- 27 Fire Safety Plan
- 28 Fire Watch for Prevention
- 29 Fire Department Connections
- 30 Emergency Radio Communications ~~Antennae on Buildings~~ Equipment
- 31 Fire Protection Upgrades
- 32 Storage
- 33 Combustible and Hazardous Materials
- 34 Garbage
- 35 Fire Hydrants
- 36 Prohibited Burning
- 37 Prohibition on Open Air Burning
- 38 Permit
- 39 Event Approval
- 40 Occupant Load
- 41 General Conduct of Persons

#### PART 5 – FEES

- 42 Requested Inspection
- 43 File Searches
- 44 Attendance Cost Recovery
- 45 Fire Investigation Fee

#### PART 6 – GENERAL PROVISIONS

- 46 Penalties
- 47 Severability
- 48 Conflict

#### Part 7 – TRANSITION

- 49 Repeal of Bylaw No. 96-010, the Fire Prevention and Regulation Bylaw
- 50 Repeal of Bylaw No. 04-114, the Fire Inspection Delegation Bylaw, is repealed
- 51 Ticket Bylaw Amendment

#### PART 8 – COMMENCEMENT

- 52 Commencement

#### PART 1 – INTRODUCTION

##### Title

1 <sup>4</sup> This bylaw may be cited as the “Fire Prevention and Regulation Bylaw”.

##### Definitions

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2 2 In this bylaw,

**"Amplification System" means**

within-building radio communications support and enhancement systems designed to overcome the interruption of emergency radio communications;

**"Apparatus" means**

any vehicle of the Fire Department

(a) ~~(a)~~ equipped with machinery, devices, Equipment or materials for firefighting; or

(b) ~~(b)~~ used to transport Members or supplies;

**"Building Code" means**

the British Columbia Building Code, as amended from time to time;

**"City" means**

the Corporation of the City of Victoria or the area within the municipal boundaries of the City of Victoria as the context may require;

**"Controlled Substance" means**

a controlled substance as defined and described in Schedules I, II and III of the *Controlled Drugs and Substances Act* (Canada), as amended from time to time, but does not include the trade or manufacture of a Controlled Substance that is permitted under that Act;

**"Dangerous Goods" means**

dangerous goods as defined in the *Transport of Dangerous Goods Act* (British Columbia), as amended from time to time, asbestos and any other material which, because of toxic or other inherent characteristics, constitutes a fire hazard or a hazard to life, safety or health;

**"Delivered Audio Quality of 3.4" means**

speech over radio that is understandable without repetition and may have some noise or distortion present;

**"Deputy Fire Chief" means**

any Member designated by the Fire Chief as a deputy Fire Chief;

**"Equipment" means**

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any tools, contrivances, devices or materials used by the Fire Department to respond to any Incident, conduct any investigation or provide other functions of the Fire Department;

**“Fire Alarm System”** means

“Fire Alarm System” as defined in the City’s False Alarm Bylaw, as amended from time to time;

**“Fire Chief”** means

the Member appointed from time to time by the City Council as the head of the Fire Department;

**“Fire Commissioner”** means

“fire commissioner” as defined in the *Fire Services Act*;

**“Fire Department”** means

the City of Victoria Fire Department;

**“Fire Department Connection”** means

a connection to a building through which the Fire Department can pump supplemental water into a –sprinkler system, standpipe, or other system, which furnishes water for fire extinguishment to supplement existing water supplies;

**“Fire Services Act”** means

the *Fire Services Act* (British Columbia), as amended from time to time;

**“Fire Safety Plan”** means

the measures set out in Article 2.8.2 of Division B – Part 2 of the *Fire Code*;

**“Fire Code”** means

the British Columbia Fire Code, as amended from time to time;

**“Fire Protection”** means

all aspects of fire safety including, but not limited to,

- (a) fire prevention;
- (b) fire suppression;
- (c) pre-incident planning;

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- (d) investigations;
- (e) inspections;
- (f) public education and information; and
- (g) Member training and development;

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**“Grease” means**

rendered animal fat, vegetable shortening, or other such oily matter used for the purpose of and resulting from cooking or preparing foods;

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**“Hotel” means**

“hotel” as defined in the *Fire Services Act*, as amended from time to time;

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**“Incident” means**

a fire, an explosion, a situation where a fire or explosion is imminent, or any other situation presenting a danger or possible danger to life, property or the environment and to which the Fire Department responds or attends;

**“Member” means**

any employee of the City who works within the Fire Department;

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**“Mobile Cooking Operation” means**

any vehicle, cart, trailer, or other temporary or portable installation that is not part of a building and is utilized for the sale and production of food or beverages;

**“Motor Vehicle” means**

“motor vehicle” as defined by the *Motor Vehicle Act* (British Columbia), as amended from time to time;

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**“NFPA 10” means**

the Fire Code referenced standard of the National Fire Protection Association’s “Standard for Portable Fire Extinguishers”, which is referred to as “NFPA 10” in the Fire Code;

**“NFPA 96” means**

the Fire Code referenced standard of the National Fire Protection Association’s “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations”, which is referred to as “NFPA 96” in the Fire Code;

**“NFPA 705” means**

the Fire Code referenced standard of the National Fire Protection Association’s “Recommended Practice for a Field Flame Test for Textiles and Films”, which is referred to as “NFPA 705” in the Fire Code;

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**“Occupier” means**

“occupier” as defined in the *Fire Services Act*, as amended from time to time;

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**“Open Air Burning” means**

any burning of any kind, of any material, for any purpose that takes place outside of a building, structure, accessory building or commercial establishment, or anywhere else outdoors;

**“Operator” means**

a person carrying on the business of operating a Mobile Cooking Operation;

**“Owner” means**

“owner” as defined under the *Community Charter* (British Columbia), as amended from time to time;

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**“Park” means**

“park” as defined in the Parks Bylaw, as amended from time to time;

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**“Permit” means**

a permit issued under this bylaw which authorizes Open Air Burning;

**“Public Building” means**

“public building” as defined by the *Fire Services Act*, as amended from time to time;

**“Qualified Technician” means**

a person who demonstrates to the satisfaction of the Fire Chief that they have the certification and training necessary to perform inspections, testing and maintenance on fire protection equipment in accordance with manufacturer’s specifications and the applicable standards;

**“Service” means**

the City’s public safety communications service provider;

**“Shadowed Area” means**

an area that suffers attenuation or obstruction of radio signals to or from the area as a result of the interposition of all or any part of the building or structure in the radio signal path between the area and the transmitting/receiving site of the Service;

“Smoke Alarm” means  
“smoke alarm” as defined by the Building Code.

**Adoption of Fire Code**

3 ~~3~~—The Fire Code is adopted by this bylaw and shall be applicable within the City.

**PART 2 – VICTORIA FIRE DEPARTMENT**

**Continuation of the Fire Department**

4 ~~4~~—The Fire Department is continued under the Fire Chief who is the head of the Fire Department.

**Fire Chief**

5 ~~5~~—The Fire Chief shall be appointed by City Council.

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## General Authority

~~6~~ ~~6~~ ~~(1)~~

(1) The Fire Chief is authorized to

- (a) manage, control and supervise the Fire Department activities and Members;
- (b) appoint or authorize Members to exercise any of the Fire Chiefs' powers on such terms and conditions as the Fire Chief considers appropriate, and revoke any such appointment or designation; and
- (c) carry out all other actions the Fire Chief is authorized to perform pursuant to this bylaw, the Fire Code and any Act.

(2) ~~(2)~~ The Fire Chief, and every Member authorized by the Fire Chief, is authorized to

- (a) take all measures the he or she considers necessary to
  - (i) ~~(i)~~ prevent, suppress, control and extinguish fires;
  - (ii) mitigate the effects of Incidents;
  - (iii) mitigate the effects of Dangerous Goods; and
  - (iv) protect life and property;
- (b) provide first response medical care;
- (c) conduct rescue operations;
- (d) have the care, custody and control of all Apparatuses, Equipment and Fire Department buildings;

## Deputy Fire Chief(s)

~~7~~ ~~7~~ ~~(1)~~

(1) The Fire Chief may appoint one or more Deputy Fire Chiefs to exercise all the powers and perform all the duties of the Fire Chief in Fire Chief's absence.

(2) ~~(2)~~ The Deputy Fire Chiefs shall report to the Fire Chief.

## Limits of Jurisdiction

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~~8~~ ~~8~~—No Apparatus or Equipment shall be used or operated beyond the municipal boundaries of the City unless the use or operation is authorized

~~(a)~~ ~~(a)~~—by an agreement between the City and another jurisdiction to supply Fire Protection;

~~(b)~~ ~~(b)~~—by the Fire Chief, or any Member authorized by the Fire Chief, to assist another jurisdiction in circumstances the Fire Chief or authorized Member deems necessary or appropriate due to an exceptional situation or emergency; or

~~(c)~~ ~~(c)~~—by the Fire Chief for involvement in a special event.

#### Rules, Regulations and Policies

~~9~~ ~~9~~—The Fire Chief may make policies and operational guidelines for the proper and efficient administration and operation of the Fire Department and may vary, alter, or repeal such policies and operational guidelines as he or she deems necessary.

### PART 3 – FIRE AND EMERGENCY OPERATIONS

#### Right to Enter

~~10~~ ~~40~~—The Fire Chief, and any Member authorized by the Fire Chief, is authorized to enter on property and into premises, with or without Apparatus or Equipment, to combat, control, investigate or otherwise deal with an Incident.

#### Establish Boundary

~~11~~ ~~11 (1)~~—

~~(1)~~ The Fire Chief, and any Member authorized by the Fire Chief, may establish limited entry areas in the vicinity of an Incident.

(2) No person shall enter a limited area established pursuant to section 11(1) without the authorization of a Member.

(3) The Fire Chief, and any Member authorized by the Fire Chief, at an Incident may request peace officers enforce restrictions on persons entering within the limited area established pursuant to section 11(1).

#### Demolition

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~~12~~ ~~12 (1)~~

(1) The Fire Chief, and any Member authorized by the Fire Chief, may order the damage, destruction or demolition of any building, part of a building, structure, equipment or other private property, as may be necessary to extinguish, suppress or prevent the spread of fire or prevent the potential collapse of a building resulting from an Incident.

(2) ~~(2)~~ None of the City, the Fire Department or any of their elected or appointed officials, officers, employees or Members shall be obligated to restore or pay compensation for property damaged, destroyed or demolished pursuant to section 12(1).

(3) ~~(3)~~ Within 30 days of destructing or demolishing a building pursuant to section 12(1), the Fire Chief, or Member authorized by the Fire Chief, shall provide notice of the destruction or demolition to the City's Chief Building Official.

(4) ~~(4)~~ If the Fire Chief or other Member arranges for damage, destruction or demolition pursuant to section 12(1), the Owner of the property subject to such services shall pay to the City the fee specified in Schedule "A" of this bylaw.

## Section 25 of the *Fire Services Act*

~~13~~ ~~13~~ Without limiting the generality of any other provision of this bylaw, the Fire Chief, and any Member authorized by the Fire Chief, is authorized to exercise all of the powers of the Fire Commissioner under section 25 of the *Fire Services Act*.

## Conduct of Persons at Incidents

~~14~~ ~~14 (1)~~

(1) No person shall

- (a) impede, hinder, obstruct or otherwise interfere with any Member in the extinguishment of a fire or in the control of any other Incident;
- (b) damage, destroy, obstruct, impede or hinder the operation of any Apparatus or Equipment;
- (c) refuse to allow a Member to

~~(ii)(i)~~ enter into or upon any premises from which a fire alarm or

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other report of an emergency has been received or where the Member believes that an Incident or other circumstance which poses or may pose a risk to life safety or property exists;

~~(iii)~~(ii) enter or pass through or over buildings or property adjacent to an incident or allow Apparatus and Equipment to enter or pass through or over buildings or property where deemed necessary to gain access to the Incident or to protect any person or property;

~~(2)~~ (2) — Every person at or near a fire, emergency, or other Incident shall

- (a) comply with the orders or directions of all Members; and
- (b) provide any information that person may have relating to the fire, emergency or other Incident to any Member who requests that information.

~~(3)~~ (3) — Except as authorized by the Fire Chief or other Member, no person shall

- (a) enter any building threatened by an Incident; until such time as active fire operations and fire investigations have been completed and the care of the property returned to the Owner;
- (b) enter within an area designated by ropes, guards or tapes, which are erected by or under the direction of a police officer or the Fire Department, across or around any or all streets, lanes, alleys or buildings;
- (c) refuse to move from a designated area referred to in section 14(3)(b) when directed by a police officer or a Member; or
- (d) ~~or~~ remove any ropes, guards or tapes referred to in section 14(3)(b).

#### Post-Incident Watch

~~15~~ ~~15~~ (1) — After an Incident has occurred, the Fire Chief, and any Member authorized by the (1) Fire Chief, may require that one or more Members, with or without Apparatus, remain at the Incident site to provide a post-Incident watch for a period of time the Fire Chief or authorized Member deems necessary to secure the property against further Incident.

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(2) ~~(2)~~ —The Owner of a property subject to a post-Incident watch pursuant to section 15(1) shall pay to the City the fee specified in Schedule “A” of this bylaw.

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## Fire Damaged Buildings

~~16~~ ~~16 (1)~~

~~(1)~~ The Owner of a fire-damaged building shall promptly take all steps necessary to secure the building against the entry of unauthorized persons, including, but not limited to, guarding the building and securing all openings to the building.

~~(2)~~ ~~(2)~~ If an Owner fails to provide the necessary security to a fire-damaged building within a reasonable time, or within the time directed by the Fire Chief, or any Member authorized by the Fire Chief, the Fire Chief or authorized Member may cause the work required pursuant to section 16(1) to be conducted by employees, agents or contractors of the City.

~~(3)~~ ~~(3)~~ If the Fire Chief, or any Member authorized by the Fire Chief, arranges for services pursuant to section 16(1), the Owner of the property subject to such services shall pay to the City the fee specified in Schedule "A" of this bylaw.

## PART 4 – FIRE PREVENTION

### Regular System of Inspection

~~17~~ ~~17 (1)~~

Hotels, Public Buildings, churches, theatres, halls and other buildings used as a place of

~~(1)~~ public resort shall be inspected in accordance with the regular system of inspection detailed in Schedule "C".

~~(2)~~ ~~(2)~~ Mobile Cooking Operations shall be inspected in accordance with section 17A.

~~(3)~~ The Fire Chief, and any Member authorized by the Fire Chief, is authorized to enter on property and inspect premises in order to perform inspections pursuant to this section ~~17(1)~~.

### Mobile Cooking Operations

17A (1) No person shall operate a Mobile Cooking Operation unless:

(a) the Mobile Cooking Operation has been inspected and approved by the Fire Chief, or any Member authorized by the Fire Chief;

(b) the Operator has paid the fee for inspection specified in Schedule "B"; and

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- (c) the decal indicating that the Fire Chief has approved the Mobile Cooking Operation is displayed in a conspicuous place on the Mobile Cooking Operation.
- (2) Every approval pursuant to section 17A(1)(a) shall be valid until the 31<sup>st</sup> day of December of the same year, but the full inspection fee shall nevertheless be payable for every inspection.
- (3) On or before January 15 of every calendar year that the Operator continues to operate the Mobile Cooking Operation, the Operator must arrange for a new inspection pursuant to section 17A(1)(a) and pay the inspection fee specified in Schedule "B".
- (4) The Operator of a Mobile Cooking Operation that produces Grease laden vapor must:
- (a) be in compliance with NFPA 96 and have appropriate equipment installed, used and maintained as to prevent a hazard; and
  - (b) display a valid service decal from a Qualified Technician on all fixed extinguishing systems.
- (5) The Operator of a Mobile Cooking Operation that has a fixed extinguishing fire protection system must have instructions for use of the system posted in a conspicuous place within the cooking area.
- (6) The Operator of a Mobile Cooking Operation must:
- (a) have any hoods, Grease removal devices, fans, ducts and other appurtenances in the Mobile Cooking Operation cleaned at frequent intervals to prevent surfaces from becoming heavily contaminated with Grease or other residues;
  - (b) have any service on a hood system in the Mobile Cooking Operation completed by a Qualified Technician, and display a valid service decal upon the hood system indicating that service on the hood system has been completed;
  - (c) install portable fire extinguishers within the Mobile Cooking Operation in accordance with NFPA 10 requirements;
  - (d) have any portable fire extinguishers within the Mobile Cooking Operation serviced annually by a Qualified Technician and display a valid service decal accordingly;
  - (e) ensure that any temporary electrical power generators and connections for the Mobile Cooking Operation are:

- (i) of proper grade and rated by a testing laboratory,
  - (ii) protected from weather, vehicle traffic, and restricted from public access,
  - (iii) properly grounded, and
  - (iv) used as per manufacturers specifications;
  - (f) ensure that any appliances and equipment used at the Mobile Cooking Operation are certified for commercial use and installed and maintained in accordance with their certification and applicable standards;
  - (g) subject to section 17A(7), not use any wood burning appliances for the Mobile Cooking Operation;
  - (h) if the Mobile Cooking Operation is located inside a Motor Vehicle or other vehicle utilizing natural gas or propane, install and maintain within the Mobile Cooking Operation a gas monitoring detector with alerting capabilities with respect to unsafe levels of gas or propane;
  - (i) ensure there is a barrier of no less than one meter horizontally and vertically between any cooking appliance of the Mobile Cooking Operation and the public;
  - (j) ensure that the Mobile Cooking Operation is a minimum distance of three meters from any other structure or Motor Vehicle; and
  - (k) if the Mobile Cooking Operation utilizes any tent or awning, the material of the tent or awning must be fire resistive and conform to the requirements of NFPA 705.
- (7) A Mobile Cooking Operation that utilized wood burning appliances and was approved by the Fire Chief prior to the date of adoption of Fire Prevention and Regulation Bylaw, Amendment Bylaw No. 1 (No. 21-010) may continue to use wood burning appliances, provided that the scale or extent of use is not significantly greater than at the time of approval.

#### Condition and Compliance Inspection

18—(1)—

In addition to carrying out the regular system of inspections pursuant to ~~section~~ (1) sections 17 and 17A, the Fire Chief, and any Member authorized by the Fire Chief, is authorized to enter onto any property within the City at any time and inspect premises or a Mobile Cooking Operation for the purposes of ascertaining whether

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(a) conditions exist which may cause a fire, increase the danger of fire or increase the danger to persons or property from a fire;

(b) — requirements of this bylaw are being complied with; and

(c) — requirements of the Fire Code are being complied with.

(2) (2) — If, after performing an inspection pursuant to ~~sections~~ section 17, 17A or 18(1), the Fire Chief, or any Member authorized by the Fire Chief, determines that a property or Mobile Cooking Operation is not in compliance with this bylaw or the Fire Code, or that one or more conditions exist which may be a fire hazard, increase the danger of fire or the danger to persons or property from a fire, the Fire Chief, and any Member authorized by the Fire Chief, may issue an order to the ~~Owner or any Occupier of the property~~ following persons to do what is necessary to remove the condition or to bring the property or Mobile Cooking Operation into compliance within a specified time period and advise of a return date for a re-inspection:

(a) (3) — for an inspection of a property, to the Owner or any Occupier of the property; or

(b) for an inspection of a Mobile Cooking Operation, to the Operator of the Mobile Cooking Operation.

(3) The Fire Chief, and any Member authorized by the Fire Chief, is authorized to enter onto a property and premises, and into a Mobile Cooking Operation to re-inspect a site following an order made pursuant to section 18(2).

(4) (4) — If upon the first re-inspection of a ~~site~~ property or premises pursuant to section 18(3), the Fire Chief, or any Member authorized by the Fire Chief, determines that an order issued pursuant section 18(2) has not been complied with, he or she may either

(a) schedule a second re-inspection and further subsequent re-inspections, if required, to ascertain whether the order has been complied with, and the person to whom the order was made shall pay to the City the re-inspection fee specified in Schedule "A" for the second, and each subsequent, re-inspection; or

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- (b) at any time, arrange to have all work necessary to bring the property into compliance with the order, and the person to whom the original order was issued shall pay the City the fee specified in Schedule "A" of this bylaw,

whichever the Fire Chief or authorized Member deems most appropriate for efficient correction and safety.

(5) — (5) — If upon the first re-inspection of a Mobile Cooking Operation pursuant to section 18(3), the Fire Chief, or any Member authorized by the Fire Chief, determines that an order issued pursuant section 18(2) has not been complied with, he or she may schedule a second re-inspection and further subsequent re-inspections, if required, to ascertain whether the order has been complied with, and the person to whom the order was made shall pay to the City the re-inspection fee specified in Schedule "B" for the second, and each subsequent, re-inspection.

(6) Notwithstanding any of the requirements of this section, anyone that fails to comply with an order issued pursuant to this section remains subject to penalties pursuant to this bylaw.

(7) An Owner ~~or~~, Occupier or Operator who is issued an order pursuant to

(a) ~~(a)~~ — section 18(2); ~~or~~

(b) ~~(b)~~ — section 18(4)(a); or

(c) section 18(5)

must comply with the order in the time specified within the order.

### Inspection of Fire Hazards

19 ~~19~~ In addition to the inspections authorized pursuant to sections 17, 17A and 18 of this bylaw, the Fire Chief, and any Member authorized by the Fire Chief, is authorized to exercise within the City all the powers under sections 21 and 22 of the *Fire Services Act* and, with the written approval of the Fire Commissioner, the powers conferred in section 23 of the *Fire Services Act*.

### Inspection Attendance

20 ~~(1)~~ An Owner or Occupier of property or an Operator of a Mobile Cooking Operation who has been notified of an inspection to be

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20 conducted pursuant to this bylaw, or any other enactment relating to fire safety, must ~~attend, or have an agent attend on his or her behalf, at provide access to the property site to any Member or other inspector conducting the inspection~~ on the date and at the time specified in the notice ~~to provide access for the inspection, and any person who fails to do so shall pay to the City the fee specified in Schedule "A".~~

(2) Access may be provided by the Owner, Occupier or Operator pursuant to section 20(1) by attending the site, having an agent attend on their behalf, or by providing access to a key.

#### Information at Inspection

21 ~~24~~ Every Owner and Occupier of a property and Operator of a Mobile Cooking Operation shall provide all information and shall render all assistance required by any Member, or other inspector in connection with any inspection of that ~~property location~~ being conducted pursuant to this bylaw, the Fire Code, or the *Fire Services Act*.

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### False Information at Inspection

22 ~~22~~ No person shall withhold or falsify any information required by any Member, nor refuse to assist in an inspection under this bylaw.

### Obstruct Inspection

23 ~~23~~ No person shall obstruct or interfere with any Member during an inspection under this bylaw.

### False Transmission of Alarm

24 ~~24~~ No person shall cause an alarm to be transmitted to the Fire Department by telephone, Fire Alarm System, in person or by other means, knowing that an emergency or Incident does not exist.

### Smoke Alarms

#### 24A

(1) Every Owner of a building shall ensure that Smoke Alarms are installed and maintained in accordance with the Building Code and the Fire Code.

(2) Smoke Alarms may only be individually battery powered in accordance with the Building Code.

(3) Smoke Alarms must be replaced when they become inoperable or have exceeded their lifespan as per the manufacturer's specifications.

### No Occupancy

25 ~~25 (1)~~

(1) If the Fire Chief, or Member authorized by the Fire Chief, deems a site, or any portion of a site, to be hazardous for occupation, the Fire Chief or authorized Member may post a notice on any building, structure or area at that site specifying that occupancy may be hazardous and is not permitted.

(2) (2) No person shall enter or occupy a building, structure or area affected by a noticed posted pursuant to section 25(1).

(3) (3) No person, other than a Member, shall remove a notice posted pursuant to section 25(1).

### Lock Boxes for Building Access

26

(1) Subject to section 26 (1) — Every (2), every Owner of a premises which

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- (a) is an apartment building, whether rental or strata owned;
- (b) is a commercial building with shared common properties;
- (c) requires a Fire Safety Plan; or
- (d) is equipped with

~~(i) (i)~~ — a Fire Alarm System;

(ii) an automatic fire sprinkler system;

(iii) a firefighting standpipe and water supply connection in a locked room or area, including on a roof;

(iv) key operated elevator control feature which permits exclusive use of elevators to firefighting personnel;

(v) locked security gates; or

(vi) locked access doors for security gates

must ensure a lock box approved by a Member is, at the Owner's expense, installed, maintained and kept in good repair at a location approved by a Member on the exterior of such building or premises and which is clearly identified as being for the sole use of the Fire Department.

~~(2) (2)~~ — An Owner of a premises is not required to install a lock box if a staff person is on site at the premises to provide the Fire Department access to all items listed in section 26(5) 24 hours per day, 7 days per week, subject to section 26(3).

~~(3) An Owner of a premises may intermittently not have a staff person on site in accordance with section 26(2), provided that at all such times, a staff person that can provide access is available and can be on the premises within fifteen minutes of notification by the Fire Department.~~

~~(4) Any Owner of a premises that does not contain a lock box in accordance with section 26(1):~~

~~(a) must provide the Fire Department with the contact details of any persons who are to provide access pursuant to sections 26(2) and (3); and~~

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(b) is subject to penalties under this bylaw if none of the contacts provided pursuant to section 26(4)(a) are able to provide access to all items listed in section 26(5) within fifteen minutes of notification by the Fire Department.

(5) An Owner must ensure that any lock box required pursuant to section 26(1) contains all current keys and devices required in an emergency to open any of the following ~~which exist~~ items that are present in the building:

(a) ~~(a)~~ — doors or hatches to the principal entrance;

~~(e)~~ (b) firefighting safety/control features;

~~(d)~~ (c) elevator;

~~(e)~~ (d) service rooms for firefighting purposes; and

~~(f)~~ (e) any door that permits entry into a common area.

(6) ~~(3)~~ — If a lock box installed pursuant to section 26(1) is not of a size sufficient to hold all contents required under this bylaw, the Owner shall, at the Owner's expense and ~~to~~ with the approval of a Member, either replace the lock box with one of a suitable size or install a second lock box.

(7) ~~(4)~~ — No person, other than a Member, may open a lock box.

(8) ~~(5)~~ — Members shall, at all times, be permitted to have access to any lock box required pursuant to this bylaw.

## Fire Safety Plan

27- (1) — An Owner of a building, site or other area which requires a Fire Safety Plan pursuant to the Fire Code must

(a) submit the Fire Safety Plan to the Fire Chief, in a form specified by the Fire Chief, for review and approval;

(b) ensure the Fire Safety Plan is stored on the property in a Fire Safety Plan box of a type and in a location approved by the Fire Chief, or Member authorized by the Fire Chief, and further ensure that the Fire Safety Plan box:

(i) ~~(i)~~ — remains locked;

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(ii) (ii) — remains accessible to any Member using a Fire Department lock box key;

(iii) is ~~red in colour and contains letters in white stating a secured box or enclosure that is clearly labelled~~ "Fire Safety Plan"; ~~in contrasting colours~~; and

(c) provide the Fire Chief with an updated Fire Safety Plan within 30 days of any changes being made to the Fire Safety Plan.

(2) (2) — An Owner who submits a Fire Safety Plan pursuant to section 27(1)(a) or provides an update pursuant to section 27(1)(c) which includes sufficient changes that the Fire Chief, or Member authorized by the Fire Chief, determines that a full review is required, shall pay the fee specified in Schedule "B" of this bylaw.

## Fire Watch for Prevention

28

(1) —

(1) If a Hotel or Public Building contains a Fire Alarm System, sprinkler system or emergency power system which is not properly functioning, the Owner of that property must institute and maintain a fire watch of the property until such time as the system is fully operational.

(2) (2) — A fire watch pursuant to section 28(1) requires that the Owner, or an agent of the Owner, attend at the property and perform all the following activities:

- (a) — maintain continued attendance throughout the fire watch;
- (b) post written notices at all entrances and exits on each floor of the subject building stating that a fire watch is in effect and its expected duration;
- (c) — provide a physical inspection of all public areas of the subject building;
- (d) note in an entry book at least every hour the safety conditions in the subject building;
- (e) ensure on-site provision of a communications device capable of making a

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911 call; and

- (f) post instructions in the subject building as to the alternate actions to be taken in the case of an emergency, and if a Fire Safety Plan exists for the building, the instructions shall be in accordance with the Fire Safety Plan.

~~(3)~~ ~~(3)~~ — If a Hotel or Public Building contains a Fire Alarm System, sprinkler system or emergency power system which is not properly functioning, and the Owner, or Owner's agent, is not in attendance at the property performing a fire watch in accordance with section 28(2), the Fire Chief, and any Member authorized by the Fire Chief, may arrange for one or more Members to attend at the property and remain at the site until the Owner or the Owner's agent arrives to commence or continue the fire watch.

~~(4)~~ ~~(4)~~ — If one or more Members attend at a property pursuant to section 28(3) in excess of 1 hour, the Fire Chief, and any Member authorized by the Fire Chief, may either:

~~(a)~~ ~~(a)~~ — continue to maintain as many Members at the property as the Fire Chief or authorized Member deems necessary for the fire watch and the Owner shall pay the City the fee specified in Schedule "A"; or

~~(b)~~ ~~(b)~~ — retain the services of a private security company to maintain the fire watch until the Owner or Owner's agent attends to assume the fire watch or until the fire watch is no longer required, and Owner shall pay the City the fee specified in Schedule "A" of this bylaw. ▲

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## Fire Department Connections

29 ~~29~~ Every Owner or Occupier of a new or existing property for which the Building Code requires Fire Department Connections must ensure that

- (a) the Fire Department Connections, standpipes systems and sprinklers are located and installed in accordance with the Building Code and applicable building permit;
- (b) all Fire Department Connections, protective caps, standpipe systems and sprinklers are kept clean, functional, and in place at all times, and to promptly clean, repair and replace Fire Department Connections, protective caps, standpipe systems and sprinklers as necessary;
- (c) access to Fire Department Connections for sprinklers and standpipe systems are clearly identified, functional and in good repair;
- (d) signs are displayed which identify which Fire Department Connection serves a particular sprinkler or standpipe system and the maximum pumping pressure at a Fire Department Connection;
- (e) each fire sprinkler and standpipe Fire Department Connections is kept free and clear, by at least one metre, from all shrubbery, trees, other vegetation, structures, buildings or other obstructions; and
- (f) each Fire Department Connections is clearly visible at all times from the Fire Department access route, unless approved otherwise by the Fire Chief or other Member authorized by the Fire Chief.

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## Emergency Radio Communications ~~Antennas on Buildings~~ Equipment

30 \_\_\_\_\_

(1) Where ~~the design or construction methods of a new or existing Public Building or Hotel-a building~~ may cause poor radio communications for ~~firefighting and rescue operations~~the Service, or where ~~an~~the Owner ~~of the building~~ is directed to do so by the Fire Chief, or ~~any~~ Member authorized by the Fire Chief, the Owner of ~~at~~the building ~~shall~~must, at the ~~Owner's~~Owner's expense, ensure that ~~an engineered communications antenna, which:~~

(a) all of the following areas meet a minimum standard Delivered Audio Quality

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of 3.4, as certified by a professional engineer, registered in the Province of British Columbia:

- (i) within the building, a minimum of 90% of the area of each floor of the building, including underground areas, and
- (ii) within Shadowed Areas of the building, a minimum of 90% of all areas where Delivered Audio Quality of 3.4 could be achieved before the erection, construction or modification of the building or structure;

(b) continual monitoring is satisfactory, always active for any system put in place to ensure that the requirements specified in section 30(1)(a) are met;

(c) maintenance and testing is conducted annually by a professional engineer, registered in the Province of British Columbia, to ensure the requirements specified in section 30(1)(a) are met; and

(d) a record of the maintenance and testing referred to in section 30(1)(c) is maintained and available for inspection by the Fire Chief or Member authorized Member, is by the Fire Chief.

(2) The radio frequency range that must be supported for radio communications pursuant to section 30(1) shall be any frequencies used by the network of the Service.

(3) If a building fails to meet the requirements specified in section 30(1)(a), the Owner of the building must, as soon as the owner becomes aware of the failure:

- (a) notify the Fire Chief in writing as soon as practicable; and
- (b) make repairs or other works within five business days, to meet the requirements specified in section 30(1)(a).

(4) If the Owner of a building fails to complete repairs or other works under section 30(3)(b) to the satisfaction of the Fire Chief, the Fire Chief may have a temporary Amplification System installed and maintained on the building in order to meet the requirements specified in section 30(1)(a) at the expense of the Owner of the building, to be recovered as a debt owing to the City, which, if not recovered from the Owner of the building by December 31, may be collected in the same manner as for property taxes.

(5) If an Amplification System is required to meet the requirements specified in section

30(1)(a) in the building.

(a) the building Owner must coordinate with the Service to ensure that the Service's outdoor radio communication performance is not degraded by such amplification, and if the Service determines that the requirements of section 30(1)(a) cannot be met while still maintaining the Service's outdoor radio communication performance, the building Owner must communicate that decision promptly to the Fire Chief, in writing; and

(b) the Amplification System must comply with section 1 of Schedule "D", and may include any of the following in order to meet the requirements of section 30(1)(a):

- (i) passive antenna systems or radiating cable systems,
- (ii) distributed antenna systems with uni-directional or bi-directional amplifiers as needed,
- (iii) voting receiver systems, or
- (iv) another system that will improve audio quality of radio communications, as certified by a professional engineer, registered in the Province of British Columbia, and to the satisfaction of the Fire Chief;

(c) the Amplification System must be tested annually in accordance with section 2 of Schedule "D"; and

(d) if any testing of the Amplification System shows that communications within the building or within the Shadowed Area have degraded such that they fail to meet the requirements specified in section 30(1)(a), the Owner of the building shall make repairs or other works within five business days to remedy the problem and meet the requirements specified in section 30(1)(a), unless the Owner can demonstrate conclusively that the degradation is solely the result of external changes not under their control.

(6) If a new building has caused a decline below the requirements specified in section 30(1)(a) in an existing building, the Fire Chief, or a Member authorized by the Fire Chief, may require the Owner of the new building, at their expense, to provide for repairs or other works under section 30(3)(b) so that the existing building again meets the requirements specified in section 30(1)(a), to the satisfaction of the Fire Chief.

(7) This section 30 shall not apply to:

(a) any single-family detached or semi-detached residence;

- (b) any building or structure constructed of wood frame and not metal-clad;
- (c) any building or structure less than 5000 square metres in floor space; or
- (d) any building or structure less than 12 metres in height.

(8) The construction or erection of a building or structure that interferes with the City's emergency radio or telecommunications networks shall constitute a nuisance because it threatens the health, safety and welfare of those in the City, and in addition to any other remedies or enforcement procedures provided in this bylaw, the City may seek an injunction to restrain such a nuisance.

## Fire Protection Upgrades

31- (1)

(1) The Fire Chief, and any Member authorized by the Fire Chief, may require any Owner or Occupier of a Hotel or Public Building, to provide or make alterations to the building's fire protection equipment, including, but not limited to heat and smoke detection systems, Fire Alarm Systems, emergency power sources, exit signs, fire separations, standpipe systems, sprinklers and means of egress.

(2) (2) Any required provisions or alterations required by the Fire Chief, or authorized Member, pursuant to section 31(1) shall not exceed the requirements set out in the Building Code.

## Storage

32- (1) An Owner of a Public Building or Hotel must ensure no material or item is stored in

- (a) locker room aisles;
- (b) elevator rooms;
- (c) service rooms; or
- (d) parking areas;

unless first approved in writing by the Fire Chief, or Member authorized by the Fire Chief, prior to the date of adoption of Fire Prevention and Regulation Bylaw, Amendment Bylaw No. 1 (No. 21-010).

(2) In the event that the scale or extent of storage permitted pursuant to section 32(1)

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increases from that at the time of approval, then the storage is no longer permitted and the Owner must comply with section 32(1).

### Combustibles and Hazardous Materials

33 33 (1)

(1) An Owner or Occupier of a property shall not permit combustible materials of any kind, including growth, waste, rubbish or hazardous substances, to accumulate

(a) — in quantities or at locations that will constitute an undue fire hazard; or

(b) in any part of an elevator shaft, ventilation shaft, stairway, or other means of egress or fire escape.

(2) (2) — Section 33(1) does not apply to combustible materials which are accumulated at locations specifically designated for that purpose, provided that the quantity and means of storage conform the limits, standards and requirements established for that location and function.

### Garbage

34 34 (1)

(1) All commercial or communal garbage containers larger than a 90 litre (20 gallon) capacity shall be stored at a location that is approved by the Fire Chief, or any Member authorized by the Fire Chief, and which is no less than 5 metres (16 feet) from any combustible construction or materials or unprotected building openings.

(2) (2) — If the clearances required by section 34(1) of this bylaw cannot be met, a non-combustible container with non-combustible self-closing lids and no hold-open devices may be used, provided that the container is placed in a location that is approved by the Fire Chief, or any Member authorized by the Fire Chief, and which is no less than 1 metre (3 feet) from any combustible construction or materials or unprotected building openings.

(3) — No Owner shall store or permit to be stored any commercial or communal garbage containers larger than a 90 litre (20 gallon) capacity in any manner other than in accordance with the specifications detailed in sections 34(1) or 34(2).

### Fire Hydrants

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35 ~~35 (1)~~ \_\_\_\_\_

(1) Every Owner of land on which a fire hydrant is located shall ensure that an area with a radius of one metre (three feet) is maintained clear and unobstructed around the fire hydrant, and in clear view from the roadway when approached from either direction.

(2) No person, except a Member, shall use or take water from any fire hydrant or standpipe, nor attach anything to a fire hydrant or standpipe, without first obtaining written permission from the Fire Chief, or any Member authorized by the Fire Chief.

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## Prohibited Burning

~~36~~ ~~36~~ No person shall burn in a fireplace, stove or incinerator any materials other than seasoned firewood or similar material designed for that use and which do not contain painted, treated or adhesive materials.

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## Prohibition of Open Air Burning

~~37~~ ~~37 (1)~~ —  
(1) No person shall light, ignite, start or burn any fire in the open air or in any portable incinerator, chiminea, outdoor fireplace or other portable outdoor burner without first obtaining a Permit, unless:

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(a) ~~(2)~~ — the fire is for one of the purposes listed in section 38(1)(b), and

(b) a Permit is first obtained.

(2) Section 37(1) shall not apply to

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(a) fires permitted in a Park pursuant to the Parks Regulation Bylaw;

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(b) charcoal, natural gas or propane gas fires contained within barbecues, grills or other outdoor appliances for the sole purpose of cooking food; or

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(c) liquid or gas fuelled appliances listed for outdoor use, provided such appliance

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(i) ~~(i)~~ — is Canadian Standards Association or Underwriters Laboratory of Canada approved; and

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(ii) ~~(ii)~~ — at all times used in accordance with the manufacturer's instructions.

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## Permit

~~38~~ ~~38 (1)~~ —  
(1) (a) An application for a Permit shall be made to the Fire Chief in a form \_\_\_\_\_ specified by the Fire Chief.

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(b) ~~(b)~~ — The Fire Chief, and any Member authorized by the Fire Chief, may issue a Permit, subject to the provisions of this bylaw and the *Fire Services Act*, for the purposes of

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~~(i) (i)~~ the observance or celebration of a religious, cultural or special event;

~~(ii) (ii)~~ Member training; or

~~(iii) (iii)~~ ecological or conservation purposes.

~~(c) (c)~~ The Fire Chief, and any Member authorized by the Fire Chief, may refuse to grant a Permit if the Fire Chief or authorized Member determines that burning under the prevailing circumstances would likely be hazardous, create a nuisance or that the burning would not meet a purpose specified in section 38(1)(b).

~~(3) (a)~~ The Fire Chief, and any Member authorized by the Fire Chief, may make ~~(3)~~ any Permit issued subject to such conditions and restrictions he or she deems necessary for safety and the prevention of the spread of fire.

~~(b) (b)~~ The person to whom a Permit has been issued shall:

~~(i) notify the Fire Department before the initiation and after the extinction of the fire;~~

~~(ii) be responsible for the management of the fire;~~

~~(iii) (c) The person to whom a Permit for open burning has been issued shall have at all times ensure that a competent person at all times in charge of adult is keeping watch on the fire until the fire is completely extinguished; and~~

~~(iv) (4) provide sufficient personnel, appliances and equipment to prevent the fire from becoming dangerous to life or property.~~

~~(4)~~ The Fire Chief, and any Member authorized by the Fire Chief, may suspend or change the condition of any Permit

~~(a) (a)~~ as the Fire Chief or authorized Member deems necessary due to the development of hazardous conditions, adverse weather or other such circumstances which arise from time to time; or

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~~(b) (b)~~ — if the Permit holder contravenes, or permits the contravention of, any provision of this bylaw, the *Fire Services Act* and its regulations, or any conditions or restrictions attached to the Permit.

## Event Approval

~~39 (1)~~

~~(4)~~ If the Fire Chief's approval is required by any Act, bylaw or procedure for an event to be permitted within the City, the Fire Chief, or any Member authorized by the Fire Chief, shall review the details of the event application and may

- (a) refuse approval if the Fire Chief or authorized Member determines that the event may be hazardous or create a nuisance;
- (b) provide approval without condition; or
- (c) provide approval subject to such conditions and restrictions he or she deems appropriate for safety and the prevention or the spread of fire.

~~(5) (2)~~ — If, as a condition of event approval pursuant to section 39(1)(c), the Fire Chief, or Member authorized by the Fire Chief, requires any number of Members to inspect or attend at an event site for any time before, during or after the event, for any reason, the person applying to the City for the event shall pay to the City the fees set out in Schedule "A".

## Occupant Load

~~40 (1)~~

~~(4)~~ Every person who requires an occupant load calculation for the purpose of assembly in an existing building or area within the City must apply to the Fire Chief in the form specified by the Fire Chief, and shall include -with the application

~~(a) (a)~~ — drawings certified by an architect or other registered professional; and

~~(b) (b)~~ — any other documentation required by the Fire Chief.

~~(5) (2)~~ — Every person who receives an occupancy load calculation pursuant section

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40(1) shall pay to the City the fee set out in Schedule "B".

### General Conduct of Persons

~~41~~ ~~41~~ No person shall

~~(4)~~ ~~(1)~~ obstruct or otherwise interfere with access roads, streets or other approaches to any Incident, fire hydrant, cistern or body of water designated for firefighting purposes;

~~(5)~~ ~~(2)~~ refuse to allow the Fire Chief or other Member to enter premises, at any reasonable time, for the purposes specified under this bylaw;

~~(6)~~ ~~(3)~~ impede, hinder, obstruct or otherwise interfere with any Member or other person assisting or acting under the direction of the Fire Chief in the execution of their duties under this bylaw; or

~~(7)~~ ~~(4)~~ drive a Motor Vehicle upon or over any Equipment unless directed by a Member.

### PART 5 – FEES

#### Requested Inspection

~~42~~ ~~42~~ Every person who, for the purposes of seeking a licence or compliance with business or facility operational requirements, requests and receives an inspection from the Fire Chief, or any Member authorized by the Fire Chief, relating to

(a) a property shall pay to the City the fee set out in Schedule "A"; and

(b) a ~~Motor Vehicle~~ Mobile Cooking Operation shall pay to the City the fee set out in Schedule "B".

#### File Searches

~~43~~ ~~43~~ Every person who submits a request for information from a file held by the Fire Department shall pay to the City the fee specified in Schedule "B".

#### Attendance Cost Recovery

~~44~~ ~~44 (1)~~ \_\_\_\_\_

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(4) Every Owner of any building, site or other area

- (a) at which there is an Incident related to the illegal use of a Controlled Substance;
- (b) at which there is an Incident related to the illegal cultivation of a Controlled Substance; or
- (c) at which there are Dangerous Goods

which have the effect of contaminating or damaging Equipment when the Fire Department attends an Incident, or as the result of an Incident, shall pay to the City the fee set out in Schedule "A".

(2)(5) Every Owner of any building, site or other area at which there is an Incident which requires the Fire Department utilize extraordinary personnel or Equipment, including, but not limited to,

- (a) ~~(a)~~ Equipment and operator rentals;
- (b) ~~(b)~~ hazardous materials equipment;
- (c) ~~(c)~~ rescue vessels; and
- (d) additional, non-Member, personnel provided under a mutual aid agreement with another local government,

shall pay to the City the fee set out in Schedule "A".

### Fire Investigation Fee

45 ~~45 (1)~~

(4) Every Owner of property which requires an investigation and investigation report by the Fire Chief, or Member authorized by the Fire Chief, pursuant to the *Fire Services Act* shall pay the fee specified in Schedule "A" of this bylaw.

(5) (2) If, while completing an investigation pursuant to the *Fire Services Act*, the Fire Chief, or a Member authorized by the Fire Chief, deems it necessary to obtain the services of a private security company for investigation continuity, the Owner of

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the property shall pay the fee specified in Schedule "A" of this bylaw.

## PART 6 – GENERAL PROVISIONS

### Penalties

~~46~~ ~~46 (1)~~  
(1) A person commits an offence and is subject to the penalties imposed by this bylaw, the Ticket Bylaw and the *Offence Act* if that person

- (a) contravenes a provision of this bylaw;
- (b) consents to, allows, or permits an act or thing to be done contrary to this bylaw; or
- (c) neglects or refrains from doing anything required by a provision of this bylaw.

~~(2) (2)~~ Each day that a contravention of a provision of this bylaw occurs or continues shall constitute a separate offence.

~~(3) (3)~~ The maximum fine that may be imposed for a contravention of this Bylaw is \$~~4050~~000.

### Severability

~~47~~ ~~47~~ If any section, subsection, clause or phrase of this bylaw is held invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed section, subsection, clause, or phrase.

### Conflict

~~48~~ ~~48~~ If there is a conflict between this bylaw and the Building Code, the Fire Code or the *Fire Services Act*, the Building Code, Fire Code or *Fire Services Act*, as the case may be, shall prevail.

## PART 7 – TRANSITION

### Repeal of Bylaw No. 96-010, the Fire Prevention and Regulation Bylaw

49 Bylaw No. 96-010, the Fire Prevention and Regulation Bylaw, is repealed.

### Repeal of Bylaw No. 04-114, the Fire Inspection Delegation Bylaw

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50 Bylaw No. 04-114, the Fire Inspection Delegation Bylaw, is repealed.

**Ticket Bylaw Amendment**

51 Bylaw No. 10-071, the Ticket Bylaw, is amended by repealing schedule O and replacing it with schedule 1 of this Bylaw.

**PART 8 – COMMENCEMENT**

**Commencement**

52 ~~52~~ This Bylaw comes in to force upon adoption.

READ A FIRST TIME the	27 <sup>th</sup>	day of	<b>November,</b>	2014
READ A SECOND TIME the	27 <sup>th</sup>	day of	<b>November,</b>	2014
READ A THIRD TIME the	27 <sup>th</sup>	day of	<b>November,</b>	2014
ADOPTED on the	18 <sup>th</sup>	day of	<b>December,</b>	2014

**“ROBERT G. WOODLAND”**  
CORPORATE ADMINISTRATOR

**“LISA HELPS”**  
MAYOR

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### SCHEDULE A

The fees specified in this schedule may be collected in the same manner and with the same remedies as property taxes, and if due and payable by December 31<sup>st</sup> and are unpaid on that date, are deemed to be taxes in arrears.

ITEM #	SERVICE	SECTION	FEE
<u>1</u>	Damage, destruction or demolition of building	12(4)	Hourly rate of Equipment and <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
<u>2</u>	Post-Incident Fire Watch	15(2)	Hourly rate of Equipment and <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member and Equipment attend at the site.
<u>3</u>	Securing Fire Damaged Building	16(3)	Hourly rate of Equipment and <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
<u>4</u>	Second and subsequent Condition and Compliance Re-inspections – <u>Property or Premises</u>	18(4)(a)	\$100.00 for second re-inspection and for each subsequent re-inspection.
<u>5</u>	Work to establish compliance – <u>Property or Premises</u>	18(4)(b)	Hourly rate of Equipment and <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
<u>6</u>	<u>Failure to provide access to site for inspection appointment</u>	<u>20(1)</u>	<u>\$100.00 staffing costs for inspector travel time, attendance, and re-booking fee.</u>
<u>7</u>	Member performing Prevention Fire Watch	28(4)(a)	Hourly rate of Equipment and <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member and Equipment attend at the site after the first hour.
<u>8</u>	Private Company performing Prevention Fire Watch	28(4)(b)	All expenses incurred by the City for obtaining private company services.
<u>9</u>	Member inspecting or attending event	39(2)	Hourly rate of Equipment and <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member and Equipment attend at a site.
<u>10</u>	Requested Inspection of property	42(a)	\$100.00
<u>11</u>	Damaged Equipment	44(1)	All expenses incurred by the City to clean, repair or replace Equipment used at an Incident.

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<u>12</u>	Use of Extraordinary personnel or Equipment	44(2)	All expenses incurred by the City for special equipment and additional non-Member personnel.
<u>13</u>	Fire Investigation	45(1)	If one or more Members investigate at a site in excess of 90 minutes, <u>all</u> staffing costs, <u>including any overtime rates</u> , of each Member for actual time Member(s) attend at site and for actual time Member(s) work on all matters related to the investigation offsite, including report preparation. No fee for a site investigation which concludes in under 90 minutes.
<u>14</u>	Private Company Services at investigation	45(2)	All expenses incurred by the City for obtaining private company services.

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## SCHEDULE B

### Fee Schedule

ITEM #	SERVICE	SECTION	FEE
1	Inspection of Mobile Cooking Operation	17A, 42(b)	\$100.00
2	Second and subsequent Condition and Compliance Re-inspections – Mobile Cooking Operation	18(5)	\$100.00 for second re-inspection and for each subsequent re-inspection
3	Fire Safety Plan Review	27(2)	\$150.00
4	Occupancy Load Calculation	40(2)	\$100.00 for occupancy load calculations of 100 occupants or less \$150.00 for occupancy load calculations of 101 occupants or more
	Requested Inspection of Motor Vehicle	42(b)	\$100.00
5	File Search	43	\$40.00

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### SCHEDULE C

Hotels, Public Buildings, Churches, Theatres, Halls and other Buildings used as a place of public resort shall be regularly inspected at the following frequency.

GROUP	DIVISION	INSTALLED SPRINKLER SYSTEM	INSPECTION FREQUENCY
A	1	No	Every Year
A	2	Not Applicable	Every Two Years
A	3	Not Applicable	Every Year
B	1	Not Applicable	Every Year
B	2	Not Applicable	Every Two Years*
B	3	Not Applicable	Every Two Years *
C	--	Yes	Every Two Years
C	--	No	Every Year
D	--	Not Applicable	Every Two Years
E	--	Not Applicable	Every Two Years
F	1	Not Applicable	Every Year
F	2	Not Applicable	Every Two Years
F	3	Not Applicable	Every Two Years

\*with the exception of senior care homes without sprinkler systems, which shall be inspected each year.

The Group and Divisions specified in this schedule are classified in accordance with Division B Part 3, section 3.1.2 of the British Columbia Building Code.

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**SCHEDULE D**

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**Requirements of Amplification System**

- 1 (1) An Amplification System shall include filters that will protect the amplifiers from overload and protect the system from interference by out-of-band signals.
- (2) If any part of the Amplification System contains an electrically powered component, the system shall be equipped to operate on an independent uninterruptible power supply ("UPS"), using a battery or generator system, for a period of at least four hours without external power or maintenance.
- (3) All amplifiers and electronics required by the Amplification System shall be protected by National Electrical Manufacturers Association type 4 or higher electrical enclosures.
- (4) If the Amplification System operates on UPS,
  - (a) the UPS shall automatically charge the batteries in the presence of external power;
  - (b) the UPS shall provide a monitored alarm signal to indicate failure of primary power, failure of the UPS system power output, or discharge of the batteries; and
  - (c) the Owner of the building in which the Amplification System is located shall notify the Fire Department of any failure of the UPS no later than two hours after any power failure occurs.
- (5) Any critical alarms detected by the Amplification System equipment regarding battery condition and amplifier performance shall be reported to the Fire Department immediately.
- (6) The Owner of the building in which the Amplification System is located shall ensure that a system summary alarm for the Amplification System, consisting of a relay contact closure or equivalent, is provided to the building fire panel via a hard wired connection.
- (7) Any Amplification System shall be licensed by the federal regulator, Innovation, Science & Economic Development Canada ("ISED"), and shall comply with the applicable Standard Radio Systems Plan.
- (8) Any license required for the Amplification System shall be renewed annually by the building Owner and the cost of the licensing borne solely by the building Owner.
- (9) Any radio equipment within the Amplification System shall only be selected from the ISED Radio Equipment List.

### Testing of Amplification System

- 2 (1) Tests and measurements to verify and maintain compliance shall be made at the sole expense of the building Owner.
- (2) The procedures used to test Amplification Systems for initial acceptance shall be in accordance with the following guidelines:
- (a) Acceptance tests and measurements shall be performed after completion of installation of the Amplification System;
  - (b) Tests shall be performed using radio frequencies assigned by the Service, after proper coordination with an authorized representative of that system and with the Fire Chief and the Officer in Charge of Police for the City;
  - (c) If queuing occurs on the radio system while testing is underway, testing shall be terminated immediately and resumed only when traffic levels on the system drop to the level where queuing will no longer occur;
  - (d) Where the Shadowed Area, or the floor plate area of the building, is greater than 4500m<sup>2</sup> the area shall be divided into a uniform grid of not more than fifteen metres on a side, or if the floor area is smaller than 4500m<sup>2</sup> it shall be divided into a uniform grid of approximately twenty equal areas, to a minimum of 9m<sup>2</sup> and measurements shall be taken in each grid area;
  - (e) The size of the grids shall also be reduced, or the number of grids increased, upon recommendation of the Fire Chief or Member authorized by the Fire Chief in areas where special construction or other obstruction may significantly affect communications;
  - (f) Tests shall also be performed in fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms, and high-hazard areas;
  - (g) Tests shall first be made using a portable (handheld) radio of the type used by emergency service personnel, carried at hip level (with external speaker/mic) and using a simple "rubber ducky" antenna, and shall be deemed satisfactory if Delivered Audio Quality of 3.4 or better can be achieved for a five second test transmission in each direction;
  - (h) If system access is not reliable, or if Delivered Audio Quality of 3.4 for five seconds cannot be achieved at any location, the test operator may move a maximum of 1.5 metre in any direction inside of the grid and repeat the test, and if system access continues to be unreliable, or if Delivered Audio

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Quality of 3.4 still cannot be achieved, or if there is any doubt about whether it can be achieved, a failure shall be recorded for that location;

- (i) For all tests, a pre-defined "Harvard" sentence should be used, such that the listeners are not aware of the sentence in advance on each test, and a different recorded sentence should be used at each location;
  - (j) A maximum of two non-adjacent grid areas on a floor or in a Shadowed Area will be allowed to fail the test;
  - (k) In the event that three or more areas on a floor or in a Shadowed Area fail the test, the floor or Shadowed Area may be divided into forty approximately equal areas to a minimum of 4m<sup>2</sup>, and the tests repeated, and in such event, a maximum of four non-adjacent grid areas will be allowed to fail the test, and if the Amplification System fails the forty-area test, the building Owner must have the Amplification System altered to meet the 90% coverage requirement of section 30(1)(a) in order to be accepted;
  - (l) If the Amplification System fails to provide acceptable communication in any of the fire command centre, any portion of a stairwell, protect-in-place areas, lobby refuge areas, equipment rooms, or high-hazard areas, the building Owner must have the Amplification System altered to meet the 90% coverage requirement for these areas in order to be accepted;
  - (m) Backup batteries and power supplies for the Amplification System shall be tested under full load by generating communication traffic automatically for a duration of at least one hour, and if within the one-hour period, the battery shows no symptom of failure or impending failure, the test shall be continued for additional one hour periods to determine the integrity of the battery, and the battery must not fail within a four-hour continuous test period; and
  - (n) The gain values of all Amplification Systems shall be measured, using a service monitor that has been calibrated by a certified laboratory within the past twelve months, and the results shall be kept on file by the building Owner for future verification and monitoring of performance, and the gain records file must have multiple back-ups and be stored in more than one location.
- (3) The procedures used to test Amplification Systems annually shall be in accordance with the following guidelines:

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- (a) At least annually, the building Owner shall test all active components of the Amplification System, including but not limited to all amplifiers, power supplies and back-up batteries;
- (b) The Owner shall keep a record of any annual tests as part of the Fire Safety Plan for inspection by the Fire Department;
- (c) The Amplification System's gain shall be adjusted if necessary in order to re-establish the gain recorded upon acceptance testing, and batteries and power supplies shall be tested under load for a period of at least one hour to verify that they will function properly during a power outage; and
- (d) Additional tests or inspection of records with respect to the Amplification System may be conducted from time to time by the Fire Department at the discretion of the Fire Chief, after giving reasonable notice to the building Owner.

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# SCHEDULE 1

## Schedule O

### Fire Prevention and Regulation Bylaw Offences and Fines

Item #	Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
1	Enter limited area w/o permission	11(2)	\$200.00	\$175.00
2	Interfere with Member at Incident	14(1)(a)	\$350.00	\$300.00
3	Damage, destroy, obstruct, or otherwise interfere with Equipment	14(1)(b)	\$350.00	\$300.00
4	Refuse access to Member	14(1)(c)	\$350.00	\$300.00
5	Failure to comply with orders or provide information	14(2)	\$300.00	\$250.00
6	Enter building threatened by Incident	14(3)(a)	\$200.00	\$175.00
7	Enter designated area	14(3)(b)	\$200.00	\$175.00
8	Fail to leave designated area when directed	14(3)(c)	\$250.00	\$200.00
9	Remove ropes, guards -or tapes	14(3)(d)	\$200.00	\$175.00
10	Failure to secure fire-damaged building	16(1)	\$250.00	\$200.00
11	Operating without inspection or approval	17A(1)(a)	\$250.00	\$200.00
12	Operating without paying inspection fee	17A(1)(b)	\$250.00	\$200.00
13	Operating without displaying valid fire inspection decal	17A(1)(c)	\$250.00	\$200.00
14	Failure to display valid service decal for fixed extinguishing system	17A(4)(b)	\$250.00	\$200.00
15	Failure to post instructions for fixed extinguishing	17A(5)	\$250.00	\$200.00
16	Failure to display	17A(6)(b)	\$250.00	\$200.00

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	<u>valid service decal for hood system</u>			
<u>17</u>	<u>Failure to have appropriate portable fire extinguishers</u>	<u>17A(6)(c)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>18</u>	<u>Failure to display valid service decal for portable fire extinguisher</u>	<u>17A(6)(d)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>19</u>	<u>Improper use of temporary electrical solutions</u>	<u>17A(6)(e)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>20</u>	<u>Use of wood burning appliances</u>	<u>17A(6)(g)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>21</u>	<u>Failure to have functioning gas leak detector</u>	<u>17A(6)(h)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>22</u>	<u>Failure to maintain barrier between cooking appliance and public</u>	<u>17A(6)(i)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>23</u>	<u>Failure to maintain 3 metres from structure or Motor Vehicle</u>	<u>17A(6)(j)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>24</u>	<u>Improper tent or awning material</u>	<u>17A(6)(k)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>25</u>	<u>Failure to comply with order</u>	<u>18(57)(a)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>26</u>	<u>Failure to comply with order</u>	<u>18(57)(b)</u>	<u>\$300.00</u>	<u>\$250.00</u>
<u>27</u>	<u>Failure to comply with order</u>	<u>18(7)(c)</u>	<u>\$300.00</u>	<u>\$250.00</u>
<u>28</u>	<u>Failure to provide information</u>	<u>21</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>29</u>	<u>Withholding or providing false information</u>	<u>22</u>	<u>\$350.00</u>	<u>\$300.00</u>
<u>30</u>	<u>Obstruct Member during inspection</u>	<u>23</u>	<u>\$500.00</u>	<u>\$500.00</u>
<u>31</u>	<u>Make false alarm</u>	<u>24</u>	<u>\$350.00</u>	<u>\$300.00</u>
<u>32</u>	<u>Failure to install or maintain smoke alarm</u>	<u>24A(1)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>33</u>	<u>Failure to replace smoke alarm</u>	<u>24A(3)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>34</u>	<u>Violate no occupancy notice</u>	<u>25(2)</u>	<u>\$250.00</u>	<u>\$200.00</u>
<u>35</u>	<u>Remove no occupancy notice</u>	<u>25(3)</u>	<u>\$300.00</u>	<u>\$250.00</u>
<u>36</u>	<u>No approved lock</u>	<u>26(1)</u>	<u>\$150.00</u>	<u>\$125.00</u>

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	box			
<u>37</u>	<u>Failure to provide contact information for access</u>	<u>26(4)(a)</u>	<u>\$150.00</u>	<u>\$125.00</u>
<u>38</u>	<u>Failure to meet time requirements on site for access</u>	<u>26(4)(b)</u>	<u>\$150.00</u>	<u>\$125.00</u>
<u>39</u>	Insufficient lock box contents	26( <del>25</del> )	\$150.00	\$125.00
<u>40</u>	Insufficient lock box	26( <del>36</del> )	\$150.00	\$125.00
<u>41</u>	Unauthorized access to lock box	26( <del>47</del> )	\$150.00	\$125.00
<u>42</u>	Failure to submit Fire Safety Plan	27(1)(a)	\$200.00	\$175.00
<u>43</u>	Improper storage of Fire Safety Plan	27(1)(b)	\$200.00	\$175.00
<u>44</u>	Failure to provide updated Fire Safety Plan	27(1)(c)	\$200.00	\$175.00
<u>45</u>	Failure to maintain fire watch	28(1)	\$250.00	\$200.00
<u>46</u>	Failure to maintain Fire Department Connections, standpipe systems and sprinklers	29	\$350.00	\$300.00
<u>47</u>	Failure to provide <u>minimum standard communications antenna</u>	30(1)(a)	\$250.00	\$200.00
<u>48</u>	<u>Failure to monitor standard of communications</u>	30(1)(b)	<u>\$250.00</u>	<u>\$200.00</u>
<u>49</u>	<u>Failure to maintain and test communications</u>	30(1)(b)	<u>\$250.00</u>	<u>\$200.00</u>
<u>50</u>	<u>Failure to maintain or make available record</u>	30(1)(d)	<u>\$250.00</u>	<u>\$200.00</u>
<u>51</u>	<u>Failure to notify of failure</u>	30(3)(a)	<u>\$250.00</u>	<u>\$200.00</u>
<u>52</u>	<u>Failure to repair in time</u>	30(3)(b)	<u>\$250.00</u>	<u>\$200.00</u>
<u>53</u>	<u>Failure of Amplification System to comply</u>	30(5)(b)	<u>\$250.00</u>	<u>\$200.00</u>
<u>54</u>	<u>Failure to test Amplification System</u>	30(5)(c)	<u>\$250.00</u>	<u>\$200.00</u>
<u>55</u>	<u>Failure to repair Amplification System</u>	30(5)(d)	<u>\$250.00</u>	<u>\$200.00</u>
<u>56</u>	<u>Failure to repair new</u>	30(6)	<u>\$250.00</u>	<u>\$200.00</u>

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	<u>building</u>			
<u>57</u>	Failure to provide fire protection equipment	31(1)	\$300.00	\$250.00
<u>58</u>	Improper storage of materials	32( <u>1</u> )	\$200.00	\$175.00
<u>59</u>	Accumulate combustible materials	33(1)	\$200.00	\$175.00
<u>60</u>	Improper garbage storage	34(3)	\$200.00	\$175.00
<u>61</u>	Unauthorized use of fire hydrant	35( <u>42</u> )	\$200.00	\$175.00
<u>62</u>	Prohibited burning	36	\$250.00	\$200.00
<u>63</u>	Prohibited Open Air burning	37(1)	\$250.00	\$200.00
<u>64</u>	Fail to <u>notify or</u> supervise permitted fire	38(3)( <u>eb</u> )	\$300.00	\$250.00
<u>65</u>	Obstruct access to Incident	41(1)	\$350.00	\$300.00
<u>66</u>	Refuse access to premises	41(2)	\$350.00	\$300.00
<u>67</u>	Impede, hinder, obstruct or otherwise interfere with Member executing bylaw	41(3)	\$350.00	\$300.00
<u>68</u>	Drive <del>vehicle</del> <u>Motor Vehicle</u> over Equipment	41(4)	\$150.00	\$125.00

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NO. 21-018

**FALSE ALARMS BYLAW, AMENDMENT BYLAW (NO. 1)**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to amend the False Alarms Bylaw to update it in accordance with current practices and standards.

**Contents**

- 1 Title
- 2 Amendments
- 3 Commencement

Under its statutory powers, including sections 8(3)(g), 8(3)(h), and 196(1) of the *Community Charter*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the “FALSE ALARMS BYLAW, AMENDMENT BYLAW (NO. 1)”.

**Amendments**

- 2 Bylaw No. 10-073, the False Alarms Bylaw, is amended as follows:
  - (a) in section 2, at the definition of “Fire Department”, by inserting “City of” immediately before “Victoria”;
  - (b) in section 7, by repealing subsection (2) and substituting the following:
    - “(2) When an Alarm System has been activated and neither the owner or occupier of the real property at which the Alarm System is activated can be reached or is able to attend the premises, and there are no keys or other method of access for the Fire Department, the Fire Department may forcibly enter the premises to determine the cause of the Alarm, and the Fire Department may take any of the following actions at the cost of the owner or occupier of the premises:
      - (a) secure the premises; and
      - (b) provide twenty-four hour security until the building can be secured.”;
  - (c) in section 8(1), by striking out “in any 12 month period” and substituting “within a calendar year”; and
  - (d) in section 10, by striking out “\$10,000.00” and substituting “\$50,000.00”.

**Commencement**

3 This Bylaw comes into force on adoption.

READ A FIRST TIME the                      day of                      2021

READ A SECOND TIME the                      day of                      2021

READ A THIRD TIME the                      day of                      2021

ADOPTED on the                      day of                      2021

CITY CLERK

MAYOR

NO. 10-073

## **FALSE ALARMS BYLAW**

### **A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to regulate in relation to alarm systems and to reduce false alarms.

#### **Contents**

- 1** Title
- 2** Definitions
- 3** Proper Use, Installation, Maintenance and Operations Mandatory
- 4** Contact Persons
- 5** Owner Notification
- 6** Monitoring Service
- 7** Security
- 8** Fees to be Charged for Attendance at False Alarms
- 9** Severability
- 10** Offences and Penalties

Under its statutory powers, including sections 8(3), 8(6) and 196(1) of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

#### **Title**

- 1** This Bylaw may be cited as the "FALSE ALARMS BYLAW".

#### **Definitions**

- 2** In this Bylaw,

**"Alarm"** means either or both a Fire Alarm or Security Alarm.

**"Alarm System"** means either or both a Fire Alarm System or a Security Alarm System.

**"Contact Person"** means a person designated by the owner or occupier of real property at which an Alarm System has been installed who is:

- (a) available to receive telephone calls from the Fire Department or Monitoring Service in the event of an Alarm incident;
- (b) able to attend at the address of the Alarm incident within thirty (30) minutes of being requested to do so by the Fire Department or Monitoring Service;

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- (c) capable of affording the Fire Department access to the premises where the Alarm incident is located; and
- (d) capable of operating the Alarm System and able to safeguard the premises.

**"False Alarm"** means the activation of a Security Alarm System or Fire Alarm System as a result of which the Fire Department's fire or emergency response services are provided on behalf of the City and the providers of the service do not find any evidence of fire, fire damage, smoke in relation to the building, structure, residence or facility, or where there has been no other fire emergency situation. False Alarm incidents include but are not limited to:

- (a) the testing of an Alarm without notice to the Fire Department which results in a Fire Department response;
- (b) an Alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
- (c) an Alarm activated by user error;
- (d) an Alarm reporting a fire or a fire emergency situation occurring on or in relation to the address in which the Alarm System is installed where no evidence exists or where no such event took place;
- (e) an Alarm actually or apparently activated by atmospheric conditions, excessive vibrations or power failure.

**"Fire Alarm"** means an audible alarm signal or an electronic message signaling an Alarm produced by a Fire Alarm System.

**"Fire Alarm System"** means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a Monitoring Service but does not include a Fire Alarm System that is intended to alert only the occupants of a single family dwelling unit in which it is installed.

**"Fire Department"** means the [City of](#) Victoria Fire Department.

**"Monitoring Service"** means a person, partnership or company engaged in the business of monitoring Alarm Systems and reporting the occurrence of Alarms to the Fire Department.

**"Security Alarm"** means an audible alarm signal or electronic message signaling an Alarm produced by a Security Alarm System.

**"Security Alarm System"** means any mechanical, electrical or electronic device which is designed, intended or used for detection of an unauthorized entry into a building, structure, facility or surrounding area, or for alerting others to the commission of an unlawful act, or both, and which emits a sound or transmits a message, or does both, but does not include:



- (a) a device which registers an Alarm which is not audible, visible or perceptible outside the premises inside which it is installed, or
- (b) a device which is installed in a motor vehicle.

#### **Proper Use, Installation, Maintenance and Operations Mandatory**

- 3** The owner or occupier of real property shall use, install, maintain and operate any Fire Alarm System or Security Alarm System installed on or in the real property in a manner that will ensure the prevention of False Alarms.

#### **Contact Persons**

- 4** (1) Every owner or occupier of real property at which a Security Alarm System or Fire Alarm System is installed must, within 72 hours of the installation of the system, advise the Fire Department by notice in writing of the names, addresses and telephone numbers of:
- (a) a Monitoring Service, if any; and
  - (b) at least three Contact Persons.
- (2) Every owner or occupier of real property at which a Security Alarm System or Fire Alarm System is installed must advise the Fire Department of any changes to information about the Monitoring Service or Contact Persons by notice in writing immediately when changes to this information arise.

#### **Owner Notification**

- 5** The owner or occupier of real property at which an Alarm System is installed shall notify the Fire Department at least thirty (30) minutes before testing or repairing that Alarm System.

#### **Monitoring Service**

- 6** No Monitoring Service shall report a Security Alarm to the Fire Department, unless it has first placed a telephone call to the premises from which the Security Alarm was sent in an attempt to verify that the Alarm is not a False Alarm.

#### **Security**

- 7** (1) No owner or occupier of real property at which a Security Alarm System or a Fire Alarm System is installed or Contact Person shall, where a False Alarm has been activated, leave the premises unless the problem that gave rise to the False Alarm is identified and corrected or a security company is posted at the premises until such time as the problem that gave rise to the False Alarm is identified and corrected.
- (2) When an Alarm System has been activated and neither the owner or occupier of the real property at which the Alarm System is activated ~~nor a Contact Person~~ can be reached or

is able to attend the premises, and there are no keys or other method of access for the Fire Department, the Fire Department may forcibly enter the premises to determine the cause of the Alarm, and ~~should the Alarm be a False Alarm~~ the Fire Department may take any of the following actions at the cost of the owner or occupier of the premises:

(a) secure the premises; ~~and/or~~

(b) provide twenty-four hour security until the building can be secured ~~at the cost of the owner or occupier of the premises.~~

- (3) The fees payable by the owner or occupier under section 7(2) shall be based on the Fire Department standby rate of \$500.00 per hour or portion thereof that the Fire Department spends securing or providing security to the property.

#### Fees to be Charged for Attendance at False Alarms

- 8 (1) If ~~within a calendar year~~ ~~in any 12 month period~~ the Fire Department responds to four (4) or more False Alarms originating from the same property, the owner or occupier of the property in which the Alarm System is installed shall pay to the City a fee of \$200.00 for the fourth and each subsequent False Alarm.
- (2) In the event that the Fire Department forceably enters premises due to the False Alarm, all costs incurred to secure the building must be paid by the owner or occupier of the property.
- (3) Any fees imposed under this Bylaw shall be due and payable within 30 days of invoice and, if not paid on December 31<sup>st</sup> of the year in which they are imposed, shall be added to and form part of the taxes payable on the real property.

#### Severability

- 9 Each section of this Bylaw shall be severable. If any provision of this Bylaw is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this Bylaw.

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### Offences and Penalties

- 10** A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$~~54~~0,000.00 and not less than \$200.00, the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* (British Columbia) or the *Offence Act* (British Columbia), as amended from time to time. Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

READ A FIRST TIME the	<b>14<sup>th</sup></b>	day of	<b>October,</b>	2010.
READ A SECOND TIME the	<b>14<sup>th</sup></b>	day of	<b>October,</b>	2010.
READ A THIRD TIME the	<b>14<sup>th</sup></b>	day of	<b>October,</b>	2010.
ADOPTED on the	<b>28<sup>th</sup></b>	day of	<b>October,</b>	2010.

**“ROBERT G. WOODLAND”**  
CORPORATE ADMINISTRATOR

**“DEAN FORTIN”**  
MAYOR



## Committee of the Whole Report

### For the Meeting of March 11, 2021

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**To:** Committee of the Whole **Date:** March 5, 2021  
**From:** Philip Bellefontaine, Director, Engineering & Public Works  
**Subject:** Curbside Yard Waste Collection

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### RECOMMENDATION

That Council direct staff to:

1. Bring forward amendments to the Solid Waste Bylaw (No. 12-086) to enable curbside comingled organics (kitchen scraps and yard waste) collection.
2. Initiate service changes and user outreach to transition from backyard to curbside garbage and comingled organics collection.

### EXECUTIVE SUMMARY

The City of Victoria's zero waste plan, *Zero Waste Victoria*, sets a target of 50% reduction in landfill disposal by 2040. The City's solid waste services play a critical role in helping to support waste reduction across the community. A waste composition study completed in 2020 revealed that 10% of the material collected through the garbage stream of the City's residential solid waste service is comprised of yard waste, which led to the prioritization of options to divert this material to address zero waste and climate action objectives.

Yard waste is currently prohibited from disposal in the residential garbage and organics carts while a drop-off option is available one day a week at the City's Public Works Yard. Staff have reviewed the considerations for a change to the residential solid waste service to enable yard waste to be comingled with kitchen scraps. Capacity for this service change can be accommodated through a shift from backyard collection to a curbside collection model. This service model is consistent with other municipal organics collection services in the region and provides an opportunity to address user demands, mitigate employee health and safety risks, provide a more equitable service for yard waste disposal, and increase organics diversion.

The change to a curbside "comingled organics" (kitchen scraps and yard waste) collection service is not expected to increase utility user fees.

## PURPOSE

The purpose of this report is to provide Council with considerations and recommendations to enable residential yard waste collection through shifting the solid waste utility to a curbside collection model.

## BACKGROUND

The City of Victoria provides biweekly residential solid waste collection of garbage and kitchen scraps to approximately 14,000 households across the community. The service is currently operated using three garbage trucks and requires refuse collectors to retrieve wheeled carts from residential properties, mount carts onto mechanical tippers on the garbage trucks, operate the tipping and packing mechanisms on the vehicle, return the carts to the curb and operate the vehicle. Households with accessibility requirements receive additional service where the carts are returned to the residential property instead of being placed at the curb after the contents have been emptied. Collection service is scheduled 5 days a week from Monday through Friday and not operated on Statutory Holidays.

The City's solid waste service is enabled through the Solid Waste Bylaw (No. 12-086). The bylaw defines requirements of users and the City, collection frequency, and fees. The bylaw currently prohibits the disposal of yard waste in either the garbage or kitchen scraps carts. To accommodate the demand for yard waste disposal, a drop-off service is operated out of the Public Works Yard on Saturdays from 7 a.m. to 2 p.m.

Solid waste collection and the Saturday drop-off service is financed as a utility with all expenses funded by the ratepayers receiving the service. Annual budget for the solid waste utility is approximately \$3.2 million. The tonnage of garbage, kitchen scraps and yard waste managed by the City's solid waste utility since 2013 is provided in Figure 1.

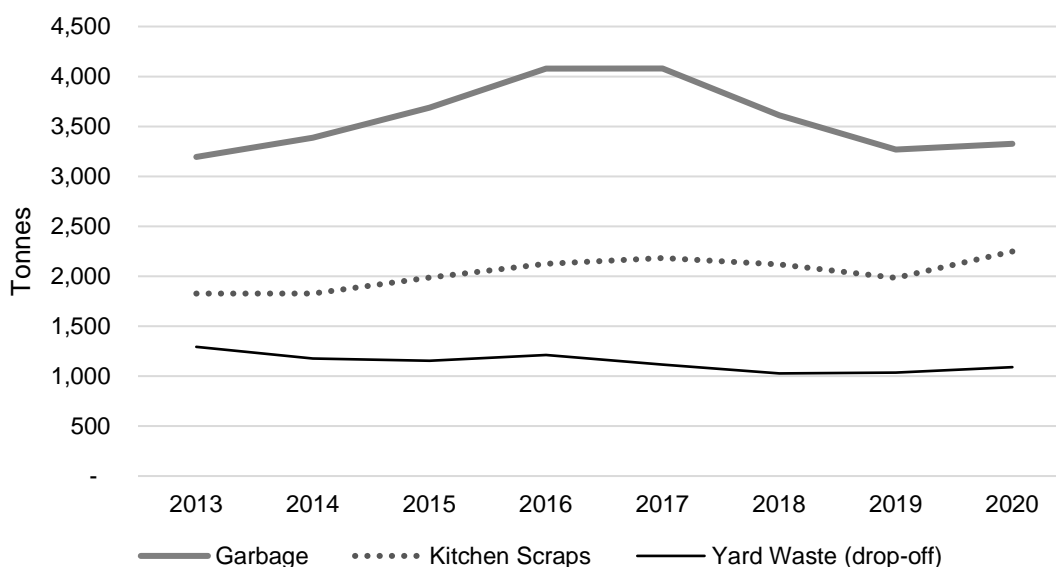


Figure 1. Material collected through the City's residential solid waste service.

In November 2019, Council directed staff to initiate a plan to enhance the City's residential collection program to improve the diversion of organic and recyclable material. A residential waste composition study was completed in 2020 revealing that a substantial amount of yard waste is being disposed in residential garbage bins, which led staff to propose the prioritization of options

to divert this material to address zero waste and climate action objectives. In December 2020, Council approved Zero Waste Victoria and a short-term action plan that included the assessment of curbside collection of yard waste in early 2021 and to plan for broader service changes to improve diversion over the next several years.

The garbage collection fleet has approximately 2-3 years of remaining service life and in anticipation of the large investments associated with replacing these assets and the multiyear process for specifications development, procurement and manufacturing, staff need to start to undertake a comprehensive review of the solid waste service. At the same time as the comprehensive service review there is an opportunity for immediate changes to meet user demands, increase service levels, and divert organics by enabling the collection of yard waste. This report outlines the considerations of shifting to a curbside collection model in 2021 to enable yard waste collection using existing equipment.

## ISSUES & ANALYSIS

Considerations for changing the solid waste service to allow yard waste to be collected include user demand, employee health and safety, accessibility, equity of service, and environmental stewardship.

### Service Comparison

A range of yard waste services are provided by municipalities across the Capital Region and Southern Vancouver Island. Six municipalities within the CRD manage waste collection services either in-house (Victoria, Saanich, Esquimalt) or contracted through a private hauler (Oak Bay, View Royal, Sidney). A comparison of municipal yard waste collection and drop-off services are summarized in the table below.

Municipality	Yard Waste Collection Service	Yard Waste Drop-Off Service
Victoria	No	1 day/week
Saanich	Comingled Curbside (Biweekly)	4 days/week
Esquimalt	No	6 days/week
Oak Bay	Comingled Curbside <sup>1</sup> (Biweekly)	6 days/week
View Royal	No	6 days/week
Sidney	Curbside (Monthly)	No
Nanaimo (City)	Comingled Curbside (Biweekly)	No

<sup>1</sup> Oak Bay began comingled organics collection in January 2021.

The City of Victoria is the only municipality in the region that offers collection of garbage and kitchen scraps directly from residential properties as opposed to a curbside collection model.

In addition to regularly scheduled solid waste collection services, the City of Victoria offers annual residential leaf collection and branch chipping.

### User Demand

Staff receive regular correspondence from solid waste service users with the most common request for service being additional options for yard waste disposal. Experience from neighbouring municipalities that have introduced a curbside option for yard waste collection indicate considerable outstanding demand for this service.



## Service Equity

Community engagement for the development of Zero Waste Victoria during the Summer of 2020 raised concerns related to the equity and accessibility of the City's solid waste services. Specifically, stakeholders noted that residents who do not have access to a vehicle are limited in their ability to use the Saturday drop-off service. Applying an equity lens uncovers additional considerations related to yard waste drop-off including access limitations of the service to people with various disabilities and people working atypical hours or shift work.

Generally, collection services provide more options for equitable and accessible yard waste disposal compared to drop-off. However, community demand for drop-off services will persist for large bulky materials that cannot be accommodated through the collection system (branches and other large woody debris).

## Health and Safety

The job demands associated with the collection of solid waste from residential properties places substantial physical strain on the solid waste collection staff. These physical strains are associated with repetitive push/pull and twisting motions associated with moving heavy garbage and kitchen scraps wheeled-carts from back-, side- and front-yards of residential properties to the curb. These injuries are often enduring, affecting the long-term wellbeing of employees.

Curbside collection significantly reduces the health and safety risks associated with the current collection model and is expected to reduce worker injury and WorkSafe BC (WSBC) claims costs.

## Environmental Stewardship

The City of Victoria's zero waste plan, *Zero Waste Victoria*, sets a target of 50% reduction in landfill disposal by 2040. Organic material continues to represent a major share of waste sent to the landfill from Victoria and is responsible for 6% of community greenhouse gas emissions. Approximately 10% of the material collected in the garbage stream of the City's residential solid waste service is yard waste. Changes to the collection service are being assessed within the context of both waste reduction and climate benefits.

## **OPTIONS & IMPACTS**

This report describes the considerations for a change to the solid waste collection service to enable users to dispose of yard waste in their existing green carts linked with a shift from "backyard" to curbside collection.

The impacts of a service change to comingled curbside collection are compared to the current service model and discussed in terms of user requirements and costs. The comingled curbside option is also described in terms of how it positions the City's solid waste utility for future service designs with the upcoming retirement of the existing garbage fleet.

## User Requirements

Changing residential solid waste collection to a curbside model will require some users to adjust how they interact with the service. The main change for users will be the requirement to bring their garbage and organics carts to the curb on collection day. Staff estimate that 10 - 15% of users already do this as normal practice under the current service. Most users are also familiar with this

requirement when in 2020 users were requested to bring their carts to the curb to mitigate health concerns for refuse collectors from COVID-19. All users of the City's solid waste service are also served by the CRD-managed Bluebox program for recyclable materials operating as a curbside collection model. Both the City of Victoria and CRD provide users with notification options and scheduling information through the ReCollect app.

Users with accessibility requirements will continue to be offered additional assistance through the Helping Hand Program. Under this enhanced service users can opt-in to have their carts collected and returned to their property. The Saturday drop-off service will also continue to be offered as an option for users with yard waste that cannot be accommodated in the green carts.

## Costs

Organics processing costs are anticipated to increase with the provision of curbside yard waste collection. Staff estimate this service will result in a net increase of 1,000 to 1,500 tonnes of additional organic material at a cost of \$135,000 to \$200,000 a year for composting. However, the service change is expected to have no impact on the user fees for the solid waste utility given reduced labour costs would be expected to offset increased processing charges (Figure 2). Over time, a curbside collection model would also be expected to reduce injury claims with the potential for cost savings to annual WSBC premiums.

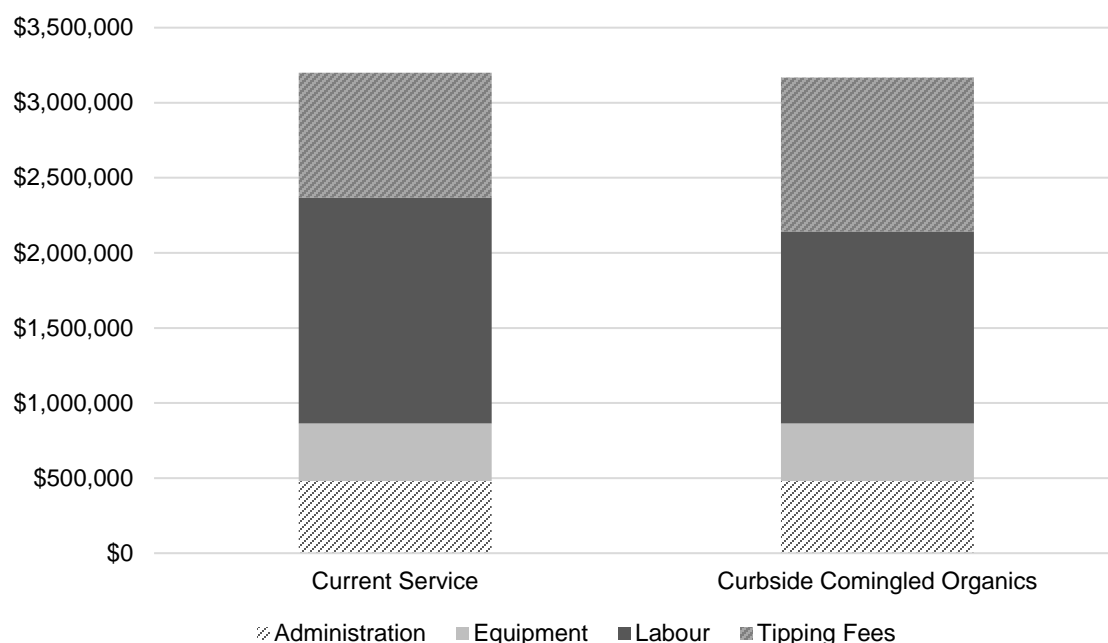


Figure 2. Expenses for current solid waste service and comingled collection option.

## Future Service Design

The City's current residential solid waste collection fleet has approximately 2-3 years of remaining service life. Staff are in the early stages of assessing future equipment and operational needs to improve waste diversion, deliver equitable service levels and to meet corporate greenhouse gas targets. The change to curbside organics collection considered in this report supports the longer-term service review and future fleet requirements through an incremental change that will provide experiential evidence of equipment capacities, collection logistics, organics diversion performance and potential residual user demands for service enhancements.

Solid waste service enhancements and improvement to source-separation performance for multifamily and commercial properties have both been identified as priority actions under Zero Waste Victoria. Modernization of the existing city waste collection service presents an added opportunity for staff to refine understanding of the considerations for potential expansion of City solid waste services to other sectors of the community. Options analyses are in early stages of planning with a view to bringing forward future reports to Council on these opportunities and the associated financial implications of additional staffing and equipment requirements.

### Next Steps

Subject to Council's considerations and recommendations in this report, next steps for implementing a change to the residential solid waste utility for curbside comingled organics collection include:

- Proposed amendments to the City's Solid Waste Bylaw (No. 12-086) to:
  - Remove yard waste as a prohibited material for disposal in the kitchen scraps/organics carts.
  - Provide additional details related to acceptable yard waste materials and characteristics.
  - Require users to place garbage and organics carts at the curb on collection days.
- Determine an effective date for the service change.
- Initiate development of broad user outreach to advise users of changes including:
  - Timing and placement of the carts at the curb.
  - Permitted organic materials.
  - Details and documentation for opting into the Helping Hand Program for users with accessibility needs.

### **Option 1 – Direct staff to bring forward amendments to the Solid Waste Bylaw and to initiate service changes and user outreach to transition from backyard to curbside garbage and comingled organics collection (Recommended).**

This option would support the City of Victoria's environmental and equity objectives and establishes a higher level of service for yard waste disposal while reducing health and safety risks for city employees. The Saturday drop-off service will continue in the near-term under this option and staff will monitor residual user demand for yard waste drop-off as part of the longer-term service enhancement review.

### **Option 2 – Maintain the current backyard collection model prohibiting yard waste disposal in garbage and organics carts while continuing to offer the Saturday yard waste drop-off service (Not Recommended).**

This option would maintain the current backyard collection service which is considered an outdated model that negatively impacts employee wellbeing, sustains inequitable yard waste disposal options, and constrains fleet planning and opportunities for future service enhancements.

Staff have not assessed the option to provide yard waste collection through a backyard service model due to operational constraints for completing collection within scheduled shifts and the increased hazard and risk of injuries to employees.

### *Accessibility Impact Statement*

Curbside collection services generally provide a more accessible option than drop-off services. The shift from backyard to curbside collection of garbage and comingled organics contemplated in this report would maintain the existing Helping Hand Program where refuse collectors collect and return wheeled carts to residential properties for those people with additional accessibility requirements.

### *2019-2022 Strategic Plan*

The considerations in this report relate to the Climate Leadership and Environmental Stewardship Strategic Objectives to implement a robust Zero Waste Strategy (#16) and implement the Climate Leadership Plan (#2).

### *Impacts to Financial Plan*

The option considered in this report for a service change to the residential solid waste utility to enable yard waste to be comingled with kitchen scraps through a curbside collection model is not anticipated to have impacts to solid waste utility user fees as increased processing charges will be offset by reduced labour costs within the utility.

### *Official Community Plan Consistency Statement*

Waste reduction is consistent with Plan Goals related to Infrastructure and Climate Change and Energy in the City of Victoria's Official Community Plan (OCP No. 12-013).

## **CONCLUSIONS**

Staff have assessed the considerations of enabling yard waste collection through a curbside collection service as consistent with the short-term action plan of the City's 2020 Zero Waste Strategy. Change from the current backyard collection service to a curbside model provides the opportunity to address user demands, mitigate health and safety risks for staff, provide a more equitable service for yard waste disposal, and increase organics diversion. This change is expected to have no impact on user fees for the solid waste utility.

Respectfully submitted,

Rory Tooke  
Manager, Sustainability, Assets &  
Support Services

Philip Bellefontaine  
Director, Engineering & Public Works

**Report accepted and recommended by the City Manager**




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## Purpose

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Provide Council with considerations and recommendations to enable yard waste collection through a curbside collection model.



2

## Context

Service Planning	Policy Objectives	Operations
<ul style="list-style-type: none"> <li>Service and equipment approaching 10 years</li> <li>Nov <b>2019</b> – Initial Council direction</li> <li>Waste composition study</li> <li>Fleet planning and procurement</li> </ul>	<ul style="list-style-type: none"> <li><b>2018</b> Climate Leadership Plan</li> <li><b>2020</b> Zero Waste Victoria short-term action</li> <li>Emerging equity considerations</li> </ul>	<ul style="list-style-type: none"> <li>Worker health and safety</li> <li>User demand</li> <li>COVID-19 impacts</li> <li>New departmental capacity</li> </ul>



3

## Service Modernization

- Environmental stewardship
- User demand
- Equity and accessibility
- Health and safety
- Service planning



4



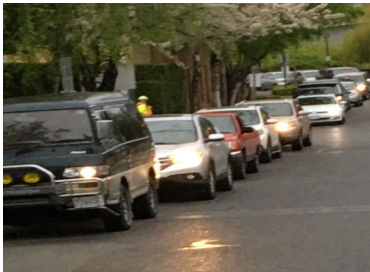
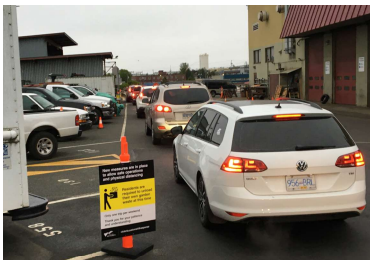
## Service Comparison

Municipality	Yard Waste Collection Service	Yard Waste Drop-Off Service
Victoria	No	1 day/week
Saanich	Comingled Curbside (Biweekly)	4 days/week
Esquimalt	No	6 days/week
Oak Bay	Comingled Curbside (Biweekly)	6 days/week
View Royal	No	6 days/week
Sidney	Curbside (Monthly)	No
Nanaimo (City)	Comingled Curbside (Biweekly)	No



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## Yard Waste Drop-Off



- Saturdays 7am – 2pm
- 10,000 registered users
- 7,500 users per year
- 1,100 tonnes/yr yard waste



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## Outreach and Engagement

### Zero Waste Victoria focus groups (*Summer 2020*)

- Equity & inclusion, accessibility, Neighbourhood Associations

### User correspondence (*ongoing*)

- *Neighbourhoods Team*: yard waste option most common waste-related feedback
- *Engineering and Public Works*: regular service requests for yard waste collection

### Experience (*February 2021*)

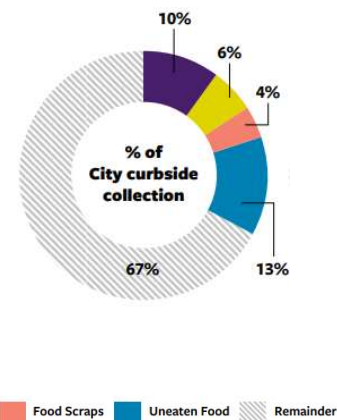
- Oak Bay staff note ongoing high demand for more yard waste collection capacity



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## Environmental Stewardship

- Waste Reduction - 300 – 400 t/year
- GHG Reduction - 25 t CO<sub>2</sub>e/year



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## Equity and Accessibility



- Collection vs. Drop-off
- Vehicle access
- Availability
- Mobility
- *Helping Hand Program*



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## Health and Safety

- Job activities impact worker health and wellbeing
- Engineering and administrative hazard controls in place
- Curbside helps to eliminate hazard



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## Service Planning



\$3 – 5 Million



\$600K – 2 Million

**Diversion /  
Disposal**

11

## Options

### **OPTION 1 – Curbside Comingled Organics Collection**

- Shift from side-yard to curbside collection
- Allow disposal of yard waste in green carts (mixed with kitchen scraps)
- Continue Helping Hand Program
- Continue Saturday Drop-Off
- Implement in 2021

### **OPTION 2 – Current Service**

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## Cost Implications

### Yard waste collection with shift to curbside

EXPENSE	CHANGE	COST (+/-)
<b>Compost Processing</b>	Net increase of 1,000 – 1,500 t yard waste with service enhancement	\$135,000 - \$200,000 / yr ~\$9.5 - \$14 per user
<b>Staffing</b>	Decrease in labour requirements with change from backyard to curbside collection.	(\$175,000 - \$225,000 / yr) (~\$12.5 - \$16 per user)



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## Service Change Impacts

IMPACT	EVALUATION	CONTROL
Demand	●	Continue & monitor Saturday drop-off
Health and safety	●	
User cost	●	Cost neutral
Service equity	●	
Disposal access	●	
Cart accessibility	●	Continue & monitor Helping Hand Program
Waste reduction	●	
Climate action	●	
Service planning	●	



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## Recommendations

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That Council:

1. Direct staff to draft amendments to the Solid Waste Bylaw (No. 12-086) to enable curbside comingled organics (kitchen scraps and yard waste) collection.
2. Direct staff to initiate service changes and user outreach to transition from backyard to curbside garbage and comingled organics collection.







**Council Member Motion**  
**Committee of the Whole Meeting of March 11, 2021**

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**Date:** March 8, 2021

**From:** Councillor Andrew and Councillor Thornton-Joe

**Subject: Mental Health and Addiction Services**

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**Background**

Island Health is charged with the care of British Columbians living on Vancouver Island, including Greater Victoria.

Emergency services for those experiencing severe mental or addiction crisis are provided at Royal Jubilee Hospital situated within the City of Victoria.

In 2020 Victoria Police apprehended 676 people under the Mental Health Act and delivered them to the evaluation and care of physicians at Royal Jubilee Hospital resulting in officers spending more than 1,000 hours waiting at the hospital.

That same year, Island Health requested Victoria Police attend the hospital to find and return 111 people who were at risk but allowed to leave the hospital unescorted for various reasons. Victoria Police spent more than 32 hours in waiting time at the hospital, not including resources and time searching for the individuals.

Island Health also requires Victoria Police to search and deliver individuals who fail to attend to the hospital for scheduled of mental health treatment, including the taking of anti-psychotic drugs. In 2020, Police attended the hospital 73 times, often requested by Island Health staff to drive the patient home following treatment.

The above incidents show gaps within the treatment and care of mental health and addicted patients where Victoria Police inappropriately becomes the default standard of care.

These procedures also place undue funding pressures on the budget of the City of Victoria.

**Recommendation**

Council writes to Island Health, the BC Ministry of Health and the BC Solicitor General to request:

1. Island Health Security be given "Special Constable Status" to take custody of patients apprehended under the Mental Health Act on arrival at hospital.
2. Island Health no longer allows unescorted visits for those patients at risk and being treated for mental health and/or addiction.

3. Island Health finds alternative ways to return patients home following mandated mental health and/or addiction treatment.

Respectfully Submitted,



Councillor S. Andrew



Councillor C Thornton-Joe



**Council Member Motion**  
**Committee of the Whole Meeting of March 11, 2021**

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**Date:** March 8, 2021

**From:** Councillor Andrew and Councillor Thornton-Joe

**Subject: Streets and Traffic Bylaw**

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**Background**

Section 84 of the Streets and Traffic Bylaw No. 09-079 prescribes:

- (1) A person must not park a vehicle in a street for the purpose of sleeping overnight in the vehicle.
- (2) A person must not sleep overnight in a vehicle parked on a street.

With a growing proliferation of vehicles being parked in contravention of the bylaw as vehicles are found to park for an excessive time in the same or similar locations whereby we see significant complaints from residents concerned about their safety and quiet enjoyment.

Vehicles parked on city streets and property are required to be licensed and in safe working operation and able to be driven.

**Recommendation**

Council directs staff to report back on the implications of vehicles violating the bylaw and provide council with suggestions to manage the issue.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'S. Andrew'.

Councillor S. Andrew

A handwritten signature in blue ink, appearing to read 'Charlayne Thornton-Joe'.

Councillor C. Thornton-Joe