



James Bay Neighbourhood Association

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Victoria, B.C., Canada

April 17, 2023

**Mayor and Council
City of Victoria**

Re: JBNA CALUC Hearing for 50 Government Street

Dear Mayor Alto and Members of City Council:

Mike Jones (Oeza Developments) and Graeme Verhulst (Waymark Architecture) presented the subject proposal to the James Bay Community on Wednesday April 12 via a zoom virtual meeting. Approximately 180 people were in attendance.

Rob Bateman (Senior Planner for James Bay) attended the meeting at the request of the JBNA. Some notified neighbours were confused and dismayed by the CALUC notice, where the developer had indicated that “*Current zoning allows for a multi-unit residential building up to 6 stories [sic]*”. Mr. Bateman clarified that the current R3-2 Multiple Dwelling District zoning for this lot allows for either a single-family or two-family dwelling only, as it does not meet the minimum lot size requirements for higher density.

The proposal is to create a site-specific zone at this location to allow a six-storey structure with 24 studio and one-bedroom rental units. The proponent is seeking to designate a portion of these units as “affordable” via covenant with BCHousing and the City of Victoria in exchange for increased density. Off-street parking for 9 vehicles would be provided. A large 3-storey mural designed by an Indigenous artist is proposed for the building frontage.

The subject lot is highly visible, located at the crown of the “T” intersection of Government and Battery. The original building is a 1910-era purpose-built duplex that was converted to a 4-plex in 1950. It is situated amidst a range of century-old single-family dwellings, most of which have been very well-maintained and converted to add accommodations. Battery Street includes a designated heritage conservation area, and several houses nearby are also designated.

The slideshow presented at the community meeting contained a number of discrepancies. For example, the presentation showed 19 units were proposed over four habitable storeys, The proponents indicated in subsequent correspondence that there are 24 units proposed over five habitable floors and that the shadow studies shown contemplated the full six-storey height of the structure. They also stated that “*The discrepancies are because nothing is set in stone yet; things are still changing and we are open to feedback.*”

Community members who attended this meeting were overwhelmingly opposed to the project. All of the 30 participants who offered questions and opinions during the hearing expressed strong opposition. Comments from the chat line of the meeting (3200 lines long) indicate two individuals were in favour of the project, while all other contributors were opposed, often strongly so.

The over-arching themes expressed by residents were:

- Loss of natural light and effects of shadowing on neighbouring properties
- Loss of privacy as almost all windows overlook neighbours' lots and not over the street
- Lack of suitable setbacks, greenspace, and landscaping for a building this tall
- Lack of family-oriented housing – studio and one-bedroom units are not suitable for families and do not promote longer-term tenancies
- Additional parking pressures, as this proposal provides fewer spaces than required in an area where parking is already scarce
- Incompatibility with the heritage character of all surrounding streets (Government, Battery, and South Turner)
- Lack of consultation with neighbours by the proponents
- Loss of a century-old fourplex that otherwise appears to be an ideal candidate for gentle densification under the recently-adopted Missing Middle Housing Initiative.

Further, residents questioned the developers' use of the term "affordable" in regards to studio and 1BR apartments at \$1700-\$2300 per month, and whether the incorporation of a mural from a local First Nations artist was truly an act of reconciliation, as suggested by the proponent. To be affordable, housing costs should be less than 30% of gross income, implying that renters of these units would need to earn between \$68,000 and \$92,000 per year.

James Bay residents have erected at least two websites in recent months to register strong opposition to higher-density multi-storey units proposed in James Bay adjacent to historical homes. These links were entered into the chat line during the CALUC meeting:

<http://bit.ly/stop50>

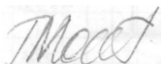
<https://www.jamesbayconcernedcitizens.ca/projects-of-concern>

Although the proponents stated several times that approximately 50% of the feedback they have received is supportive of this project, the residents who attended and spoke at this CALUC hearing were overwhelmingly – and most often vehemently – opposed to it. Residents made clear in their comments that while they support increased density, it must be aligned with the OCP, family-supportive, and sensitive to the unique needs and constraints of James Bay.

Although we have concerns over mis-representations of the project in the CALUC meeting notice and in the presentation materials, we believe those have been addressed by Mr. Bateman's clarifications.

This proposal is well beyond what neighbours consider appropriate. The JBNA CALUC requests future community consultation be required in the event that an alternate proposal be advanced that differs significantly from the current approved use for this site.

Yours truly



Trevor Moat
JBNA CALUC CO-Chair



Tim VanAlstine
JBNA CALUC CO-Chair

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2024 February 27

**Mayor and Council
City of Victoria**

Re: JBNA CALUC Hearing for 50 Government Street

Dear Mayor Alto and Members of City Council:

This letter summarizes the second CALUC hearing for the subject project, hosted by JBNA on February 14 2024 via Zoom videoconference. A video recording of the proceedings is available at <https://youtu.be/3c9svJ1R4A0>, starting at 37:50. Presenting on behalf of the applicant, Oeza Developments, was Will King, Principal Architect, Waymark Architecture. Approximately 160 people were in attendance.

The subject lot is highly visible, located at the crown of the “T” intersection of Government and Battery. The original building is a 1910-era purpose-built duplex that was converted to a 4-plex in 1950. It is situated amidst a range of century-old single-family dwellings, most of which have been very well-maintained and converted to add accommodations. Battery Street is a Heritage Conservation Area, and several houses nearby are also designated.

The revised proposal is substantially different from what was presented to JBNA on April 12 2023. This proposal contemplates 16 strata/condo units in two 4.5-storey buildings offset towards diagonally opposite corners of the lot, joined by stairwells and walkways. The proposal includes eight studio units, six 1BR apartments, and two 2BR+den apartments. Only one off-street parking space is proposed, for a car-share. Additional bike parking, storage, and amenities are provided to offset the lack of parking.

The neighbours to this proposal expressed unanimous and vigorous opposition to it. Although appreciation was expressed for reductions in height from the previous proposal, strong objections were still registered, with themes and comments summarized as follows.

Unit mix and affordability:

- 14 of the 16 units are studio or 1BR configurations that are unsuitable for families and do not promote long-term tenure
- There appears to be no provision for below-market housing

Siting and dimensions:

- The site is 586sqm, well below the minimum 920sqm area required for the extant multifamily R3-2 zone
- The side yard setbacks are only 1.36m for 4 storeys, which is well below the 7.5m required under current zoning, and less even than the 1.5m minimum side yard setback that applies to the lowest-density single-family zones
- The rear yard setback is 2.5m, one-third of the 7.5m requirement
- The front yard setback is 5.03m, less than half the 10.5m requirement

- The FSR sought is 1.9, where R3-2 allows for a maximum of 1.2, and up to 2.0 in strategic locations, which this site appears not to be
- Requested site coverage of 59.9% is double that permitted under R3-2 for a 4-storey structure

Architecture and design:

- The 4.5 storey design is overly tall and dominates the streetscape
- Many residents view this proposal as a 5-storey structure
- The height and massing cast severe shadows year-round over multiple neighbours
- No private off-street parking is provided for residents or visitors
- The front yard is mostly hard-scaped
- The exterior staircases and walkways will increase noise and reduce privacy for immediate neighbours
- The overall design contrasts starkly with the older heritage nature of the street, and might impair the perception of this part of James Bay as a destination for heritage tourism.
- Interior ceiling heights are specified at ~10 feet, where 8 feet is standard. Over four floors, this raises the building height by ~8 feet and adds construction costs with no gain in floorspace, creating an additional 20% interior volume that needs to be heated and ventilated. It is difficult for neighbours to square this with the Proponent's claims that the building is of reasonable height and fit with the neighbourhood, and compliant with the spirit of energy efficiency and passive building design.

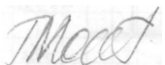
Neighbourhood engagement

- Consultation with neighbours has been lacking
- Adjustments and alterations offered by Proponents largely missed what neighbours requested

Neighbours emphasized they are not opposed to increased density and reasonable development. They would like the Proponent to follow comments provided by City staff, and would prefer gentle densification and missing-middle housing types that promote families and longer-term tenure. This proposal as presented cannot support family housing, which is sorely needed in James Bay. Neighbours expressed frustration with the amount of time and stress this project has caused.

This proposal continues to reach well beyond what neighbours consider appropriate for this site. As before, the JBNA CALUC requests future community consultation be required in the event that an alternate proposal be advanced that differs significantly from the current approved use for this site.

Yours truly



Trevor Moat
JBNA CALUC CO-Chair

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