

From: [Deb Hull](#)
To: [Legislative Services email](#)
Subject: Amica proposal - Battery, Niagara, Douglas Street
Date: January 12, 2025 9:57:36 AM

Dear Mayor and Council,

I am writing to ask you to reject the proposed variance to increase the maximum height for this 6-storey building from 18.50m to 23.10m.

A 6-storey maximum is meaningless if there is no restriction on height. I believe this is something that should be addressed in the revisions to the official community plan. The impact on communities is the height of the building, not the number of storeys.

I believe that the height is what matters. The applicant should either reduce the height of each storey, or reduce the number of storeys.

Deb Hull
James Bay resident

From: [ADA SERSON](#)
To: [Legislative Services email](#)
Subject: Proposed changes to 674, 676 and 678 Battery Str.
Date: January 13, 2025 10:01:04 PM

Dear Council,

It is with great sadness that I received the information of changes of the Heritage House encompassing the above mentioned suites. I live in nr. 676 which has been my residence since March 2017. I was 84 years old at the time and of course am 91 years now. I expected to live here to the end of my earthly days.

This change has been hanging over our heads for a number of years now. Now, we here at Heritage House are staring unbelievably at the end of our dreams.

Nowhere will we be able to find the same accommodation, even if we could afford the, over the last years, crept up higher rents. And please do not assure me that Amica will help me to find me a comparable suite. There are none.

All that for Amica's and Victoria City's greed for more and smaller suites to house only the rich. I am disappointed that Victoria City Council is allowing this to happen to their very old citizens. Sadly, money always speaks louder. I hope this makes you Councillers very happy. I shall refrain from voting for you for ever.

Ada Serson.

From: [Gayle Nelson](#)
To: [Marianne Alto \(Mayor\)](#); [Jeremy Caradonna \(Councillor\)](#); [Chris Coleman \(Councillor\)](#); [Matt Dell \(Councillor\)](#); [Marg Gardiner \(Councillor\)](#); [Stephen Hammond \(Councillor\)](#); [Susan Kim \(Councillor\)](#); [Krista Loughton \(Councillor\)](#); [Dave Thompson \(Councillor\)](#); [Rob Bateman](#); [Development Services email inquiries](#)
Subject: Forthcoming reading of by-laws for 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St
Date: January 12, 2025 2:57:54 PM

Dear Mayor and Council Members,

I agree with the letter from Dr Adele Haft which identifies multiple reasons why you **should postpone reading of, and request changes to**, the by-laws for *674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St*. These bylaws will be coming before you on Thursday January 16th.

Reading of the bylaws should be postponed primarily because the postal strike has resulted in residents within 100 metres of the project NOT RECEIVING the public notice of the reading of the by-laws. To ensure a transparent and honest process, residents need to have adequate time to respond and make their views known on the proposed by-laws.

As noted by Dr Haft: until significant have been made to the FSR of the rezoning application No. REZ00810, and to many of the applicant's requests in the development permit with variances application No. 000614, COUNCIL is requested at this time TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as *674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St* near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).

Details and rationale are as follows:

Variance i. PLEASE DON'T PERMIT APPLICANT TO INCREASE THE MAXIMUM HEIGHT FROM 18.50M/60.70FT TO 23.10M /75.79FT (these figures *do not include* the elevator overrun height):

REASON 1: For 6-storeys, the maximum height of 18.5m is specified for R3-2 Zone, Multiple Dwelling District (Part 3.3, 3) *and* URMD, Urban Residential Multiple Dwelling District (Part 3.112.4). Note: Contrary to p.5 of Attachment B, **the R3-2 Zone does not allow a maximum height of 22m** if "the area of the lowest floor "...has "a site coverage in excess of 40% of the site coverage of the multiple dwelling." (See Variance ii, below).

REASON 2: **At 18.5m, the average maximum floor height of a 6-storey building is therefore 3.08m/10.10ft. Applicant wants to increase that floor height to 3.85m/12.63ft (23.10m ÷ 6).**

REASON 3: Absent a defined average floor height, STOREYS ARE MEANINGLESS. For example,

The current four-storey Amica building at 675 & 685 Niagara St is 11.03m/36.19ft high and each floor is 2.76m/9.06ft (note 1). Four-storey Amica Douglas House at 50

Douglas St is 12.31m/40.39ft high and each floor is 3.08m/10.10ft (note 2). [Map by J.E. Anderson & Associates, Surveyors - Engineers (2017), p.3 of Applicant's most recent revisions.] ***The average floor height of the two building is 2.92m/9.58ft. Multiplying 2.92m by 6 floors yields a permissible height for a 6-storey building without a variance: 17.52m/57.48ft.***

In theory, a 6-storey building is 1/3 again as tall as a 4-storey building, as in the example above. But **the proposed 23.1m 6-storey building will be TWICE the height of the present 4-storey buildings' elevations** of 11.03m-12.31m. At 23.1m, it **will block the western views from Beacon Hill**; a heritage-designated location, an indigenous historical site, and tourist landmark. On the height of land in our isolated neighbourhood, it will tower over every building to its west on Niagara St, over every building to its south on Battery St—including its own heritage building, historic Ashcroft House B&B and Beacon Lodge, and over 4-storey 660 Battery St (12.5m/41ft: note 3). Over every building on Douglas to its south and north until 188 Douglas with its gracious setbacks and easy entrance to BHP. ***At a time when many seniors can no longer afford to live in James Bay, the Amica proposal offers no affordable units and requires its 102 current residents to leave their community.***

SOLUTION 1: **If the Applicant insists on 6-storeys**, the 11 February 2022 proposal with floor elevations of 4.5m/14.76ft for Level 1, and 3.3m/10.82 for Levels 2-8, shows that the top and intermediate floors were at least 0.30m lower than in later revisions. Even so, the average floor height of 3.5m/11.48ft makes the building 21m/68.89ft tall—still 2.5m/8.2ft over 18.5m. To remedy this, the architect can **modify average floor heights to the permissible 3.08m/10.10ft.**

SOLUTION 2: If the Applicant insists on floors averaging 3.85m (Level 1, 4.5m; Levels 2-5, 3.6m; Level 6, 4.1), **he can build a 5-storey building that brings the building height down to 19.5m/64ft.** This can be done by eliminating one 3.6m/11.8ft intermediate floor and retaining all 57 Memory Care beds. (Ironically, MC beds comprise only 1/3 of 168 total in the latest proposal, despite the Applicant's emphasis in letters to Mayor and Council about the need for more). In Victoria no other Amica facility is more than 5 storeys, and 5-storey Amica Jubilee is in a far more urban setting.

REQUEST APPLICANT TO GO WITH A 5-STOREY OR LOWER 6-STORY BUILD: JUSTIFICATIONS

Variance ii. Applicant's request to "increase the maximum site coverage from 40% to 53%." The maximum site coverage already increases from 30% for the present R3-2 zone to 40% for a proposed URMD zone. Requesting an increase to 53% means a 23% increase since the proposed rebuilding of 50 Douglas St (etc.) began its process in 2021. *It's not 2050 yet, the endpoint of the as-yet unpublished OCP's 30+year update, & the proposed facility is not state-of-the-art now.*

Variance iii. Applicant's request to "reduce the minimum open site space from 50% to 41%." (1) The maximum open site space is already reduced from 60% for the present R3-2 zone to 50% for the URMD zone. (2) Requesting a decrease to 41% means a 19% increase since 2021. (3) The 16 Jan 2025 agenda reads, "The application proposes to rezone from the R3-2 Zone, Multiple Dwelling District, to increase the density from 1.6:1 floor space ratio (FSR) to 2.45:1 FSR and allow construction of a new six-storey assisted living building" *after* demolishing the

current assisted & independent living facility. A 2.45:1 FSR is well above the permissible maximum 2.0:1 in the URMD regulations (3.112.3). (4) Families & future residents of 168 new units will need a gentle space to walk around as BHP is *not* safely accessible from the Amica site. ***Reducing the number of new residents in the proposed buildings to 134 in a 5-storey facility will prevent overcrowding a property far too small for the number of extraordinary variances requested.***

Variance viii. Applicant's request to "reduce the internal south setback from 6.00m to 4.70m for the balcony of the assisted living facility." If I understand "internal south setback" correctly, (1) the Level 1 Plan 6m (p.5: 21 May 2024 revision) shows an internal south setback of 8.60m, not the 6.00m on the Public Notice. (2) The request assumes that the 660 Battery parking lot, facing the back of the proposed building, can be used to reduce Amica's own setbacks.

Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

I appreciate your time and consideration in this important and potentially precedent-setting matter.

Gayle Nelson

54 Government St

Notes: (1) Top of Flat Roof Elevation of 34.54m *minus* Main Floor Elevation of 23.51m = present building height of 11.03m. (2) Top of Flat Roof Elevation of 38.08m *minus* Main Floor Elevation of 25.77m = present building height of 12.31m. (3) 660 Battery Street: Montgomery Elevator Company, Hydraulic Elevator Layout Plan, for White Construction Co. Ltd, June 28, 1971.

From: [John Adams](#)
To: [Rob Bateman](#); [Development Services email inquiries](#); [Kristal Stevenot](#)
Subject: Douglas House Amica Development
Date: January 12, 2025 8:03:24 PM

FYI I have sent the following letter in separate emails to the mayor and all council members.

Re: Opposition to Development at 674, 676 and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street

The proposed development is too big, dense and out of character with its surroundings to be approved. The number of significant variances being requested is a major indication that something is wrong with the project. The fact that four of the six addresses under consideration are within a Heritage Conservation Area established in the 1980s adds another big reason to reject the proposal.

The neighbourhood has been my home for forty-five years. During this time we have supported some developments (such as townhouses at Pinehurst at 617 Battery Street and the b & b zoning at 670 Battery Street) because they complemented the scale and heritage character of the area. We have successfully opposed other projects (such as the demolition and redevelopment of 648 and 645 Battery Street). “No assault on Battery” was our motto. In some cases we collaborated with city planners and developers to achieve appropriate modifications to very large projects (such as one proposed for Beacon Manor at 20 Douglas Street).

The neighbourhood surrounding the proposed development contains a very diverse population and supports a density that is already quite high, without destroying the livability and character of the place. 1890s heritage houses, 1940s duplexes, 1950s apartments and 1960s condominiums are all part of the mix, providing a wide range of housing options.

Please reject the development proposal that has been presented.

Yours truly,

John Adams
634 Battery Street

January 13, 2025

Attention: Mayor and Council

Re: The proposed Amica Development in James Bay

I own the heritage registered house at 648 Battery Street. If the proposed Amica development receives the go ahead to build six floors, the building will loom directly over my backyard, and the yards of many others. I implore you to take a look at the proposed design, find the two heritage houses on the design, and then take a minute to ponder if this is really the right size of building for this neighbourhood. Would any of you want such a building in your backyard? Would such a building be approved in a heritage row in Fairfield, Gonzales, or Oaklands? Is this just another dump on James Bay? Further, James Bay needs affordable, public, safe housing for our seniors, not this.

Thanks for your consideration,

Kelly Bohlken

From: [Peter McGuire](#)
To: [Legislative Services email](#)
Subject: Amica Development Proposal 50 Douglas Street Victoria
Date: January 12, 2025 2:43:33 PM
Attachments: [Letter to Mayor and Council-CFCOTW 16Jan2025.docx](#)

We agree with is letter in principle.

Jeanette Stacey & Peter McGuire 102, 660 Battery Street, Victoria V8V 1E5

Sent from my iPad

Dear Mayor Alto, Members of Council, Rob Bateman, Karen Hoese, and Kristal Stevenot:

I am writing on behalf of our James Bay neighbours. As of Friday, 10 Jan 2025, many of those within 100m of the proposed Amica Development *had not received the mailed Public Notice* (<https://pub-victoria.escribemeetings.com/FileStream.ashx?DocumentId=100597>) regarding “the report recommending the 1st, 2nd, and 3rd readings of the Rezoning Application No. REZ00810,” scheduled for Thursday, 16 January 2025. Because our written comments are due by 12pm on 14 Jan 2025, **I have invited neighbours to copy this letter and email it to you with the words “I agree in principle that WITHOUT THE SIGNIFICANT CHANGES—DESCRIBED BELOW—TO THE FSR OF THE REZONING APPLICATION NO. REZ00810, AND TO MANY OF THE APPLICANT’S REQUESTS IN THE DEVELOPMENT PERMIT WITH VARIANCES APPLICATION NO. 000614, I/WE URGE COUNCIL AT THIS TIME TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).**

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REASON 2: **At 18.5m, the average maximum floor height of a 6-storey building is therefore 3.08m/10.10ft. Applicant wants to increase that floor height to 3.85m/12.63ft (23.10m ÷ 6).**

REASON 3: **Absent a defined average floor height, STOREYS ARE MEANINGLESS.** For example,

The current four-storey Amica building at 675 & 685 Niagara St is 11.03m/36.19ft high and each floor is 2.76m/9.06ft (note 1). Four-storey Amica Douglas House at 50 Douglas St is 12.31m/40.39ft high and each floor is 3.08m/10.10ft (note 2). [Map by J.E. Anderson & Associates, Surveyors - Engineers (2017), p.3 of Applicant’s most recent revisions.] **The average floor height of the two building is 2.92m/9.58ft. Multiplying 2.92m by 6 floors yields a permissible height for a 6-storey building without a variance: 17.52m/57.48ft.**

In theory, a 6-storey building is 1/3 again as tall as a 4-storey building, as in the example above. But **the proposed 23.1m 6-storey building will be TWICE the height of the present 4-storey buildings’ elevations** of 11.03m-12.31m. At 23.1m, it **will block the western views from Beacon Hill**; a heritage-designated location, an indigenous historical site, and tourist landmark. On the height of land in our isolated neighbourhood, it will tower over every building to its west on Niagara St, over every building to its south on Battery St—including its own heritage building, historic Ashcroft House B&B and Beacon Lodge, and over 4-storey 660 Battery St (12.5m/41ft: note 3). Over every building on Douglas to its south and north until 188 Douglas with its gracious setbacks and easy entrance to BHP. **At a time when many seniors can no longer afford to live in James Bay, the Amica proposal offers no affordable units and requires its 102 current residents to leave their community.**

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intermediate floors were at least 0.30m lower than in later revisions. Even so, the average floor height of 3.5m/11.48ft makes the building 21m/68.89ft tall—still 2.5m/8.2ft over 18.5m. To remedy this, the architect can **modify average floor heights to the permissible 3.08.m/10.10ft.**

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REQUEST APPLICANT TO GO WITH A 5-STOREY OR LOWER 6-STORY BUILD: JUSTIFICATIONS

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Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

I appreciate your time and consideration in this important and potentially precedent-setting matter.

Dr. Adele J. Haft, 660 Battery Street

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From: [Rashmi Patel](#)
To: [Marianne Alto \(Mayor\)](#); [Jeremy Caradonna \(Councillor\)](#); [Chris Coleman \(Councillor\)](#); [Matt Dell \(Councillor\)](#); [Marg Gardiner \(Councillor\)](#); [Stephen Hammond \(Councillor\)](#); [Susan Kim \(Councillor\)](#); [Krista Loughton \(Councillor\)](#); [Dave Thompson \(Councillor\)](#); [Rob Bateman](#); [Development Services email inquiries](#); [Kristal Stevenot](#)
Subject: Amica - To rezone the land known as 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street
Date: January 13, 2025 12:39:57 PM

Dear Mayor Alto, Members of Council, Rob Bateman, Karen Hoese, and Kristal Stevenot:

“I agree *in principle* that WITHOUT THE SIGNIFICANT CHANGES—DESCRIBED BELOW—TO THE FSR OF THE REZONING APPLICATION NO. REZ00810, AND TO MANY OF THE APPLICANT’S REQUESTS IN THE DEVELOPMENT PERMIT WITH VARIANCES APPLICATION NO. 000614, I/WE URGE COUNCIL AT THIS TIME TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).

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Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

I appreciate your time and consideration in this important and potentially precedent-setting matter.

Rashmi Patel, 660 Battery Street

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From: [Ruth Schreier](#)
To: [Legislative Services email](#)
Subject: Amica
Date: January 13, 2025 10:10:08 AM

Please vote to decline the changes to Amica on Douglas. This is not the way to let Amica, slide through changes without the input from the James Bay Community in which I live,
20 Olympia Ave, Victoria BC V8V 2 N4.

Thank you,

Ruth Schreier

PS Amica is owned by Baybridge and Ontario Teachers Fund who couldn't care less about the welfare of the residents unless they are wealthy. Are we heading in the direction of the United States?

Sent from my iPad

Date: January 13, 2025

To: Victoria City Council

From: Sean Hern

Re: Proposal for 50 Douglas Street by Milliken Developments and Amica Senior Lifestyles

Introduction

I write in opposition of the above-noted project. I live at 648 Battery Street, so will be impacted by the zoning, setback and height variances – the new building is uphill from us and the proposed 6 stories at 23.10 metres will loom over our yard and the yards of our neighbours. This letter reflects my opinions in response to the City’s December 30, 2024 notice delivered to my address.

The zoning is currently R3-2 Zone, Multiple Dwelling District, which allows for low and mid-rise buildings, but I understand the OCP would not support six stories in this location.

When the property was purchased by its Toronto owner, Amica Senior Lifestyles (owned by the Ontario Teachers Pension Plan, which has total net assets of over \$250 billion), that is the zoning that Amica should have expected would apply. If Amica purchased the property with the intention of building a vastly bigger building as a luxury seniors’ residence, then it took a strategic risk knowing that there was a good chance that such a facility would not be approved given the existing zoning was unsuitable.

My fundamental point of opposition to this proposal, shared by everyone I have spoken to in my neighbourhood, is that that the proposed building is too tall. That is obvious from just looking at the drawings and walking the area. It is two stories too high and will be massively out of step with the street and the neighbourhood. Floors five and six should not be permitted.

Despite this, Staff suggests the proposal is an acceptable compromise in order to gain more units of density. I disagree, and ask that you consider two points of rebuttal. First, there is no evidence as to how many units of rental housing could be built on this site if the density was maximized and the building nevertheless complied with the existing zoning, height and setbacks. This is something that ought to be known in order to properly assess the proposed compromise.

Second, as a matter of principle, you should stop allowing developers to proceed in the way this project has – it fosters and rewards a cynical development culture in the city in which developers will buy unsuitable properties for developments they want to pursue and then pressure Council to approve them. I expand on each of these points below.

The Intrusion on the Neighbourhood is not Justified by Evidence

The Staff report advocates for this proposal by characterizing it as “market rental housing” and the report wants you to get excited about the proposal containing 168 units rather than the current 102, representing a purported net gain of 66 more units from what is there now.

If the reason you are considering approving the variances is to increase the density on the property, then you should know approximately how many units of ordinary housing could be built on the property within the current zoning so that you can compare it to what is being proposed.

The proposed Amica living units are small, but the facility includes staff, cafeteria and meeting areas, so it is not easy to compare the numbers to an ordinary residential building that maximizes the property area (which the existing buildings don't).

Even on this proposal, there are only 57 units on the top two floors, so it shouldn't be thought of as a gain of 66 units to include floors five and six. It is 57.

Moreover, 57 more units does not necessarily allow 57 more people to live in the proposed new facility than what it currently can house. The new units appear to be all small studio rooms for a single occupant, whereas the portion of the existing building on Niagara Street has many double occupancy units. How many more people will actually be housed in the new facility? The Staff report doesn't appear to provide that information.

It should also be noted that the proposed new units aren't ordinary rental units for the young and lower income people in the city who are having difficulty finding housing these days in the “housing emergency”. These are units in a “premium” private seniors' facility with a combination of independent care, assisted care and memory care units. The monthly “rent” with the services and add-ons will be very high and only the wealthiest seniors will be able to afford it. This will not be housing for many, if any, James Bay residents. Further, according to [Amica's consultants](#), it is unlikely to be full at any given time: “about one-third of the residential units at each [Amica] property need to be refilled each year, which requires continuous sales and marketing efforts” (at para 14). Accordingly, these are not the type of units that address the critical need for housing in the city.

Taking those observations into account, evidence should be presented as to whether a rental building could be constructed within the current zoning and setback restrictions that would house the same number of people that will be purportedly housed in this proposed facility with its massive increase in scale. And if Amica's proposed building can house more people, how many more? 57? 10? 2? You need to know this.

These questions are directly relevant to assessing the merits of Staff’s assertion that this proposed facility represents a significant enough increase in market rental housing units to justify a massively oversized and roundly opposed facility being imposed on the neighbourhood.

Sending the Wrong Message to Developers and Creating Resentment in Communities

This development proposal is an example of Staff and Council encouraging and rewarding a cynical culture of development in the City, leaving communities discouraged and disillusioned with local government. Based on the sequence I have observed, in my opinion here is how the playbook worked in this case:

- The owner buys a property that is zoned for buildings of a certain size and wants a windfall of lucrative zoning to build a much bigger development than is permitted.
- The developer “adjusts” Staff expectations and upsets the community by proposing in 2022 an eight story building that is massively out of step with the existing zoning, setbacks, height restrictions and design guidelines. They know they will never get this – they are just softening everyone up. Look at the size of the heritage house in the front, which is the height of a typical house on Battery and Niagara – the proposal is intentionally offensive.¹



- In the face of the resulting opposition, the developer is “responsive” and scales the proposal back a little bit here and a little bit there so Staff and Council feel like they did something for the community and “forced” the developer to compromise,

¹ It is also worth reminding Council that this particular developer added an extra step to the playbook in 2019: the developer “[gifted](#)” a million dollars to the City’s Housing Reserve Fund while it had applications forthcoming for Council. Council should never have accepted that donation.

notwithstanding the proposal is still well out of step with the size, setbacks, height restrictions and zoning. In the drawing below, here we are in 2023 - down to six stories, which is still two stories out of step with the zoning and OCP, but I expect it is what the developer was hoping to achieve in the first place:



- And then a few more little concessions in 2024, but no surprise, the developer holds firm to the six stories:



- What is objectionable about the above proposal is obvious: the building is hugely oversized for the area, as the current zoning contemplates and specifies. This location slopes away in three directions and this would be by far the tallest building around. The current zoning for this property is appropriate - remove the top two floors, and this building would be fine. But the process of the developer's playbook has successfully adjusted expectations – Staff is onside and thinks it got a win for the community because it isn't so bad as the first proposal.

- So Staff recommends it and Council approves it and the owner and developer are enriched by having bought a property that was priced according to one set of zoning restrictions and ending up with much more generous and valuable zoning and a much larger building.
- Meanwhile the neighbours get a building that doesn't fit with the neighbourhood and becomes a new benchmark for the next oversized proposal.

In my view, this process fosters a culture of contempt for regulatory restrictions rather than respect. Zoning, setbacks and height restrictions are seen as entirely negotiable. If you grant this application, it simply encourages other developers to pursue the windfall of seeking major variances on tenuous propositions of increased density. Why wouldn't they?

The alternative is to force development companies like Amica Senior Lifestyles to buy an appropriately zoned property from the beginning, or enter into purchase agreements that are subject to a rezoning application. Amica is a major developer that strategically acquires properties and builds seniors' housing facilities across Canada. It has the resources and sophistication to identify and purchase a property that is suitable for the size of facility that it wants to build.

Rather than encouraging only reasonable proposals to be brought forward, this pattern rewards the "shoot for the stars and land on the moon" approach and causes unnecessary anxiety for neighbourhoods because residents can never be confident what rules will apply and which will give way. The same process appears to be happening on the other end of Battery Street at 50 Government Street.

The alternative is not to accept this playbook. Simply decline to approve this proposal and others like it. If Amica doesn't want to build a facility that is suitably sized for the neighbourhood,² it can sell the property to a developer that will build rental housing on the subject property within or at least close to the current height and setback restrictions. Amica and Milliken can go find a property that is suitable for the size of facility Amica wants to build.

If you handled applications in that fashion, after a short period of adjustment in the culture of development applications you would garner much more respect for the OCP, zoning and associated guidelines and foster much less resentment in neighbourhoods who have to live with the developments you approve.

² And don't let them tell you it is not financially viable without seeing comprehensive and compelling evidence of the same - at Quadra and Humboldt there is the [Sunrise](#) memory care facility that seems to be doing just fine operating a purpose-built four-story facility with a design and scale that fits nicely into that neighbourhood of historic houses.

From: [Shirley Roberts](#)
To: [Legislative Services email](#)
Cc: [Marianne Alto \(Mayor\)](#); [Jeremy Caradonna \(Councillor\)](#); [Chris Coleman \(Councillor\)](#); [Matt Dell \(Councillor\)](#); [Marg Gardiner \(Councillor\)](#); [Stephen Hammond \(Councillor\)](#); [Susan Kim \(Councillor\)](#); [Krista Loughton \(Councillor\)](#); [Dave Thompson \(Councillor\)](#); [Kristal Stevenot](#); [Development Services email inquiries](#)
Subject: Variance application REZ00810
Date: January 13, 2025 2:36:52 PM

Dear Mayor Alto, members of council, Rob Bateman, Karen Hoese & Kristal Stevenot:

I am writing to ask you to decline ALL rezoning & permit applications with creating a site-specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674,676,678 Battery St , 675 & 685 Niagara St., & 50 Government St. near Beacon Hill Park (BHP);(concurrent with Heritage Alteration Permit Application No. 00251)

Please don't permit applicant to increase maximum height from 18.50M to 23.10M (these figures do not include elevator overrun height)

18.5 is the specified height for URMD , the applicant wants to increase to 23.1 M.. this is a huge increase . The floor height going from 3.08M to 3.85M. What is an average floor height? A defined floor height is needed, stories are meaningless , it is the building height that matters and this proposal is far too big.

Not only that, but there will be no outdoor space for residents to enjoy (getting to BHP across busy Douglas St. Is not feasible.

The building will now cast even more shadow over the neighbouring residences , for instance those living in the back suites at 660 will get virtually no sun at any time of the year.

In the meantime, the residents now living at the proposed redevelopment site are in limbo, no knowing when they may have to move, where they are going & if they will ever return to James Bay. For a great many the latter will not happen. A sad situation indeed.

Please reconsider this application and don't allow the applicant his requested variances.

Thank you

Shirley Roberts, 492-660 Battery St., Victoria, B.C. , V8V 1E5

Sent from my iPad

January 13, 2025

Dear Mayor Alto, Members of Council, Rob Bateman, Karen Hoese, and Kristal Stevenot,

Re: Zoning Regulation Bylaw, Amendment Bylaw (No. 1349), No. 24-080, Development Permit with Variances Application No. 000614, Heritage Alteration Permit Application No. 00251

Further to the below letter submitted to you already by Adele J. Haft, we agree in principle with everything that follows in this letter.

We wish to highlight that we are the owners of **Ashcroft House Bed & Breakfast**, located at 670 Battery Street, directly adjacent to the Amica site. The Amica heritage house is our next door neighbour. We have been against this redevelopment right from the start and have sent letters expressing this. We are devastated that this redevelopment is approved as it very well could put us out of business. Ashcroft House is a beautiful, 128 year old heritage house and a much-loved fixture in the neighbourhood.

Since this development is already approved, we can only be adamantly against the proposed changes to try and mitigate the negative impact this will have on our business, our house and our neighbourhood.

WITHOUT THE SIGNIFICANT CHANGES—DESCRIBED BELOW—TO THE FSR OF THE REZONING APPLICATION NO. REZ00810, AND TO MANY OF THE APPLICANT’S REQUESTS IN THE DEVELOPMENT PERMIT WITH VARIANCES APPLICATION NO. 000614, I/WE URGE COUNCIL AT THIS TIME TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).”

Variance i. **PLEASE DON’T PERMIT APPLICANT TO INCREASE THE MAXIMUM HEIGHT FROM 18.50M/60.70FT TO 23.10M /75.79FT** (these figures *do not include* the elevator overrun height):

- **REASON 1:** For 6-storeys, the maximum height of 18.5m is specified for R3-2 Zone, Multiple Dwelling District (Part 3.3, 3) *and* URMD, Urban Residential Multiple Dwelling District (Part 3.112.4). Note: I believe that contrary to p.5 of Attachment B, **the R3-2 Zone does not allow a maximum height of 22m** if “the area of the lowest floor “...has “a site coverage in excess of 40% of the site coverage of the multiple dwelling.” (See Variance ii, below).
- **REASON 2:** **At 18.5m, the average maximum floor height of a 6-storey building is therefore 3.08.m/10.10ft. Applicant wants to increase that floor height to 3.85m/12.63ft (23.10m ÷ 6).**
- **REASON 3:** **Absent a defined average floor height, STOREYS ARE MEANINGLESS. For example,**

The current four-storey Amica building at 675 & 685 Niagara St is 11.03m/36.19ft high and each floor is 2.76m/9.06ft (note 1). Four-storey Amica Douglas House at 50 Douglas St is 12.31m/40.39ft high and each floor is 3.08m/10.10ft (note 2). [Map by J.E. Anderson & Associates, Surveyors - Engineers (2017), p.3 of Applicant’s most recent revisions.] **The**

average floor height of the two buildings is 2.92m/9.58ft. Multiplying 2.92m by 6 floors yields a permissible height for a 6-storey building without a variance: 17.52m/57.48ft.

In theory, a 6-storey building is 1/3 again as tall as a 4-storey building, as in the example above. But **the proposed 23.1m 6-storey building will be TWICE the height of the present 4-storey buildings' elevations** of 11.03m-12.31m. At 23.1m, **it will block the western views from Beacon Hill**; a heritage-designated location, an indigenous historical site, and tourist landmark. On the height of land in our isolated neighbourhood, it will tower over every building to its west on Niagara St, over every building to its south on Battery St—including its own heritage building, historic Ashcroft House B&B and Beacon Lodge, and over 4-storey 660 Battery St (12.5m/41ft: note 3). Over every building on Douglas to its south and north until 188 Douglas with its gracious setbacks and easy entrance to BHP. **At a time when many seniors can no longer afford to live in James Bay, the Amica proposal offers no affordable units and requires its 102 current residents to leave their community.**

SOLUTION 1: If the Applicant insists on 6-storeys, the 11 February 2022 proposal with floor elevations of 4.5m/14.76ft for Level 1, and 3.3m/10.82 for Levels 2-8, shows that the top and intermediate floors were at least 0.30m lower than in later revisions. Even so, the average floor height of 3.5m/11.48ft makes the building 21m/68.89ft tall—still 2.5m/8.2ft over 18.5m. To remedy this, the architect can **modify average floor heights to the permissible 3.08.m/10.10ft.**

SOLUTION 2: If the Applicant insists on floors averaging 3.85m (Level 1, 4.5m; Levels 2-5, 3.6m; Level 6, 4.1), **he can build a 5-storey building that brings the building height down to 19.5m/64ft.** This can be done by eliminating one 3.6m/11.8ft intermediate floor and retaining all 57 Memory Care beds. (Ironically, MC beds comprise only 1/3 of 168 total in the latest proposal, despite the Applicant's emphasis in letters to Mayor and Council about the need for more). In Victoria no other Amica facility is more than 5 storeys, and 5-storey Amica Jubilee is in a far more urban setting.

REQUEST APPLICANT TO GO WITH A 5-STOREY OR LOWER 6-STORY BUILD: JUSTIFICATIONS

Variance ii. Applicant's request to "increase the maximum site coverage from 40% to 53%." The maximum site coverage already increases from 30% for the present R3-2 zone to 40% for a proposed URMD zone. Requesting an increase to 53% means a 23% increase since the proposed rebuilding of 50 Douglas St (etc.) began its process in 2021. *It's not 2050 yet, the endpoint of the as-yet-unpublished OCP's 30+year update, & the proposed facility is not state-of-the-art now.*

Variance iii. Applicant's request to "reduce the minimum open site space from 50% to 41%." (1) The maximum open site space is already reduced from 60% for the present R3-2 zone to 50% for the URMD zone. (2) Requesting a decrease to 41% means a 19% increase since 2021. (3) The 16 Jan 2025 agenda reads, "The application proposes to rezone from the R3-2 Zone, Multiple Dwelling District, to increase the density from 1.6:1 floor space ratio (FSR) to 2.45:1 FSR and allow construction of a new six-storey assisted living building" *after* demolishing the current assisted & independent living facility. A 2.45:1 FSR is well above the permissible maximum 2.0:1 in the URMD regulations (3.112.3). (4) Families & future residents of 168 new units will need a gentle space to walk around as BHP is *not* safely accessible from the Amica site. **Reducing the number of new residents in the proposed buildings to 134 in a 5-storey facility will prevent overcrowding a property far too small for the number of extraordinary variances requested.**

Variance viii. Applicant's request to "reduce the internal south setback from 6.00m to 4.70m for the balcony of the assisted living facility." If I understand "internal south setback" correctly, (1) the Level 1 Plan 6m (p.5: 21 May 2024 revision) shows an internal south setback of 8.60m, not the 6.00m on the Public Notice. (2) The request assumes that the 660 Battery parking lot, facing the back of the proposed building, can be used to reduce Amica's own setbacks.

Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

We greatly appreciate your time and consideration in this important and potentially precedent-setting matter.

Kind regards,

Shannon and Jonas Stahr – Owners of Ashcroft House Bed and Breakfast

670 Battery Street, Victoria, BC V8V 1E5

Notes: (1) Top of Flat Roof Elevation of 34.54m *minus* Main Floor Elevation of 23.51m = present building height of 11.03m. (2) Top of Flat Roof Elevation of 38.08m *minus* Main Floor Elevation of 25.77m = present building height of 12.31m. (3) 660 Battery Street: Montgomery Elevator Company, Hydraulic Elevator Layout Plan, for White Construction Co. Ltd, June 28, 1971.

Please note: **James Bay already has 11 care providers, senior living residences, and residential care facilities**—from Amica Douglas House, Amica Somerset House, Tapestry at Victoria Harbour, Nova Pacific's The Camelot, and Glenshiel Housing Society (IL, low-medium income) to Trillium's Douglas Care Community (Long Term Care [LTC], beside ADH), AgeCare James Bay (LTC, publicly funded), Retirement Concept's Beacon Hill Villa (IL,AL,MC, funded by Island Health), Garth Homer Services' Heron House at 507 Government (subsidized AL), Capital Regional Housing's Parry Place (subsidized AL), and Broadmead Care's Beckley Farm Lodge (publicly subsidized LTC). In addition, Rose Manor (IL), Sunrise of Victoria (LTC), and Mount St. Mary Hospital (publicly subsidized LTC) are nearby.

Bylaws - Council Chambers - January 16, 2025

From Mariann Burka

Date Tue 2025-01-14 7:10 AM

To Development Services email inquiries <DevelopmentServices@victoria.ca>

Please be aware that I have sent the following letter to Legislative Services and Mayor and Council.

Thank you.

Mariann Burka

Re: Bylaw for 674, 676, 678 Battery Street, 685 Niagara Street & 50 Douglas Street (Amica Expansion Proposal).

I am writing to ask to you please decline all rezoning and permit applications associated with this development proposal. Amica's plan is to demolish the two 4 storey buildings on the property and replace them with a 6 storey building and to adapt the heritage house on Battery Street. I urge you to decline for the following reasons:

1. This is yet another development that is "Too big, too tall" for the site. The applicant proposes to build a 6 storey building that will increase the maximum height from 18.5 m/60.7 ft to 23.1m/75.79ft. (not including additional elevator overrun height).
2. Increasing a building from 4 storeys to 6 storeys generally increases the height by one-third. However, the proposed 6 storey building will be **TWICE the height of the current 4 storey building**. This is because each floor will also be increased from 3.08m/10.1ft to 3.85m/12.63ft.
3. The proposed building will also be twice the current density - bigger than any of Amica's properties by 1-2 storeys. The resulting footprint will significantly reduce the property available for open and green space for assisted living and memory care residents who have physical and cognitive challenges and for whom abundant green space is critical. It should also be noted that future residents of 168 new units, and their visiting families, will need a gentle space to walk around as Beacon Hill Park is not safely accessible from the Amica site. (The maximum open site space is already reduced from 60% for the present R3-2 zone to 50% for the URMD zone. Requesting a decrease to 41% means a 19% decrease since 2021.)
4. The proposed building height will be out of character with, and will loom over, the low-rise heritage of the surrounding neighbourhood, depriving many current residents of sunlight and privacy. The proposed building will tower over every building to its west on Niagara Street, over every building to its south on Battery Street (including its own heritage building - the historic Ashcroft House B & B and Beacon Lodge) and over the 4 storey 660 Battery Street, and over every building on Douglas Street to its south and north to 188 Douglas with its gracious setbacks and easy entrance to Beacon Hill Park.

5. At 23.1 m high, the building will block the western views from Beacon Hill, a heritage designated location, an indigenous historical site, a common neighbourhood destination and tourist landmark.
6. At a time when many seniors can no longer afford to live in James Bay, this development proposal offers no affordable units and requires its 102 current residents to leave their community.
7. Alternatives are available to the developer that would have less detrimental effect on residents and the neighbourhood. These include: lowering the height of the floors to the permissible 3.08m and reducing the number of storeys.

It is unfathomable why a new development needs to be at the expense of existing residents and a community's neighbourhood. Since the inception of Amica's expansion development proposal, neighbouring and community residents have been pleading for a reduction in height and density so they can continue to live in harmony on their residences and in their neighbourhood.

Please do the right thing for current and future residents and decline all rezoning and permit applications associated with this development proposal. Thank you.

Sincerely,

Mariann Burka
Victoria

Dear Mayor Alto, Members of Council, Rob Bateman, Karen Hoese, and Kristal Stevenot: (12 Jan 2025)

I am writing on behalf of our James Bay neighbours. As of Friday, 10 Jan 2025, many of those within 100m of the proposed Amica Development *had not received the mailed Public Notice* (<https://pub-victoria.escribemeetings.com/FileStream.ashx?DocumentId=100597>) regarding “the report recommending the 1st, 2nd, and 3rd readings of the Rezoning Application No. REZ00810,” scheduled for Thursday, 16 January 2025. Because our written comments are due by 12pm on 14 Jan 2025, **I have invited neighbours to copy this letter and email it to you with the words “I agree in principle that WITHOUT THE SIGNIFICANT CHANGES—DESCRIBED BELOW—TO THE FSR OF THE REZONING APPLICATION NO. REZ00810, AND TO MANY OF THE APPLICANT’S REQUESTS IN THE DEVELOPMENT PERMIT WITH VARIANCES APPLICATION NO. 000614, I/WE URGE COUNCIL AT THIS TIME TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).”**

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REASON 1: For 6-storeys, the maximum height of 18.5m is specified for R3-2 Zone, Multiple Dwelling District (Part 3.3, 3) *and* URMD, Urban Residential Multiple Dwelling District (Part 3.112.4). Note: I believe that contrary to p.5 of Attachment B, **the R3-2 Zone does not allow a maximum height of 22m** if “the area of the lowest floor “...has “a site coverage in excess of 40% of the site coverage of the multiple dwelling.” (See Variance ii, below).

REASON 2: **At 18.5m, the average maximum floor height of a 6-storey building is therefore 3.08.m/10.10ft. Applicant wants to increase that floor height to 3.85m/12.63ft (23.10m ÷ 6).**

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In theory, a 6-storey building is 1/3 again as tall as a 4-storey building, as in the example above. **But the proposed 23.1m 6-storey building will be TWICE the height of the present 4-storey buildings’ elevations** of 11.03m-12.31m. At 23.1m, **it will block the western views from Beacon Hill**; a heritage-designated location, an indigenous historical site, and tourist landmark. On the height of land in our isolated neighbourhood, it will tower over every building to its west on Niagara St, over every building to its south on Battery St—including its own heritage building, historic Ashcroft House B&B and Beacon Lodge, and over 4-storey 660 Battery St (12.5m/41ft: note 3). Over every building on Douglas to its south and north until 188 Douglas with its gracious setbacks and easy entrance to BHP. **At a time when many seniors can no longer afford to live in James Bay, the Amica proposal offers no affordable units and requires its 102 current residents to leave their community.**

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Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

I appreciate your time and consideration in this important and potentially precedent-setting matter.

Dr. Adele J. Haft, 202-660 Battery Street, Victoria, BC V8V 1E5

Notes: (1) Top of Flat Roof Elevation of 34.54m *minus* Main Floor Elevation of 23.51m = present building height of 11.03m. (2) Top of Flat Roof Elevation of 38.08m *minus* Main Floor Elevation of 25.77m = present building height of 12.31m. (3) 660 Battery Street: Montgomery Elevator Company, Hydraulic Elevator Layout Plan, for White Construction Co. Ltd, June 28, 1971.

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From: [Annemarie Hartman-Charness](#)
To: [Legislative Services email](#)
Subject: Requesting modification to the Tenant Assistance Plan associated with rezoning and permit applications: 674, 676, 678 Battery Street, 675 & 685 Niagara Street, and 50 Douglas Street
Date: January 14, 2025 11:06:06 AM

In reviewing the recent TAP (Tenant Assistance Plan) attached to the rezoning application for the Amica Douglas building listed above, I'd like to draw your attention to the following issues and ask that you delay voting on the rezoning request until they've been addressed.

Six month rent compensation:

Council staff advised me today that the intent of the 6 month rent compensation in the TAP is to offset for a year any rent increase tenants may incur when moving into a "similar size" unit on leaving Amica Douglas. This may work out financially for tenants currently paying full rent in the main building. However, the 2 tenants in the separate Heritage House currently pay approx. \$3000/month each for their 1 bedroom suites. A comparable suite in Amica Somerset (same neighborhood, smaller suite) costs \$5500 and up. Consequently that 6 month payout will only provide 7 months' offset, putting these ladies in the scary position of not only having to leave their home, but also deal with a 100% rent increase. Once those first 12 months are up all the other tenants will also be dealing with substantial rent increases while on a fixed income - most of the residences I've contacted quoted prices of \$5200-\$5800 for a 1 bedroom unit.

The original tenant assistance plan proposed by Amica had guaranteed that if a resident moved to another Amica building their current rent would be grandfathered in with subsequent yearly increases as allowed by the Tenant Protection Act.

Existing Rental Units Average Rents:

Average Rent numbers quoted in the TAP are inaccurate. A 1 bedroom will never cost \$200/month less than a studio. In addition, the Amica Douglas staff advised me in Spring of 2024 that costs for a 1 bed unit were \$4860-5400/month. Could the TAP be updated to reflect accurate average rents?

Appendix B - Tenant Correspondence & Requests for Assistance

There were no requests for assistance or tenant correspondence attached to the TAP, yet multiple tenants have previously written to Council regarding this application. It's also difficult to believe that not one tenant has felt the need to request assistance. Amica management should have individual discussions with tenants as promised so that tenants can have the opportunity to submit their requests for assistance prior to Council finalizing the TAP.

I respectfully request that you delay finalizing approval of this application until the outstanding TAP issues have been resolved.

Thank you.

Annemarie Hartman-Charness
1633 Prospect Place

Public Comments regarding the proposed changes to 674, 676, and 678 Battery Street, 675, 685 Niagara Street, and 50 Douglas Street.

Submitted On January 14, 2025

by Dr. Christopher J. Black

407-110 Douglas Street

Victoria, BC

The recent catchphrase within property development is “densification.” This appears to a convenient way to euphemize a desire to increase tax revenue by increasing the population of an area. Politicians love to use catchphrases like this because such jargon often downplays the whole picture that such actions entail. While it is true that densification will indeed increase the tax revenue of the densified area, it also has quite a few less positive side-effects. One of the, seemingly overlooked, downsides of this trend is that the current infrastructure is not sufficient to support densification. The roads, schools, emergency services, etc., are lagging far behind what is currently needed. Adding to this infrastructure pressure by increasing the population density seems rather foolhardy.

The proposed bylaw changes would not only add pressure to an already overloaded community’s infrastructure but would also destroy the idyllic, yet delicate, milieu of the surrounding area. The southwest corner of Beacon Hill Park is a haven for a considerable amount of Victoria’s citizens and is an enormous draw for our city’s visitors. The opportunity to commune with nature so close to an urban center an important aspect of life in Victoria and is one often the focus of tourist comments. Why threaten something that is the envy of the world?

The glaringly obvious omission within the proposal is the number of local residents, many of whom have lived in those places for decades. What will happen to them? Some might foolishly suggest that for every one person displaced, one and a half more people can live in the same space, or something callous like that. Well, quoting numbers is well and good, except for the oft overlooked fact that these numbers represent actual people. We, who live in this area, know these people. We love these people. They are not simply numbers or even “people.” They are our friends. And our friends, who have lived in their homes for a significant amount of time will be forced to move. Now, let us not forget that for a renter, a move means a massive rent increase. People living in an apartment for over 10 years would see their rent double.

With all these factors in mind, the proposed development adds to the already overburdened infrastructure, destroys the enviable ambiance of the area, and financially burdens the local residents who have lived for years in the affected areas. The little gain that is achieved by densifying the area pales in comparison to the massive losses that densification brings.

The preceding presentation is not calling for a *carte blanche* moratorium against densification. All communities are not the same. Some communities might benefit from building up the population. James Bay, however, is not one of them. In fact, James Bay is rather full. During the winter months, living here is good; but come tourist season, the streets, restaurants, transit system, etc. become painfully busy. The proposed development brings no benefit to James Bay. Thus, the best move for everyone is to relocate the proposed development to another community, one that needs densification.

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REASON 1: For 6-storeys, the maximum height of 18.5m is specified for R3-2 Zone, Multiple Dwelling District (Part 3.3, 3) and URMD, Urban Residential Multiple Dwelling District (Part 3.112.4). Note: Contrary to p.5 of Attachment B, **the R3-2 Zone does not allow a maximum height of 22m** if “the area of the lowest floor “...has “a site coverage in excess of 40% of the site coverage of the multiple dwelling.” (See Variance ii, below).

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In theory, a 6-storey building is 1/3 again as tall as a 4-storey building, as in the example above. But **the proposed 23.1m 6-storey building will be TWICE the height of the present 4-storey buildings’ elevations** of 11.03m-12.31m. At 23.1m, it **will block the western views from Beacon Hill**; a heritage-designated location, an indigenous historical site, and tourist landmark. On the height of land in our isolated neighbourhood, it will tower over every building to its west on Niagara St, over every building to its south on Battery St—including its own heritage building, historic Ashcroft House B&B and Beacon Lodge, and over 4-storey 660 Battery St (12.5m/41ft: note 3). Over every building on Douglas to its south and north until 188 Douglas with its gracious setbacks and easy entrance to BHP. **At a time when many seniors can no longer afford to live in James Bay, the Amica proposal offers no affordable units and requires its 102 current residents to leave their community.**

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intermediate floors were at least 0.30m lower than in later revisions. Even so, the average floor height of 3.5m/11.48ft makes the building 21m/68.89ft tall—still 2.5m/8.2ft over 18.5m. To remedy this, the architect can **modify average floor heights to the permissible 3.08m/10.10ft.**

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Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

I appreciate your time and consideration in this important and potentially precedent-setting matter.

~~Dr. Adele J. Hoff~~, 660 Battery Street

ELAINE DOUCETTE

204 - 660 Battery St.

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Joan Ryan, 651 Battery Street, Victoria, BC V8V 1E7

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Jordan Zinovich, 202-660 Battery Street (! agree in principle with Dr. Adele J. Haft, 202-660 Battery St)

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From: [Mariann Burka](#)
To: [Legislative Services email](#)
Subject: Bylaws - Council Chambers - January 16, 2025
Date: January 14, 2025 6:08:41 AM

To: Legislative Services
For: Mayor and Council

Re: Bylaw for 674, 676, 678 Battery Street, 685 Niagara Street & 50 Douglas Street (Amica Expansion Proposal)

I am writing to ask to you please decline all rezoning and permit applications associated with this development proposal. Amica's plan is to demolish the two 4-storey buildings on the property and replace them with a 6 storey building and to adapt the heritage house on Battery Street. I urge you to decline for the following reasons:

1. This is yet another development that is "Too big, too tall" for the site. The applicant proposes to build a 6 storey building that will increase the maximum height from 18.5 m/60.7 ft to 23.1m/75.79ft. (not including additional elevator overrun height).
2. Increasing a building from 4 storeys to 6 storeys generally increases the height by one-third. However, the proposed 6 storey building will be **TWICE the height of the current 4 storey building**. This is because each floor will also be increased from 3.08m/10.1ft to 3.85m/12.63ft.
3. The proposed building will also be twice the current density - bigger than any of Amica's properties by 1-2 storeys. The resulting footprint will significantly reduce the property available for open and green space for assisted living and memory care residents who have physical and cognitive challenges and for whom abundant green space is critical. It should also be noted that future residents of 168 new units, and their visiting families, will need a gentle space to walk around as Beacon Hill Park is not safely accessible from the Amica site. (The maximum open site space is already reduced from 60% for the present R3-2 zone to 50% for the URMD zone. Requesting a decrease to 41% means a 19% decrease since 2021.)
4. The proposed building height will be out of character with, and will loom over, the low-rise heritage of the surrounding neighbourhood, depriving many current residents of sunlight and privacy. The proposed building will tower over every building to its west on Niagara Street, over every building to its south on Battery Street (including its own heritage building - the historic Ashcroft House B & B and Beacon Lodge) and over the 4 storey 660 Battery Street, and over every building on Douglas Street to its south and north to 188 Douglas with its gracious setbacks and easy entrance to Beacon Hill Park.
5. At 23.1 m high, the building will block the western views from Beacon Hill, a heritage designated location, an indigenous historical site, a common neighbourhood destination and tourist landmark.
6. At a time when many seniors can no longer afford to live in James Bay, this development proposal offers no affordable units and requires its 102 current residents to leave their community.
7. Alternatives are available to the developer that would have less detrimental effect on residents and the neighbourhood. These include: lowering the height of the floors to the permissible 3.08m and reducing the number of storeys.

It is unfathomable why a new development needs to be at the expense of existing residents and a community's neighbourhood. Since the inception of Amica's expansion development proposal, neighbouring and community residents have been pleading for a reduction in height and density so they can continue to live in harmony on their residences and in their neighbourhood.

Please do the right thing for current and future residents and decline all rezoning and permit applications associated with this development proposal. Thank you.

Sincerely,

Mariann Burka
414 Niagara Street
Victoria

From: [Susan Aylard](#)
To: [Legislative Services email](#); [Victoria Mayor and Council](#); [Marianne Alto \(Mayor\)](#); [Jeremy Caradonna \(Councillor\)](#); [Chris Coleman \(Councillor\)](#); [Matt Dell \(Councillor\)](#); [Marg Gardiner \(Councillor\)](#); [Stephen Hammond \(Councillor\)](#); [Susan Kim \(Councillor\)](#); [Krista Loughton \(Councillor\)](#); [Dave Thompson \(Councillor\)](#); [Rob Bateman](#); [Development Services email inquiries](#); [Kristal Stevenot](#)
Subject: Proposed Amica redevelopment at 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St
Date: January 14, 2025 11:37:39 AM
Attachments: [Amica letter 20250114.docx](#)

Dear Mayor Alto, Members of Council, Rob Bateman, Karen Hoese, and Kristal Stevenot:

Please read and consider the attached letter I have written in opposition to the proposed Amica development at 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St. To sum up the contents of my letter, the proposed building is too tall and has too large a footprint for its location in a historic neighbourhood with heritage buildings and across from Beacon Hill Park.

Thank you,
Susan Aylard, 201 - 660 Battery St.

January 14, 2025

Dear Mayor Alto, Members of Council, Rob Bateman, Karen Hoes, and Kristal Stevenot:

I am writing to register my opposition to the proposed rebuild of the Amica facilities on Douglas, Niagara and Battery streets.

The proposed building is both too tall and has too large a footprint for its location across from Beacon Hill Park in a neighbourhood with numerous heritage houses. I see no reason why zoning variances should be granted for this project which is primarily intended to make a profit for both Amica and the developer. In addition to the negative impact on residents living in the vicinity, this behemoth of a building will be an eyesore for tourists who frequently visit the area.

In a city that is trying to increase tourism, it boggles the mind that such a massive building would be permitted to be built in a location that is frequented by tourists visiting the prime draws of Beacon Hill Park, Dallas Road and the heritage houses of James Bay. The more modern urban parts of Victoria (such as where Amica Jubilee is situated) are much better suited to a building of this size and design than the historic neighbourhood of James Bay. One need only to consider that James Bay is the only neighbourhood in the CRD to have horse drawn carriage tours, to realize the importance of the heritage buildings and character of this neighbourhood.

Due to the time constraints of having to submit this letter of opposition by noon Tuesday, January 14, 2025 (despite having only received the letter of notification on Friday evening), I am forced to reiterate the well written and thoroughly researched letter submitted by my neighbour (please see the section below, written in blue) as I have not had sufficient time to conduct all of my own research on the current proposal as I did for my earlier letters of opposition sent to the previous mayor and council in regards to this massive rebuild of the Amica facilities on Douglas, Niagara and Battery streets.

I agree *in principle* that WITHOUT THE SIGNIFICANT CHANGES—DESCRIBED BELOW—TO THE FSR OF THE REZONING APPLICATION NO. REZ00810, AND TO MANY OF THE APPLICANT’S REQUESTS IN THE DEVELOPMENT PERMIT WITH VARIANCES APPLICATION NO. 000614, I/WE URGE COUNCIL AT THIS TIME TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).

Variance i. PLEASE DON’T PERMIT APPLICANT TO INCREASE THE MAXIMUM HEIGHT FROM 18.50M/60.70FT TO 23.10M /75.79FT (these figures *do not include* the elevator overrun height):

REASON 1: For 6-storeys, the maximum height of 18.5m is specified for R3-2 Zone, Multiple Dwelling District (Part 3.3, 3) *and* URMD, Urban Residential Multiple Dwelling District (Part 3.112.4). Note: Contrary to p.5 of Attachment B, **the R3-2 Zone does not allow a maximum height of 22m** if “the area of the lowest floor “...has “a site coverage in excess of 40% of the

site coverage of the multiple dwelling.” (See Variance ii, below).

REASON 2: At 18.5m, the average maximum floor height of a 6-storey building is therefore 3.08m/10.10ft. Applicant wants to increase that floor height to 3.85m/12.63ft (23.10m ÷ 6).

REASON 3: Absent a defined average floor height, STOREYS ARE MEANINGLESS. For example,

The current four-storey Amica building at 675 & 685 Niagara St is 11.03m/36.19ft high and each floor is 2.76m/9.06ft (note 1). Four-storey Amica Douglas House at 50 Douglas St is 12.31m/40.39ft high and each floor is 3.08m/10.10ft (note 2). [Map by J.E. Anderson & Associates, Surveyors - Engineers (2017), p.3 of Applicant’s most recent revisions.] ***The average floor height of the two building is 2.92m/9.58ft. Multiplying 2.92m by 6 floors yields a permissible height for a 6-storey building without a variance: 17.52m/57.48ft.***

In theory, a 6-storey building is 1/3 again as tall as a 4-storey building, as in the example above. **But the proposed 23.1m 6-storey building will be TWICE the height of the present 4-storey buildings’ elevations** of 11.03m-12.31m. At 23.1m, it **will block the western views from Beacon Hill**; a heritage-designated location, an indigenous historical site, and tourist landmark. On the height of land in our isolated neighbourhood, it will tower over every building to its west on Niagara St, over every building to its south on Battery St—including its own heritage building, historic Ashcroft House B&B and Beacon Lodge, and over 4-storey 660 Battery St (12.5m/41ft: note 3). Over every building on Douglas to its south and north until 188 Douglas with its gracious setbacks and easy entrance to BHP. ***At a time when many seniors can no longer afford to live in James Bay, the Amica proposal offers no affordable units and requires its 102 current residents to leave their community.***

SOLUTION 1: If the Applicant insists on 6-storeys, the 11 February 2022 proposal with floor elevations of 4.5m/14.76ft for Level 1, and 3.3m/10.82 for Levels 2-8, shows that the top and intermediate floors were at least 0.30m lower than in later revisions. Even so, the average floor height of 3.5m/11.48ft makes the building 21m/68.89ft tall—still 2.5m/8.2ft over 18.5m. To remedy this, the architect can **modify average floor heights to the permissible 3.08m/10.10ft.**

SOLUTION 2: If the Applicant insists on floors averaging 3.85m (Level 1, 4.5m; Levels 2-5, 3.6m; Level 6, 4.1), he can build a 5-storey building that brings the building height down to 19.5m/64ft. This can be done by eliminating one 3.6m/11.8ft intermediate floor and retaining all 57 Memory Care beds. (Ironically, MC beds comprise only 1/3 of 168 total in the latest proposal, despite the Applicant’s emphasis in letters to Mayor and Council about the need for more). In Victoria no other Amica facility is more than 5 storeys, and 5-storey Amica Jubilee is in a far more urban setting.

REQUEST APPLICANT TO GO WITH A 5-STOREY OR LOWER 6-STORY BUILD: JUSTIFICATIONS

Variance ii. Applicant’s request to “increase the maximum site coverage from 40% to 53%.” The maximum site coverage already increases from 30% for the present R3-2 zone to 40% for a proposed URMD zone. Requesting an increase to 53% means a 23% increase since the proposed

rebuilding of 50 Douglas St (etc.) began its process in 2021. *It's not 2050 yet, the endpoint of the as-yet unpublished OCP's 30+year update, & the proposed facility is not state-of-the-art now.*

Variance iii. Applicant's request to "reduce the minimum open site space from 50% to 41%." (1) The maximum open site space is already reduced from 60% for the present R3-2 zone to 50% for the URMD zone. (2) Requesting a decrease to 41% means a 19% increase since 2021. (3) The 16 Jan 2025 agenda reads, "The application proposes to rezone from the R3-2 Zone, Multiple Dwelling District, to increase the density from 1.6:1 floor space ratio (FSR) to 2.45:1 FSR and allow construction of a new six-storey assisted living building" *after* demolishing the current assisted & independent living facility. A 2.45:1 FSR is well above the permissible maximum 2.0:1 in the URMD regulations (3.112.3). (4) Families & future residents of 168 new units will need a gentle space to walk around as BHP is *not* safely accessible from the Amica site.

Reducing the number of new residents in the proposed buildings to 134 in a 5-storey facility will prevent overcrowding a property far too small for the number of extraordinary variances requested.

Variance viii. Applicant's request to "reduce the internal south setback from 6.00m to 4.70m for the balcony of the assisted living facility." If I understand "internal south setback" correctly, (1) the Level 1 Plan 6m (p.5: 21 May 2024 revision) shows an internal south setback of 8.60m, not the 6.00m on the Public Notice. (2) The request assumes that the 660 Battery parking lot, facing the back of the proposed building, can be used to reduce Amica's own setbacks.

Finally, how does Attachment C relate to the proceedings of the CFCOTW on 16 Jan 2025?

I appreciate your time and consideration in this important and potentially precedent-setting matter.

Dr. Adele J. Haft, 660 Battery Street

Notes: (1) Top of Flat Roof Elevation of 34.54m *minus* Main Floor Elevation of 23.51m = present building height of 11.03m. (2) Top of Flat Roof Elevation of 38.08m *minus* Main Floor Elevation of 25.77m = present building height of 12.31m. (3) 660 Battery Street: Montgomery Elevator Company, Hydraulic Elevator Layout Plan, for White Construction Co. Ltd, June 28, 1971.

Thank you for taking the time to read and consider this letter,

Susan Aylard, 201 - 660 Battery Street

Fwd: Amica - To rezone the land known as 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street

From Kim Tooby

Date Mon 2025-01-13 6:58 PM

To Marianne Alto (Mayor) <MAlto@victoria.ca>; Jeremy Caradonna (Councillor) <jcaradonna@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Matt Dell (Councillor) <mdell@victoria.ca>; Marg Gardiner (Councillor) <mgardiner@victoria.ca>; Stephen Hammond (Councillor) <shammond@victoria.ca>; Susan Kim (Councillor) <skim@victoria.ca>; Krista Loughton (Councillor) <kloughton@victoria.ca>; Dave Thompson (Councillor) <dave.thompson@victoria.ca>; Rob Bateman <rbateman@victoria.ca>; Development Services email inquiries <DevelopmentServices@victoria.ca>; Kristal Stevenot <kstevenot@victoria.ca>

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“I agree *in principle* that WITHOUT THE SIGNIFICANT CHANGES—DESCRIBED BELOW—TO THE FSR OF THE REZONING APPLICATION NO. REZ00810, AND TO MANY OF THE APPLICANT’S REQUESTS IN THE DEVELOPMENT PERMIT WITH VARIANCES APPLICATION NO. 000614, I/WE URGE COUNCIL AT THIS TIME TO DECLINE ALL REZONING AND PERMIT APPLICATIONS associated with creating a Site-Specific URMD-2 Zone for an assisted living building in James Bay on the properties known as 674, 676, 678 Battery St, 675 and 685 Niagara St, and 50 Douglas St near Beacon Hill Park [BHP] (concurrent with Heritage Alteration Permit Application No. 00251).

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Kim Tooby 660 Battery Street

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