



June 19, 2018

Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Re: Zoning Bylaw Review 2018

Mayor and Council –

The Urban Development Institute (UDI) - Capital Region would once again like to thank City Staff for their thoughtful engagement and efforts with regard to the Zoning Bylaw 2018 Review. However, the development community, as represented by UDI, is a prominent stakeholder in this process and we want to underscore the urgent need to have the bylaw approved and implemented in order to reduce ongoing uncertainties with in situ building applications, as well as projects being designed to conform to the new bylaw.

In our opinion, City Staff have undergone an exhaustive and robust public consultation process with this bylaw update which originally commenced as far back as 2014. UDI has provided ongoing feedback on all aspects of the bylaw including the most recent changes and amendments requested by the Downtown Victoria Residents Association (DRA). We have received the Committee of the Whole (COTW) Report, dated June 13, 2018 and understand that City Staff have now addressed most of the concerns previously raised by the DRA which are within the scope of the Zoning Bylaw 2018 review.

However, the COTW report also addresses certain issues which are outside the scope of the Zoning Bylaw 2018 review. UDI is concerned that these additional issues could detract from moving Zoning Bylaw 2018 toward final adoption and thereby create further backlogs in an already congested pipeline. We write in support of the timely adoption of Zoning Bylaw 2018 and to briefly address some of the additional issues raised in the report.

- **Minimum Residential Unit Size** – The report requests that Council consider requiring a minimum residential dwelling unit size of 33m², as reflected in other multi-residential zones outside of the downtown. Council did consider this in September 2016 and opted to not include a minimum unit size in the downtown.
- ❖ **UDI's Response** – *UDI feels strongly that requiring a minimum unit size in the downtown will detract from the goal of providing more affordable housing options for people. This type of requirement will limit the ability of Developers to bring a diverse housing supply to market and limit the ability of Developers to respond to market conditions. Importantly, the report identifies that including this type of requirement in Zoning Bylaw 2018 will require further direction from Council and a consideration of the risks related*

to legal non-conformity for existing multi-unit residential buildings before proceeding further. UDI supports the timely adoption of Zoning Bylaw 2018.

- **Cash in lieu** – The report requests that Council address the concern with new developments that receive parking variances with no form of amenity contribution such as cash in lieu. The report explains that Cash in lieu is being currently explored as a potential tool to support the Sustainable Mobility Strategy. This project will include public consultation with key stakeholders and a further report will be presented to Council later this year.

❖ **UDI's Response** – *As one of the key stakeholders, UDI looks forward to providing input and being involved in the public engagement later this year.*

- **Improved Notification of Development Permit Applications** – The report identifies Council's recent direction for staff to consider amending the Land Use Procedures Bylaw to improve transparency by providing notice of development applications to adjoining property owners and CALUCs at the beginning of the process. City Staff are currently exploring this matter and report to Council is expected later this year.

❖ **UDI's Response** – *UDI is strongly opposed to this additional layer of consultation. We will be further consulting with City Staff and writing Mayor and Council a letter specific to this matter.*

- **Public input on Development Permit Applications and interpretation of Design Guidelines** – The report requests that Council consider the desire for CALUCs to be able to provide input on DP applications and interpretation of related design guidelines. Staff will be reporting back later this year with potential options for Council's consideration.

❖ **UDI's Response** – *UDI is strongly opposed to these added layers of consultation with the CALUCs. The City of Victoria has made tremendous strides in recent years to reduce timelines for processing applications and improve certainty in the development process, both of which have had a significant positive impact on development community's ability to efficiently bring diverse housing options to market. Either of these changes could easily undo the great progress that the City of Victoria has made.*

UDI is particularly concerned with the suggestion that the public should participate in the interpretation of design guidelines. UDI welcomes the public's input during the development of design guidelines and related policy documents, such as the Old Town Design Guidelines (noted below), however does not support the public's participation in their subsequent interpretation. Currently the public is consulted on appropriate issues such as massing, form and use through the rezoning process. Allowing community input on the interpretation of the design guidelines risks introducing a "design by committee" process, removes design discretion of design professionals, and disrupts the integrity of the design process. UDI strongly feels that this will result in lower quality urban form in Victoria.

Design guidelines are technical and are best interpreted by City Staff who are trained professionals in order to reduce varying interpretations (a key reason for undertaking the review of the Old Town Design Guidelines as noted below). UDI looks forward to providing further input on this matter.

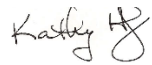
- **Review of Old Town Design Guidelines** – The report identifies that one of the key reasons for reviewing the Old Town Design Guidelines is to provide greater specificity and to reduce varying interpretation with design guidelines which will be a benefit to City Staff, Council, the community and the development industry (improved clarity).

❖ **UDI's Response** – *UDI is currently involved in the working group to review the guidelines and looks forward to continuing to collaborate on this important matter.*

We understand from staff that going forward the Zoning Bylaw will require further revisions and updates as time goes on in order to address future changes in land use patterns and trends. It goes without saying that no bylaw is perfect to all stakeholders, but it does represent the feedback by all of those who contributed to it. Zoning Bylaw 2018 is a critical tool that needs to be in place and UDI is requesting that Council move forward with its approval and adoption without further distraction and delay, thus allowing stalled projects to advance.

Again, UDI Capital Region would like to acknowledge the amount of work that has gone into this review – it is not without merit. This is an important initiative that will only create more economic vitality for the City. We look forward to future engagement and collaboration.

Kind Regards,

A handwritten signature in black ink, appearing to read "Kathy H", with a stylized flourish at the end.

Kathy Hogan – Executive Director
(On behalf of the UDI Capital Region Executive Directors)