

From: J Snead <[REDACTED]>

Sent: June 14, 2020 9:20 PM

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

Cc: Charlotte Wain <CWain@victoria.ca>; jameszmarshall  
<[REDACTED]>; Emily Shaw <[REDACTED]>; Karen Solomon  
<[REDACTED]>; robert paterson <[REDACTED]>

Subject: Re: City of Victoria Design Panel Committee Review of Application No. 00138 for 1628  
Edgeware Road

To: Members of the Advisory Design Panel, City of Victoria:

Since sending our letter to you earlier today, we met with a few neighbours for a "socially distanced" informal conversation about the status of the proposed development. A few of the neighbours asked to add their name to this letter, so please see the attached updated version of the letter.

We have significant concerns around the proposed design and development that require consideration by advisors and decision makers as the application is reviewed for rezoning and variances.

Thank you for your attention to these matters

Jennifer Snead

June 14, 2020

To: City of Victoria, Advisory Design Panel

Cc: Charlotte Wain, City of Victoria

Cc: Oaklands Community Association

**Subject: Development Permit with Variances Application No. 00138 for 1628 Edgeware Road**

We are writing to each of you on the City of Victoria Advisory Design Panel to express opposition to the proposed design and our extreme concern for the lack of regard and respect given to the surrounding neighbours of the 1628 Edgeware proposed development through this rezoning process. We were denied early consultation through actions taken by the Oaklands Community Association, in the name of “public interest” on the proposed [REDACTED] on Edgeware Road. The sensitivities [REDACTED] for the future residents of the facility, that were cited as the reason for bypassing the neighbourhood residents in 2019 have turned out to be untrue. It would appear that the characterization of the future use of the facility was constructed to avoid input from the community. It is disheartening to see that the covert communication strategy of the developer may be successful, given this proposal is being processed by the City before residents’ concerns have been addressed.

We understand that this Committee’s purpose is not to approve the use of the property, but to advise on the design. The proposed use of the facility is however inextricably linked to the design, so the two issues cannot be considered in isolation. We will, however, try to focus our concerns in this letter primarily on design aspects.

As this application relates to design, the residents have not been consulted or heard. We were told by the developer what it would look like in early April 2020, months after the applications had been filed with the City.

The design of the facility exhibits no respect or consideration of the existing neighbourhood; not even an attempt to be consistent with the character and architecture of even recent builds and renovations. It appears to have been designed in isolation and dropped on to this site, consuming as much of the lot as it possible can, with no integration with the community.

The design is not remotely in keeping with the existing neighbourhood, is not a bungalow style single family residence as described by the architect and developer and encroaches on the privacy of neighbours through variance application. The proposed facility is unsightly, massive, and clearly an institution. It is contrary to the developers claimed desire to have a centre that is inconspicuous and that would blend in for safety considerations. By its design it will be very

conspicuous and out of place and may potentially draw more activity and attention than is in the best interests of a quiet single-family residential neighbourhood.

It should be noted that while our neighbourhood has many long-time residents, it is not stagnant. Several residential improvements have been made on the 1600 block of Edgeware and Oakland over the past 15 years, all staying with the character and style of the neighbourhood. If the developer was interested in enhancing the neighbourhood, rather than just reaping the benefits of the neighbourhood, he would have incorporated more complementary design features.

The density of the proposed facility also calls into question issues such as parking for multiple residents, visitors, and staff, and potential further density expansion on the site.

If this design is approved, it would then set a precedence for future developments in the neighbourhood, thereby contributing to the erosion of single-family residential properties accessible to young families and seniors in Victoria. Will this development make it easy for any resident to expand its property density to run large rooming house businesses, or are there different rules for commercial developers and residents?

Our neighbourhood has a range of families (with and without school aged children) and seniors. As this is a proposed design that is entirely based on the proposed change in use from single family residential housing, I hope you can appreciate that both the obtrusive institutional style, and the manner in which the facility will operate and be managed are linked, and of paramount importance to members of the existing community.

**We respectfully request that you, as subject area experts and advisors to the Mayor and City Council, reject the current design proposed for the Development Permit with Variances Application No. 00138 for 1628 Edgeware Road, for all the reasons discussed above.**

Please also acknowledge that you have read this letter and advise on any recommendations you may have to the residents of this community on being included in the deliberations.

Thank you,

Jennifer and Greg Snead, 1612 Edgeware Road

James and Julie Marshall, 1637 Oakland Avenue

Emily Shaw, 1618 Edgeware Road

Robert Paterson and Karen Solomon, 1652 Edgeware Road

April 21, 2020

To: Victoria Mayor and City Council  
Cc: Charlotte Wain, City of Victoria  
Cc: Chris Holt, Oaklands Community Association  
cc. Luke Mari, Aryze Developments Inc.

**Subject: Proposed development at 1628 Edgeware Road**

We are residents of the 1600 Block of Edgeware Road and the south side of the 1600 block of Oaklands Ave. We are writing regarding the proposed development at 1628 Edgeware Road (the proposed [REDACTED]).

Given the conflicting information we have been provided to date by the developer and the City about the nature of the proposed facility, we have serious concerns and questions about this proposed development.

- The sign that was posted on the front lawn of the existing residence during the week of April 14<sup>th</sup> now indicates that there will be an application for zoning as “Rest home – Class B”. However, according to the city’s own definitions, **“Rest home - Class B”** means *“a facility in which food, lodging and care are provided with or without charge to more than two but not more than twenty persons, other than members of the operator’s family, who, on account of age, infirmity or their physical, mental or psychiatric condition, are given personal care, but does not include a facility in which persons are detained as prisoners pursuant to judicial process, or a facility in which persons are treated for alcohol or drug addiction.”* What “infirmity” or “condition” will the residents have and what care will be provided? Will there be staff on site 24/7? How will parking for staff and visitors be accommodated? We are concerned that the proposed zoning as “Rest Home - Class B” does not accurately describe the true nature of the facility. Further, the developer has stated that the proposed facility is “like” [REDACTED] in North Park, which is in a medium density neighbourhood and is zoned as a **hostel**. The facility’s purpose is also at odds with the Official Community Plan, as well as the more dated Oaklands Neighbourhood Plan, which identifies the Oaklands neighbourhood as “traditional family dwellings.”

- The facility has been described by the developer in different ways to different groups. The Oaklands Community Association Land Use Committee was told that it would be a [REDACTED] and would look like a bungalow. The “sensitive” nature of this type of facility has been invoked to avoid community dialogue. However, the architectural plans present a design that stands out significantly from its surroundings, which is certain to attract attention from passersby, together with the easy accessibility from the alley, are factors that would be contrary to the developer’s claims of wanting discretion. Further, the developer has more recently stated that the residents will not be limited to [REDACTED] [REDACTED] and that up to 6 of the potential 7 occupants at any given time may be [REDACTED]. What is the true nature of the facility?
- What assurances do neighbours have that the facility will continue to operate as a seven-room, [REDACTED], without drop-in services? What prevents [REDACTED] from establishing the facility for a particular purpose and then operating it on a different basis? What process would be required if the facility were to expand its services to include day programs and/or drop-ins, as [REDACTED] in North Park does, and what opportunities would neighbours have to be heard? Would this require another rezoning application?
- What due diligence has the City performed regarding the developer’s claims that the development is exempt under the *Community Care and Assisted Living Act* from municipal zoning bylaws? What criteria apply in order to meet such an exemption and how has [REDACTED] fulfilled them? What specific provisions under the Act allow for this proposed facility and what licensing authority would the facility be accountable to if such an exemption actually does exist?
- What analysis has been performed regarding the proposed facility’s likely impact on the neighbourhood? For example, has the Victoria Police Department performed a risk assessment? What plans are in place to mitigate impacts on neighbouring properties and the families who live in them (e.g. light and shade, relaxed setbacks, security)?

We are therefore writing to request that all of our questions be answered and to request that a neighbourhood meeting with the city and the developer be scheduled.

We were not engaged by the Oaklands Community Association before they waived the requirement for a pre-application neighbourhood meeting. We note that municipal approval and community consultation was required for other “public interest” projects such as; complex care facilities (i.e. senior care centres in Oak Bay/Mt. Tolmie), and sewage treatment plants (i.e. the CRD wastewater treatment facility proposals in Saanich/Oak Bay/Esquimalt)

This development, a proposed seven room facility [REDACTED] [REDACTED] would be built in a long-standing family neighbourhood and should not be exempted from established community and municipal zoning processes. We submit that the true nature of the facility (both near and long term) and the impact on our family-oriented community needs to be ascertained and subjected to an objective review. The City and the Oaklands Community Association should not simply accept the assertions of the developer.

Sincerely,

Jennifer and Greg Snead, 1612 Edgeware Road

Philip Snead, 1612 Edgeware Road

Emily Shaw and Peter Fargey, 1618 Edgeware Road

Brian Yan and Rina Huo, 1602 Edgeware Road

Robert Paterson and Karen Solomon, 1652 Edgeware Road

Paul Craven and Lesley Ruzicka, 1635 Oakland Avenue

Debbie Talbot, 1606 Edgeware Road

Fred Curvelo, 1624 Edgeware Road

James and Julie Marshall, 1637 Oakland Avenue

Lars Sturrop, 1619 Oakland Avenue