

**Richard Elliott**

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**From:** Marc Hunter [REDACTED]  
**Sent:** May 1, 2020 3:52 PM  
**To:** Victoria Mayor and Council  
**Cc:** Bob June; Dave McWalter; Alec Johnston  
**Subject:** Fort Street DPV 00120 - Rockland Neighborhood Associations response to:  
**Attachments:** 1474 Fort Street DPV 00120.pdf

Dear Mayor and Council Members. Attached letter for your attention.

Sincerely,

Marc Hunter  
President  
Rockland Neighborhood Association



April 22, 2020

Mayor and Council

City of Victoria

Re: 1475 Fort Street DPV 00120

Dear Mayor Helps and Councillors:

The Rockland Neighborhood Association (RNA) Land Use Committee (LUC) is writing on behalf of the neighbors to the proposed apartment development at 1475 Fort Street. We certainly acknowledge the desirability of increased rental accommodation in Victoria and in our neighborhood. However, this project has significant issues impacting neighbors.

The key issues with this proposal are excessive site coverage and height, greatly reduced setbacks, no attention to transition, little attention to current parking standards and tree retention.

**Site Coverage:**

- R3-AM2 site coverage for main building is 30%. Proposed site coverage is 46.9% (+17%).
- R3-AM2 F.S.R. of site is 1.2:1. NOT 1.6:1 Bonus for enclosure of ALL but visitor parking.
- The area calculation of the site is disproportionate given the panhandle access.

**Building Height:**

- R3-AM2 zoning allows for a building height of up to 12 m / 39'5".
- The proposed building height is 14.39 m / 47'2", a difference of approx. 2.4 m / 8' (+20%).

**Setbacks:**

- The R3-AM2 setback is "the greater of 3 m or one half of the building height" i.e. 7.2 m / 23'7".
- In this proposal the setbacks are 3 m for the east side yard, 3.9 m for the west side yard, and 4 m for the rear yard (i.e. 9'10" to 13' respectively).
- This results in an over-height building being set back an average 3.6 m / 12' from each property line where 7.2 m / 23'7" is required (100% variance!!!).

**Guidelines:**

- The proponents have utilized the antiquated OCP guidelines of DPA 7B(HC) Advisory Guideline for Buildings, Signs and Awnings (1981) rather than the current and more logical Design Guidelines for: Multi-unit Residential, Commercial and Industrial (2012/2019) requiring in Guidelines; 1.1, 1.2, 1.5, 1.6 respect of character of established areas, of design transition and respect of privacy. In this case in respecting the Rockland Traditional Residential Neighborhood. (it should be noted that the lingering use of 1981 guidelines would have been addressed in a timely LAP process)

**Parking:**

- Recently updated Parking Schedule C requires  $1.3 + 0.1 = 45$  units (occupant + visitor).



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**Tree Retention:**

- Large footprint creates the loss of 4 bylaw protected trees with privacy & ecological impact.

**Summary of Findings:**

- The cumulative impact of these 'variances' is excessive. This is an egregious overreach with significant impacts on neighbors who reasonably have an expectation that the zoning bylaw tempers the impact on their homes. The expectation of variances is that they would accommodate small adjustments to a project; not facilitate an otherwise unworkable one.

Regards:

Bob June, co-chair Dave McWalter, co-chair

Land Use Committee  
Rockland Neighborhood Association

## Richard Elliott

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**From:** Victoria Mayor and Council  
**Sent:** May 27, 2020 1:31 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fw: 1475 Fort St-VIHA Letter  
**Attachments:** Letter to Mayor and Council-VIHA.pdf

**From:** josh.hayes@lanprop.com [REDACTED]  
**Sent:** May 26, 2020 5:36 PM  
**To:** Lisa Helps (Mayor) <LHelps@victoria.ca>  
**Cc:** Marianne Alto (Councillor) <MAlto@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>  
**Subject:** 1475 Fort St-VIHA Letter

Dear Mayor & Council,

Please find the Vancouver Island Health Authority's letter regarding the development of 1475 Fort St. attached.

We will continue to be in close communication with VIHA so that they are able to relocate residents appropriately.

To be clear, Lantern will be giving VIHA the first right of refusal to negotiate a lease for the entire building once built.

As always, please don't hesitate to reach out with any questions.

Best,



**Josh Hayes**  
Director of Development

#101-1176 Burnaby Street  
Vancouver BC, V6E 1P1



Excellent care, for everyone,  
everywhere, every time.



September 25, 2020

Attn: City of Victoria Committee of the Whole

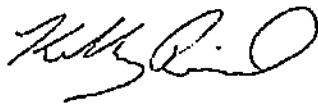
Re: 1475 Fort St. redevelopment application

Since May 2017, Lantern Properties has been in communication with Island Health regarding the proposed redevelopment of 1475 Fort St. Island Health's current lease covers both 1471 and 1475 Fort St., and expires on June 30, 2020. The parties are in the midst of negotiating separate renewals for each building. The lease for the building at 1475 is currently being negotiated for a one-year term, which would end June 30 2021, and continue as a month-to-month thereafter, until the redevelopment begins. It is Island Health's understanding that Lantern Properties requires the units and building to be vacant in order for the redevelopment to proceed.

1475 Fort St. is currently occupied by nine residents under program agreements. Anticipated length of stay varies for each client, and typically ranges from 30 days to 6 months. However, actual length of stay may be longer based on individualized assessments of client needs. This could impact the ability to relocate clients to appropriate settings. Plans to relocate these individuals to other appropriate settings are individualized and ongoing, regardless of the timing of the redevelopment. Once Lantern is able to be more specific about timing of the redevelopment, Island Health staff will work with existing clients to relocate them, and will limit new client intakes as appropriate.

I understand that the intention of the redevelopment is to increase the number of available units at the site. With that in mind, the parties have discussed a right of refusal for the newly constructed space, to allow Island Health the opportunity to negotiate a rental agreement upon completion.

Sincerely,



Kelly Reid  
Director,  
Island Health  
Mental Health & Substance Use

Paul Lecavalier  
President – Strata 740  
6-1019 Pemberton Rd  
Victoria, V8S 3R5

June 23, 2020

Mayor Lisa Helps

City of Victoria

Subject: Proposed Development at 1475 Fort Street

Dear Mayor Phelps

I am the president of the Strata 740 at 1019 Pemberton Road. I am writing you to express my strata's concern with the proposed apartment building development at 1475 Fort Street.

On behalf of our strata, we would like to thank the City for listening to these concerns at the Committee of the Whole meeting.

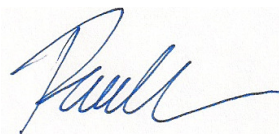
We strongly believe that having this proposed apartment building development conform to the existing zoning for this site would go a long way to addressing our concerns.

I would like to once again submit the following points for your and your council's consideration:

- The new building being proposed will be of good quality and will improve the overall character of the area. It is possible for this building to retain these positive features without needing the proposed zoning variances;
- BUT this higher density development needs to be separated by a BUFFER AREA from the lower density areas behind Fort Street so as not to impact these areas in a negative manner (views, noise etc.);
- The existing trees that line the side and back of the proposed development lot do provide the much-needed buffer area and every effort should be made to preserve them;
- This buffer area will benefit the neighbouring strata properties as well as the eventual tenants of the new apartment building by providing much needed greenery.

I trust that the above points will help you and your Council Members make the appropriate adjustments to the development plans for 1475 Fort Street.

Yours truly



Paul Lecavalier, President of Strata 740

## Richard Elliott

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**From:** Victoria Mayor and Council  
**Sent:** July 8, 2020 2:25 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fw: 1475 Fort Street

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**From:** Strata 303 [REDACTED]  
**Sent:** July 7, 2020 10:30 PM  
**To:** Lisa Helps (Mayor) <LHelps@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>  
**Subject:** 1475 Fort Street

Dear Mayor and Councillors,

Having watched the livestream of the May 28 Committee of the Whole meeting, we want to thank the councillors for their thoughtful discussion of the development proposal. All the councillors referenced the concerns they had received from us verbally and in writing. We appreciate your interest.

As you continue to review this proposal please consider one obvious solution, namely that the developer conforms to the current zoning requirements and the 2012/2019 Design Guidelines that require a new development to provide transition between two zones. This would allow for the provision of new rentals while preserving the surrounding trees, respecting the privacy of surrounding neighbours, and preserving the character of the neighbourhood.

Thank you for continuing to consider our concerns. We look forward to engaging in the CALUC process that you directed at the May 28 Committee of the Whole meeting. We will be inviting each of you to a site visit so that you can see the view "from our side of the fence".

Sincerely,

Residents and Homeowners of Strata 303, 949 Pemberton Road  
Gillian Lawson  
Bill and Jay Stroll  
Sandra Jones  
Carolina Ashe and Alan Morton  
Barbara Bolli and Bill McKechnie  
Vanessa and John Dingley  
Christine Morissette and Chantal Brodeur  
Janice Klizs  
Caspar Davis and Lorena Mowers  
Jo Anna Hope

## Richard Elliott

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**From:** Victoria Mayor and Council  
**Sent:** July 8, 2020 2:25 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fw: The proposed development of 1475 Fort Street, Victoria, B.C.

**From:** [REDACTED]  
**Sent:** July 7, 2020 3:44 PM  
**To:** Lisa Helps (Mayor) <LHelps@victoria.ca>  
**Subject:** Re: The proposed development of 1475 Fort Street, Victoria, B.C.

To The Mayor and Council of The City of Victoria

We are the resident owners of 1030 St. Charles Street. The west 100 feet of our property borders this proposed development.

The first correspondence that we received from Lantern Properties was an invitation to attend an informational meeting regarding this project on April 24th, 2019.

We attended the meeting and voiced our concerns over the proposed height and density. We were told that the proposed plan was "within current by-laws". We later found out that this was not the case and that we were misled. We also asked about the absence of other neighbours at the meeting and that question was never answered. We left the meeting feeling defeated and somewhat alone due to the lack of other neighbours not attending. We have discovered that we were the only neighbour invited to the meeting on April 24th, 2019.

We also understand that the City has been told that we did not have any objection to the proposed building. This is not the case and we have been misrepresented by the Architect and Lantern Properties.

This question was raised by the ADP and this is the quote from the meeting held on January 20, 2020

Question: What is the feedback so far from neighbours?

Response: Very positive, there were some concerns regarding views into the St. Charles property.

Our attitude towards the proposed development is less than positive as it will only negatively affect our neighbourhood.

We have reviewed copies of most of the correspondence from our other neighbours and we stand behind them in voicing the same concerns.

Of most importance to us is the loss of the neighbourhood tree canopy. I do not understand how the City would allow such a large number of magnificent specimen trees to be clear cut to accommodate an unattractive design, excessive height and foot print for a building that is insensitive to the neighbours and neighbourhood. We are also concerned with the loss of housing that has been made to Vancouver Island Health. I would find it doubtful that they will be able to afford the new increased market rents. What happened to the 4 units that were to have some sort of rent control?

We have never been advised of the design changes and are shocked at what we currently see.

From our point of view the entire process of this application has been mishandled, It is more than obvious that proper neighbourhood consultation was not attempted and that we were misrepresented by the Architect and Developer.



We respectfully would ask that since there has been flaws and obvious misrepresentation in the approval process that this matter be referred back to the ADP for a proper review which will allow ourselves and our neighbours to be heard.

Thank you for your time and service,

Barry Willimott and Vincent Turner

## Richard Elliott

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**From:** Victoria Mayor and Council  
**Sent:** July 30, 2020 9:39 AM  
**To:** Victoria Mayor and Council  
**Subject:** Fw: 1475 Fort Street

**From:** Strata 303 <strata303@gmail.com>

**Sent:** July 29, 2020 4:59 PM

**To:** Lisa Helps (Mayor) <LHelps@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>

**Subject:** 1475 Fort Street

Further to the discussion surrounding the proposed development at 1475 Fort Street, I wanted to highlight a concern expressed at the Committee of the Whole on May 28. It was suggested by several councillors that, if there was opposition to their plans, the developer might decide to change course and pursue turning the property into condominiums for sale.

A review of Lantern Properties' own promotional material describes the company as a **rental housing operator** that has "**never sold an asset**". As a business that involves itself only in rental properties, there is no reason to be concerned about a possible switch to condominium status. Any suggestion that this property could be converted from rentals to sales is simply not relevant to the discussion.

Lantern Properties has already upgraded their building at the front of the property (1471 Fort Street). They could upgrade 1475 as they did with 1471 or they could put up a new building in accordance with existing height and setback bylaws and design guidelines for transition between two zones. In either case, rentals are provided for the city, the tree canopy is preserved, and the ambiance and character of neighbourhood are preserved.

Thank you for adding the above information to the body of material you have to consider when arriving at a decision on the development proposal.

Gillian Lawson

Chair, Strata 303

949 Pemberton Road

## Richard Elliott

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**From:** Victoria Mayor and Council  
**Sent:** August 24, 2020 2:55 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fw: 1475 Fort Street

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**From:** Barry Willimott [REDACTED]  
**Sent:** August 24, 2020 11:30 AM  
**To:** Lisa Helps (Mayor) <LHelps@victoria.ca>  
**Subject:** 1475 Fort Street

To Mayor and Council,

We are the resident owners of 1030 St. Charles Street. The west 80 feet of our property borders the proposed development at 1475 Fort Street. We are writing in response to a recent email sent to Barbara Bolli on August 9th, 2020 from Josh Hayes of Lantern Properties (LP). In this letter, LP stated that the company had participated in a number of meetings (highlighted in bold) with the local community to provide information about their proposal, answer questions and receive feedback. We are concerned because this does not accurately reflect LP's effort to engage the community and feel it is important that we set the record straight - our comments follow under these "meeting" headings.

### **April 2019 - Public Open House**

We attended the meeting and voiced our concerns about the proposed height and density of the project. We were told that the proposed plan was "within current by-laws". We later found out that this was not the case and that we were misled. We also asked about the absence of other neighbours at the meeting - to which we never received a response. We left the meeting feeling defeated and somewhat alone due to the lack of other neighbours not attending. We have discovered that we were the only neighbour invited to this meeting. The plans shown at the open house were totally different than what is presented now. We were never notified that the original plan had changed. If LP was concerned about communication with us, why did they not notify us that they had changed plans so we could comment on them?

### **May 2019 - 1030 Charles Street Resident Meeting**

Peter from Cascadia Architects attended our house for 15 minutes to take photos. When asked about the variances we were told that it was 'just a matter of relocating the cedar clad disposal container' and confirmed again that the project was within the current by-laws. At that time Peter told us that the balcony railings would be a double screen of perforated metal. The current plans do not reflect this at all and what is being utilized does not provide sufficient privacy for new residents or ourselves and neighbours.

### **June 2019 - Rockland Neighbourhood Association Meeting (RNA)**

When approached by neighbours about concerns about the project, the RNA felt that a second, more in-depth review of the project including an on site visit was needed. The RNA in their April 22, 2020 letter to Mayor and Council stated that this project has shown that this 'simple variance development application' belies a project that has far more impacts to property owners than what was initially understood.

In regards to LP's consultation with the Advisory Design Panel we understand from reviewing the minutes of this meeting that substantive issues about the project that Mayor and Council had directed the panel to review were not discussed at this meeting. The Panel was also misled by the LP by suggesting that neighbours were positive about the project - a view has not been expressed by us or any of our neighbours at any time.

Our attitude towards the proposed development is less than positive because of the many impacts to the environment, the ambiance of the neighbourhood, to the social housing stock and the lack of environmental features of the current building. We stand with all our neighbours in opposition to this “too big a building on too small a lot”. We urge Mayor and Council to request LP to go back and propose something in keeping with the site, its location and the neighbourhood.

Thank you for your consideration.

Barry Willmott and Vincent Turner

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Matt Pope

**Submitter's Position:** Oppose

**Comments (Optional):** Dear Mayor Helps and Councillors, We are the owners of 1036 St Charles Street and we are writing today to express concern about the proposed development at 1475 Fort St. Our house sits approximately 50 m away from 1475 Fort Street. We would like to state for the record that as of Aug 25 2020 we have received absolutely no notifications from Lantern Properties regarding the proposed development to date, and we are only aware of the proposal after hearing about it from several neighbours. We have also heard that the developers have reported "positive feedback from neighbours", and we would like to state unequivocally that we have not been consulted in any way by the developer or any associated parties, and thus we have not shared any feedback. We share many of the concerns articulated by the Rockland Neighbourhood Association in their letter to you dated April 22, 2020, and also the concerns raised from many of our neighbours. Most unsettling is the proposed building height of 14.39 m: 20% higher than allowed under the R3-AM2 zoning. This alone would have a tremendous impact on all neighbours in the area, and I would be surprised if our neighbours at 1046 St Charles, whose house would end up being completely dwarfed by the 14.39 m proposed building only a few feet away, didn't see their property value decrease significantly. In addition, the proposed east side yard setback is less than half of what the zoning requires ( $14.39 \text{ m} / 2 = 7.2 \text{ m}$ ; here they are proposing 3 m!). The proposed site coverage is 17% greater than allowed. What is the point of having zoning regulations if developers feel that they can just get excessive variances for all restrictions: height (20% over), setbacks (42% of what's required!), lot coverage (17% over)? We fully agree with our neighbours that this has been a flawed process, and that the proposal represents too big a building on too small a lot. We urge Mayor and Council to request LP to go back and propose something in keeping with the site, its location and the neighbourhood. Please keep up the great work that you are doing! Thanks, Matt & Jessica Pope  
1036 St Charles St.

**Submitter's Address:** 1036 St Charles St

**Submitter's E-Mail (Optional):**

## **Pamela Martin**

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**Subject:** FW: Automatic reply: 1475 Fort Street

Mayor and Council

When we purchased our home at 1030 St. Charles Street 2 and a half years ago, we looked into and checked with the City as to what the bylaws were for 1475 Fort Street, our backyard borders about 80 feet of the subject property. We did this because we were aware that a new building would eventually replace the existing building. We are more than happy to see appropriate new rental stock. We purchased our home based on the information from the City and trusted that the City would adhere to the responsibility of maintaining and upholding these bylaws thereby protecting the trees, respecting all neighbours privacy, and enjoyment of their property. This does not appear to be the case. There are several neighbours that will be negatively impacted and affected by the proposed new building. The developer intends to clear-cut the entire property of all trees which will destroy a number of protected trees which form part of the tree canopy that Victoria neighbourhoods are known for. The developer plans to excavate the entire site to the property lines to facilitate underground parking.

In April 2019 we received an invitation to a meeting on April 24, 2019. I still have a copy of this "invitation" and it clearly states in the heading "Information for Immediate Neighbours". We were the only neighbours in attendance and when I asked Peter the Architect why there were not more people present, he did not respond. The plans that we were shown at that time were of a much smaller building and Peter assured us that it was well within "current by-laws" but did need some tweaking in regards to some very minor variances. Peter did visit us and took some pictures from outside of our house, this visit took around 10 to maybe 15 minutes. I questioned him again about variances and he again stated that the building required some minor variances but "was within current by-laws" provided that they relocate some fencing and garbage bins. This was even further from the truth as even the smaller building still required a number of variances.

We were never advised or notified or advised of any changes to the plan that was shown to us in April, 2019. We did not become aware of these changes until a neighbour spoke with us in July of this year.

I have read the minutes from the Design Review Panel in which Peter states that we have "positive attitude" towards the building. That is not true and how is it possible that he could say that after the plans had changed? This alone should be reason enough for this development to be turned back to the Design Review Panel. No one else in the neighbourhood had been notified of this development until earlier this year and that was by way of word of mouth between neighbours. For the record we feel that we have been misled and have been misquoted by the Architect and Developer in saying that we had a "positive response" to this project. That could not be further from the truth!

We were unable to view Lanterns' recent September 9<sup>th</sup> "CALUC" meeting on line as the connection kept failing and the video was delayed along with the sound being garbled. We were unable to ask any questions and we were unable to see any of the questions being asked. We have now had a chance to review this so called "CALUC" meeting and we are shocked at what we saw. In particular Peter stating that everything that has happened thus far is "moot" and Josh Hayes saying that it is necessary for a building needed to be that size in order to make it profitable. Wouldn't a building that is within bylaws would be profitable?

If the developer did their homework when they purchased this property they must have been happy with the bylaws in place at that time or they would not have proceeded with the purchase.

I am hopeful that the Mayor and Council will do “the right thing” by maintaining and respecting the bylaws that are in place. Please send this proposal back to the developer to design a building that fits the size of the property and the character of this neighbourhood.

Thank you for your time,

Barry Willimott

Vincent Turner

On Mon, Aug 24, 2020 at 11:37 AM Alison Meyer <[ameyer@victoria.ca](mailto:ameyer@victoria.ca)> wrote:

I am away from the office until September 8th. If this email is urgent please contact 250-361-0212 and your enquiry will be redirected. Thank you, Alison Meyer

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Gretchen Karlebach

**Submitter's Position:** Oppose

**Comments (Optional):** Loss of living, older, established trees, bushes \*\*\* plan to replace with younger, smaller growth, which will take years to achieve comparable height & coverage, decreasing privacy of current neighbours & incoming renters of proposed building \*\*\* decreasing the bird population \*\*\* decreasing of some the natural sound barrier between neighbours \*\*\* decreased square footage of ground for planting

**Submitter's Address:** #9 1019 Pemberton Rd

**Submitter's E-Mail (Optional):**



**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Gretchen Karlebach

**Submitter's Position:** Oppose

**Comments (Optional):** Loss of affordable rental suites \*\*\* how does this project address the need for AFFORDABLE family housing units in Victoria? \*\*\* original plans included 4 'affordable'/subsidized suites, but they have disappeared \*\*\* have plans been made to find suitable housing for those vulnerable tenants currently living the building now?

**Submitter's Address:** #9 1019 Pemberton Road

**Submitter's E-Mail (Optional):**

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** gretchen karlebach

**Submitter's Position:** Oppose

**Comments (Optional):** Lack of transparency from the beginning of the project \*\*\* many changes since the original application, with 'variances' increasing dramatically, important issues like arborist reports not updated, .. all with little or no notification Lack of consultation \*\*\* major misrepresentation of neighbours involvement, '100% happy,' when in actuality the invitation to the CALUC meeting is the first notification I have had from the developer, architect, or city, by email, by Canadian postal service, or hand delivered. I have learned everything via 'the grapevine' of neighbours. Thus, claims by developer that, "notices were sent out" is extremely misleading or .... I am just one of many, many neighbours that also have not received anything information on this proposed project. I am aware that one household received an invitation to an informational meeting, and they were the only people there -- hard to believe that others were invited and did not show up.....

**Submitter's Address:** #9 1019 Pemberton Road, Victoria

**Submitter's E-Mail (Optional):**

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Dee Hoyano

**Submitter's Position:** Oppose

**Comments (Optional):** I am writing to voice my concerns and objections to the proposed variances requested by the developer of the property at 1475 Fort Street. I have a number of concerns about the process of neighbourhood engagement as well as the proposed building itself. Poor Engagement with neighbours Contrary to the claims of the developer as has been noted in the council meeting notes, notification about this proposal to adjacent neighbours has been poor and incomplete. Our home (1046 St. Charles Street) is directly adjacent to the property on the east side, and is in fact the closest residential home to the current apartment building and the site of the proposed new building. We did not receive any invitation to a community meeting with the developer in the spring of 2020, nor have we received any information about the development proposal from the developer since that time. We learned about this proposal from our neighbours by word of mouth this summer- if they had not informed us, we would have only known about this from the notice recently sent to us by the city. Variances in building footprint The granting of the variances will primarily benefit the profitability of the developer with little to no benefit to the neighbourhood or the city as whole in terms of improved housing affordability, or availability for lower income or vulnerable residents. The developer has removed the proposed units that would be available for below market rent. It is implausible to believe that BC Housing or Island Health will be able to subsidize units in the new building for the vulnerable people currently living there, or other people in similar situations, given that all of the units will be at market rental rates. The result of this will be displacement of the vulnerable people living in the units currently, who will not be rehoused in this new development. Impact on neighbours: the negative impacts of the variances that enlarge the building size and height will result in loss of very large trees, increased shading to neighbours' homes (including ourselves), and loss of privacy due to the increased height and proximity to the property lines. I ask Council to consider the balance of community benefits and harms in this proposal. A new building can be built on this site without requiring variances, and still provide rental housing. Impacts of Construction In addition, the underground parking lot and enlarged foundation will likely damage the root system of the privacy laurel hedge on our property, which is the only means of privacy from both the 1475 Fort property as well as the apartment buildings directly north of our property. This was documented in the arborist report. Again, please consider the balance of community benefits and harms in this proposal. A new building can be built on this site without requiring variances, and with less negative impact on the neighbourhood.

**Submitter's Address:** 1046 St. Charles Street, Victoria BC V8S3P6

**Submitter's E-Mail (Optional):**

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Caspar Davis & Lorena Mowers

**Submitter's Position:** Oppose

**Comments (Optional):** Lantern Properties, a professional developer/landlord, bought the property at 1475 Fort Street - presumably after a thorough evaluation of the site, the building, and the relevant zoning bylaws. Now they say they need egregious zoning variances - variances that would ordinarily require rezoning - and removal of several senior members of the urban forest - in order to use the property. We and other neighbours would welcome the new building if it respected the zoning and did not call for removal of large mature trees, but the proposed zoning violations seriously reduce both the privacy of several neighbours and their ability to enjoy their property. It will also lower their property values. Lantern Properties knew what they were buying and they have no right to flout the zoning bylaws. Bylaws exist to preserve the character of neighbourhoods and protect the right of property owners to enjoy their property. Minor variances are appropriate where they do not vitiate the purpose of the bylaws, but City Council must do their duty and reject this flagrant disrespect of the bylaws.

**Submitter's Address:** 16 - 949 Pemberton Road, Victoria, BC V8S 3R5

**Submitter's E-Mail (Optional):**

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Alan Morton

**Submitter's Position:** Oppose

**Comments (Optional):** Mayor Helps and Council members, I am writing to you regarding the proposed development at 1475 Fort Street. As a neighbour living on the adjoining property at 949 Pemberton my concern is the change in density that is projected. The BC Local Government Act in Part 14 Division 9.498 states (2) As restrictions on subsection (1), a development variance permit must not vary the following: (a) the use or density of land from that specified in the bylaw; also P14 D7 states: 490(3) A development permit must not (a) vary the use or density of the land from that permitted in the bylaw except as authorized by section 491 (3) [variation in relation to health, safety or protection of property], 491(3) Conditions and requirements under subsection (2) may vary the use or density of land, but only as they relate to health, safety or protection of property from damage. Current density zoning is 1.2:1. The developer's plans call for density of 1.42:1, claiming that this density comes in under the allowable 1.6:1 maximum with bonus. This "bonus" in density is only granted if all parking is underground. The granting of two significant variances is necessary to support the developer's assumed "bonus". 1. Underground parking reduction • A request of almost 50% reduction in parking, from 47 to 26 spaces. • Excavation for this insufficient amount of parking will extend to property lines on 3 sides of the property. 2. Site coverage increase from 40% to 47% • The claim of forty-seven percent site coverage is deceptive, as it includes the square footage of a long driveway used by both 1471 and 1475 Fort Street. • The fact is, the building footprint will fill nearly the entire lot. This "house of cards" approach is an attempt to shoehorn, with compounding variances, a large building on a lot that is far too small to support it. The lot is suitable for rentals and I would support a development that is of a scale and massing appropriate to the site. I would, therefore, ask that Mayor and Council reject this proposal and send it back to the developer. Alan Morton

**Submitter's Address:** 7-949 Pemberton Road

**Submitter's E-Mail (Optional):**

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Bill McKechnie

**Submitter's Position:** Oppose

**Comments (Optional):** Dear Mayor and Council. I am an experienced developer and contractor. I live at 949 Pemberton Rd adjacent to the proposed development at 1475 Fort St. Upon looking at this proposal, my reaction is to advise the developer to take a long hard look at the economics of refurbishing the existing apartment (circa 1950) instead of tearing it down. The fashion of the fifties was to build larger living units, and these can now be re-jigged to create a number of smaller apartments brought up to modern standards and code. I would not be surprised if the return on their investment was similar to demolishing and building new units with the variances as requested. By approving these rather excessive variances, the community and neighbors pay a huge price in the form of environmental and wildlife impacts, loss of social housing, loss of privacy, impacts to neighborhood character and so on. Clearly this is a building proposal which is an enormous and inappropriate overreach for the lot size and the neighborhood. Yours truly, Bill McKechnie 250 888 9167

**Submitter's Address:** 9-949 Pemberton Rd

**Submitter's E-Mail (Optional):**

**Development:** 1475 Fort Street (Rockland)

**Submitter's Name:** Christine Morissette

**Submitter's Position:** Oppose

**Comments (Optional):** Dear Mayor and Council: We are writing as homeowner residents at 949 Pemberton Road, and as adjacent neighbours to the proposed development at 1475 Fort Street. We have signed two previous letters to Council on behalf of our strata, and this is our second letter as individual homeowners. It is with increasing frustration that we write to you again and ask that you deny the development permit for 1475 Fort in its existing form, and send it back for redesign. Lantern Properties continues with the deceit that it has consulted with neighbours most affected by the development, and that we are in support of the plan. This is simply not true: we have never been consulted, and we are alarmed by the scope of the proposed development. While there are several concerns regarding the development, we clarify here our response to just two of them: the variances required to develop the property the removal of a part of the urban forest in our neighbourhood. The variances requested by the developer are so numerous and extreme that they reflect the need for a rezoning of the property, not a simple development variance permit. Zoning bylaws are meant to ensure safety, preserve privacy of residents, and preserve the character of the neighbourhood. The developer requests a setback reduction to within four feet of the perimeter of our adjacent strata units, which flies in the face of the purpose of zoning bylaws. There are 11 mature and protected trees that will be removed as part of the proposed development. The urban canopy of the Fort Street neighbourhood is not just an aesthetic extra in a multi use area of single family, apartment and house conversion homes. These trees provide a natural environment near downtown, and a sound and visual barrier close to a major traffic artery. The trees contribute to the character of the neighbourhood, provide an urban wildlife habitat, and contribute to the overall health of the neighbours. We ask that Mayor and Council start this development process over again, and that it include an honest and transparent consultation with affected neighbours, and a rezoning application where required. Please let us know how you plan to proceed. Thank you. Sincerely, Christine Morissette and Chantal Brodeur  
#13 - 949 Pemberton Road

**Submitter's Address:** 13 - 949 Pemberton Road

**Submitter's E-Mail (Optional):**

## Katie Lauriston

---

**From:** Alec Johnston  
**Sent:** July 15, 2020 5:54 AM  
**To:** Katie Lauriston  
**Subject:** FW: The proposed development of 1475 Fort Street, Victoria, B.C.

Hi Katie,

Correspondence for DPV 00120

Thanks,  
Alec

-----Original Message-----

**From:** [REDACTED] >  
**Sent:** July 7, 2020 3:58 PM  
**To:** Alec Johnston <ajohnston@victoria.ca>  
**Subject:** Fwd: The proposed development of 1475 Fort Street, Victoria, B.C.

**Sent:** Tuesday, July 7, 2020 1:24:03 PM  
**Subject:** The proposed development of 1475 Fort Street, Victoria, B.C.

To Mayor and Council of The City of Victoria

We are the resident owners of 1030 St. Charles Street. The west 100 feet of our property borders this proposed development.

The first correspondence that we received from Lantern Properties was an invitation to attend an informational meeting regarding this project on April 24th, 2019.

We attended the meeting and voiced our concerns over the proposed height and density. We were told that the proposed plan was "within current by-laws". We later found out that this was not the case and that we were misled. We also asked about the absence of other neighbours at the meeting and that question was never answered. We left the meeting feeling defeated and somewhat alone due to the lack of other neighbours not attending. We have discovered that we were the only neighbour invited to the meeting on April 24th, 2019.

We also understand that the City has been told that we did not have any objection to the proposed building. This is not the case and we have been misrepresented by the Architect and Lantern Properties.

This question was raised by the ADP and this is the quote from the meeting held on January 20, 2020

Question: What is the feedback so far from neighbours?

Response: Very positive, there were some concerns regarding views into the St. Charles property.

Our attitude towards the proposed development is less than positive as it will only negatively affect our neighbourhood.

We have reviewed copies of most of the correspondence from our other neighbours and we stand behind them in voicing the same concerns.



Of most importance to us is the loss of the neighbourhood tree canopy. I do not understand how the City would allow such a large number of magnificent specimen trees to be clear cut to accommodate an unattractive design, excessive height and foot print for a building that is insensitive to the neighbours and neighbourhood. We are also concerned with the loss of housing that has been made to Vancouver Island Health. I would find it doubtful that they will be able to afford the new increased market rents. What happened to the 4 units that were to have some sort of rent control?

We have never been advised of the design changes and are shocked at what we currently see.

From our point of view the entire process of this application has been mishandled, It is more than obvious that proper neighbourhood consultation was not attempted and that we were misrepresented by the Architect and Developer.

We respectfully would ask that since there has been flaws and obvious misrepresentation in the approval process that this matter be referred back to the ADP for a proper review which will allow ourselves and our neighbours to be heard.

Thank you for your time and service,

Barry Willimott and Vincent Turner

**Matt & Jessica Pope**  
**1036 St Charles St.**  
**Victoria, BC. V8S 3P6**  
[REDACTED]

July 8, 2020

Mayor Helps & Council  
City of Victoria  
1 Centennial Square  
V8W 1P6

**RE: Proposed development of 1475 Fort Street, Victoria, DPV 00120**

Dear Mayor Helps and Councillors,

We are the owners of 1036 St Charles Street and we are writing today to express concern about the proposed development at 1475 Fort St. Our house sits approximately 50 m away from 1475 Fort Street, and is indicated with a red arrow in the photo below.



We would like to state for the record that we have received absolutely no notifications from Lantern Properties regarding the proposed development to date, and we are only aware of the proposal after hearing about it from several neighbours. We have also heard that the

developers have reported positive feedback from neighbours, and we would like to state unequivocally that we have not been consulted in any way by the developer or any associated parties, and thus we have not shared any feedback. Note that on June 2 2020 I sent an email to Josh Hayes at Lantern Properties in regards to concerns I had regarding the effect of nearby blasting on our 120 year old heritage foundation, and I received a response one month later stating that they were 10-14 months out from breaking ground, and that he'd get me a blasting schedule ahead of time.

We share many of the concerns articulated by the Rockland Neighbourhood Association in their letter to you dated April 22, 2020, and also the concerns raised from our neighbours Barry Willimott and Vincent Turner in their letter to you dated July 7, 2020. Most unsettling is the proposed building height of 14.39 m: 20% higher than allowed under the R3-AM2 zoning. This alone would have a tremendous impact on all neighbours in the area, and I would be surprised if our neighbours at 1046 St Charles, whose house would end up being completely dwarfed by the 13.36 m proposed building only a few feet away, didn't see their property value decrease significantly.

We fully agree with our neighbours that this has been a flawed process, and that the matter should be referred back to the ADP for a proper review which will actually allow neighbours to be heard.

Please keep up the great work that you are doing!

Thanks,



Matt & Jessica Pope  
1036 St Charles St.

Dear Mayor and Council,

- In June 2019, Lantern Properties submitted a development application to the City of Victoria to replace an existing apartment building with construction of a 32 unit rental apartment building at 1475 Fort.
- None of the property owners at the 16 unit strata at 949 Pemberton and the adjacent 6 unit strata at 1019 Pemberton whose properties front on to the 1475 Fort St property - and are most directly impacted by this development – were not consulted/made aware of this project. Properties owners only became aware of the development when Pam Madoff contacted one of the strata property owners in February 2020.
- As part of the development process, Lantern Properties consulted with the Rockland Neighbourhood Association (RNA) and the Advisory Design Panel (ADP) in January 2020 about the proposal. Neither at the time expressed concerns or opposition to the project.
- After becoming aware of the project, the strata contacted the RNA regarding its review of the project. The RNA subsequently undertook a more in-depth evaluation of the project including an on site visit. As you can see from the RNA's April 22, 2020 letter to Mayor and Council (attached), this more detailed assessment of the project has shown that this 'simple variance development application' belies a project that has far more impacts to property owners than what was initially understood. [the scope of the variances and related impacts are so substantive that this application should have received the same review process as a rezoning proposal which would have resulted in greater transparency for all involved]
- At the January 22, 2020 APD meeting, the developer informed the panel that adjacent property owners were "positive" about the project (ADP January 22, 2020 minutes) when in fact property owners most affected by the project knew nothing about the project at that time. As the ADP was deliberately misled by the developer and, given the findings of the RNA's reassessment of the proposal, strata property owners believe that the City has a moral obligation to redirect the ADP to go back and reevaluate this proposal. <https://www.victoria.ca/assets/City~Hall/Committees/Other~Committees/Advisory~Design~Panel/Minutes/2020/ADP%20MINUTES%20-%20January%2022,%202020.pdf>
- The duplicitous behavior of the developer continues and is most concerning. Following the strata's initiation of contact with the developer in February 2020 and the strata's first information meeting on March 5, 2020 with the developer, Pam Madoff wrote in an email to a strata member that Lantern had contacted her to report that " the meeting went well and that concerns were being addressed". This is patently untrue. Please see the attached email from the strata to Lantern dated April 25, 2020 which clearly lays out the strata's strong concerns with project. To date none of the strata's concerns have been addressed. Emails to the developer inquiring about modifications to the design go answered (see attached).
- Your immediate direction to the ADP to re-evaluate this proposal is requested. This would be the right thing to do.

Sincerely,

Barbara Bolli  
9-949 Pemberton Rd

RECORD OF MEETING BETWEEN STRATA 303 AND LANTERN PROPERTIES / CASCADIA ARCHITECTS  
RE: PROPOSED DEVELOPMENT AT 1475 FORT STREET  
March 5, 2020

**Attention: Lantern Properties and Cascadia Architects**

Thank you for your meeting of March 5, in which you provided a presentation about the proposed development at 1475 Fort Street to several residents from Strata 303, and answered questions.

Following are the main concerns that we brought up in the meeting:

- **Lack of consultation:** this is not the first time we have brought up the lack of consultation with the immediate and most impacted residents. We have been repeatedly told that we were consulted. Once again, at this meeting, we were not provided with any evidence of the media that is said to have been distributed or the dates that it happened. While we understand that consultation with neighbours at the beginning stages of the development is not required, it is certainly a best practice, especially for a project such as this one with such extraordinary and impactful variance requests.

We did not appreciate the rather dismissive tone throughout the meeting when we were told, more than once, that there are “always” people who say that they weren’t consulted, no matter how much effort the developer makes.

- **Variances:** The combination of the four variances on all sides, along with the height variance, results in a massive building with sheer walls that fills almost the entire plot of land.

**1. The proposed south wall** will be only 12 feet from the perimeter fence of the neighbouring townhome complex. The close proximity and 47-foot height of this sheer wall will interfere with the residents’ line of sight. Privacy will be destroyed by windows that directly overlook private yards, and across into residents’ bedroom windows.

The proposal does not appear to be in keeping with the July 2012 *Design Guidelines for Multi-Unit Residential, Commercial and Industrial* (Updated December 2019):

“1.5: New residential and residential mixed-use development should respect the character of established areas and building variety through the form and massing of housing.

1.6 “Multi-unit residential development that directly abuts any residential building that is lower and smaller in scale, including, but not limited to, single-family dwellings, should:

1.6.1 Provide a transition in its form and massing to lower density building forms.

1.6.2 Be designed to address privacy, particularly for portions of the development abutting the side yards of adjacent single-family dwellings.”

The only response we heard regarding this concern was a confirmation that there will be impact on surrounding residences. We did not hear any suggestions or willingness to review the plans to find ways to mitigate this negative impact.

We were also told that this kind of density exists in Europe, and that people in Europe have lived this way for a long time, to which we responded that we would like to have a neighbourhood that is in keeping with Canadian/Victorian living standards.

**2. The proposed removal of 11 mature trees** will eliminate the visual screening that currently exists for neighbouring residences, particularly those who live in townhomes at 949 and 1019 Pemberton Road. In addition, the habitat for many bird species living in the area will be eliminated.

You acknowledged that there would be significant tree canopy loss, and suggested the placement of a few small trees/shrubs, in addition to the small patio trees that are already in the building plan.

We conveyed to you that these plants will not replace the visual screening and habitat that will be lost when the mature trees are removed.

At the end of the meeting, we encouraged you to consider the feedback we have provided and find ways to address our concerns in order to mitigate the negative impacts of your building proposal on our neighbourhood.

To date, we have not received any additional information from Lantern or Cascadia indicating that our concerns have been addressed.

Thank you again for meeting with us, and we look forward to hearing from you.

Carolina Ashe  
Unit 7, 949 Pemberton Road

Hello Josh,

Thank you for your email of May 1. I think a couple of clarifications are required:

1. In my email of April 24, I referred to a conversation between Barb Bolli and the architect at Cascadia during which we learned that revisions to Lantern's plans had been submitted to the City on April 8. Barb requested of the architect and I subsequently requested of you in the April 24 email that we receive a written description of the changes as they are difficult to assess from the online plans. **We are still waiting for this information.**
2. It is not clear from your emails whether you are considering additional revisions based on Strata feedback. In your April 17 email you state you are "still waiting on some feedback as well as weighing options based on the Strata's input." In your May 1 email, you refer to a second voluntary information session. Please clarify what you mean here. **Are you considering additional revisions?**
3. Please don't assume that all future communication regarding this project will be between you and me. I may be the contact person for the council but any strata homeowner has the right to contact whomever they wish to inquire about activities that may impact their property.

Gillian Lawson

On Fri, May 1, 2020 at 2:10 PM Lantern Properties wrote:  
Hi Gillian,

My apologies for the delayed response, I've been under the weather this past week.

Lantern held a second voluntary information session to inform Strata 303 about the project. As a result of the feedback received from Strata 303 and other neighbours, the consultant team has implemented changes in an effort to reduce privacy concerns.

We appreciate that we now have a single point of contact at the Strata — please ensure any required future communication regarding this project will be between you and I.

Thanks,  
Josh.

On Apr 24, 2020, at 5:19 PM, Strata 303 wrote:

Hello,



We were a little puzzled by your email as no signature was included. We will nevertheless respond and request that future correspondence include a signature. Thank you.

With respect to the question on the point of contact for the Strata, Christine Morissette has stepped down as Strata Chair and I have taken on that role. In general, all correspondence pertaining to Strata business is managed by the Chair through this email address.

In regards to the issue of the proposed development at 1475 Fort Street, my responsibility is to represent the collective interests of the Strata in this matter. As a number of Strata unit holders naturally have their individual interest in this development proposal, they are also preparing their own responses which may include liaising with the developer, the architectural firm and other organizations such as the Rockland Neighbourhood Association. The results of these discussions are shared with the Chair and broader Strata membership so that a collective approach can be developed in response to this proposal.

Barbara Bolli, Vice Chair, was advised by the City of Victoria that Lantern Properties had made revisions to their development plan. In consultation with the Strata Council, Ms Bolli contacted Cascadia Architects to obtain information about the nature and scope of the changes as these were difficult to assess based on the information provided on the City's website. Following an informative and collaborative discussion, the architect committed to obtaining permission to submit a written description of the changes which could be shared with the Strata. We are disappointed that we have not yet received this information and respectfully request that it be provided as soon as possible.

Your email indicates that Lantern is waiting for additional information and weighing options based on Strata feedback. This information was not mentioned during Ms Bolli's conversation with Cascadia. It would be appreciated if Lantern could advise further on this. Is Lantern considering additional revisions? If so, when will a decision be made and when would updated plans be submitted to the City? We would be happy to participate in a conference call to discuss this further.

Gillian Lawson  
Chair,  
Strata 303

On Fri, Apr 17, 2020 at 5:41 PM Lantern Properties wrote:  
Hi Christine,

It's been a while since we've spoken. Hope you and your family are well during these difficult times.

We're still waiting on some feedback as well as weighing options based on the Strata's input.

Barbara had reached out our architects the other day. I'm a bit unclear on who's the main point of contact for the Strata, is it you or Barbara?

Thanks

Mayor and Council City of Victoria

Re: 1475 Fort Street DPV 00120

Dear Mayor Helps and Councillors:

The Rockland Neighborhood Association (RNA) Land Use Committee (LUC) is writing on behalf of the neighbors to the proposed apartment development at 1475 Fort Street. We certainly acknowledge the desirability of increased rental accommodation in Victoria and in our neighborhood. However, this project has significant issues impacting neighbors.

The key issues with this proposal are excessive site coverage and height, greatly reduced setbacks, no attention to transition, little attention to current parking standards and tree retention.

Site Coverage:

- R3-AM2 site coverage for main building is 30%. Proposed site coverage is 46.9% (+17%).
- R3-AM2 F.S.R. of site is 1.2:1. NOT 1.6:1 Bonus for enclosure of ALL but visitor parking.
- The area calculation of the site is disproportionate given the panhandle access.

Building Height:

- R3-AM2 zoning allows for a building height of up to 12 m / 39'5".
- The proposed building height is 14.39 m / 47'2", a difference of approx. 2.4 m / 8' (+20%).

Setbacks:

- The R3-AM2 setback is "the greater of 3 m or one half of the building height" i.e. 7.2 m / 23'7".
- In this proposal the setbacks are 3 m for the east side yard, 3.9 m for the west side yard, and 4 m for the rear yard (i.e. 9'10" to 13' respectively).
- This results in an over-height building being set back an average 3.6 m / 12' from each property line where 7.2 m / 23'7" is required (100% variance!!!).

Guidelines:

- The proponents have utilized the antiquated OCP guidelines of DPA 7B(HC) Advisory Guideline for Buildings, Signs and Awnings (1981) rather than the current and more logical Design Guidelines for: Multi-unit Residential, Commercial and Industrial (2012/2019) requiring in Guidelines; 1.1, 1.2, 1.5, 1.6 respect of character of established areas, of design transition and respect of privacy. In this case in respecting the Rockland Traditional Residential Neighborhood. (it should be noted that the lingering use of 1981 guidelines would have been addressed in a timely LAP process)

Parking:

- Recently updated Parking Schedule C requires  $1.3 + 0.1 = 45$  units (occupant + visitor).

Tree Retention:

- Large footprint creates the loss of 4 bylaw protected trees with privacy & ecological impact.

Summary of Findings:

- The cumulative impact of these 'variances' is excessive. This is an egregious overreach with significant impacts on neighbors who reasonably have an expectation that the zoning bylaw tempers the impact on their homes. The expectation of variances is that they would accommodate small adjustments to a project; not facilitate an otherwise unworkable one.

Regards: Bob June, co-chair Dave McWalter, co-chair Land Use Committee Rockland Neighborhood Association

Mayor and Council:

On July 19, 2020, an email was sent from Barbara Bolli to Lantern Properties, the proponent for the 1475 Fort Street development, requesting their participation in an in-person CALUC meeting. This letter was supported by us as neighbours living in proximity to the proposed development site. This correspondence included information on outdoor venue options which would accommodate social distancing requirements and indicated the Rockland Neighbourhood Association's (RNA) commitment to facilitate an in-person CALUC meeting subject to social distancing protocols being upheld.

This request to Lantern Properties was predicated on the following:

- Mayor and Council's directive at the May 28, 2020 Committee of the Whole meeting that Lantern Properties undertake a CALUC meeting with respect to the development application for 1475 Fort St.
- Mayor and Council's declaration at the June 11, 2020 Committee of the Whole meeting that, in addition to the availability of electronic forms of engagement, other forms of public engagement may also be adopted to capture public input including in-person meetings subject to public safety requirements being met.

In a July 27, 2020 email, Lantern Properties declined our invitation to participate in an in-person CALUC meeting citing safety concerns associated with Covid 19 and advised that a Zoom conference call will be conducted.

After some deliberation, we are respectfully declining the invitation to participate in a Zoom call as an alternative to an in-person meeting based on the following:

- Our proposed in-person CALUC meeting is consistent with Mayor and Council's June 11, 2020 declaration noted above and is in keeping with current Orders of the Provincial Health Officer re Mass Gatherings (Pursuant to Sections 30, 31, 32 and 39(3) Public Health Act S.B.C 2008).
- We view an in-person meeting as the only effective means of engaging with the developer on this project. Any other options for consultation are considered wholly inadequate.
- We are confident and eager to participate in an in-person CALUC meeting and are committed to ensuring that this meeting is conducted in a manner that meets public safety requirements.
- A number of us do not use Zoom or other similar conferencing technology. We all want certainty that we can engage with the developer in a meaningful way. And, moreover, 30-35 participants in a Zoom call provides for unwieldy and cumbersome discussion.
- It is extremely difficult to review and assess project related design materials/drawings by way of a computer screen. Only a face to face meeting will provide us with the opportunity to view full size drawings that will inform questions and discussion with the developer about the proposal.

In a letter dated May 19, 2020 (attached) we requested Mayor and Council to send this proposal back to the Advisory Design Panel for a second review given misleading information provided to the Panel by Lantern Properties. As we have not received a response, we will follow up this correspondence with a further letter formally requesting Mayor and Council to send this to the Panel for a second review. Our priority is to ensure that every possible avenue is pursued to ensure that this project receives a thorough, balanced and fair review and assessment.

Sincerely,

Gillian Lawson, 1-949 Pemberton Rd  
Carolina Ashe, 7-949 Pemberton Rd  
Vanessa Dingley, 12-949 Pemberton Rd

Caspar Davis, 16-949 Pemberton Rd  
Ken and Tamara Bailey, 10-949 Pemberton Rd  
Christine Morissette, 13-949 Pemberton Rd  
Chantel Brodeur, 13-949 Pemberton Rd  
Bill Stroll, 3-949 Pemberton Rd  
Jo-Anna Hope, 15-949 Pemberton Rd  
Sandra Jones, 6-949 Pemberton Rd  
Alan Morton, 7-949 Pemberton Rd  
Bill McKechnie, 9-949 Pemberton Rd  
Barry Willmott, 1030 St Charles St  
Vince Turner, 1030 St Charles St  
Dee Hoyano, 1046 St Charles St  
Matt and Jessica Pope, 1036 St Charles St  
Russ and Candace Scruggs, 2-1019 Pemberton Rd  
Gretchen Karlebach, 8- 1019 Pemberton Rd  
Samantha and Grace Walls, 1-1019 Pemberton Rd  
Cynthia Pacheco, 11-949 Pemberton Rd  
Barbara Bolli, 9-949 Pemberton Rd

Mayor and Council,

I am writing to you with respect to my concerns about Council's ability to give meaningful attention to the review of the proposed development at 1475 Fort St. Please understand that this comment is not intended to be in any way a slight on Councillors' abilities or commitment to their roles. I well understand the myriad pressing matters in front of Council as this time and how these, unquestionably, must be a challenge and a burden in trying to give meaningful and effective consideration to each issue.

As a neighbour directly impacted by a development which requires Councils' approval of egregious variances in order to support the construction of a building which is far too large relative to the property on which it will be erected, your decision is critical to me and to my neighbours. It is critical because of the irreparable harm it will cause to the environmental values of the area and the livability and the character of the neighbourhood. This impact, this erosion of neighbourhood, is not short term, it is permanent.

Right from the start, our collective confidence in the development process associated with this proposal and its ability to support a fair and rational outcome has been severely tested. The project is being proposed by a company which has failed in everyway possible to provide opportunities for meaningful engagement with neighbours, and which has acted with duplicity every step of the way. We have endured a development process turned upside down by Covid 19 causing confusion, inconsistency and uncertainty for the Rockland Neighbourhood Association (RNA) and neighbours and further undermining our confidence in the review and decision making process for this proposal.

We observed at the May 28 CotW meeting that a number of Councillors had not fully turned their mind to understanding the concerns posed by neighbours about this proposal and to fully appreciate all elements of the project. We heard a number of Councillors say they were concerned about the scope of the variances, but there was, with one exception, no elaboration on what exactly their concerns were. The variances are the core of the issue with this proposal. We observed too the CotW approve the implementation of an on-line process for CALUC meetings during Covid on the morning of June 11 and in the afternoon, endorse the motion - in direct contradiction to the morning motion - to require Lantern Properties to undertake consultation with neighbours in regards to 1475 Fort St! This contradictory decision making left the CALUC process in a fray resulting in City staff providing confusing and contradictory messaging to the RNA and neighbours about the CALUC process.

Given these challenges, what is the key to ensuring that a fair, reasonable and informed decision is made in respect to this proposal? While appreciating Councillors' demanding workloads and pressing community priorities, we believe the only solution is for Council to engage in a dialogue directly with neighbours rather than relying on City staff to answer your questions. Go observe the site from all vantage points to really understand what this proposed structure would look like on this site and to better appreciate our concerns about the many impacts associated with constructing a building of this size on this property. Letter writing and technology-based communication is only going to go so far to help Council understand all the issues and concerns related to this proposal.

It is possible to build a viable and appropriately scaled apartment building here. We are convinced that if Council takes a little time to personally understand all aspects of this proposal it will send it back to the developer to make the changes necessary to support this outcome.

Respectfully,  
Barbara Bolli

**From:** Barry Willimott <[REDACTED]>  
**Sent:** August 24, 2020 11:38 AM  
**To:** Alec Johnston <[ajohnston@victoria.ca](mailto:ajohnston@victoria.ca)>  
**Subject:** 1475 Fort Street

To Mayor and Council,

We are the resident owners of 1030 St. Charles Street. The west 80 feet of our property borders the proposed development at 1475 Fort Street. We are writing in response to a recent email sent to Barbara Bolli on August 9th, 2020 from Josh Hayes of Lantern Properties (LP). In this letter, LP stated that the company had participated in a number of meetings (highlighted in bold) with the local community to provide information about their proposal, answer questions and receive feedback. We are concerned because this does not accurately reflect LP's effort to engage the community and feel it is important that we set the record straight - our comments follow under these "meeting" headings.

### **April 2019 - Public Open House**

We attended the meeting and voiced our concerns about the proposed height and density of the project. We were told that the proposed plan was "within current by-laws". We later found out that this was not the case and that we were misled. We also asked about the absence of other neighbours at the meeting - to which we never received a response. We left the meeting feeling defeated and somewhat alone due to the lack of other neighbours not attending. We have discovered that we were the only neighbour invited to this meeting. The plans shown at the open house were totally different than what is presented now. We were never notified that the original plan had changed. If LP was concerned about communication with us, why did they not notify us that they had changed plans so we could comment on them?

### **May 2019 - 1030 Charles Street Resident Meeting**

Peter from Cascadia Architects attended our house for 15 minutes to take photos. When asked about the variances we were told that it was 'just a matter of relocating the cedar clad disposal container' and confirmed again that the project was within the current by-laws. At that time Peter told us that the balcony railings would be a double screen of perforated metal. The current plans do not reflect this at all and what is being utilized does not provide sufficient privacy for new residents or ourselves and neighbours.

### **June 2019 - Rockland Neighbourhood Association Meeting (RNA)**

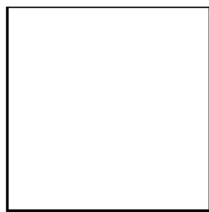
When approached by neighbours about concerns about the project, the RNA felt that a second, more in-depth review of the project including an on site visit was needed. The RNA in their April 22, 2020 letter to Mayor and Council stated that this project has shown that this



'simple variance development application' belies a project that has far more impacts to property owners than what was initially understood.

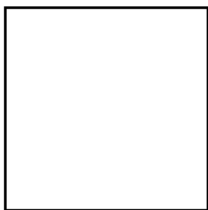
In regards to LP's consultation with the Advisory Design Panel we understand from reviewing the minutes of this meeting that substantive issues about the project that Mayor and Council had directed the panel to review were not discussed at this meeting. The Panel was also misled by the LP by suggesting that neighbours were positive about the project - a view has not been expressed by us or any of our neighbours at any time.

Our attitude towards the proposed development is less than positive because of the many impacts to the environment, the ambiance of the neighbourhood, to the social housing stock and the lack of environmental features of the current building. We stand with all our neighbours in opposition to this "too big a building on too small a lot". We urge Mayor and Council to request LP to go back and propose something in keeping with the site, its location and the neighbourhood.



Thank you for your consideration.

Barry Willmott and Vincent Turner



ReplyForward

Dear Mayor and Council,

We are writing to request a second Advisory Design Panel (ADP) review of Development Permit Application #00120 for 1475 Fort Street. Following are the reasons:

**1. January 22 ADP minutes are incomplete and contain misinformation**

**Incomplete review:** Minutes of the ADP meeting (separate email attachment) reveal two main areas that Council directed the ADP to review:

- Massing, setbacks and orientation
- Response to context and physical characteristics of the site

There is no indication in the minutes that either item was discussed, except for a vague statement that the proposal was in some way successful in integrating within the neighbourhood.

**Misleading information:** The minutes indicate that neighbourhood feedback for the project was “very positive.” In fact:

- Only two neighbours (both at 1030 St Charles St) were aware of the project at the time of the ADP meeting and had been consulted by the developer.
- Contrary to the developer’s statement, the concerns brought forward by these residents were not addressed. (See letter from Barry Willmott and Vince Turner in email attachment)

**2. Incomplete and misleading information from ADP minutes was an integral part of the discussion at the May 28 Committee of the Whole meeting**

Please see Appendix.

**Second ADP meeting**

We ask that the second meeting focus on Council’s original direction to address massing, setbacks, and orientation, as well as the context of the site (see headings in table below).

At this second meeting, we are asking for analysis that is specific to our concerns, which align with Council’s direction:

Item for review and response	Why we are asking for this item
<p><b>1. Massing, setbacks and orientation – zoning variance requests</b></p> <p>Height: 20% increase over current zoning.</p> <p><i>Based on requested height variance, setbacks would go beyond current zoning allowance by:</i></p> <p>South: 45% East: 58% West: 46%</p>	<p>Variances will:</p> <ul style="list-style-type: none"><li>• Destroy privacy of immediate neighbours with multiple windows overlooking private back yards and living spaces.</li><li>• Destroy natural environment and privacy through removal of 11 mature trees at property boundaries.</li></ul>

<p><b>2. Massing, setbacks and orientation – transition to lower density</b>  1475 Fort Street (R3-AM-2) is adjacent on East, West and South to R1-A - lower density.</p> <p>Current guidelines require transition from higher to lower density buildings.</p> <ul style="list-style-type: none"> <li>- <i>Design Guidelines for Residential, Commercial and Industrial, July 2012/2019, Sections 1.5 &amp; 1.6)</i></li> </ul>	<p>Lack of transition in current design results in:</p> <ul style="list-style-type: none"> <li>• Sheer walls, 47 feet high, with no break in design, ranging from 9 to 13 feet from property lines.</li> <li>• Current design has no transition at all to buildings with lower density zoning on east, south and west sides.</li> </ul>
<p><b>3. Response to context and physical characteristics of site</b>  Desirable neighbourhood is characterised by a mix of apartments, townhomes and single family homes, separated by tall, mature trees.</p> <p>Trees contribute to enjoyment of residential living space, and Victoria’s reputation as uniquely beautiful and a sought after city for visitors and residents.</p>	<p>Large building footprint will:</p> <ul style="list-style-type: none"> <li>• Result in permanent loss of mature trees that characterize the neighbourhood and provide visual and noise barrier between properties.</li> <li>• Diminish the tree cover that defines Victoria as a uniquely beautiful city.</li> </ul> <p>Developer’s proposed replacement with miniature tree species, as proposed by developer, will not address this loss.</p>

A second ADP review, paying particular attention to the concerns noted above, will provide some assurance that our areas of concern, as well as the areas raised initially by Council, have been rigorously analysed and addressed.

We look forward to your response.

Sincerely,

Carolina Ashe, 7-949 Pemberton Road  
Ken Bailey, 10-949 Pemberton Road  
Tamara Bailey, 10-949 Pemberton Road  
Barbara Bolli, 9-949 Pemberton Road  
Chantal Brodeur, 13-949 Pemberton Road  
Caspar Davis, 16-949 Pemberton Road  
Carlos Delarosa – 1046 St. Charles Street  
John Dingley, 12-949 Pemberton Road  
Vanessa Dingley, 12-949 Pemberton Road  
Jo Anna Hope, 15-949 Pemberton Road  
Dee Hoyano – 1046 St. Charles Street  
Sandy Jones, 6-949 Pemberton Road  
Geoffrey Karlebach, 8-1019 Pemberton Road  
Gretchen Karlebach, 8-1019 Pemberton Road  
Gillian Lawson, 1-949 Pemberton Road  
Paul Lecavalier, 6-1019 Pemberton Road

Bill McKechnie, 9-949 Pemberton Road  
Christine Morissette, 13-949 Pemberton Road  
Alan Morton, 7-949 Pemberton Road  
Lorena Mowers, 16-949 Pemberton Road  
Cynthia Pacheco, 11-949 Pemberton Road  
Jessica Pope, 1036 St. Charles Street  
Matt Pope, 1036 St. Charles Street  
Candace Scruggs, 2-1019 Pemberton Road  
Russ Scruggs, 2-1019 Pemberton Road  
Janet Simpson, 1336 Richardson Street  
Bill Stroll, 3-949 Pemberton Road  
Barry Turner, 1030 St. Charles Street  
Grace Walls, 1-1019 Pemberton Road  
Samantha Walls, 1-1019 Pemberton Road  
Barry Willimott, 1030 St. Charles Street

## Appendix

Below are excerpts from the May 28<sup>th</sup> Committee of the Whole (CotW) meeting, in which information from the minutes of the January 22, 2020 ADP meeting entered the discussion.

### Charlayne Thornton-Joe`s comments

- Charlayne Thornton-Joe expressed appreciation that the applicant met with the residents of St. Charles Street and addressed their concerns – as misstated in the ADP minutes.
- She further suggested a setback on the top floor to help mitigate privacy concerns of neighbours.
- Alec Johnston responded that the ADP was asked to review the context of the proposal in relation to adjacent properties. He further stated that the ADP felt the proposal did a “good job” of fitting into the neighbourhood and therefore, they approved the application.

While the minutes mention “the proposal’s success in integrating within the Rockland neighbourhood,” this conclusion does not appear to be linked to any analysis. In addition to no mention of analysis in the minutes, there is also no definition of what constitutes “success” in this context.

### Marianne Alto’s comments

- Marianne Alto cited that the ADP gave unanimous approval of the design, with the understanding there had been outreach to neighbours.
- She then mentioned that there have been assertions that this is not the case (e.g. that neighbours were not consulted).
- She asked how to assess the impact this might have had on the ADP review.
- Alison Meyer responded that it is difficult to assess how this might have impacted the review.

While it may be difficult to assess the effect of the misleading and incomplete information from the ADP meeting minutes, it is clear to see that this information was taken at face value and inadvertently woven into the discussion of the 1475 Fort Street application at the May 28th CotW meeting.

Dear Mayor and Council:

We are writing as homeowner residents at 949 Pemberton Road, and as adjacent neighbours to the proposed development at 1475 Fort Street. We have signed two previous letters to Council on behalf of our strata, and this is our second letter as individual homeowners. It is with increasing frustration that we write to you again and ask that you deny the development permit for 1475 Fort in its existing form, and send it back for redesign. Lantern Properties continues with the deceit that it has consulted with neighbours most affected by the development, and that we are in support of the plan. This is simply not true: we have never been consulted, and we are alarmed by the scope of the proposed development.

While there are several concerns regarding the development, we clarify here our response to just two of them:

- the variances required to develop the property
- the removal of a part of the urban forest in our neighbourhood.

The variances requested by the developer are so numerous and extreme that they reflect the need for a rezoning of the property, not a simple development variance permit. Zoning bylaws are meant to ensure safety, preserve privacy of residents, and preserve the character of the neighbourhood. The developer requests a setback reduction to within four feet of the perimeter of our adjacent strata units, which flies in the face of the purpose of zoning bylaws.

There are 11 mature and protected trees that will be removed as part of the proposed development. The urban canopy of the Fort Street neighbourhood is not just an aesthetic extra in a multi use area of single family, apartment and house conversion homes. These trees provide a natural environment near downtown, and a sound and visual barrier close to a major traffic artery. The trees contribute to the character of the neighbourhood, provide an urban wildlife habitat, and contribute to the overall health of the neighbours.

We ask that Mayor and Council start this development process over again, and that it include an honest and transparent consultation with affected neighbours, and a rezoning application where required. Please let us know how you plan to proceed. Thank you.

Sincerely,

Christine Morissette and Chantal Brodeur  
#13 - 949 Pemberton Road

1475 Fort Street CALUC Community Meeting  
September 9, 2021

Attending:

Josh Hayes, (JH) Lantern Properties Ltd.  
Peter Johannknecht, (PJ) Cascadia Architects Inc.  
Chris Windjeck, (CW) Landscape

Bob June (BJ) RNA

Sophi Perndl. (SP) Pooni Group, Facilitator

Preamble:

JH Project requires a certain number of units to make it work economically.  
VIHA leases/leased both 1471 and 1475 as Transition Housing.  
The expectation is VIHA will occupy 1475 Fort again when completed.  
VIHA will not sign a contract until a building is completed

PJ The discussion with VIHA remains ongoing about renting this building

Questions (abbreviated) :

1. Will you provide us with a copy of the letter you sent to residents inviting them to a open house?

JH. A copy will be forwarded to Bob June, RNA, following the meeting.

2. When can we see the affidavit listing the homeowners purportedly receiving the invitation?

JH. I did not agree to send an affidavit.

I will have our manager provide the list and a statement of deliveries.

3. Why did it take Lantern Properties almost 7 months from the March 5<sup>th</sup> meeting to provide reader accessible hard copies of plans?

JH. Plans where being updated and changes made.

BJ. There was no mention of what changes or updates.

4. Why did Lantern ignore the May 10<sup>th</sup>. enquiry from the Strata President of 949 Pemberton? Why did they not meet their obligation to consult and inform?

JH/PJ Plans needed to be funneled to one source.

Development Permits do not require consultation

They felt they build consultation over time. They do see the value of consultation.

The biggest disconnect was with 949 Pemberton

Let's see what we can do to make it better.

Lets work together to make it better.

5. Why did you select the least interactive online option, which does not allow participants to speak or see each other?

SP Anything online has limitations.  
Pooni Group works across Canada and we have found this technology is the most productive

Variance Related Questions:

1. The cumulative of the variances is beyond excessive. Why do you feel that attempting to violate the zoning bylaws to such a degree is justified?

PJ. Higher standards and higher costs require higher rental prices to provide density.

If not higher, then wider.

Trees are sacrificed to give parking

Considering increasing soil volumes over the parking to provide larger plantings

JH The occupancy count of the new building will be up to VIHA and if they put 2 occupants per bedroom.

Participants Question – How is this format suitable?

SP Pooni Group feel ZOOM is unproductive and undemocratic and non interactive.

BJ There was no opportunity for discussion with the attendees

5. Please explain how Cascadia defines “sensitive transition” when the proposed building will tower over the neighboring properties in such close proximity?

PJ Only three floors are visible to neighbors. It does not tower.

The transition is sensitive.

It is in the eyes of the beholder.

That is harder for some to see than others.

The Advisory Design Panel said it was less of an issue as it is to the north (of 949 Pemberton)

JH We looked at building without variances but it is not affordable economically.

Lantern Properties lost one unit because of right of way on property.

PJ Looked at a smaller building with outside parking but internal/underground parking is required by the city.

Participant Question – The Advisory Design Panel did not address massing?

PJ The ADP focus on exterior design. Not on massing.

The ADP minutes are a high level summary and not detailed minutes.

SP The nuances are not reflected in the minutes.

Participant Question – How is this design sensitive to the Townhomes to the south (949 Pemberton)?

PJ It is a matter of opinion that it is not

This plan is similar to setbacks in other parts of the city.

There are 300 sites in the city of 3 storey apartment with less than 7 m. setbacks.

There are ways to discuss height with the team. He will propose the remove the Parapet.

There is a willingness to make changes.

We recognize there are a lot of valid concerns.

Those who live locally have a stronger connection.

It's up to Council to make the final decision.

6. Why do you think you have the right to violate the clearly stated guidelines for protecting neighbors privacy?

JH We don't think we have the right to take away privacy.  
We are mitigating it.

PJ There will be impacts on the neighbors.  
The townhouses have a view into the apartments  
The living rooms in the two bedroom units look east and west away from neighbors windows.  
There are perforated screens for neighbors privacy on the two bedroom unit balconies to prevent views to the south.

He has additional proposals?

The one bedroom unit Juliette balconies give a sense of the outdoors without being outside.

They could change the glass in the lower portion of the Juliette window to make them more obscure to lessen the overlook.

Participants Question. Did you visit the 949 Pemberton to see the context.

JH I did not attend the site to see the context.

PJ I did not attend the site

PJ It is 25 ft. window to window

Participants Question – SP Lack of size has been covered.

Community Engagement

Participants Question – SP Why this large project rather than condominiums (?)

JH Condo's deliver an immediate profit on their sale.  
This project will benefit the community with VIHA potentially renting.

PJ In the bigger picture Lantern Properties have to reinvest for a significantly longer period with rental returns.  
This is a benefit to the larger community.

JH We are willing to modify the plans  
The plans will be different when we go back to COTW

PJ We started planning changes after the first COTW and will go back with a new plan

Participants Question – Why did you not contact 949 Pemberton

JH We do meetings with neighborhoods, not individuals

Participants Question – SP What are the rents?

JH Financials are kept internal  
Many variables can affect rents. We do not have that data today.

Question chain lost

JH VIHA may return might return as tenant when the apartment is built.

PJ there is not parking at grade



Participants Question - SP Why did you not make Changes earlier?

PJ we take our direction from the Proponent, Lantern Properties.

We are happy to meet with anyone.

JH The Advisory Design Panel was very supportive

He felt no changes where necessary

Now, after the COTW, they hope to build a proposal that address the neighborhood.

#### Tree Removal

1. Why does Lantern Properties build a LEED green, energy efficient environmental friendly building?

PJ LEED has been replaced somewhat by the BC Step Code standards. LEED is a dinosaur.

Step Code is now becoming the industry standard.

The building will be to Step # 3 with energy efficient Heat Pump, HVAC.

The roof is reserved for Solar Energy installation and electric car charging in the future.

JH The building is energy efficient with low flow toilets, LED lighting and green landscaping.

PJ Low VOC which is now standard.

2. If zoning by-law set backs where adhered to, couldn't the trees be saved?

PJ The trees and the parkade are fighting each other.

If you do not densify the city the surrounding area suffers, Langford expands.

We recognize the urban forest is important.

JH The underground parking causes the tree loss.

CW Large open paved lot surface creates more heat

The proposed landscape Maple trees will grow larger than if they where in a open parking lot.

Participants Question – SP if the parkade is smaller could trees be saved?

PJ No. The site is not big. We have to have meet certain minimum stalls and bike and recycling rooms for the city.

We do not take trees down likely. We do care

3. Will Lantern Properties propose a structure that does not result in Tree's destruction?

SP - similar to previous question

PJ This is the same as the last question.

Look at all the trees that came down in the last 50 years. (to build Victoria)

4. Why is there no study of tree removal to ground and storm water management?

PJ The arborist report, parks and geo-technical report will all be reviewed

5. What guarantees are given to off-site trees survival?

JH Lantern will take all necessary steps

PJ It is required there is a tree preservation plan for neighboring trees.

6. Does Lantern Properties believe new trees per the arborist report replace exiting mature trees?

CW The arborist and the city will review the planting schedule.

Participants Question –SP Is there a 2 for 1 replacement rule.

CW. They are replacing the trees on site on a 1:1 basis because of the low soil volume available on site. (underground parking)  
The city of Victoria offers the option of cash in lieu of trees or offsite planting in public areas.

Participants Question – SP Trees are completely expendable

PJ Trees have value, of course they have value  
SP There are trade off's

Participants Questions – SP New Trees?

PJ May be able to put in new trees on the east side.  
Might be able to increase soil volume above parkade and put in larger trees  
Anything more would require a lot of changes and revisions by Lantern.

Participants Question - Trees along St. Charles?

JH We will take the necessary steps to protect trees and see they survive.  
PJ There is a pre preservation plan for all neighbors trees and they are protected with a snow fence,.

Participants Question – SP Why does Lantern Properties not take into account privacy of neighbors.

SP We are discussing that today and looking at options for improving privacy

8. What plans are in place to mitigate or compensate for damage?

JH Lantern Properties will make anyone whole if damages are made.  
PJ They will work with neighbors.

9. Is lantern Properties going to do the right thing for the neighborhood, neighborhood, and bird habitat?

JH ADP passed project unanimously which reflects integrity of the projects.  
There is no requirement for an Ornithologist report.

10. What is your companies philosophy with respect to people and nature?

JH Lantern properties has provided rental housing for over 50 years.  
We are spending money which requires a long term view.  
SP Rental is a long term investment  
JH Spent \$250,000. Landscaping our apartment at 1471 Fort Street.  
PJ Look at the Cascadia website to see the quality of our design.  
Even with bare and raw emotions at the start designs end well.  
We truly believe the built environment benefits.

Miscellaneous Questions.

1. Has Lantern Properties considered refurbishing the existing building?

JH. We looked at the existing building and it needs to come down.  
PJ The Fire Department is pleased to see it come down. It has no sprinklers  
It is correct the old building is substandard.

2. Why has Lantern Properties not prepared drawings or pictures from the neighbor's perspective?

PJ We prepared views in a true perspective. The neighbors did so themselves.

3. Please provide evidence a smaller structure respecting zoning bylaws, neighbors privacy is not viable.

JH Financials are private. Developer does not make public financial disclosure, an industry standard.

PJ The property owner has the right to develop within the boundaries of the zoning

Participants Question – SP If project is declined what will Lantern do?

JH We have not considered that.

We are focusing on the current phase.

Additional Comments from Proponents re Engagement:

JH The city does not have a clear process for public engagement (on Development Permit) Peter/Cascadia is following direction. It is a Lantern Project.  
Lantern's best interest is to get back to the city ASAP.  
Possibly in 2 months.

PJ Any change costs money

JH Economics did not allow the four affordable units originally shown.

PJ Parking affected the affordable units.

Why would VIHA consider renting apartment units designed for higher end market with high ceilings?

JH VIHA only looks at rental cost per unit.  
Ceiling heights are incidental

PJ 9 ft. ceiling height is now standard.

**They have discussed shaving ceiling heights.**

High ceilings space demand for positive HVAC ducting in corridors.

8' 6" in unit/7'6 in corridor is possible but 9' allows for future requirement.

JH VIHA does not have a lot of options.

They will welcome this option with open arms and are likely to take up option  
Particularly with 2 bedroom units.

JH VIHA's lease with Lantern Properties would be confidential.

1475 Fort Street. DPV00120  
CALUC electronic Community Meeting  
September 9, 2020

While the neighbors of 1475 Fort Street embrace the idea of a four-storey apartment replacing the aged 3 storey, 11 units, they are exceedingly concerned about the height and massing with minimal setbacks of the current proposal and the significant loss of trees.

It is significant that the proponents said on several occasions that they are reviewing the proposal after the meeting. They appeared to indicate they would make modifications based on the referral to a CALUC Community Meeting by council COTW and the emphatic input from neighbors. The expectation was left by the Josh Hayes of Lantern Properties that there would be further direct discussion with those neighbors impacted.

The electronic CALUC Community Meeting was an awkward affair with the moderator moving between a set of pre-submitted questions and write in questions from the audience, making it difficult to keep cohesive notes and transcribe them in a seamless manner. You will find them choppy in reading.

A key issue was the question of need to consult as "recommended" in the Development Variance Permit Process Flow Chart and who was consulted. The neighbors clearly believe they were not informed of the proposal while Lantern Properties said the notification to neighbors was comprehensive. As a result, the neighbors feel the report to the Advisory Design Panel misrepresented their concerns while the proponents indicated the support of the Advisory Design Panel was indicative of the design quality.

The meeting notes do show that neighbors were gravely aware of the impacts the current proposal has on them. There was frequent comment about the minimal setbacks of 3 to 4 m. (12 – 15 ft.) rather than the R3-AM2 prescribed 7.5 m (25 ft.) and how the proposed apartment would tower over neighbors. Particularly so since the proposed apartment is 14.4 m. (47 ft.) rather than the zoned 12 m. (39 ft.)

The audience was consistent in making the point that more needs to be done to improve the transition from the development to the neighborhood. While the developer talked about balcony screening and opaque window treatments the neighbors asked for increased setbacks moving the building further away from 1475 Fort boundary lines.

While the proponents talked about the trend to high ceilings and HVAC requirements the neighbors asked for moderation in interior ceiling heights and a reduction in built height, mass and a thoughtful transition to the R1-A area that bounds the property on St Charles and at 949 Pemberton.

Tree Retention was important to the neighbors. The Proponents were emphatic that the parking requirements made that impossible. The proposed plan delivers only half of the parking required by Schedule C, 26 spaces v's 44 required, so it appears there may be room to make some adjustment to the parking space as it already clearly inadequate. Some smaller smart car spots or repositioning of bike or recycling rooms might enable some parkade walls to accommodate root zones of the bylaw protected trees.

The issue of VIHA rental caused concern. Neighbors felt it is unreasonable to tip the perception of the project to imply that it will potentially become transition housing with the perceived social value that offers the community when on the other hand the project is presented as market housing. The proponents stated they have no lease with VIHA, nor will they enter negotiation until the project is completed because VIHA will not sign leases on incomplete projects. Currently the project is not social housing and neighbors expressed concern it misleading to present it as so.

The outcome of the Community Meeting is that the neighbors made it clear they wish to see less invasive variances and built form reflecting a respect for their homes, the residual trees and that they expect more direct consultation with Lantern Properties and Cascadia Architect.

The session was recorded and is available. Where? That's up to the new CALUC Community Process.

Bob June, RNA LUC co-chair.



FINAL Sep 9 2020  
CALUC Meeting - 147

Mayor and Council,

The following letter has also been submitted to the development tracker. I appreciate your taking the time to read this and hopefully respond.

Mayor Helps and Council members,

I am writing to you regarding the proposed development at 1475 Fort Street. As a neighbour living on the adjoining property at 949 Pemberton my concern is the change in density that is projected.

The BC Local Government Act in Part 14 Division 9.498 states

(2) As restrictions on subsection (1), a development variance permit must not vary the following:

(a) the use or density of land from that specified in the bylaw;  
also

P14 D7 states:

490(3) A development permit must not

(a) vary the use or density of the land from that permitted in the bylaw except as authorized by section 491 (3) *[variation in relation to health, safety or protection of property]*,

491(3) Conditions and requirements under subsection (2) may vary the use or density of land, but only as they relate to health, safety or protection of property from damage.

Current density zoning is 1.2:1. The developer's plans call for density of 1.42:1, claiming that this density comes in under the allowable 1.6:1 maximum with bonus.

This "bonus" in density is only granted if all parking is underground. The granting of two significant variances is necessary to support the developer's assumed "bonus".

**1. Underground parking reduction**

- A request of almost 50% reduction in parking, from 47 to 26 spaces.
- Excavation for this insufficient amount of parking will extend to property lines on 3 sides of the property.

**2. Site coverage increase from 40% to 47%**

- The claim of forty-seven percent site coverage is deceptive, as it includes the square footage of a long driveway used by both 1471 and 1475 Fort Street.
- The fact is, the building footprint will fill nearly the entire lot.

This "house of cards" approach is an attempt to shoehorn, with compounding variances, a large building on a lot that is far too small to support it.

The lot is suitable for rentals and I would support a development that is of a scale and massing appropriate to the site. I would, therefore, ask that Mayor and Council reject this proposal and send it back to the developer.

Alan Morton

Mayor and Council,

During Lantern Properties' September 9<sup>th</sup> webinar meeting, the developer indicated to neighbourhood participants that revisions would be made to the current design plans for the four story apartment building proposed at 1475 Fort St. To date, there has been no reference in correspondence from City staff in regards to the provision of a window of time in which neighbours can review and respond to these revised plans as part of the development process prior to the CotW meeting. Neighbours fully expect that the City will commit to providing this opportunity and to be notified of the timetable for submitting review comments.

Thank you in advance.

Sincerely,

Barbara Bolli

## Sep 9, 2020 CALUC Meeting with Lantern Properties - 1475 Fort St

### Questions from neighbours within 50 m of proposed development

The questions below for Lantern Properties regarding the proposed development at 1475 Fort St were put together by a committee of 14 people representing the interests of more than 30 residents surrounding the three sides of 1475 Fort Street on the east, south and west:

Carolina Ashe, 7-949 Pemberton Road  
Barbara Bolli, 9-949 Pemberton Road  
Caspar Davis, 16-949 Pemberton Road  
Vanessa Dingley, 12-949 Pemberton Road  
Dee Hoyano, 1046 St. Charles Street  
Sandy Jones, 6-949 Pemberton Road  
Gretchen Karlebach, 9-1019 Pemberton Road

Gillian Lawson, 1-949 Pemberton Road  
Bill McKechnie, 9-949 Pemberton Road  
Alan Morton, 7-949 Pemberton Road  
Matt Pope, 1036 St. Charles Street  
Russ Scruggs, 2-1019 Pemberton Road  
Vince Turner, 1030 St. Charles Street  
Barry Willimott, 1030 St. Charles Street

REPRESENTED NEIGHBOURS SHOWN IN GREEN BELOW:





## **A. INTRODUCTION TO NEIGHBOURS' QUESTIONS AND COMMENTS**

Over recent months, since we found out about the proposed development at 1475 Fort Street in late January/early February 2020, a group of 14 neighbours representing residents to the east, south and west of 1475 Fort Street have created an informal Working Group to discuss the impact of the proposal on our adjacent properties and the neighbourhood. We have been meeting on a fairly regular basis to coordinate our efforts to request modifications to the current proposals.

- We are asking the Mayor and Council to not approve the requested variances, and to send the current proposal back to the developer for redesign.
- We are very much aware of the need for additional housing, especially rental housing, in Victoria, and we understand the need for some increased density close to transportation corridors such as Fort Street, but the current proposal is excessively large. A building with a smaller footprint and without excessive variances would be quite acceptable. This would also allow the mature trees to remain and serve as 'buffers' between the properties.
- We are also acutely aware of the needs of low-income people in Victoria, and the homeless in particular. The existing building on this site is leased by VIHA, and serves people with special needs. We are concerned that when the existing building is demolished, they will be displaced from their homes. It seems unlikely that VIHA would be able to pay the higher rents of the proposed building.
- We would not have any objections to a low-income rental apartment being built on the site as long as it respects the existing regulations concerning site coverage, setbacks and height restrictions, and does not demand excessive variances which negatively impact the immediate neighbours and disrespect the neighbourhood.

## **B. COMMUNITY-CONSULTATION QUESTIONS**

In an email to Barbara Bolli, Mayor and Council on August 6 2020, Josh Hayes of Lantern Properties states the following:

["Lantern Properties has been working on the proposal for 1475 Fort Street since 2018. Since then, we have participated in a number of meetings with the local community to provide information about our proposal, answer questions and receive feedback. This has included the following:](#)

- \* [April 2019 – Public Open House](#)
- \* [May 2019 – 1030 Charles Street Resident Meeting](#)
- \* [June 2019 – Rockland Neighbourhood Association Meeting"](#)

**This statement does not stand up to examination.** The following is an accurate representation of what happened:

- April 2019 - Lantern Properties never reached out to neighbours of this proposed development with the exception of the owners of 1030 St. Charles. **The first official notification received by any other adjacent residents was a Property Development Notice letter from the City of Victoria received August 24, 2020.**
- May 2019 – According to the owners of 1030 St. Charles Street, this was a 15 minute meeting for the architect to take photos and talk about balcony finishes.
- June 2019 – The RNA subsequently wrote to the Mayor and Council on April 22, 2020 that the project required a more in-depth review because of the impact on neighbours.

At the January 22, 2020 ADP meeting where this proposal was discussed, the development's proponents were asked about the feedback so far. The response was that the feedback was very positive. **This statement does not stand up to examination.** At this point, the neighbours at **one** address had been consulted and, as they have subsequently confirmed in their letter of August 24, 2020 to Mayor and Council, they had grave concerns about the project, which have still not been addressed.

In his list of meetings, Josh Hayes neglects to mention the March 5, 2020 meeting at Cascadia Developments arranged by Barbara Bolli on behalf of homeowners at 949 and 1019 Pemberton Road. Ms. Bolli advocated for this meeting because she happened to hear “through the grapevine” of this proposed development. At the March 5 meeting, residents described in no uncertain terms the negative impact the development would have on our neighbourhood. We also asked for a copy of the letter purported to have been sent to neighbouring residents, along with a distribution list. Neither was forthcoming.

1. **Once again, will you provide us with a copy of the letter you claim to have sent to residents in the local community advising them of the proposed development and inviting them to a public open house?**
2. At the same March 5, 2020 meeting, Josh Hayes with Lantern Properties offered to provide an affidavit listing the homeowners which purportedly were provided written notice of the Lantern Properties April 2019 Open House. **When can we see this document?**
3. Neighbours finally received hard copies of Lantern Properties' design drawings for 1475 Fort St in late August 2020. We had explained to Josh Hayes in a February 3, 2020 email that the drawings were very difficult to review on the City's Development Tracker and requested that copies of the drawings be sent to us. **Why did it take Lantern properties almost 7 months to provide these?**
4. On May 10, 2020, Ms. Gillian Lawson, Strata President of 949 Pemberton Rd sent an email to Lantern Properties seeking clarification on their changes to the design drawings. Ms. Lawson did not receive a response from Lantern Properties nor did the developer make any further effort to engage with affected neighbours about this proposal until July

2020 when neighbours were notified that a CALUC meeting was being scheduled by Lantern Properties. **Why has Lantern Properties failed to meet their obligations to proactively consult and inform concerned neighbours about this project?**

5. On May 28<sup>th</sup>, the Committee of the Whole directed you to participate in a CALUC meeting with the express purpose of listening and responding to neighbours' concerns. This was your opportunity to engage with the community in good faith, as you say you have been doing all along. The neighbours reached out to you with two venues and several possible dates for a socially distanced, outdoor CALUC meeting, which you declined, saying that you would host an online meeting instead. There are many ways an online meeting can take place which allows participants to see and interact with each other and with the host in real time. **Why did you select the least interactive online option, which does not allow for consultation or even for participants to speak or see each other?**

### **C. VARIANCE-RELATED QUESTIONS**

One of the key purposes of zoning regulations is to temper the impact of new buildings on surrounding neighbours. The expectation of variances is that they would accommodate small adjustments to a project; not facilitate an otherwise unworkable one. Your most recent set of plans for 1475 Fort St includes the following variances:

Variance contained in proposal	Notes
Main building height of 14.39 m	<b>20% higher than allowed under the current R3-AM2 zoning (12 m)</b>
Front yard setback of 1.805 m	<b>17% of what is required (10.5 m)</b>
Side yard east setback of 3.05 m	<b>42% of what is required (7.2 m)</b>
Side yard west setback of 3.86 m	<b>54% of what is required (7.2 m)</b>
Rear yard setback of 3.96 m	<b>55% of what is required (7.2 m)</b>
Site coverage of 47.6%	<b>19% greater than what is allowed under the current zoning (40%)</b>
26 car stalls	<b>58% of what is required (45 stalls)</b>
Accessory garden structure in front yard	

**The cumulative impact of these variances is beyond excessive and leaves one to wonder what the point of having zoning regulations is if developers feel they can simply disregard them.** The height variance alone would have a tremendous impact on all neighbours in the area. Specifically, neighbours at 1046 St Charles and 949 Pemberton, whose houses would end up being completely dwarfed by the 47 foot tall building only feet away, would likely see their property value decrease significantly.

The BC Local Government Act: Part 14 Division 7, 490 (3) Development Permit (2) states the permit “must NOT (a) vary the use of density from that specified in the bylaw” and only in the case of 491 (3) “may vary that use or density ONLY as they relate to health, safety or protection of property from damage.” The R3-AM2 zoning states the density for 4 storeys is 1.2:1.

The proposal asks for 1.42:1, without providing parking required for this density. (45 required, only 26 proposed). The fact that you cannot provide the required parking to achieve the level of density you are asking for indicates that this building is simply too big for the size of this lot.

1. **Why do you feel that attempting to violate the zoning bylaws to such an excessive degree is justified for the proposed building?**
2. **Why is this building proposed to be 14.39 meters?** This is 20% higher than allowed under R3-AM2 zoning (12 m / 39.4 ft). The original plan attached to the Arborist report of April 5, 2019 shows 12.9 m / 42.4 ft. The original proposal was also smaller and had one more unit. **If 42.4 feet was sufficient in April 2019, why is 47 feet necessary now? If the smaller building proposed in April 2019 was viable, why is a much larger building needed now?**
3. Your proposed side yard setbacks are a fraction of what is required: as low as 17% of what is required (front yard is proposed at 1.805 m, but required to be 10.5 m). **Why do you think you should have the right to excessively reduce side yard setbacks that destroy mature trees and degrade the environment for both wildlife and neighbors?**
4. Proposed site coverage is 19% greater than what is allowed (proposed is 47.6%, max is 40%). **Why?**
5. The Design Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012/19 call for new residential mixed-use development to provide a transition in form and massing to lower density building forms. (1.6.1). In its June 12th, 2019 letter to Mayor and Council, Cascadia, in reference to the neighbouring property to the south, states that the proposed building provides “sensitive transition” between the R3-AM-2 and R1-A zones.” While there is a grade difference of about 5 feet between the two properties, this height difference, along with the requested 13-foot setback hardly constitutes a “sensitive transition” to a 47-foot high wall. **Please explain how Cascadia defines ‘sensitive transition’, when the proposed building will tower over the neighbouring properties at such close proximity?**
6. The Design Guidelines, noted above, also call for designs to address privacy for adjacent residential homes and private open spaces. (1.6.2 and 2.6). The neighbours’ privacy will be negatively affected by removing all trees along the perimeters of the east and west sides, and by having balconies on the east and west, and multiple windows on the south, overlooking the windows and private yards of neighbours. **Why do you think**

**you should have the right to violate the clearly stated guidelines for protecting neighbours' privacy?**

7. The egregious variances requested in height and setbacks on all sides will result in great cost to the surrounding community:
  - Environmental destruction, through the elimination of all mature trees at the perimeter of the property (11 in total)
  - Loss of neighbours' enjoyment of nature, plus loss of visual and sound barrier through tree destruction
  - Loss of privacy for immediate neighbours
  - Loss of property values

Clearly, this design will only benefit the developer, by maximizing profits, while the community bears all the cost. A new design could eliminate the damage to the environment and neighbourhood that will be caused by the current design. **Are you prepared to modify your plans?**

#### **D. TREE REMOVAL RELATED QUESTIONS**

1. We note that this proposed structure is not built to LEED Certification Standards, there is no reference in your proposal to green building materials being used, nor solar, water efficient and geothermal heating and cooling options. Also, there is no reference to energy efficiency appliances or lighting fixtures or construction of a roof garden. **Why has Lantern Properties chosen not to follow the lead of many developers in building green, energy efficient and environmentally friendly buildings?**
2. In a time of serious climate change concerns, how can Lantern Properties consider removing mature trees, which provide a good buffer between the properties? **Does Lantern Properties not agree that good urban design demands a more gentle transition, with landscaping and tree canopy, between the Fort Street corridor and the existing low-rise residences adjacent to the site? If zoning by-law set-backs were adhered to, couldn't the trees be saved?**
3. Your proposed project impacts old growth/mature trees which are located on the periphery of the property. **Will Lantern Properties propose a structure that respects these valuable resources by proposing a structure that does not result in their destruction?**
4. Based on review of the site plans, the preparation of the below grade parking as well as the huge building footprint will result in damaging/destroying the root system of not just the trees on the Lantern Properties trees but also neighbouring old growth trees. **Why is**

there no study or comments regarding the impact of tree removal to ground and storm water levels and management?

5. **What guarantees are given that the 6 offsite trees will survive? How will neighbouring mature tree root system be protected/preserved?**
6. **Does Lantern Properties believe that providing new trees as per the arborist plan will replace the mature trees currently on the property?**
7. The removal of the tree canopy will result in the loss of privacy for surrounding residents and this is not acceptable. **Why will Lantern Properties not take into account the impacts of this project on privacy of bordering residents?**
8. The arborist report states that there may be damage to the root structure of the privacy hedge at 1046 St Charles as part of the excavation for the parking/foundation. This is the sole means of privacy on the north and west side of the property and should not be replaced with a wall. **What plans are in place to mitigate or compensate for this damage?**
9. **Environmentally and ethically, is Lantern Properties going to do the right thing and create a building design that respects the integrity of this neighbourhood, the people who live within it and the habitat of the birds?**
10. From neighbors' perspective, the two things that really matter are people and nature. Safeguarding the future of both is key. **We would like to know your company's values and philosophy with respect to people and nature? Can the community count on you for these two vital concerns?**
11. The proposed 47 ft tall building will tower over the neighbouring homes and will have significant impacts on privacy. **What is the difference between a window and a balcony - both of which create enormous privacy concerns for neighbours?**

#### **E. MISCELLANEOUS QUESTIONS**

1. Older buildings are frequently updated rather than being torn down and replaced. This is certainly an environmentally friendly way of improving the building stock. **Has Lantern Properties considered refurbishing the existing building as we understand that the interior of the building is well built and of pleasing design?**
2. **Why has Lantern Properties not prepared drawings/pictures of the proposed structure showing what this proposed building looks like from neighbours vantage point – from the east, south and west sides of the property? Has Lantern properties actually undertaken an on-site visit to 949 Pemberton to obtain an understanding of the project from this vantage point?**
3. The proposed building is far too large for the size of the property and hence your company's request for significant variances to accommodate this building. **Please**

**provide evidence that a smaller structure that respects zoning bylaws, neighbours' privacy, and the environment would not be viable.**

4. Your original design plans included 4 affordable housing units. These are no longer included in your updated plans. **Why did you remove them from your plans?**
5. If consideration is seriously being given to low/moderate-income tenants, why are the high ceilings (more appropriate to high end markets) being considered, making the building taller than it needs to be?" **Please clarify the situation with VIHA, and the supposed "right to first refusal" that you have proposed. Please explain why Lantern Properties thinks that VIHA would consider renting apartment units that are clearly being designed and constructed for a higher end market?**
6. **What are the approximate rents Lantern Properties expect to receive for these apartments? Who are the likely tenants of this building?**
7. **Has Lantern Properties undertaken an assessment for hazardous materials in the existing building such as asbestos, and if so, what are the company's plans for hazard control during the demolition of the building?** We request that Lantern Properties make available any hazard control plans that have been developed.
8. **What are the plans for mitigating dust/debris during the construction phases?** The property at 1046 St Charles Street has a backyard which adjoins the 1475 Fort St property. As the backyard is used by young children, assurances are required that they are not exposed to dust and debris while using this area..
9. Noise, particularly during blasting and construction is another concern of residents at 1046 St Charles Street who work from home. Residents at this location sometimes need to make audio recordings as well as participate in online meetings, and are generally concerned about significant interruptions to the workday. There are currently has no alternative indoor space for work as other public workspaces such as libraries are closed. **What are the noise mitigation plans or how can we get noise issues addressed?**
10. **Do Lantern Properties and Cascadia Architects really believe they are being responsible proponents given the broad impacts of this proposed project to social and environmental values as well as the character of the neighbourhood?**
11. **Is Lantern prepared to redesign the building in keeping with existing by-laws, and to respect and address our stated needs for privacy and protection of the trees?**

Mayor and Council,

Attached for your information is a list of questions developed by neighbours and tabled at Lantern Properties' September 9<sup>th</sup> webinar meeting for the proposed development at 1475 Fort St. This document provides the background to the Rockland Neighbourhood Association's meeting notes which will be submitted to the City in the near future.

Sincerely,

Barbara Bolli



Mayor and Council

When we purchased our home at 1030 St. Charles Street 2 and a half years ago, we looked into and checked with the City as to what the bylaws were for 1475 Fort Street, our backyard borders about 80 feet of the subject property. We did this because we were aware that a new building would eventually replace the existing building. We are more than happy to see appropriate new rental stock. We purchased our home based on the information from the City and trusted that the City would adhere to the responsibility of maintaining and upholding these bylaws thereby protecting the trees, respecting all neighbours privacy, and enjoyment of their property. This does not appear to be the case. There are several neighbours that will be negatively impacted and affected by the proposed new building. The developer intends to clear-cut the entire property of all trees which will destroy a number of protected trees which form part of the tree canopy that Victoria neighbourhoods are known for. The developer plans to excavate the entire site to the property lines to facilitate underground parking.

In April 2019 we received an invitation to a meeting on April 24, 2019. I still have a copy of this "invitation" and it clearly states in the heading "Information for Immediate Neighbours". We were the only neighbours in attendance and when I asked Peter the Architect why there were not more people present, he did not respond. The plans that we were shown at that time were of a much smaller building and Peter assured us that it was well within "current by-laws" but did need some tweaking in regards to some very minor variances. Peter did visit us and took some pictures from outside of our house, this visit took around 10 to maybe 15 minutes. I questioned him again about variances and he again stated that the building required some minor variances but "was within current by-laws" provided that they relocate some fencing and garbage bins. This was even further from the truth as even the smaller building still required a number of variances.

We were never advised or notified or advised of any changes to the plan that was shown to us in April, 2019. We did not become aware of these changes until a neighbour spoke with us in July of this year.

I have read the minutes from the Design Review Panel in which Peter states that we have "positive attitude" towards the building. That is not true and how is it possible that he could say that after the plans had changed? This alone should be reason enough for this development to be turned back to the Design Review Panel. No one else in the neighbourhood had been notified of this development until earlier this year and that was by way of word of mouth between neighbours. For the record we feel that we have been misled and have been misquoted by the Architect and Developer in saying that we had a "positive response" to this project. That could not be further from the truth!

We were unable to view Lanterns' recent September 9<sup>th</sup> "CALUC" meeting on line as the connection kept failing and the video was delayed along with the sound being garbled. We were unable to ask any questions and we were unable to see any of the questions being asked. We have now had a chance to review this so called "CALUC" meeting and we are shocked at what we saw. In particular Peter stating that everything that has happened thus far is "moot" and Josh Hayes saying that it is necessary for a building needed to be that size in order to make it profitable. Wouldn't a building that is within bylaws would be profitable?

If the developer did their homework when they purchased this property they must have been happy with the bylaws in place at that time or they would not have proceeded with the purchase.

I am hopeful that the Mayor and Council will do “the right thing” by maintaining and respecting the bylaws that are in place. Please send this proposal back to the developer to design a building that fits the size of the property and the character of this neighbourhood.

Thank you for your time,

Barry Willimott

Vincent Turner

Mayor Helps and Council members,

We are writing to express our serious concerns re: the proposed development at 1475 Fort Street. Our sincere hope is that this proposed project is sent back for major changes to **meet the required zoning regulations** and to **protect the urban forest** that currently lives on the site.

We recognize that the developer has applied for "variances," not for "re-zoning." However, as time has passed, the proposed development has *continued to increase the footprint on a small lot*, so that some of the variances currently being requested are more than 50% over what is allowed. We are asking that this proposed project be redesigned to fit into the regulations without numerous & big variances, and leaving the urban forest to grow.

The height of the proposed building makes it an overwhelming structure, that will remove privacy for the neighbours in the townhouses to the south and those to the west. The increased size of the building (excessive variances) will be dominating, particularly since all of the 11 trees that currently provide visual & sound barriers, & home for birds, will be removed.

Our home, sitting to the west, will have nothing between it and the new building. All mature, established trees & bushes will have been removed and replaced with younger, smaller trees -- to be planted on *the opposite, eastern side of the building!* The current design of the building extends almost to the property line on all sides, leaving not enough soil for planting on the western side (landscaper's statement). Thus, our 'forever' view will be of a four story building with balconies directly facing us (further decreasing our privacy). The developer & architect kept pushing the 'high end finishing', which doesn't change the impact of a 4 story building with no trees breaking the view & the sound. In addition to removing our privacy, it will more than likely decrease our home value.

As neighbours, we welcome a new building, but with a **smaller footprint** than is being proposed, provide affordable housing, that would fit into the neighbourhood, that won't overwhelm current homes, decrease property values, and destroy a portion of Victoria's urban forest.

Thank you for taking the time to read & consider our very serious concerns, and hopefully we'll see the developers doing the same to make the project one that all the neighbours can support.

sincerely,  
Gretchen & Geoffrey Karlebach

We are writing to express our deep concerns re: the proposed development at 1475 Fort Street. There appears to be *numerous* issues that should be addressed before accepting this project. In fact, it is the belief of the neighbourhood that the proposal should be sent "back to the drawing board."

Currently our city is lacking "**affordable family housing**," and we fully recognize the need for it. What is being proposed by the developers for 1475 Fort Street does **not** address this serious issue.

The current vulnerable tenants will have to move out during construction. Although the developers claim to have an 'agreement' with VIHA, they admit that when the building is completed, the costs may be too great for those same tenants to return.....

The developer & architect keep touting all the high end finishing inside & outside..... which does not indicate that future rentals will be "affordable." Therefore, this proposal does not address the on-going need the city faces for affordable housing. The project should begin again with Victorian families in mind.

Thank you for taking the time to read all the many concerns of the neighbours, for reflecting on what has been presented, and hopefully requesting changes; sending this proposal back to be redesigned to address the issue of affordable housing units.

sincerely,  
Gretchen & Geoffrey Karlebach

Mayor Helps and Council Members,

We are writing with serious concerns re: the process, as well as what is being proposed by the developers for 1475 Fort St. There has not been a consultation process, and now we find the proposed building has gone far beyond the original proposal.

Contrary to what the developer continues to reiterate ("everyone is 100% happy"), we are **not!** Rather we are feeling a great deal of frustration with the process. We have NOT been informed, NOR invited to informational events. We have just received our very *first, and only*, communication, 'Proposed Development Notice' (CALUC). Everything else has been learned 'through the grapevine' of concerned neighbours.

**CALUC meeting:**

**\*\*As concerned neighbours, who will be dramatically affected by the proposed structure, we offered a variety of outdoor locations and dates to hold the CALUC meeting (with precautions of distancing & masks) --- all rejected by the developers**

**\*\*We did *listen* to the CALUC meeting, which was most unsatisfying. \*\*The webinar was not conducive to communication, rather off putting, and unwelcoming.**

**\*\*Having to type all of one's personal information every time in order to ask a question was extremely time consuming & frustrating. The discussion had moved on from the point we had wanted to make in reference to something that was said.**

**\*\*The slides being discussed were never (in our case) matching what we had on screen, a very big delay.**

**\*\*We were not aware of who or how many people were in attendance, whom asked the question, etc.**

**\*\*The moderator did not seem totally impartial, rather it felt she had been employed by the developer and architect.**

**\*\*Unfortunately, we the neighbours, really have a desire to discuss & ask questions, but this format was not user friendly. The long meeting ended with our feeling that nothing was accomplished, that no one was heard, and the developer will continue moving forward without taking any of our concerns into consideration**

We are asking that the plans be sent back to the designing desk to meet concerns of the neighbours: to decrease or eliminate the growing variances; to make it affordable; to not remove 11 trees; ..... in other words: design a building that will address the city's need for affordable housing; not decrease the urban forest; fit the neighbourhood; a building with a smaller footprint, more appropriate for the site and with less severe environmental impact.

Thank you for taking the time to read & understand our concerns re: the process and the proposed building, that has far too big a footprint & impact to the site,  
Gretchen & Geoffrey Karlebach

*This letter has been submitted to the Development Tracker*

Dear Mayor Helps and Councillors:

For several months, people living adjacent to the proposed development at 1475 Fort Street have worked together, poring over site plans, studying related legislation and guidelines, and reaching out to City staff as well as elected officials.

Throughout this research, I have been struck by two discoveries about this development process:

1. Some who are in a position to influence decision-making have spoken about the impact of this development on neighbours, without consulting with us and often without us even knowing; and
2. The process presents systemic roadblocks to meaningful input from the impacted neighbours.

There are several examples of what I've referenced above. For brevity, below are three:

- The developer stated at the January 22, 2020 ADP meeting, that neighbours' feedback on the proposal was "very positive," when, in fact, it has now been established by those neighbours that the opposite was true.
- "...the proposed development would have minimal impacts on adjacent properties in terms of privacy impacts and shading..." (*Committee of the Whole Report for May 28: Development Permit with Variances Application No. 00120 for 1475 Fort Street, page 2*)
- City staff at the May 28th meeting stated that there would be limited opportunities for windows on the south side of the proposed development to look into neighbouring windows, contradicting a letter from an immediate neighbour that a Councillor was referencing.

This leads to the question: **Who gets to determine how neighbours are impacted?**

In this context, "impact" is personal, and as such, it cannot be determined by another party, especially by those who stand to gain by projecting the idea that impact will be minimal.

We have inserted ourselves in the process, sending you numerous letters, telling our own story about what the impact of this development will be for us. Thank you for listening, and for your decision at the May 28<sup>th</sup> CotW meeting, directing the developer to consult with us and respond to our concerns. This was a good starting point. However, based on past experience, I am still very concerned about how our feedback will be framed, and the weight it will have on decision-making.

I hope that our willingness to be involved citizens is being received in a positive way. I believe that in a democracy, citizens should have a real voice and be able to make a difference in matters that will have an impact on our lives.

My neighbours and I are all busy people, and we could be doing other things with our discretionary time. But this matter is important to us, and we have made it a priority, because:

- We are committed to maintaining the character and liveability of this neighbourhood
- We are concerned about preserving the environment which is being threatened through the proposed removal of mature trees
- We love this city and are committed to participating in its overall well-being

I am not opposed to a rental apartment being built on this site, as long as it is built within current zoning bylaws, and respects the neighbours' concerns.

**Please believe us when we say that *this* building proposal, with its multiple and compounded variance requests, poses a threat to our privacy, the character of the neighbourhood, and the environment.**

**We are the ones being most impacted.**

**Therefore, I am asking you to please reject this application and send it back to the developer for redesign.**

Yours truly,  
Carolina Ashe  
7-949 Pemberton Road

Mayor and Council,

I am a resident of 11-949 Pemberton Rd writing to you share with you my concerns about the proposed development at 1475 Fort Street. They include:

This proposed building will sit like a colossus on the landscape – 12 feet away from our property line – four stories high towering over our homes – with 18 windows directed our way. Please see the attached pictures. It is far too big for the size of the lot and is not in keeping with the location of the property which is hidden behind and well away from 1471 Fort St on a pan handle lot and surrounded by a number of homes and townhouses.

The mature trees which immeasurably add to the quality of life in the neighbourhood and the City, will all be removed as part of the construction of this development. All these trees are located on the periphery of the property. If the proposed building was more appropriately designed to fit the lot size – there would be no need to impact these beautiful specimens.

The developer says that it is not economic to upgrade the existing building. But there are many, many examples of older buildings/homes in Victoria that have been successfully upgraded and contribute to the apartment stock. Pemberton Rd has many such examples. There is a greed factor here on the part of the developer.

We appeal to Mayor and Council not to support the egregious variances asked for by the developer. Please send this proposal back to the developer to come up with a design that better fits with size of the property and is compatible with the City's environmental, social and economic values. We know that the City can not direct the developer to build a certain type or size of building but does have the power to say no. And by saying no – and sending the developer back to the drawing board - a better outcome for all is likely to be the result.

Thank you.

Cynthia Pacheco





October 6, 2020

City of Victoria

Dear Mayor and Council,

**RE: 1475 FORT STREET DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT APPLICATION**

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On June 11, 2020, our development permit application for 1475 Fort Street was heard by the Committee of the Whole. Council's decision that day was to ask Lantern Properties to further consult with the local community. As you may be aware, Lantern and the development team recently hosted an online meeting with the Rockland Neighbourhood Association CALUC and gained, what we believe to be, an understanding of the primary concerns of the local community.

In light of some of the communication that has been circulated by the neighbourhood to City staff and council, we would like to take the opportunity to provide an overview of our process to date, what we heard from the community, how the project has responded and how we plan to address additional community comments.

**Lantern Properties**

Lantern Properties is a family owned and operated real estate company focused on development and rental housing ownership and management. As the owners of long-term investments such as rental buildings, we have a vested interest in the communities and neighbourhoods our buildings are located in. We are committed to our residents and look to make positive long-term relationships with our neighbours.

**Background**

In 2016 Lantern Properties purchased 1471 and 1475 Fort Street. Both properties are improved with three-storey rental buildings. Since our acquisition of the properties they have been leased from Lantern in their entirety by VIHA and operated as addiction recovery housing. Our relationship with VIHA has been very positive throughout that time and we believe that the transitional housing has not only met a great need but has also been positively received by the local neighbourhood.

**Rental Housing Opportunity**

The existing building at 1475 Fort Street has reached the end of its useful life having been built in 1953. The property therefore represents an opportunity to increase the number of purpose-built rental units on site from 11 to 32 - an important contribution to Victoria's rental housing stock. Given the rental relationship with VIHA, the redevelopment does not include any long-term renter displacement since VIHA's tenants are short-term.



### **Development Permit Application**

Starting in 2018, Lantern began working on a Development Permit Application to replace the building at 1475 Fort Street with a new 4-storey 100% rental building. This would increase the number of units from 11 to 32. A number of meetings with the City of Victoria took place between the fall of 2018 and spring 2019 with the application submitted to the City in April 2019.

The design approach for the building took into consideration the existing neighbourhood and local architectural expression. Advisory Design Panel unanimously endorsed our proposal in January 2020.

While the public engagement requirements for Development Permit Applications are not clearly defined by the City of Victoria, Lantern initiated outreach to the property neighbours as part of the application review process. A number of meetings took place including:

- April 24, 2019 Open House with local neighbours
- May 30, 2019 Review of height and setbacks with 1030 St. Charles Street residents
- June 10, 2019 Meeting with the Rockland Neighbourhood Association
- March 5, 2020 Meeting with local neighbours

### **Application Amendments**

As a result of feedback from City staff and engagement with the property neighbours a number of changes were made to the application throughout 2019 and 2020 including:

- Placement of the resident amenity space on the panhandle side of building, facing 1471 Fort Street which Lantern Properties also owns.
- Addition of a planted area on the panhandle side of the building to provide a buffer to the adjacent building
- Balconies oriented away from the southern side of the building to reduce overlook onto the adjacent property
- Addition of privacy screens to balconies to reduce sightlines to neighbours

The project team's goal in incorporating these changes was to retain the viability of the project and include as many rental units as possible while addressing neighbourhood concerns specifically pertaining to privacy.



## **CALUC Meeting September 9, 2020**

Following the Committee of the Whole meeting on June 11, 2020 Lantern was asked to engage with the neighbourhood through the Rockland Neighbourhood Association CALUC to provide an opportunity for the neighbourhood to engage with the applicant team and for the applicant to answer neighbourhood questions.

Given current public health recommendations for physical distancing, an online meeting was hosted through Zoom webinar on September 9th. Residents were notified of the meeting through the City's CALUC newsletter. The neighbourhood group submitted an eight-page document with questions to the team shortly prior to the meeting. The webinar included a presentation from the applicant team followed by a Q&A. Participants were able to ask their questions in writing and the team was able to respond verbally via the webinar. While the document submitted by the neighborhood largely guided the Q&A, follow up questions were also asked live.

While questions ranged from the team's previous neighbourhood outreach, to the relationship with VIHA, the impact on the existing trees, and more, the primary concern expressed by the neighbours was privacy and overlook.

### **Next Steps**

As part of the September 9<sup>th</sup> neighbourhood meeting, the project team committed to taking resident feedback under advisement and considering additional changes to the project that can address privacy and overlook concerns. Lantern Properties and Cascadia Architects will be submitting a revised application to the City of Victoria in the fall that will focus on revision to the following:

- Consideration for the retention of additional trees where possible
- Removal of the exterior path in the rear yard of the proposal and the introduction of robust planters to maximize landscape screening to the south
- Height reduction of the building by approximately .87m.

We believe in the benefits this project will bring to the community and look forward to council consideration in the future.

**Joshua Hayes-Director of Development**

*Joshua P. K. Hayes*

## Katie Lauriston

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**From:** Alec Johnston  
**Sent:** November 18, 2020 8:44 AM  
**To:** Katie Lauriston  
**Subject:** 1475 Fort Street - DPV No. 00120 - FW: Look what is coming down in Victoria

Correspondence for when this application returns to COTW.

---

**From:** Barry Willimott [REDACTED]  
**Sent:** November 17, 2020 3:21 PM  
**To:** Alec Johnston <ajohnston@victoria.ca>  
**Subject:** Look what is coming down in Victoria

Mayor and Council:

I live at 1030 St Charles which is adjacent to the proposed apartment redevelopment at 1475 Fort Street. Please take a moment to look at the attached short video which shows the properties and the values which will be impacted by this proposed structure. If the variances that are being requested are granted, we will lose all of the trees you see in this video. If the current bylaws are followed we will not lose any of these magnificent and beautiful trees.

There is absolutely no justification for granting any variances for this project. These variances only benefit the owner/developer with the neighbours assuming the loss of tree canopy and impacts to other environmental values such as bird and wildlife habitat, privacy, community ambiance and character and property values. Why should the neighbourhood assume all these costs because a developer wants to build an oversized building to maximize their return? Would it not be best for any proposed building to be built within the current by-laws with apartments in the 500 square foot range? Apartments of that size with reasonable rents are what is needed and would appeal to the existing tenant, Vancouver Island Health.

Lantern Properties is an experienced management company. Lantern purchased 1475 Fort Street 4 years ago. The site, with the existing bylaws that were in place at the time, must have made economic sense to the company or they would not have made the investment. This proposed building should be constructed within the parameters of the bylaws which were in place when they obtained the building.

I would also like to remind Council that this company is a property management company only – **it does not build or sell strata's (read their website and the original proposal to the City).** There

should be no concern that if Council was to require the company to build a more appropriately scaled building that the company would turnaround and build a strata. This should not be the principle on which Council makes a decision about this property.

Lantern Properties held a "CALUC type" meeting in September, where the company had an opportunity to have a meaningful two way dialogue with the neighbourhood. Instead, the meeting was largely a one sided zoom call where it was impossible to have genuine engagement. We provided a written list of questions/concerns about the project to the developer: the result of this are trivial changes to their design plans which do nothing to address our concerns. It is 2+ feet shorter but the footprint of the building remains unchanged, the underground parking still results in an almost complete denuding of beautiful mature trees and vegetation. The underground parking structure will also affect trees and vegetation on neighbouring properties.

If any of these variances are granted it will be a dangerous precedent for Victoria by paving the way for more over built buildings.

You can view the video here

<https://youtu.be/5zHICaql9As>

Sincerely yours,

Barry Willimott

Mayor and Council:

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If any of these variances are granted it will be a dangerous precedent for Victoria by paving the way for more over built buildings.

[Preview YouTube video Trees of 1475 Fort St](#)

[Trees of 1475 Fort St](#)

Sincerely yours,

Barry Willimott

Dear Mayor and Council,

Further to my letter of last spring, I am linking a 2.4 minute video showing the trees that Lantern Properties intends to remove from the site at 1475 Fort Street. Please take 2 minutes to watch the video by clicking [Trees of 1475 Fort Street](#)

I would also like to emphasize the following points:

- Lantern Properties, a professional developer and provider of rental accommodations, bought the site four years ago. Presumably they did due diligence including investigation of the relevant zoning and concluded either that they could build a financially viable building within the scope of the bylaws, or that zoning bylaws are a joke that can be ignored with impunity. If the former, they should build such a building. If the latter, and they *can* successfully make a mockery of the bylaws, why have bylaws at all if developers are free to ignore them at will?
- A large number of neighbours and other community members have objected because the proposed development will result in the loss of a significant number of large mature trees, and will pose a significant threat to the enjoyment and the privacy of its neighbours. After months of objections and two one-sided meetings in which our objections were disdainfully brushed aside, Lantern is offering a slight revision of its plans, which addresses neither of the serious objections to its proposal.
- The building proposed for the site is simply too big for the lot. If built, it will change the character of the neighbourhood from a pleasant leafy place with good residential density in a mix of housing types each of which has reasonable privacy amid a pleasant milieu afforded by many big trees and judiciously located green areas, to a starkly urban area where many people are looking not at trees but at sky-blotting walls and other people's windows. A major purpose of zoning is to preserve the character neighborhoods and to preserve the air quality and climate and wildlife protection abilities of the urban forest.

*Please enforce the zoning requirements for the lot at 1475 Fort Street.*

Caspar Davis & Lorena Mowers  
#16 - 949 Pemberton Road  
Victoria



Mayor Helps and Council,

We are writing you with our concerns re: the proposed development at 1475 Fort Street, that have **NOT** been addressed by the architect, nor by the developer. As neighbours we have been attempting to communicate and express our concerns to both the developer, and the architect, and the city council for many months.

A dis-satisfying CALUC-like webnair was held in which our concerns were not addressed. I am not sure if we were listened to, as we continued to hear the same answers. A few minor changes have been made, but they do not address the majority of issues & concerns that the neighbours have repeatedly expressed. For example, they moved the balconies from the south side of the building to the east and west sides with a perforated wall for privacy -- however, this does **not** provide any privacy for the current neighbours!

Neighbours have produced videos showing the dramatic footprint (pushing to property lines on all sides) that the proposed development will have --- the urban forest that will be destroyed (large, older trees removed and not replaced), the wildlife that will disappear from the neighbourhood, the privacy lost by neighbours on 3 sides, etc.. In a time when the world is focusing on climate change and the environment, we really should not be cutting down trees, rather we should be protecting them!

Unfortunately when this project was initiated only 3 of the tree species were considered 'protected trees' by the city (needing to be replaced, two trees replacing one). If they were to begin construction today there would be 8 protected tree species, thus 16 trees would have to be planted. Sadly these will not be older, larger, well established trees, but smaller, shorter and requiring many years before achieving what exists today. The smaller trees will not be able to provide space for the wildlife that lives in and visits the current trees; nor will they be able to provide privacy (visual & auditory); nor will they provide shade.

This project does not address the current and serious issue of affordable family housing. The high ceilings and "high end" finishing, in the mainly 1 bedroom units, equates to higher rental costs, not 'affordable.' Although there are drawings with families walking around, there are only a very few 2 bedroom units, thus this is not envisioned as a 'family complex.'

It appears the neighbours are the individuals who are having to give up quite a bit (urban forest, wildlife, sunshine, sky, privacy, quiet neighbourhood, ambiance, loss of property values,...), for the developer to build something that makes *them* money.

I am still wondering WHY?

Why is the city considering this project that does not address the current city needs of affordable family housing?

Why is the city considering this project that goes against the current focus on protecting our environment & climate?

Why is the city considering this project that has so many, and not small "variances" of zoning bylaws?

Why is the city considering this project that will so dramatically affect neighbours? and their property values?

Thank you for taking the time to read and reflect on our concerns re: the proposed project at 1475 Fort St. Most importantly, I would like to invite each of you to view the site for a better understanding of our concerns. I would be happy to do a brief 'walk about' with any of you, at any time. Please contact me: [REDACTED]

sincerely,  
Gretchen and Geoffrey Karlebach

Dear Sir or Madam,

born and raised in Germany I always missed sth. while going through German cities. Trees.

If I appreciate one thing about Canada then it's its alleys all over the country - in every town, village and city. It means true value for the urban space.

When I understood that the council of Victoria is planning to cut down 8 mature trees in Fort Street I was shocked and asked myself: Why?

I ask you to seriously reconsider those plans and want to remind you: Ten young trees don't even replace one of those old ones.

It's the same excuse German citizens get to hear: We plant new trees to compensate the loss.

Problem: 50 young trees are needed to replace 1 grown tree.

Do you want to plant 400 trees? I guess not.

Best regards

Uta-Caecilia Nabert

Please do not cut down the trees on Fort street. There has been enough cut down and to replace with little landscaping trees is not good enough. Save the trees! I live near there and walk by all the time.

Lisa Dalziel  
1161 McClure street  
Sent from my iPad

Hello,

As a concerned Victoria resident, I am writing about the proposal to take down eight large trees at 1475 Fort Street. They would be replaced with small landscaping trees, which do not provide the same amount of carbon removal or habitat for birds. Please help protect the urban forests in Victoria and prevent this deforestation from happening.

Best,

Maya Bridger Denz

To whom this applies,

Please do not approve the cutting down of 8 large native trees to be replaced by small, non-native Katsura trees. This is not protection of biodiversity, it is the exact opposite, this is destruction of biodiversity.

Victoria is growing at unprecedented rates, and we need to learn to LIVE with nature, not bulldoze it because it's cheaper or easier for the developer.

Please say no to this variance request and tell the developer to find another way to work around and work with these large, beautiful trees that make Victoria the beautiful city that it is.

Sincerely,  
Natasha Nolet

Hi Mayor and Council

The City has committed to protecting the tree canopy in Victoria.

I am writing to advise that I do not agree or support the variance for removing 8 large maple trees for a non species tree - much smaller.

Please see attached flyer giving details. Please stop this developer from replacing these large maple trees!!

If the City is truly committed to protecting the tree canopy, then please stop this and stand behind the City's commitment.

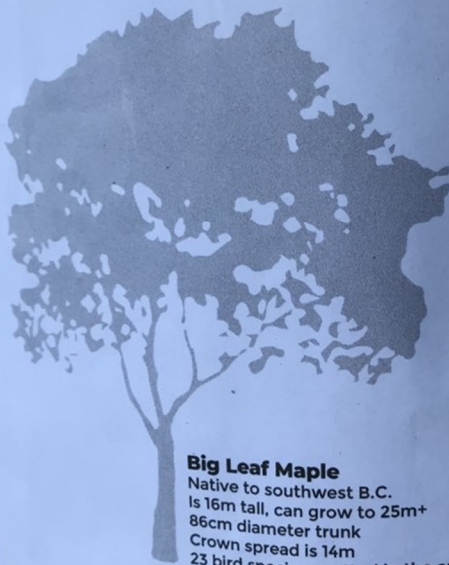
Thank you for considering this email.

Heather Chia  
Fort street resident

AT 1475 FORT ST., DEVELOPERS WANT TO  
**CUT DOWN 8 BIG TREES**

These trees would be replaced with 10 small landscaping trees.

Example of existing tree to be cut down:



**Big Leaf Maple**

Native to southwest B.C.  
Is 16m tall, can grow to 25m+  
86cm diameter trunk  
Crown spread is 14m  
23 bird species spotted in the area

Example of replacement tree:



**Katsura**

Non-native species  
Slow growing in a planter up to 7m  
4 cm diameter trunk

The City of Victoria has committed to protecting tree canopy,  
preserving native vegetation and enhancing bio-diversity.  
**But this is not protection!**

Do you want this for your neighbourhood?  
Please write [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca) or call the City at  
250-385-5711 to tell them to say **NO** to this variance request  
that would allow the destruction of mature trees.

**For more information, email: [strata303@gmail.com](mailto:strata303@gmail.com)**

STAPLES

Dear Mayor and Council- First, Season's Greetings!! Second: proposed building of apartment block at 1745 Fort Street. We are concerned that the developer plans to remove all ten mature trees from the perimeter of this property. The canopy of mature trees is an essential element in the ambience of the Rockland neighbourhood. Mature trees are far more effective at carbon capture than young ones. We urge you not to approve a proposal that unnecessarily destroys mature trees.

Thank you . Jan & Janice Drent 1720 Rockland Avenue

**Jan and Janice Drent**



Dear elected and employed city officials.

I request rejection of the application to destroy these mature trees.

Even with replacement of these trees with saplings, the long term loss of tree canopy and it's cooling and other life benefits- birds, insects, many other organisms, will be a minus for the city.

If the council decides to partially grant the application then I request that only ever second tree be cut leaving at least 4 mature trees with a new planting between them. Some biodiversity will be retained with that option instead of total loss to the city.

Best wishes with making decisions that do not please all. Still, please work in the public interest ahead of individual interests.

Thank you.

My contact information:

Mark Evans-Ehricht  
1306 Bond Street  
Victoria, BC  
V8S 1C4

Sincerely,

Mark Evans-Ehricht

Hi my name is Kyla Brown . I am interested in collectively being mindful of Victoria s ecosystem. I ask that you say no to the variance request that eight trees supposedly in Oak Bay be cut down. This would be a bad idea and harmful as these are mature trees. Please do let this happen. My mailing address is 710 fort street apt 220 V8W1H2.Please make every effort you can to save these mature trees which are home to many species that thrive off the ecosystem and make Victoria a beautiful city to be a part of.Sincerley Kyla

Please protect the large trees at this location and do not cut them down!  
I heard about the plans to replace 8 large trees with smaller non native species on planters.

Mature trees are more important than we understand for the environment and biodiversity.  
It would be very sad for us, for the animals and surrounding life to lose these trees.

Thanks  
Jasmine

## Mayor and Council

### Re: 1475 Fort St

As an owner of a strata home adjacent to the proposed development at 1475 Fort St., I am writing to express my strong concerns about the scale of this development and the egregious variances that are before Council for decision. The proposed structure takes up almost the entire area of the small lot on which it is to be built. What is not built above ground is to be built below ground – that is – the underground parking lot reaches almost corner to corner of the property such that almost all the vegetation on the property must be removed. This includes mature tree species that can never grow again at this site because there will not be adequate soil depth to support the growth of large vegetation.

My questions for Council are these:

1. Is Council's vision for Victoria a landscape of oversized buildings that consume almost every square inch of property available, no different from that found in the downtown core? Is the vision to ensure original landscapes are irreparably changed through the permanent removal of original trees and other vegetation to make way for over-sized development projects? What about all the other values that are lost when this happens – the wildlife who use the vegetation, the character and the charm of a neighbourhood, the sense of place and neighbourhood, the semblance of uniqueness, of privacy? All these are key elements of quality of life – and are irreplaceable.
2. In a Globe and Mail article dated May 30, 2020 Mayor Lisa Helps is quoted as saying she supports allowing "more households to access existing neighbourhoods by permitting and encouraging appropriately scaled multi-tenanted housing". The question for Mayor and Council is - do these pictures attached here depict "appropriately scaled multi-tenanted housing"? We think not. <https://www.theglobeandmail.com/opinion/article-it-will-take-courage-to-enact-the-post-pandemic-change-we-need-in/>

We appeal to Council to take a balanced approach in its deliberation of this proposal. Neighbours support redevelopment of the site but only if the development is commensurate with the lot size and surrounding environs, ensuring that as many of the values that we all hold as a community, are preserved. Please send this proposal back to the developer to propose a development that meets these reasonable criteria.

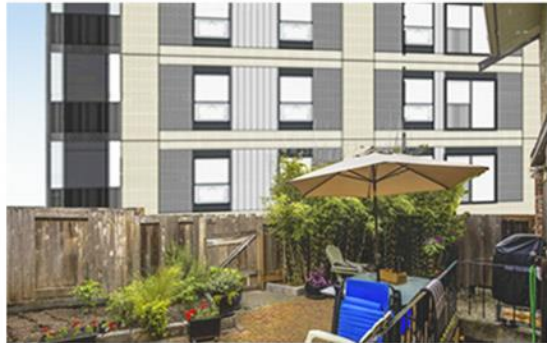
Thank you.

Barbara Bolli

1475 Fort Street from 949 Pemberton Road - Now and after proposed development



From Upstairs Window



From Patio

1475 Fort Street from 1030 St. Charles - Before and After





Mayor and Council:

I am a resident of a strata at 949 Pemberton Rd which borders the development proposed at the rear property of 1475 Fort St.

I am writing to express my strong concern about Lantern Properties proposal to demolish the existing building at 1475 Fort St. which provides housing to marginalized members of our community and to replace it with a high end rental building with no provision for low cost housing. The question that needs to be asked is where do the current residents move to – it is well understood that there is a very limited supply of suitable low cost housing in our city. The current occupants are housed under the umbrella of VIHA which maintains the rental arrangement with Lantern Properties. Council is aware of Lantern's offer to VIHA of a right of first refusal to rent back the new building to VIHA but we all recognize this is jiggery-pokery on the part of the developer and is never going to be a viable option for VIHA.

We appeal to Council as it considers this proposal to follow its commitment to supporting more affordable housing. The existing building has many possibilities that supports the need for more affordable housing. Contrary to what the developer has conveyed to Council, the building has much potential through updating and creative design. The units are on the larger size with many desirable features such as hardwood floors and coved ceilings. These, for example, could be divided up into smaller, more affordable apartments.

As Council considers this project, I urge you to think very carefully about the impact to residents and the public perceptions that will be created from demolishing a perfectly viable building that provides much needed housing in Victoria.

Sincerely,

Cynthia Pacheco  
11-949 Pemberton Road

Dear Mayor and Council members,

Thank you for always responding to my emails to you. You are *much better* at this than Oak Bay is and I am very grateful to you.

I hope I am not too late to weigh in on the trees at 1475 Fort Street. I only just found out about this issue. Please do not let the developer cut those eight trees down. We are losing so many trees to age and disease that we must do everything we can to preserve the mature trees that we have. Sacrificing trees to development is short-sighted.

Birds are linked to human happiness (<https://www.ecowatch.com/birds-happiness-study-2649413979.html>) and most birds live in trees. Trees are also linked to human happiness ([https://greatergood.berkeley.edu/article/item/why\\_trees\\_can\\_make\\_you\\_happier](https://greatergood.berkeley.edu/article/item/why_trees_can_make_you_happier)).

Please do not let greedy developers destroy something that is so important. I know they may be your friends, but you represent the people, not the developers, and we are counting on you to stand up for us.

Thank you for listening,  
Sharon



To Mayor and Council:

Re: 1475 Fort St Development Proposal

I live in the townhouse complex adjacent to 1475 Fort St. I have been following the process of this development proposal since the plans were presented to the City.

Because the application is classed as a simple variance proposal, the requirement for public and neighborhood input appears to be less rigorous than a rezoning proposal. In this case it is clear the relaxations requested by Lantern Properties are not minor but are more in line with a total site rezoning along with its mandatory neighborhood hearings.

At this point I have not seen any indication the developer has given any serious consideration of the economics of re-configuring the existing apartment building with it's large units, thereby creating a number of smaller, lower cost self-contained units for rental. The existing building appears to me to be structurally sound, albeit in need of updating and cosmetic treatments.

The developer is asking permission to construct a totally new building and has asked the City for significant setbacks. These setbacks, if allowed, will permanently impact natural vegetation, wildlife habitat, neighbourhood character and ambience, property values and privacy.

I note that the number of rental units in the City is increasing and market forces are pushing this trend.

I urge Council to ask Lantern Properties to bring back a project design that is more appropriate, takes into consideration the need for lower cost housing and if a new building is supported by Council that the structure is appropriately scaled to the size of the building lot.

Yours truly,  
William McKechnie

**Mayor and Council**

**1475 Fort Street Redevelopment**

My wife and I are owners of a strata home adjacent to the proposed re-development at 1475 Fort St., We are part of a 9 unit strata at 1019 Pemberton Road that will be greatly impacted by the proposed redevelopment.

We are writing to express our strong concerns about the scale of this development and the egregious variances that are before Council for decision. The proposed replacement structure based on most recent plans submitted by Lantern Properties to the city planning department will cover the entire small lot on which it is to be built on. The building's underground parking lot will stretch from corner to corner of the site which will mean removal of almost all the vegetation currently on site. Included in this "mass removal" are mature tree species that provide a complete ecosystem for the Neighbourhood; home for a wide variety of birds, green canopy for carbon capture as well as the visual aesthetics that add to quality of life.

We ask council to send this proposal back to the planning department; challenge them and Lantern Properties to propose a structure that is a good fit for the lot size and takes into consideration the values of the whole community.

Regards,

Candace and Russ Scruggs

Good Afternoon Mayor and Council,

I am once again writing to you re: 1475 Fort Street. Unfortunately, due to pandemic restrictions, we were unable to greet all of you as planned this morning as you entered City Hall. We were prepared with pamphlets, large posters, some with photographs, others with visuals to communicate our concern re: the proposed project by Lantern Properties.

I would like to repeat my concerns that have not been addressed:

- \* Lantern Properties is not proposing SMALL variances, in fact what they are requesting is rather extreme -- much bigger footprint than appropriate for the lot size on *all 4 sides* (almost to the property lines), as well as a substantial increase in height

- although neighbours have met with Lantern Properties & the architects, there has been very little response to our many concerns and very few, minor changes to their proposal, eg. adding metal slates over windows to provide privacy to those living in the proposed building, however neighbours' privacy will still be lost

- \* Affordable Family Housing is definitely NOT being addressed with this project

- Lantern Properties & their architects have repeatedly pointed out the "high end" additions they are including, eg. high ceilings, exterior surfaces, etc., which equates with higher rents.... what happens to the vulnerable people currently living there? I doubt very much that VIHA will be able to enter into a contract when the building is completed. I am unaware of any plan to ensure there are even 1 or 2 affordable units

- \* Removal of our urban forest

- loss of privacy for neighbours, loss of bird life & song, loss of healthy well established trees, being replaced by fewer & tiny trees in pots that will take years to grow to the size of former trees, if they ever do....

This project has NOT considered the neighbourhood nor the neighbours nor the current inhabitants. Pushing the building of a for profit upscale rental building, is NOT appropriate nor helpful in our current housing situation.

Thanking you in advance for seriously considering the concerns of the neighbours.

Sincerely,  
Gretchen and Geoffrey Karlebach



January 21, 2021

City of Victoria

Dear Mayor and Council,

**RE: 1475 FORT STREET DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT APPLICATION**

---

Lantern Properties has been working on a Development Permit application for its property at 1475 Fort Street since 2018. We consider this an important opportunity to increase the number of rental units while also replacing an aging 1950's building with one that will be up to today's standards.

You likely recall that on June 11, 2020, our development permit application was heard by the Committee of the Whole. Council's decision that day was to ask Lantern Properties to further consult with the local community. As you may be aware, Lantern and the development team subsequently hosted an online meeting with the Rockland Neighbourhood Association CALUC and gained, what we believe to be, an understanding of the primary concerns of the local community.

In light of some of the communication that has been circulated by the neighbourhood to City staff and council, we would like to take the opportunity to provide an overview of our process to date, what we heard from the community, how the project has responded previously and how we have addressed the most recent community comments.

**Lantern Properties**

Lantern Properties is a family owned and operated real estate company focused on development and rental housing ownership and management. As the owners of long-term investments such as rental buildings, we have a vested interest in the communities and neighbourhoods our buildings are located in. We are committed to our residents and look to make positive long-term relationships with our neighbours.

**Background**

In 2016 Lantern Properties purchased 1471 and 1475 Fort Street. Both properties are improved with three-storey rental buildings. Since our acquisition of the two properties they have been leased from Lantern in their entirety by VIHA and operated as addiction recovery housing. Our relationship with VIHA has been very positive throughout that time and we believe that the transitional housing has not only met a great need but has also been positively received by the local neighbourhood.



### **Rental Housing Opportunity**

The existing building at 1475 Fort Street has reached the end of its useful life having been built in 1956. The property therefore represents an opportunity to increase the number of purpose-built rental units on site from 11 to 32 - an important contribution to Victoria's rental housing stock. Given the rental relationship with VIHA, the redevelopment does not include any displacement of long-term renters since VIHA's tenants are short-term.

### **Development Permit Application**

Starting in 2018, Lantern began working on a Development Permit Application to replace the building at 1475 Fort Street with a new 4-storey 100% rental building. This would increase the number of units from 11 to 32. A number of meetings with the City of Victoria took place between the fall of 2018 and spring 2019 with the application submitted to the City in April 2019.

The design approach for the building took into consideration the existing neighbourhood and local architectural expression. Advisory Design Panel unanimously endorsed our proposal in January 2020.

While the public engagement requirements for Development Permit Applications are not clearly defined by the City of Victoria, Lantern initiated outreach to the property neighbours as part of the application review process. A number of meetings took place including:

- April 24, 2019 Open House with local neighbours
- May 30, 2019 Review of height and setbacks with 1030 St. Charles Street residents
- June 10, 2019 Meeting with the Rockland Neighbourhood Association
- March 5, 2020 Meeting with local neighbours

### **Application Amendments**

As a result of feedback from City staff and engagement with the property neighbours a number of changes were made to the application throughout 2019 and 2020 including:

- Placement of the resident amenity space on the panhandle side of building, facing 1471 Fort Street which Lantern Properties also owns.
- Addition of a planted area on the panhandle side of the building to provide a buffer to the adjacent building
- Balconies oriented away from the southern side of the building to reduce overlook onto the adjacent property
- Addition of privacy screens to balconies to reduce sightlines to neighbours

The project team's goal in incorporating these changes was to retain the viability of the project and include as many rental units as possible while addressing neighbourhood concerns specifically pertaining to privacy.



### **CALUC Meeting September 9, 2020**

Following the Committee of the Whole meeting on June 11, 2020 Lantern was asked to engage with the neighbourhood through the Rockland Neighbourhood Association CALUC to provide an opportunity for the neighbourhood to engage with the applicant team and for the applicant to answer neighbourhood questions.

Given current public health recommendations for physical distancing, an online meeting was hosted through Zoom webinar on September 9th. Residents were notified of the meeting through the City's CALUC newsletter. The neighbourhood group submitted an eight-page document with questions to the team shortly prior to the meeting. The webinar included a presentation from the applicant team followed by a Q&A. Participants were able to ask their questions in writing and the team was able to respond verbally via the webinar. While the document submitted by the neighborhood largely guided the Q&A, follow up questions were also asked live.

While questions ranged from the team's previous neighbourhood outreach, to the relationship with VIHA, the impact on the existing trees, and more, the primary concern expressed by the neighbours was privacy and overlook.

### **Design Refinement**

As part of the September 9<sup>th</sup> neighbourhood meeting, the project team committed to taking resident feedback under advisement and considering additional changes to the project that can address privacy and overlook concerns. Lantern Properties and Cascadia Architects have since submitting a revised application to the City of Victoria that includes revisions to the following:

- Consideration for the retention of additional trees where possible and high-quality replacement species.
- Removal of the exterior path in the rear yard to allow for more robust landscaping above the parking deck to create a larger barrier between the neighbouring property.
- Height reduction of the building by 1.47m.

We believe in the benefits this project will bring to the community and look forward to council consideration soon.

Sincerely,



Joshua Hayes

Director of Development