



December 10, 2020

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

Re: COVID Adapted CALUC Process

Dear Mayor and Council –

The Urban Development Institute (UDI) – Capital Region, as a representative of the development industry has been asked by City staff to provide comments regarding the adapted pre-application community consultation (CALUC) process that was put in place to adhere to COVID-19 restrictions. Over the past 9 months COVID-19 has forced us to adapt to a new, temporary normal for how we live, work, and operate our businesses. Change of any kind can be difficult, however it is because of City staff's diligence and thoughtful navigation of this uncharted technology territory that has allowed us to continue the development application process bringing forward the much-needed housing for our community.

The development industry recognizes, and would like to emphasize, the importance of high-quality community input in the early stages of a project. For years, the CALUC has acted as the voice of the community to provide input when developments are taking place in their neighbourhood. However, the CALUC process is widely viewed by the development industry as a flawed procedure; CALUC's do not reflect the diversity in our neighbourhoods and are easily influenced by the biases of the few that hold power over the committees. For the development industry, a silver lining that has emerged from COVID-19 is the ability to expand opportunities for citizens to engage with developers without having to attend a meeting in person. We would like to see this continue post-COVID-19 as we see value engaging both in-person and online. This is not to say that the current online COVID-19 CALUC process is working well, it too has its challenges, and we acknowledge that the process put in place during COVID requires some refining.



Current COVID-19 Adaptation Process:

Below are suggested refinements to the current CALUC process for the period in which we are still adhering to the restrictions set out by our Provincial Health Officer:

- Signage: signs should be posted on the development property that would provide information about the proposed project, direct people to the development tracker website for further information and provide the contact information of the developer. The posting and creation of the signage would be the responsibility of the developer.
- Increased Area for Mailout Notifications: mailed out information about the proposed development should be sent to a greater proportion of the neighbouring properties. The mailout costs are the responsibility of the developer.

Post-COVID-19:

Post -COVID-19 and once the gathering restrictions have been lifted the development industry feels that a hybrid model of the CALUC process would be beneficial. The hybrid model would allow a meeting to be held in person as well as allowing people to partake online, which in turn would open up the meeting to a broader base – creating more inclusivity and higher quality community engagement. Some suggestions as to how to create a robust dialogue and clear, transparent guidelines are set out below:

- The applicant should be allowed to record the meeting to allow referencing of discussion points after the meeting. This ensures that the developer is capturing all relevant community feedback.
- Have a City staff member attend the meeting to assist in explaining municipal policy such as current zoning, Local Area Plan (LAP) and Official Community Plan (OCP) policies that apply to the site. This would set the framework for the meeting, provide clarity on LAP and OCP policies and would foster a safer and more respectful environment from which to garner community input. Further, staff could collect comments from people who attend the meeting to be part of their staff report. Staff comments could replace the letter from the CALUC, providing necessary objectivity into the community engagement process. The development community is in favour of paying the cost to have a staff member present at the meeting.
- The CALUC Terms of Reference should be reviewed and standardized across the City of Victoria. Different CALUCs view their role differently, which results in significantly different community engagement processes across the City. UDI's position is that the CALUC's role in a development application should be to facilitate robust, inclusive, and comprehensive community feedback.
- Feedback from the CALUC meeting must be submitted to the developer within 30 days of the meeting. Without timely reporting the developer is unable to respond to community feedback, leading to lower quality outcomes for the City.
- Term limits for CALUC leadership should also be introduced much like is standard for most non-profit boards of directors. We would suggest a term limit of 2 years for CALUC leadership positions.



Revisiting the CALUC model:

UDI feels that the City should reconsider the CALUC process and whether it is the most equitable, fair, and transparent way to garner community feedback on development applications. The majority of developers working on projects of a significant scale do substantially more community engagement than is required by the CALUC process. Most jurisdictions throughout the Province do not have official community groups that are given the weight of authority as our CALUCs hold but require some form of engagement. It would be prudent of the City to perhaps look at other systems whereby the developer holds neighbourhood open houses run by a third-party facilitator who monitors and collects all comments which are then presented to Council. The municipalities could maintain a list of approved third-party facilitators from which the developer can choose who conducts the meeting. All costs from these meetings are the responsibility of the developer.

The end goal of these community meetings is to ensure that a fair representation of the neighbourhood is engaged and made aware of what projects are proposed and that they are able to provide comments regarding the proposed developments. As stated above, the development industry values the input from the community when proposing projects. It is through community engagement that developers are able to generate new ideas that can improve their projects and build support for change that addresses our need for housing in the region.

UDI would like to again thank Mayor, Council and Staff for the opportunity to submit comments regarding the COVID-19 adapted CALUC process. We look forward to collaborating further on this topic. Our goal is to ensure that our City and our region delivers the housing we need to support a vibrant economy and our recovery from this global crisis.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Kathy Whitcher', followed by a long horizontal flourish.

Kathy Whitcher – Executive Director
(on behalf of the UDI Capital Region Board of Directors)

CC – Karen Hoese and Rob Bateman



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COMMUNITY ASSOCIATION
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December 7, 2020

Joanna Fox, Chair

Fairfield Gonzales Community Association Land Use Committee

1330 Fairfield Road

Victoria, BC V8S 5J1

Rob Bateman, Senior Process Planner

City of Victoria

By Email: rbateman@victoria.ca

Dear Mr. Bateman:

The Fairfield Gonzales Community Association Land Use Committee (FGCALUC) appreciates the opportunity to respond to the City of Victoria's (CoV) request for feedback on the amendments made to the zoning variance community engagement process in response to the COVID-19 impacts.

The FGCALUC firmly believes that community engagement on proposed zoning and Official Community Plan (OCP) variances is a foundation to maintaining the health and wellbeing of the community. Moreover, the transparency of the process and the ability of community members' views to be considered in decision making increases the likelihood that proposed projects will be widely accepted, create more effective solutions using local knowledge, empower and integrate people from different backgrounds and increase trust in the process and its decisions.

As a committee of the Fairfield Gonzales Community Association, FGCALUC is a volunteer committee with the mandate to assist our neighbours engage in community



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planning by providing opportunities and processes to exchange, collect and forward residents' comments to the CoV Planning Department and City Council. FGALUC is often the first opportunity for community members to learn about proposed rezoning and provide feedback directly to project proponents. This has typically been accomplished through FGALUC-hosted community meetings and submitting reports to the CoV to supplement the approval process.

FGALUC recognized early that COVID-19 would impact our ability to deliver in-person public meetings to achieve our mandate. After a brief suspension of meetings, FGALUC resumed providing opportunities for community members to participate in community planning through a combination of COVID-19 compliant in-person and online meetings. Since that time, FGALUC has demonstrated that it can and does manage online meetings effectively on a routine basis.

In July 2020, CoV created an alternate approach to undertaking community consultation for rezoning and OCP amendments in recognition of the challenges some CALUC's faced in adopting new processes to ensure compliance with COVID-19 requirements. The new approach allows proponents to decide between using the existing CALUC process or posting the proposal on the CoV Development Tracker. Proposals posted to the Development Tracker provide community members with an opportunity to submit comments to the proposal, which are not made public but are shared with the relevant CALUC.

Over the approximate six months, FGALUC has had the opportunity to observe how well the alternate process has functioned. FGALUC would like to provide you with its observations on the alternate process:

- FGALUC's overall view is that although the alternative process may be assisting proposals to continue moving through the decision-making process, it is simply not working to provide community members with a transparent and robust opportunity for participation in the community planning process. This is particularly frustrating for FGALUC and community members when we have worked hard to ensure that effective FGALUC-hosted community meetings are available for proponents and community members.
- The alternate process limits the type of community engagement that community members of Fairfield Gonzales have been provided through FGALUC, which is face-to-



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face engagement (virtual or in-person) and which provides a transparent opportunity for direct information sharing and discussion between proponents and community members.

- It is not clear to community members that comments being made through the portal are either being reviewed or considered within the CoV decision making process.
- Community members have expressed confusion and exasperation that proponents are no longer required to participate in a community meeting, despite the fact that the FGICALUC is willing, able and has a proven track-record conducting such meetings.
- The alternate process has created a perception that proponents can avoid a community meeting to discuss the application and possibly work out, if not understand, different viewpoints on the proposal. One such proponent has transferred from the FGICALUC process to the alternative process in mid-stream, creating a perception that proponents are able to “game” the process.
- While community members are encouraged to contact the applicant directly, there is no record of this discussion for either the rest of the community to share, or for the CoV to consider in its decision making. This is a significantly less transparent process to being able to ask proponents in FGICALUC-hosted community meeting.
- CoV stipulated when the bylaw was adopted that both the CALUC and the applicant may choose to go beyond this new process (i.e. host a virtual meeting). Despite the FGICALUC offering to facilitate a virtual meeting, all the applicants have chosen the easiest route, which is a comment box on the development tracker. None of the current applicants chose this additional step, and as a result, the feedback from the community is very one-sided as answers can't be given from the applicant and a fruitful discussion cannot take place
- Many of the Development Tracker comments show that community members are well versed in planning processes; however, the Development Tracker does not make their comments visible to the broader community.

Given the above observations, FGICALUC would like to make the recommended amendment to the alternate process:

- Where a CALUC has indicated it is willing and capable to deliver a community meeting via in-person COVID-19 compliant meetings, an on-line meeting or a hybrid approach, proponents are required to participate in the CALUC process. This will ensure that community members will have certainty about the process and their opportunity to participate.



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FGCALUC once again appreciates the opportunity to provide feedback on our experience working with the CoV alternative process. We would be happy to discuss these in more detail.

Sincerely,

Joanna Fox

Chair, FGCALUC

Cc: Lisa Helps

Mayor, City of Victoria

Don Monsour

Chair, Fairfield Gonzales Community Association



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By email to: Rob Bateman, Senior Process Planner,
City of Victoria
rbateman@victoria.ca

08 December 2020

Dear Rob Bateman:

Re: CALUC Pre-Application Community Consultation during COVID-19

The Hillside Quadra Neighbourhood Action Committee's Land Use Committee (HQ CALUC)¹ appreciates the opportunity to respond to the City of Victoria's latest request for feedback on the CALUC development review process during the time of COVID-19. The Hillside-Quadra (DBAC) Board strongly believes in resident participation in the land use and development process and knows that improved neighbourhood environments result from this participation. Both developers and community members benefit from this process.

The HQ CALUC, along with fellow Victoria Community Association Network (VCAN) members, commented in Spring 2020 on proposed changes to the CALUC process in light of the effect of provincial health orders on group meetings. After Victoria City Council passed a bylaw to temporarily amend the CALUC process, there was some dialogue with you as a staff representative and additional comments were forwarded to you. The main concerns expressed were regarding meaningful participation of development application neighbours. The neighbourhood associations believe meaningful participation is achieved through group dialogue with development proponents so all parties can learn and understand the motivations and technical details involved with a proposal. It is experience of the associations that this dialogue and facilitated learning can't take place by asking individuals unfamiliar with interpreting technical drawings to provide comments alone. Even those experienced with interpreting drawings need the benefit of exchanging ideas with others. The COVID-19 time CALUC process has taken the dialogue out of the process which has substantially reduced its effectiveness.

There has been some debate over the ability and effectiveness of online (e.g. Zoom) meetings for the CALUC process. A hybrid of in-person and online has also been discussed. The COVID CALUC process does not acknowledge online meetings, although many have been held successfully. The biggest downside for online participation is the need for computer access. In Hillside-Quadra many people are computer 'disenfranchised' through lack of computer hardware, software or internet affordability. One advantage of the Zoom platform is that participants can dial in by mobile or land line telephone. Access to drawings/ visuals can also be achieved with prior notice via mail if needed.

An important aspect of the COVID time process to emphasize is the nature of the notification form which is sent to neighbours. The form is confusing because it acknowledges CALUCs, but indicates that

¹ The Downtown Blanshard Advisory Committee (DBAC) Board oversees the Quadra Village Community Centre, which also acts as a Hillside-Quadra neighbourhood association. The Neighbourhood Action Committee (NAC) facilitates land use and other neighbourhood association meetings.

there is a substitute process. It then indicates that people can contact the CALUC for more information, yet the CALUC role remains unclear. It does not indicate that there may be an online CALUC meeting, and for those without computer access it provides no mail contact and one general telephone contact. Things may have changed, but for a long time phones at city hall went directly to voicemail, so the chances anyone would navigate further is likely low. For the average resident who has never been involved in a land use process and for the many who are not computer savvy, the form is a barrier to involvement and unclear at best.

The CALUC process was never perfect, but it has provided the opportunity to bring developers and residents together in the interests of creating a better built environment. In the best case, the CALUC process could decrease staff and Council time devoted to contentious issues. The COVID CALUC process is not working well and needs to be more effective. The HQ NAC is willing to provide some time to assist.

Thank you

Jon Munn
CALUC Co-Chair
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra NAC, Victoria Community Association Network (VCAN)



Dear Rob Bateman and City of Victoria staff,

The North Park Neighbourhood Association (NPNA) is writing in response to your request for input on the temporary process for Pre-Application Community Consultation during COVID-19. Thank you for the opportunity to provide feedback.

Since the pandemic began in March, there have been no new development proposals in North Park, and therefore the NPNA has not had a chance to test the online commenting system. However, based on discussion of the CALUC process in general, as well as the comments from other neighbourhood associations, we have the following comments:

- Having an online platform increases accessibility for many members of the community who may not have the time or capacity to attend in-person meetings, who may feel intimidated attending in-person meetings, or who may not want to speak in public at such meetings. It is a highly flexible system that people can access at their leisure. It is important to note, however, that some community members may find this system inaccessible due to the technology requirements; this has been discussed in previous emails between the City of Victoria and Victoria's community associations.
- However, the current system provides no support or requirements for virtual meetings. Dialogue should remain an important part of consultation, and can benefit both the proponent and the community. Questions/concerns from the community can be expressed and directly addressed by proponents early in the process.
- The current comment form, while has some value, has some drawbacks. Proponents, City staff, and the CALUCs all have access to the comments submitted, but it offers the proponent no way to directly address questions or concerns from the community.
- We suggest either requiring or strongly suggesting to proponents that they reach out to the CALUC to offer the chance for a virtual meeting. Not all CALUC's may have the capacity to organize one, but it gives CALUCs who do a chance to hear directly from the proponent their vision for the site and have more of an open dialogue.

Thank you again for the opportunity to provide comments.

Eleni Gibson
Land Use Planning Advisor
on behalf of the NPNA LUC and Board

North Park Neighbourhood Association
Box 661, 185-911 Yates Street
Victoria, BC
V8Y 4Y9
landuse@npna.ca



jbna@jbna.org

Victoria, B.C., Canada

www.jbna.org

December 8th, 2020

Rob Bateman,
Senior process Planner,
City of Victoria

Dear Rob,

Thank you for providing an opportunity for comment on the “interim” CALUC process which the city put in place during the pandemic. With a vaccine soon to be available, it is timely to review the interim process and look forward.

Enclosed with the JBNA letter is the Fairfield Gonzales Community Association, signed off by Joanna Fox, Chair of the FGCA CALUC. The FGCA response articulates the need for broader consultation beyond the “interim” process. We agree with, and support consideration of, all points raised in the FGCA submission. JBNA has hosted a few ZOOM consultations and would **add complementary comments** to the FGCA submission as well as suggestions for immediate changes to the “interim” process.

JBNA has hosted three ZOOM development discussions in the past few months. The participation rate would have been about half of that we would expect at an in-person meeting. We attribute the lower participation to the inability of many residents to either access computers or to otherwise use ZOOM.

We believe the low participation is related to various factors including demographics and income. Please note that over 2,000 James Bay residents are over 75 years of age; approximately 500 of these residents live in care complexes. One elderly resident, who lives in a house and participated in the JBNA pre-review committee, could no longer be involved as he does not use a smart-phone and does not have a computer. Those without computer systems able to access the City’s Development Tracker system have lost their right to hear public comment and to comment themselves.

On the more positive note, a couple younger residents with mobility limitations have been able to participate, to ZOOM-in.

At a recent development ZOOM meeting, the resident exchange was effective in that clarification was sought during and following the meeting. CALUC members understand the root of questions and can often bring clarity.

We understand and support the need for a development review process to continue during emergency situations. However, the “interim” process as designed and implemented has created undue administrative loads on neighbourhoods and diminished community input (as detailed in the FGCA submission).

... 2

There are specific administrative steps that could be taken immediately to lighten the load placed on CALUC committees and to partially close the consultation gap created by the “interim” process. We offer the following:

- Auto-Notifications of comments provided to the city’s system were headed with the word “Microsoft”. With the number of e-mails received by me and Tim Van Alstine, JBNA CALUC Co-Chairs, the initial notifications weren’t even opened. I try to avoid opening anything that could appear as spam or that is sent from e-mail addresses I do not recognize.
 - Upon request, the City began to group and summarise the comments. This is a much better system for JBNA and welcomed.
 - We ask that an interim (15 days through the 30-day period) and final summary be provided to JBNA and that we NOT receive the notifications as they arrive in the City system.
- Correspondence and notifications related to a specific development should be forwarded by the City to a CALUC by one planner. Receiving e-mails from more than one planner confuses communications.
- Proponents have told us that staff advised them that they did not have to take proposals through a neighbourhood’s CALUC process. This has confused proponents as JBNA does not support the view that neighbourhood CALUC reviews can be side-stepped.
 - We ask that staff be instructed to direct proponents to the relevant CALUC to discuss the “interim” process adopted by the specific CALUC.

Going forward, we suggest that you (Planning staff) hold discussions with the CALUC Chairs to discuss how we might be able to enhance the established CALUC process to capture the benefits of new technology while providing in-person consultative meetings

Best wishes to you, other CoV staff, and the rest of us for 2021; may COVID-19 be vanquished!

Sincerely,



Marg Gardiner,
President, JBNA
marg.jbna@telus.net

cc: JBNA Board
VCAN members
FGCACALUC Chair



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December 7, 2020

Joanna Fox, Chair

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Rob Bateman, Senior Process Planner

City of Victoria

By Email: rbateman@victoria.ca

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Sincerely,

Joanna Fox
Chair, FGALUC

Cc: Lisa Helps
Mayor, City of Victoria

Don Monsour
Chair, Fairfield Gonzales Community Association


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From: Ben Ziegler <bnzglr@gmail.com>
Sent: November 24, 2020 9:36 PM
To: Rob Bateman
Cc: SJNA Land Use Committee
Subject: Re: Pre-Application Community Consultation during COVID-19
Attachments: image001.gif; image002.png; image003.gif; image004.gif; image005.gif

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Rob,

Thanks for the notes.

I would like to see the city sponsor/require use of an online meeting platform for community meetings, to hear and respond to developer plans, and collect community feedback. At minimum - an online, real-time, q&a with developer, is required. There is certainly no technical reason this all can't be done.

The city should enable the above. It's not fair to expect volunteers (ie neighbourhood residents) to manage the feedback process, to the extent they are being asked to, pandemic or no pandemic.

The lack of a formal community meeting (online) disadvantages the neighbourhood more than it does the developer or city. There is nothing like reading the room (even if its Zoom) to gauge sentiment.

Let's level the playing field a bit more.

My 2 cents.

Ben
SJN CALUC co-chair

On Tue, Nov 24, 2020, 3:23 PM Rob Bateman, <rbateman@victoria.ca> wrote:

Hi CALUCs,

Thank you for the work you are doing to continue the CALUC process through the COVID-19 pandemic! Since the bylaw amendments were adopted in July, we have sent notices and posted plans for 13 proposals. Of those, 11 have closed and two are currently active.

We will be preparing an update report to bring to COTW in the new year and we would appreciate your input. If you can provide me with a letter by **December 7, 2020** it would give us some time to consider your comments as prepare the report. We will also attach your letters to the staff report when it goes forward. We are interested to hear what you think is working well, what could be improved, and any

specific suggestions for improvements that you may have. Feel free to give me a call to talk this through if that would help (250-361-0292). Thank you for putting your thoughts to this!

Background:

The current process is in keeping with the June 11, 2020 Committee of the Whole (COTW) staff report, the key intent of which was to provide an approach that allowed CALUCS, developers and community members to engage with one another safely during the pandemic. Key aspects of the approach, currently in place, are outlined below.

- The alternative (current) approach follows the intent of the original CALUC process by initiating communication with surrounding neighbours and by enabling applicants to receive comments from the public early in the process when there is a greater ability to make changes to their development proposals, noting that:
 - The development tracker is the base requirement for pre-application consultation and, with the City's assistance of posting the information on-line, is achievable regardless of the capacity of the CALUC and/or applicant.
 - While this process does not require in-person meetings during the pandemic, it does not limit conversations between the CALUC and applicants, nor does it restrict other engagement from occurring. Neighbourhood consultation may include additional activities which would be arranged on a case-by-case basis between the applicant and the CALUC and tailored to their unique capacity and circumstances.
 - The ultimate planning and implementation of any additional consultation beyond the base requirement would be at the discretion of the applicant.
- The existing requirements under the *Land Use Procedures Bylaw* around providing notification on behalf of the CALUC has been maintained but adapted to direct people to information on the City's development tracker (rather than to an in-person open house). If additional consultation has been arranged at the time of notification, reference to this may be included.
- The development tracker includes the following information:
 - A letter and set of plans that outline what is being proposed.
 - Contact information for the applicant so that the public can initiate a dialogue and pose questions directly to them.
- The development tracker includes a link to an online comment form which provides comments directly to the CALUC, as well as to the applicant and the City.

- The opportunity remains for the CALUC to provide a summary of comments of what they heard, based on development tracker comments and any additional consultation results, to the applicant and the City.
- All correspondence including the CALUC letters, online comment forms, and any other correspondence received will be attached to the staff report when the application moves forward to a COTW meeting.
- The online comment form remains open for 30 days from when the proposal is posted to the Development Tracker and the notice is sent to neighbours.
 - This ensures that there is time for the public to reach out with questions and comments and for the applicant to potentially make revisions before submission.
 - The comment forms are closed after 30 days to provide consistency between applications and certainty regarding timelines for the CALUC and the applicant.
 - While the on-line comment form is intended for early feedback, the public may still submit correspondence to the City after the comment form period has closed, through to the time of Public Hearing.
- The current process complies with the Provincial Health Officer's Order prohibiting mass gatherings by:
 - Addressing challenges related to managing the potential number of attendees at an in-person meeting.
 - Providing an opportunity for those who prefer not to meet in person or who may be more vulnerable to COVID-19 to access information and provide feedback.

Regards,

Rob Bateman, MCIP, RPP

Senior Process Planner
Sustainable Planning and Community Development
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