

Good afternoon,

I am writing regarding the asinine recommendation made by city staff to open the midblock between Yates St and Johnson St to the public. This poses a significant health, and more importantly, a safety risk to residents. I worry that, due to the out of control homelessness issue, that there will be individuals loitering in the mid block and causing issues with residents.

I hope that you consider reversing this decision immediately.

Regards,

Alex Stewart

Good afternoon. It has come to my attention that the City of Victoria is proposing a hotel for a building owned by UVic in the 1300 block of Broad Street. Personally, I go to one of the businesses on that block. It is a small bar/restaurant that has had to close every time COVID 19 restrictions have been imposed throughout the last 18 months or so. While I don't believe downtown has become a ghost town, some small businesses have had to move in the downtown core and the last thing we need is more places closing or moving to other municipalities. I was also concerned that this was brought up around the same month hundreds of UVic students and other residents were having issues trying to find affordable rental housing in the city. To evict residents of the upstairs apartment in this building does not seem responsible during a housing crisis that Victoria is involved in like a lot of other cities in Canada.

My second complaint involves the recommendation that the city is to leave the mid block path connecting 848 Yates and 845 Johnson streets open. I think this is a major security concern, especially to those units that are level or near that walkway. This just opens the door for criminals and street people that may not be "fully aware" to potentially gain access to people's units or balconies creating a scary situation for those living there. I can also imagine people sleeping or setting up camp along the walkway during the day, which is not the spot to do so. Finally, I was aware that this is just a 3ft walkway. If this walkway is filled with pedestrians trying to nudge past each other, this could be a health issue (ie: COVID and lack of social distancing).

I hope the city will think twice about the impacts of these proposals.

Thank you,
Brenden

Dear Mayor and Council,

I wanted to provide feedback on the current application before council with respect to the mid block on 848 Yates. My wife and I live at 306-848 Yates and we are not in favour of a public access through the narrow mid block area until such time as the proper easements can be secured with the adjacent property to the west.

The current 3 foot width of the mid block passage is not safe for public access and with current health orders there is no way to maintain social distancing in that area especially with people that are not masked.

We would be in favour of a proper public mid block access 25-30 feet wide and we are confident that when staff can obtain the necessary easements this can occur at some point in the future.

Thank you for your time and consideration.

C.S (Chris) Cutlan / Krista Cutlan

Hello,

I am just a concerned citizen. This corridor must not be made public as there have already been numerous break ins and incidences of vandalism even with this corridor being closed.

I worry about the tenants of the building.

Thank you,
Henry Kwan

Hello,

We are unit owners at the Vivid at the Yates condo and our strata has informed us of the recent recommendation from City Staff to the City of Victoria to leave the three (3) feet narrow midblock path open to full public daily access from 7:00 AM until 10:00 PM.

This is of great concern to us as residents as this creates serious safety issues, as well as potential health hazards for pedestrians trying to pass each other; with COVID outbreaks happening across social housing facilities making social distancing impossible.

We request that the City consider the midblock to be closed to the public until the City secures the easements over the neighbouring property.

Sincerely,

Heather Lejeune and Justin Bland

Are you serious????? We are right beside numerous hot spots and housing facilities. It's hard enough to stomach taking on a 30 year mortgage to be afraid to walk out my front door at night .. which often involves stepping in someone's fresh urine. Now you want to give them access to the ground level residencies??????? Why do you have so little respect for working tax paying citizens?????????

Hi,

I am resident of unit 102-848 Yates St.

I just received an email about the city's decision about leaving our gates open to public from 7am to 10pm. This is really nonsense because we are one of the townhome units attached to that exact 3 feet pathway, constantly suffering from street people trying to breaking in to our property even with the gates closed.

Couple weeks ago they actually jumped over the locked gate at 9:50 pm broke into my property stole my belongings away which were around \$1500 worth total, police has been reported with surveillance videos still under investigation.

So when I saw the notice from the building I could not believe because we just had a break-in, the neighborhood around this area and street people always try to get in there and trying to commit crimes, now the city of Victoria is going to help them do that freely.

Please think about people that are actually living here and who are suffering everyday lack of security and safety for our family. I have a wife who stays home during the day alone with three kids. Those street people have attempted breaking in even with the gates being locked. If the city wants that path to be public, we will not be able to stay here.

I sincerely ask the committee of city to revise this issue and reconsider the decision...

reference DPV Application No. 00179 for 848 Yates Street

Best regards,

Ron Lee

Hello Mayor & Counsel,

Re: DPV no. 00179 for 848 Yates St

This letter is a request to keep the walkway open to the public. Our strata counsel has asked all tenants to write you about the dangers in having this walkway open & while I agree with them that you need to expedite the process keeping them from turning this area into a proper open walkway, I also think that you've already made your decision and should stick to it.

Thank you for the work you do.

--

Scott Allan Neufeld

Good afternoon, I am a resident at 845 Johnson Street, the Vivid on the Yates building. I am writing to ask for reconsideration in the matter of our mid-block access.

Due to the location of our buildings, security is a major concern. We have already experienced a number of breaches and break-ins, and confrontations with people in front of both buildings. The mid-block walkway is a small security feature that we all value; I, personally, do not feel comfortable walking on Johnson Street at certain times of day, and the secure walkway provides an alternative route.

Please consider the safety and security of the residents in these two buildings before allowing the walkway to be open to the public. It causes many of us, myself included, much stress and anxiety to contemplate the potential safety and security problems this presents.

Thank you for your time and consideration,
Tori Moffett

Dear Mayor and council members:

We are writing you as the owners of suite 408 at the above address. We are advised by the Strata Council that city staff have recommended that the mid-block access point between our lot and the neighbouring lot will be considered at Committee of the Whole meeting on October 1. We are concerned that the recommendation to open this access from 7 AM to 10 PM daily poses a safety issue.

As we understand it the original plan was to have a 27 foot wide walkway between the two buildings based on easements on both properties. However subsequently the city determined that it had failed to register an easement against the neighbouring property and the actual pathway will now be 3 foot wide. This appears to represent significant safety concerns especially after dark when persons walking along there will not be able to maintain a 2 metre distance as recommended by the Public Health Officer.

We would respectfully request that until the pandemic is behind us or the neighbouring property provides an easement of sufficient width to the city that the plan to open this access way after dark be delayed. Once the proper distance can be maintained or the appropriate distance is created by the pathway widening the city could at that time consider opening the pathway in evenings.

Yours sincerely,

James Deitch and Yuan Xiang

Dear Mayor and Council

My name is Michael Tourigny. I live in Townhome 103 at 848 Yates st. along with my wife and 4 year old daughter. Access to our home is via a 3-4 foot wide walkway accessible through locked gates fronting Yates and Johnson Streets, to service 6 townhomes fronting onto the same walkway. We gain access to our home with a fob for the gate, and when friends, family, delivery people etc wish to enter our unit, they use the enter phone panel on the front of our building on Yates, and we then buzz them in through this same gate.

We have just learnt, that an application from Chard developments to the city, to suspend the pending use of this walkway as a PUBLIC walkway due to the lack of co operation from the neighbouring property at 836 Yates, has been denied by city staff, and that they will recommend to council to pursue the use of this narrow little 3-4 foot wide private walkway as a PUBLIC walkway accessible both from Yates or Johnson Streets.

How can this be possible in a 3-4 foot wide privately owned walkway?

How can this be possible at a time when Federal, Provincial and Municipal Health authorities are appealing to the general public to leave at least 6 feet between themselves and anyone else not from the same household.

How can this be possible when the city of Victoria has closed portions of the 1800 block of Cook Street (and I'm sure others) to vehicle parking to allow pedestrians to walk safely along both the existing sidewalk and part of the vehicle parking lane while observing COVID protocols.

Please tell me that I have misunderstood the letter from city staff to Chard developments.

And please tell me that someone from the city (staff or council member) will be coming to 848 Yates Street in the very near future to view and witness themselves how unbelievable this recommendation is and how unconscionably it would have to be carried out.

Respectfully

Michael Tourigny
103 848 Yates Street
Victoria BC

Richard and Michelle Dunham
#101 - 848 Yates St.
Victoria, B.C. V8W 1L8

City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

September 24, 2021.

To Whom it May Concern,

RE: DPV Application No. 00179 for 848 Yates St._ Mid Block Access to the Public.

It is with great concern and opposition we write this letter in respect of Victoria City staff recommending the City of Victoria proceed with public access to an approximately 3ft (0.9m) walkway alongside 848 Yates St. (DVP Application No. 00179 for 848 Yates St.). A public walkway of this narrow width which is also confined on both sides by fencing is both dangerous and irresponsible to the safety and public health of the building residences as well as the general public.

Given the first goal of the City of Victoria's Pedestrian Master Plan is to ensure public areas are safe through such measures as using Universal Design Standard which include increased walkway widths and allowing for wide enough public walks that will safely accommodate high pedestrian volumes prevalent to downtown Victoria it is impossible to reconcile how the staff at the City of Victoria can recommend proceeding with a 3ft wide confined public walkway alongside 848 Yates St. Furthermore, it is very difficult to understand how the City of Victoria staff can demonstrate how this narrow pathway will provide adequate access for accessibility challenged and/or elderly people residing in or visiting the six (6) townhomes in the Yates and Vivid buildings which enter and exit onto this narrow walkway if the public is walking up and down in both directions.

It is alarming to think that the City of Victoria staff would recommend proceeding with a permanent public walkway which does NOT even meet the "Build Back Victoria Permit Requirements", which were intended for non-permanent initiatives (and by extension likely more lenient than requirements pertaining to permanent initiatives). The City of Victoria, in this document, requires sidewalks, plaza, square or boulevard flex zones to have an unobstructed minimum width of 1.5m (5ft) to allow for safe passage. Additionally, the BC Active Transportation Design Guide published by the BCMoTI recommends multi-family through zones/walkways be a minimum of 1.8m (5.9ft) wide and commercial public walkways be a minimum of 2.1m (6.9ft) in order to allow for safe passage. This is not the case with the proposed public access walkway alongside 848 Yates St. as it significantly fails to meet either of these requirements/recommendations.

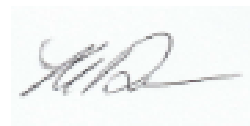
As owners in the 848 Yates St. building, we were recently notified the City of Victoria does not hold an easement on the neighboring property, 833 Yates St. and is therefore unable to proceed with the originally planned 27ft (8.2m) wide pathway. Given this, it seems reckless on behalf of the City of Victoria staff, to still recommend proceeding with a public pathway that is now just slightly over 10% of the original

planned walkway width and significantly less than the publicly acceptable standard for safe walkway widths.

Finally, as we are currently in a global pandemic and the BC Provincial Health Authority is trying to limit the spread of COVID-19 through a variety of measures including social distancing, a confined public walkway that is only 3ft wide seems like a terrible idea.

We sincerely request the City of Victoria staff reconsider their recommendation to proceed with this unsafe public walkway in an effort to maintain the health and safety of the residents of the Yates and Vivid buildings as well as the public.

Yours truly,

A handwritten signature in black ink, appearing to read "RD", is centered on a light blue rectangular background.

Richard and Michelle Dunham

Hello,

I am a resident of 848 Yates Street and I am concerned that opening the midblock to the public will be a security issue since there has already been theft.

My opinion is that the midblock to the public should be closed and remain only accessible to residents with a key fob.

Thank you,
Sarah

Good morning,

It is with some dismay that I learned council is considering adopting a policy of full public access between 7am and 10pm on the mid block path between the buildings at 845 and 848 Yates Street.

It is my understanding the builder tried to secure permission to build a safety fence two years ago and this did not receive approval from council.

As we have had a number of break ins in our building via the side door which exits into the mid block way and criminals have been known to spend a great deal of time in this area looking for crimes of opportunity, the builder has been working with Victoria Police Department crime prevention officers in attempting to implement safe measures for residents of our home at 845 Johnson. It is baffling to me why council would choose to contradict safety recommendations of its own police force, and I would ask that you reconsider your position.

It is my hope that council instead follows the lead of Victoria Police Department and take an interest in the safety of residents in our city and allow crime prevention recommendations from its own police department to be put in place by the builder.

Thank you for your consideration,

Dwayne Stewart
705-845 Johnson Street
Victoria, British Columbia

We as owners of 503-848 Yates Street are 100 % against the Midblock to be accessible to the general public during the time of 7am and 10pm as we have had enough problems with the people living at the Portland Hotel breaking in through the gate or climbing over the gate and vandalizing and stealing from owners decks along with urinating and defecating in the walk way . As well it is known that at the Portland Hotel that over 60 residents that have come down with Delta variant and the last thing we need is this spreading over to our buildings. With this all being said the walk way is only 3 feet wide and this could definitely cause an unsafe environment for people passing each other in there personal space.

Thank you for your time to read these concerns

Katie Moore

Geoff Hartmann

Date: September 28, 2021

Re: DPV Application No. 00179 for 848 Yates

To Mayor Lisa Helps, and the Councilors of the City of Victoria,

It is with great concern that I write to you today regarding your decision to open the mid-block walkway between Yates and Johnson Streets to the public, passing by the homes of all residents at both the Yates on Yates and Vivid developments.

I can only imagine that this decision was made without your full knowledge of the background surrounding this walkway. Originally this walkway was to be 27 feet wide, a reasonable amount of space for the residents of these two towers to share with the general public. However, your planning department, in a major error, was unable to get the easement required from the landowner adjacent to these two buildings. Yes, it was an error on the part of your staff that has now led to a confined space of a mere 3 feet for the residents of both towers to share as a common walkway, with kids, strollers, bicycles and pets!

Even with the use by only the residents of the 261 units, there have been numerous examples of theft, safety and security concerns, vagrancy, defecation and filth, and major privacy concerns. I cannot imagine you made the decision to open the walkway to the public with this knowledge; I trust this will enlighten you.

And please note, this walkway forms part of our strata and is therefore privately owned under the strata title, not by the City of Victoria. The decision of usage therefore is likely not yours to make.

Additionally, amongst the owners are landlords who must provide a safe and secure home for their tenants who as renters have expectations under the residential tenancy act for their homes to be in accordance with how it was marketed to them and upheld to the status and standards of when they signed the lease. These renters have rights as well.

As I'm sure you are aware, we are in the midst of a pandemic. We are currently in the 4th wave of this pandemic and nowhere in the world is fully out of this dire health crisis. The information and news, which is readily available to you, cites an alarming increase in active COVID cases and outbreaks in BC, but more specifically amongst the homeless in Victoria. For your reference here is one related news article on that very subject matter:

<https://www.cbc.ca/news/canada/british-columbia/supportive-housing-covid-1.6185647>

Your health authority must not be aware of your decision because nobody in their right mind would knowingly put more citizens at risk. And as you are likely aware, the Portland Hotel Society operates a 147 Unit Johnson Street Community at 844 Johnson Street whose residents have created the unsafe neighbourhood in which we live and an increased health risk for the residents of Yates and Vivid and the community at large. And let me be clear, this is not a slight against the homeless or an attempt to exclude or disenfranchise them, but we have a social

crisis in the city that has increased under your tenure and that warrants a full policy and health services review. In the meantime, you continue to promote an urban lifestyle yet the two aren't necessarily harmonious.

In addition to this, there is evidence that with increased enclosure and confined spaces humans get increasingly aggressive. We have already seen this in the short time our 3.5 foot pathway has been in use. As caretakers of the City, if Mayor and Council are interested in providing a safe, clean and healthy city for its taxpaying and voting citizens then you must revisit, with all the relevant research and information provided to you, and reverse or nullify this decision.

Katrina Purcell
Owner Yates on Yates

Hello. I am writing this letter regarding this application. I would only support keeping it open to residents. Right now, our strata has limited access to us from 9-5 only. This means we cannot travel from Yates, without walking around to Johnson after 5PM.

With the social housing right across the street, this is a concern to me and my family. We frequently witness drug transactions, and have been continually told by our strata council that it is unsafe on the Johnson side. We need access to our condo from the much safer Yates street side.

Thank you for your consideration.

Gary Sanwald
Unit 2005 Vivid at The Yates.

Dear Mayor and Council,

My name is Jiuzhang Chen. My husband – Jieping Xu and I live in unit 1306 at 848 Yates Street. We have just learnt, that an application from Chard developments to the city, to suspend the pending use of this walkway as a public walkway due to the lack of co operation from the neighbouring property at 836 Yates, has been denied by city staff, and that they will recommend to council to pursue the use of this 3 foot wide walkway as a PUBLIC walkway accessible both from Yates or Johnson Streets.

We found this news is SHOCKING. During the 4th wave of pandemic, how could the city council recommend a public walkway half the width of 6 feet which is the order from the PHO. There had been a lot of work done to have a walk path to allow social distancing such as James Bay area, on Cook street, and etc. At the same time, the city wants a 3 feet walkway.

The ground level of our building has 6 RESIDENTIAL units, several of them have young children. If any of you have children, will you be comfortable or even feeling safe staying at your home while there is a 3 feet walkway right outside of your patio? With the current issues with shelters, lack of police force, how could you recommend this motion? Even with the gates locked at this moment, we were informed there were break-ins, shoot-ups and a lot more happened in the walkway. Furthermore, I don't think there is any public walkway passing through RESIDENTIAL units in downtown anywhere else.

The building and the city - Victoria is the home we call proudly. If any staff or council member could visit the building and the walkway themselves, I assure you will find this recommendation is lack of consideration and does no good to the residents AT ALL.

Thank you,

Jiuzhang Chen & Jieping Xu

Unit 1306 – 848 Yates Street
Victoria, BC, V8W 0G2

Dear Mayor and Council,

We write in connection with the above mentioned application.

We wish to express our grave concern over this proposal to open a narrow, 3-foot wide walkway for full public, daily access. Please consider this correspondence as our total objection to this application.

It is totally unreasonable to open this very narrow walkway and put residents and the general public at considerable risk.

There is no justifiable reason to permit this access, considering the serious safety issues and potential health hazards as pedestrians try to pass each other. We would expect more transparent public discussion and input from residents of both the Yates on Yates and the Vivid at the Yates condo towers.

At the very least, please keep the mid-block closed to the public until the City of Victoria secures the easements over the neighbouring property.

Sincerely,
William Kafal and Keri Rice
#807- 845 Johnson St.
The Vivid at Yates

DVP No.001179 848 Yates Street and 845 Johnson Street

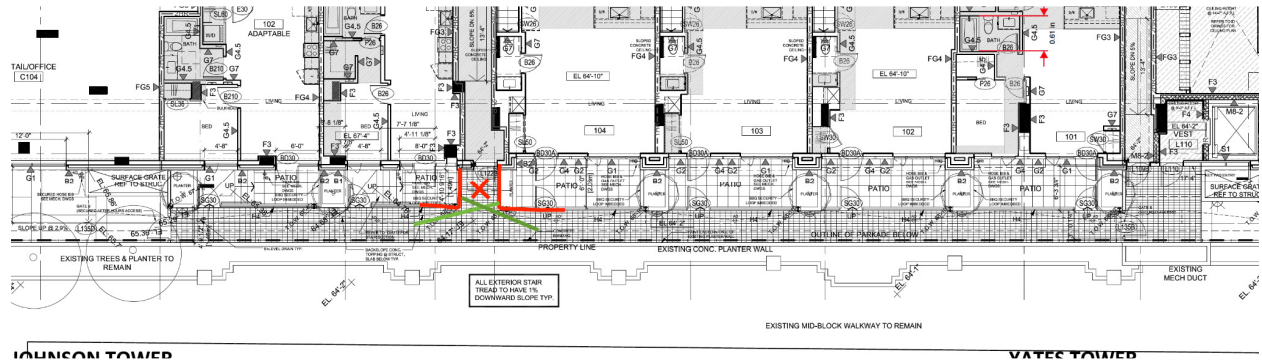
Hello Mayor and Council,

My name is Daniel I am a resident on 845 Johnson street.

I am writing you today to consider approving the decision to make the midblock walkway of the Vivid at the Yates building accessible only to residents until such a time that the city can secure and implement an SRW with the neighbouring building.

I would like to let you know as a resident of the building and I do utamitly support the walkway however there are a few Crime Prevention Through Environmental Design (CPTED) principles that are of concern.

1st off is if open to the public there is a hiding place next to the entry to the vivid building. Seen below the red X could be an individual looking to harm or just seltering regardless there is not space to safely view around this corner because of the width on the wayway.



2nd, the strata have chosen to lock the door highlight to residents. This means if we are to leave from that door we may not know who is in the alley before exiting and becoming stuck.

3rd is the location in the city. As you all know there are many unhoused people in the neighborhood. Not all but some seek places like this to get away from the eyes of the street and its passive surveillance of passers by to commit their illegal activities.

I recommend the city accept Chards offer that this walkway be closed until such a time as it can be widened and the funds in trust to implement it when the time comes. I would

also recommend the strata allow residents 24hr access to the walkway and the door within the walkway to allow for passive surveillance.

Thank you for your time.

I also hope to attend the Public hearing regarding this to speak on behalf of the building.

Dear Mayor Lisa Helps and City of Victoria Council,
RE: DPV Application No. 00179 for 848 Yates Street

I am writing on behalf of the owners of strata lots 2, 3, 4 and 5 at EPS 7014 Yates and Vivid. The owners would like to express concern over the security and safety of having the midblock walkway open to the public before easements have been secured from 836 Yates Street. The walkway was supposed to be 27' wide, but currently is only 4' in width. This poses a safety and security risk for the commercial tenants, and employees of the William Wright Commercial office at 843 Johnson Street, as the mid-block pathway is the only way to access the commercial parking elevator. There is no other access besides the large parking gate that is for vehicle access only.

With the daylight hours getting shorter, it is unnerving to have to walk down a long narrow pathway in the dark at night, without having enough space to safely distance oneself. There have been numerous incidents in the area and at the building of a criminal nature (break-ins), that don't lend themselves to a feeling of safety.

We also understand there is a Delta variant COVID outbreak at the Portland social housing directly across the street from our offices on Johnson Street, with over 60 residents being positive (nearly half). We have seen numerous ambulances taking people away, some in body bags. The residents of the Portland Housing building regularly use the mid-block pathway, and if it's not possible to keep a safe distance of 2m, my employees and commercial tenants are being put in unsafe situations, that are not in line with current health and social distancing recommendations.

Please consider having this mid-block walkway closed to the public until such time as the original 27' width can be secured, as planned. Thank you.

☐

WILLIAM | WRIGHT

Property Management

Heidi Shortreed
Portfolio Manager

Reference: DPV Application No. 00179 for 848 Yates Street.

Hi Mayor and Council,

I live in the Vivid at the Yates building - connected to the Yates on Yates building. I am writing to **provide my support** in having the midblock path **OPEN** to full public daily access from 7:00am to 10:00pm. The building strata have acted rogue and closed access to the midblock for residents. The public midblock access from 7am to 10pm was clearly communicated as a feature of the two buildings.

Thank you,
Jon Boyd

Subject: 848 Yates - Midblock

Importance: High

From: The Tuwanek Hotel - CS Chris Cutlan <
Sent: October 6, 2021 12:03 PM
To: Charlotte Wain <CWain@victoria.ca>
Cc: Byron Chard <
Subject: 848 Yates - Midblock

Charlotte,

Thank you for your email. As the Strata President for both 848 Yates and 845 Johnson I'm deeply concerned that the gathering of information around this file has been compromised. On a small telephone poll this morning of 10 residents, I received copies of 7 letters that were sent to Mayor and Council within the submission dates. Some also included confirmation receipts for me showing they had been received by City Hall.

I am sending out a notice to all 245 residents this afternoon asking any that had sent through letters to resend them to your email with a copy to me. I'm hoping you will be able to include them in the correspondence.

I would also request that this email be attached for review of council as they need to be aware that the system of data gathering on this file was not executed well.

Thank you in advance.

Chris

C.S (Chris) Cutlan
The Yates on Yates
306-848 Yates Street
Victoria, BC, Canada, V8W 1L8
The Sovereign Building
304-608 Broughton Street
Victoria BC, Canada, V8W 1C7
Indian Palms Country Club
Palm Springs, California 92201

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On Oct 6, 2021, at 11:10 AM, Charlotte Wain <CWain@victoria.ca> wrote:

Hi Byron,

I did receive one letter from a resident at 845 Yates Street which is attached to the agenda. I have forwarded your email to the relevant staff to ensure these are included as part of the public record for this application. I believe the agenda will be republished later today but I can provide you with a link once this has been updated. Members of the public can email mayorandcouncil@victoria.ca to ensure correspondence is added to the agenda. Staff in legislative services will then be able to redact and upload the letters.

Thank you for drawing our attention to this and apologies for any inconvenience.

Kind regards,
Charlotte

From: Byron Chard <
Sent: October 6, 2021 9:35 AM
To: Charlotte Wain <CWain@victoria.ca>
Cc: Karen Hoese <KHoese@victoria.ca>; Chris Cutlan < Dave Chard < Lisa Helps (Mayor) <LHelps@victoria.ca>
Subject: 848 Yates - Midblock
Importance: High

Good Morning Charlotte,

Chard and the strata corporation (Strata President, Mr. Cutlan is CC'd) are seeking clarification from staff on why a number of the correspondence provided to Mayor and Council are not included online under subsection 21, correspondence, related to the COTW agenda.

I have provided a sample of only a few of the letters that have been delivered to City staff, of which none are posted on the City website for correspondence.

A prompt response would be appreciated to why this correspondence has not been accurately reflected on the City website and provided in the council package for tomorrows meeting. Many of the letters were dated before the publishing date of the report.

Regards,
Byron

Byron Chard CPA, CA
PRESIDENT & CEO

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