

March 9, 2022

Mayor and Council  
City of Victoria

For: Public Meeting March 10, 2022

Re: 801 Bank St. Development Variance Permit Application, Glenlyon  
Norfolk School

Mayor and Councilors:

As a 52-year resident on Gonzales Ave, I am writing in opposition to the proposed variance for the "*temporary*" gymnasium building as doubling the height is not a variance. A variance is for *minor* adjustments to the spirit and letter of the zoning law. **Doubling**, from 3.5m to almost 7m is not a minor variance, and is not permitted under the existing zoning.

Furthermore, GNS knew *full well* their building was not in compliance with existing zoning, yet barged ahead with site preparation and construction before it was even permitted. Their blatant and consistent disregard for the neighbourhood and due process was evidenced by the multiple stop work orders throughout construction.

GNS has a long established history of operating under the axiom "Easier to ask forgiveness than permission". Is this what City Hall supports, or does the law apply equally to all?

Please listen to the people who live here, uphold the zoning law, and deny this variance. It is only a "*temporary*" building which is scheduled to be deconstructed shortly.



William Caleb Small  
1832 Gonzales Ave  
Victoria BC

**From:** Victoria Mayor and Council  
**Sent:** March 9, 2022 3:39 PM  
**To:** Public Hearings  
**Subject:** Fw: COTW - 801 Bank Street

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**From:** Adella James [REDACTED]  
**Sent:** March 9, 2022 2:14 PM  
**To:** Victoria Mayor and Council <mayorandcouncil@victoria.ca>; Councillors <Councillors@victoria.ca>  
**Subject:** COTW - 801 Bank Street

Dear Mayor and Council,

Although I, and other neighbours fully expect that the Glenlyon Norfolk School (GNS) variance will be granted, it is important that council be aware of the blatant disregard that GNS has shown for process and its history of repeatedly crossing lines and getting away with it. It is to the point that GNS must now expect to be able to pull the wool over council's and staffs' eyes and succeed with its continuous push to expand and intrude ever further into the neighbourhood.

Please consider:

- In June 2022, GNS's "emergency" application to the BOV to move buildings from its beach drive location to the bank street location was **denied**, it went ahead and moved one of the buildings anyway without a permit to do so at the end of June. The building remained there for several months prior to GNS obtaining a permit.
- After lobbying council, GNS received permission, in October 2020, to move buildings under the pretense that it was "essential" to meet social distancing requirements. However, please note that **GNS increased its bank street secondary school enrollment by 26 students almost 8% from the 2020/2021 school year to the 2021/2022 school year.**
- Council agreed to a 3-year period for the secondary buildings to remain on the property commencing on the date the application was approved (October 2020); however, in a future letter to council, the **GNS architect stated January 2021 as the date granted.**
- **Work on the site began immediately without a building permit in place. Underground services were installed and backfilled, structural base for the tent was installed, buildings were placed, and a ramp was completed.**

Perhaps GNS is now trying to rectify an issue with this variance application that may not have occurred had it not **proceeded without the required permit** and without the site being inspected by the city?

- **Early in January 2021 GNS staff and students began using the modular classroom, still without a permit in place.** When complaints were made by the community, a stop work order was finally issued on January 20th, 2021.
- GNS entered into a covenant with the city as part of the agreement to allow the new buildings on site. **It appears that GNS has already contravened the covenant at least twice** (not surprising as there is no penalty); once for failing to comply with the building height limitations (Article F ii), and again by allowing the rental of one of the buildings for a purpose other than school use (Article 3(c) – a GNS webpage has also advertised the structure for rent.

**Several** other issues have occurred along the way, and from the perspective of the neighbourhood, it appears that GNS has been receiving preferential treatment. As stated previously, there is a long history of GNS crossing lines, and making its own rules as it moves forward with its agenda. The city has allowed this to continue every step of the way – perhaps, because GNS is a school, the city views it as “an integral part of the community.” However, what must be kept in mind is that GNS is a business, and most of its students **do not** come from the immediate community.

As council reviews this latest application from GNS, for yet another variance, (there must be a list as long as my arm now), perhaps council should consider putting measures in place to stop the blatant and continued abuse of process that GNS has engaged in.

Is it possible that given the circumstances, and the fact that COVID restrictions are now being lifted, that council might send a strong message to GNS by denying this application and making it rebuild the structure as per the permit that was eventually issued?

Adella James

Gonzales Avenue