F.4 1475 Fort Street: Development Permit with Variance Application No. 00120

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1475 Fort Street, in Development Permit Area 7B (HC), for purposes of constructing a four-storey residential building.

F.4.a Opportunity for Public Comment & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to construct a four story residential building.*

Mayor Helps opened the opportunity for public comment at 9:30 p.m.

Josh Hayes (Applicant): Provided information regarding the application.

Council recessed due to a technical issue at 9:39 p.m. and returned at 10:15 p.m.

The applicant continued their presentation.

David Laks (Rendell Street): Expressed support for the application.

Barbara Bolli (Pemberton Road): Expressed opposition to the application.

Carolina Ashe (Pemberton Road): Expressed opposition to the application.

Vanessa Dingley (Pemberton Road): Expressed opposition to the application.

Bob June (Rockland Neighborhood Association): Expressed opposition to the application.

Alan Morton (unknown): Expressed opposition to the application.

Barry Willimott (St. Charles Street): Expressed opposition to the application.

Verna Stone (Fort Street): Expressed opposition to the application.

Moved By Councillor Andrew
Seconded By Councillor Young

That the meeting be extended until 12:00 a.m.

CARRIED UNANIMOUSLY

Gillian Lawson (Pemberton Road): Expressed opposition to the application.

Jeremy Smith (Wilson Street): Expressed support for the application.

Ann Peter (unknown): Expressed oppositions to the application.

Council recessed from 11:21 p.m. until 11:27 p.m. to provide an opportunity for members of the public to call to speak live.

Alisse Carson (Victoria): Expressed support for the application.

Elle Hall (Songhees Road): Expressed support for the application.

Justine Gagnon (Inwood Road): Expressed support for this application.

Casper Davis (Pemberton Road): Expressed opposition to the application.

Vincent Turner (St. Charles Street): Expressed opposition to the application.

Dee Hoyano (St. Charles Street): Expressed opposition to the application.

Council discussed the following:

- *The reasoning for the application being a Development variance.*
- *Concerns with the loss of the trees on the site.*
- *Whether there are legal agreements with VIHA for below market rents*
- *The unit mix of the building.*
- *How many trees on the property are bylaw protected.*
- *Whether VIHA tenants are in the building currently.*
- *What the height of the new tree plantings will be*

Moved By Councillor Andrew
Seconded By Councillor Dubow

Motion to extend the meeting until 12:45 a.m.

CARRIED UNANIMOUSLY

Council discussed the following:

- *Whether removing parking stalls could preserve trees*

Mayor Helps closed the opportunity for public comment at 12:15 a.m.

Moved By Mayor Helps
Seconded By Councillor Potts

That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street in accordance with:

1. Plans date stamped April 30, 2021

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 12.92 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
    v. reduce the rear setback from 6.46 metres to 3.96 metres;
    vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
    vii. reduce the west side yard setback from 6.46 metres to 3.86 metres (balconies) and 5.75 metres (building);
    viii. increase the site coverage from 40 percent to 47 percent;
    ix. allow for an accessory structure to be located in the front yard rather than the rear yard.
3. Final plans generally in accordance with the plans date stamped April 30, 2021 with the following revisions:
    i. changes to the panhandle driveway to comply with the Highway Access Bylaw and BC Building Code requirements, to the satisfaction of the Director of Engineering and Public Works
    ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution."

Amendment:
Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council refer the matter to staff to work with the applicant on a revised proposal that addresses concerns relating to setbacks and tree removal.

FOR (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, and Councillor Potts

DEFEATED (4 to 5)

On the main motion:

FOR (4): Mayor Helps, Councillor Alto, Councillor Loveday, and Councillor Potts

OPPOSED (5): Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

DEFEATED (4 to 5)

Moved By Councillor Alto
Seconded By Councillor Andrew

That the meeting be extended until 1:15 a.m.

CARRIED UNANIMOUSLY

H.1 Bylaw for 1475 Fort Street: Development Permit with Variances Application No. 00120

The Director of Sustainable Planning and Community Development delivered an update regarding next steps should the vote on this application be defeated.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following bylaw **be given first, second and third readings:**
1. Housing Agreement (1475 Fort Street) Bylaw (2021) No. 21-057

CARRIED UNANIMOUSLY

Moved By Councillor Andrew
Seconded By Councillor Young

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street in accordance with:
1. Plans date stamped April 30, 2021
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 12.92 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
    v. reduce the rear setback from 6.46 metres to 3.96 metres;
    vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
    vii. reduce the west side yard setback from 6.46 metres to 3.86 metres (balconies) and 5.75 metres (building);
    viii. increase the site coverage from 40 percent to 47 percent;
    ix. allow for an accessory structure to be located in the front yard rather than the rear yard.
3. Final plans generally in accordance with the plans date stamped April 30, 2021 with the following revisions:
    i. changes to the panhandle driveway to comply with the Highway Access Bylaw and BC Building Code requirements, to the satisfaction of the Director of Engineering and Public Works
    ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution."

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (1): Councillor Isitt
CARRIED (8 to 1)

DRAFT

F.4 Bylaw for 1475 Fort Street: Development Permit with Variances Application No. 00120

Moved By Councillor Andrew
Seconded By Councillor Alto

That the following bylaw **be given first, second and third readings:**
1. Housing Agreement (1475 Fort Street) Bylaw (2021) No. 21-057

FOR (7): Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Moved By Councillor Alto
Seconded By Councillor Potts

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street in accordance with:
1. Plans date stamped April 30, 2021
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 12.92 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
    v. reduce the rear setback from 6.46 metres to 3.96 metres;
    vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
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    ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution."

FOR (4): Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts

OPPOSED (4): Councillor Young, Councillor Andrew, Councillor Isitt, Councillor Thornton-Joe

DEFEATED (4 to 4)

Councillor Andrew requested the vote on the Development Permit with Variance be recalled.

Councillor Alto requested the vote on Housing Agreement be recalled.

Moved by Councillor Alto
Seconded by Councillor Loveday

That the following bylaw **be given first, second and third readings:**
1. Housing Agreement (1475 Fort Street) Bylaw (2021) No. 21-057

Motion to refer:

Moved by Councillor Andrew
Seconded by Councillor Thornton-Joe

That this item be referred to the May 27, 2021 Evening Council meeting.

CARRIED UNANIMOUSLY

Council recessed at 12:31 p.m. and reconvened at 1:15 p.m.

Mayor Helps resumed the Chair at 1:15 p.m.

DRAFT

Council Report
For the Meeting of May 27, 2021

To:	Council	**Date:**	May 13, 2021
From:	Karen Hoese, Director, Sustainable Planning and Community Development		
Subject:	**Update on Development Permit with Variances Application No. 00120 for 1475 Fort Street**		

RECOMMENDATION

That Council give first, second and third readings of Housing Agreement (1475 Fort Street) Bylaw No. 21-057.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street in accordance with:

1. Plans date stamped **April 30, 2021**
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 12.92 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
    v. reduce the rear setback from 6.46 metres to 3.96 metres;
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    viii. increase the site coverage from 40 percent to 47 percent;
    ix. allow for an accessory structure to be located in the front yard rather than the rear yard.
3. Final plans generally in accordance with the plans date stamped April 30, 2021 with the following revisions:

i. changes to the panhandle driveway to comply with the *Highway Access Bylaw* and *BC Building Code* requirements, to the satisfaction of the Director of Engineering and Public Works

ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities

4. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding a Development Permit with Variances Application for the property located at 1475 Fort Street. The proposal is to construct a four-storey rental building with approximately 32 dwelling units. Variances are related to building height, site coverage, setbacks, parking and the location of an accessory structure.

In accordance with Council's motion of February 4, 2021 (minutes attached), the necessary conditions that would authorize the approval of the Development Permit with Variances for the subject property have been fulfilled. In addition, since the application was presented at Committee of the Whole, the applicant has revised the plans to reduce the footprint of the underground parkade, creating space for additional trees in the southwest corner of the property, and has provided a window overlay with the adjacent property to the south located at 949 Pemberton Road.

COMMENTS

Legal Agreements

With regard to the preconditions set by Council in relation to this application, staff can report that the following agreements have been executed by the applicant:

- a Housing Agreement to secure rental tenure of the dwelling units in perpetuity, while allowing for potential lease of all or a portion of the dwelling units to the Vancouver Island Health Authority for non-market housing
- a Section 219 covenant to ensure that the dwelling units are not strata titled has been registered on title
- a section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street has also been registered on title.

Plan Revisions

The applicant has reduced the footprint of the underground parking structure to provide a larger planting area with greater soil depth in the southwest corner of the property without increasing the parking variance associated with this proposal. Two columnar Hornbeam trees are proposed in this location as bylaw replacement trees. Adding new trees that can grow to full maturity by having access to greater soil depth helps to mitigate the impact of the site coverage, building height and setback variances by softening the visual appearance of the building and reducing privacy impacts by providing screening. They would also help to advance the City's Urban Forest objectives by providing ecological services such as wildlife habitat, storm water management and reducing urban heat island effects.

In addition to the plan revision, the applicant has provided a window overlay (sheet A502) to help illustrate the relationship between the northwest elevation of 949 Pemberton Road and the south elevation of the proposal. The window overlay demonstrates that there would be minimal privacy impacts as the buildings and windows are off-set from each other. The perimeter landscaping on both properties would also limit overlook into adjacent private outdoor space.

CONLUSIONS

The applicant has fulfilled the conditions set by Council and the building revisions and landscape improvements help to mitigate the impact of the proposed variances. Therefore, it is recommended that the application advance to an Opportunity for Public Comment.

Respectfully submitted,

Alec Johnston
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Housing Agreement (1475 Fort Street) Bylaw No. 21-057
- Attachment B: Plans date stamped April 30, 2021
- Attachment C: Council to Follow Committee of the Whole Meeting Minutes dated February 4, 2021.

NO. 21-057

HOUSING AGREEMENT (1475 FORT STREET) BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 1475 Fort Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

1 This Bylaw may be cited as the "HOUSING AGREEMENT (1475 FORT STREET) BYLAW (2021)".

Agreement authorized

2 The Director of Sustainable Planning and Community Development is authorized to execute the Housing Agreement:

(a) substantially in the form attached to this Bylaw as Schedule A;

(b) between the City and Lantern Properties Ltd., Inc. No. C0816000 or other registered owners from time to time of the lands described in subsection (c); and

(c) that applies to the lands known as 1475 Fort Street, Victoria, BC, legally described as:

PID: 005-397-863
Lot 2, Section 74, Victoria District, Plan 9796.

READ A FIRST TIME the	day of	2021
READ A SECOND TIME the	day of	2021
READ A THIRD TIME the	day of	2021
ADOPTED on the	day of	2021

CITY CLERK MAYOR

APPROVED AS TO CONTENT

Schedule A

HOUSING AGREEMENT
(Pursuant to section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square
Victoria, B.C. V8W 1P6

(the "**City**")

AND:

LANTERN PROPERTIES LTD. (INC. NO. C0816000)
101 – 1176 Burnaby Street
Vancouver, BC V6E 1P1

(the "**Owner**")

WHEREAS:

A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.

B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.

C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1475 Fort Street, Victoria, B.C. and legally described as:

PID: 005-397-863
Lot 2, Section 74, Victoria District, Plan 9796

(collectively, the "**Lands**").

D. The Owner has applied to the City to develop the Lands to permit 32 housing units within the Development in accordance with this Agreement.

E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"**Business Day**" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"**Development**" means the new 32 unit building consisting of residential housing and related facilities on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the 32 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "**Dwelling Unit**" means any of such residential dwelling units located on the Lands;

"Immediate Family" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"**Non-owner**" means a person other than a Related Person or the Owner;

"**Owner**" includes a person who acquires an interest in the Lands or any part of the Lands or the Development and is thereby bound by this Agreement, as referred to in section 7.3;

"**Related Person**" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is:

(a) a corporation or society:

(i) an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society; or

(ii) an Immediate Family of a person to whom paragraph (i) applies, or

(b) an individual, an Immediate Family of the registered or beneficial owner;

"**Strata Corporation"** means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act,* a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation.

"**Tenancy Agreement**" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

2.1 The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing in perpetuity, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit provided that so long as the Vancouver Island Health

Authority rents Dwelling Units for non-market housing, these units do not require a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit and the Owner leasing the Dwelling Units to Vancouver Island Health Authority shall be deemed to be in compliance with the terms of this Agreement.

3.0 NO RESTRICTIONS ON RENTALS

3.1 The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

3.2 Without limiting the generality of section 3.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

4.0 REPORTING

4.1 The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Community Development, within thirty (30) days of the Director's written request, a report in writing confirming that:

(a) all Dwelling Units are being rented to Non-owners or are vacant, and

(b) all other requirements of this Agreement are being complied with by the Owner and the Development,

along with such other information as may be requested by the Director from time to time.

4.2 The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

4.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

5.1 Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

6.1 The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.

6.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

7.0 GENERAL PROVISIONS

7.1 **NOTICE.** If sent as follows, notice under this Agreement is considered to be received:

(a) upon confirmation of delivery by Canada Post if sent by registered mail,

(b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and

(c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

City of Victoria
#1 Centennial Square
Victoria, BCV8W 1P6

Attention: Director of Sustainable Planning and
Community Development
Fax: 250-361-0386
Email: khoese@victoria.ca

and in the case of the Owner, addressed to:

Lantern Properties Ltd.
101 – 1176 Burnaby Street
Vancouver, BC V6E 1P1

Attention: Jeff Hayes
Fax: 866-288-1991
Email: jeff.hayes@lanprop.com

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

(d) notice sent by the impaired service is considered to be received on the date of delivery, and

(e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

7.2 TIME. Time is of the essence of this Agreement.

7.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

7.4 WAIVER. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

7.5 HEADINGS. The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.

7.6 LANGUAGE. Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.

7.7 LEGISLATION. Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

7.8 EQUITABLE REMEDIES. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement

7.9 CUMULATIVE REMEDIES. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

7.10 ENTIRE AGREEMENT. This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

7.11 FURTHER ASSURANCES. Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

7.12 AMENDMENT. This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

7.13 LAW APPLICABLE. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

7.14 NO DEROGATION FROM STATUTORY AUTHORITY. Nothing in this Agreement shall:

(a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or

(b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

7.15 SEVERABILITY. If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

7.16 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

7.17 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

7.18 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF VICTORIA by its authorized signatory:)

_____)
Karen Hoese, Director of Sustainable)
Planning and Community Development)

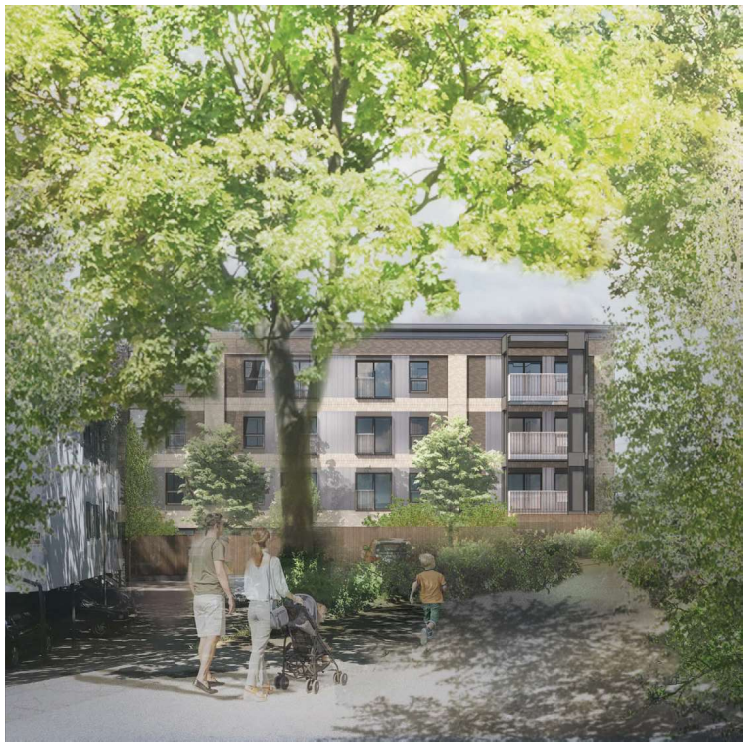
Date signed:_____)

LANTERN PROPERTIES LTD.)
by its authorized signatory(ies):)
)
)
)
)
Print Name: Jeff Hayes)

Date signed: APRIL 21, 2021

CITY OF VICTORIA
Revisions
Received Date:
April 30, 2021

1475 FORT STREET - HADERA APARTMENTS



VIEW FROM FREWING LANE

DRAWING LIST:

Architectural

A000	COVER
A001	SURVEY + PROJECT DATA
A002	BUILDING CODE REVIEW
A003	3D VIEWS
A004	MATERIALS
A101	SITE PLANS - DEMOLITION & PROPOSED
A201	FLOOR PLANS
A202	FLOOR PLANS
A301	ELEVATIONS
A302	ELEVATIONS
A401	BUILDING + SITE SECTIONS
A501	SHADOW STUDY
A502	949 PEMBERTON ROAD WINDOW OVERLAY

Civil

C-1	CONCEPTUAL SITE SERVICING PLAN

Landscape

L-1	LANDSCAPE CONCEPT PLAN
L-2	TREE PRESERVATION PLAN

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LANTERN PROPERTIES LTD

DP SUBMISSION REVISION 2.3

APRIL 29, 2021

Project #	Date	
1618	APRIL 29, 2021	5
Sheet #	Revision	
A000	FEB 9, 2021	

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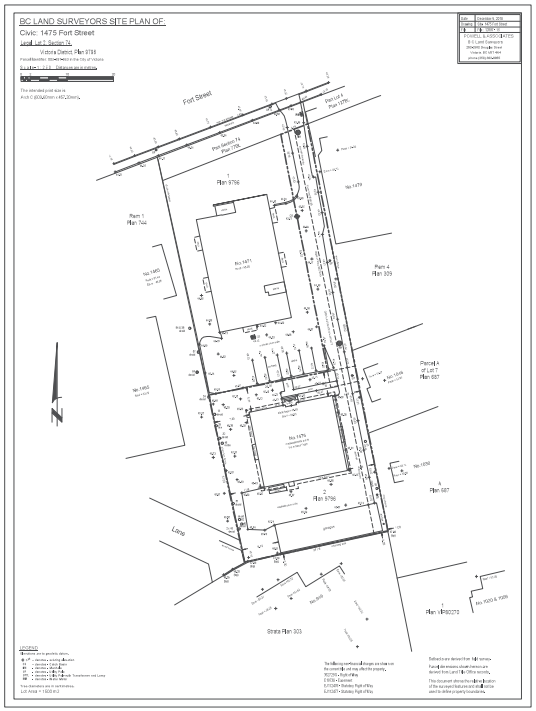
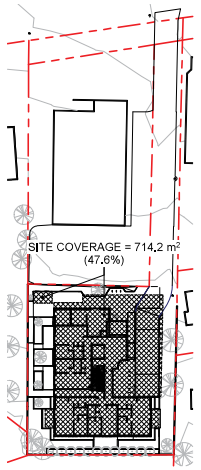
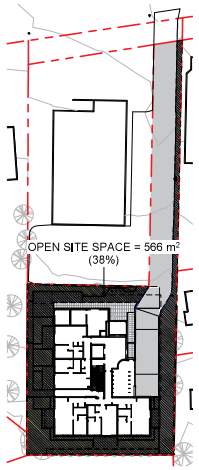


1 Existing Survey
SCALE = 1 : 500

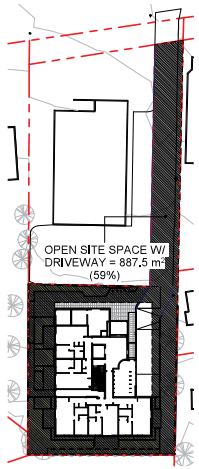
4 SITE LOCATION PLAN
SCALE = 1 : 1000



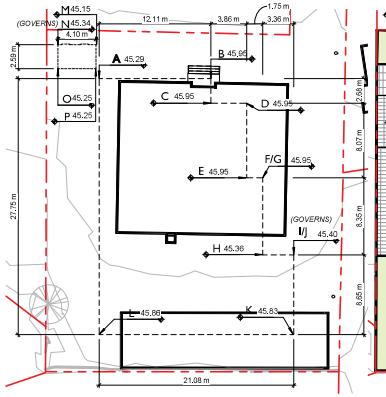
5 SITE COVERAGE
SCALE = 1 : 500



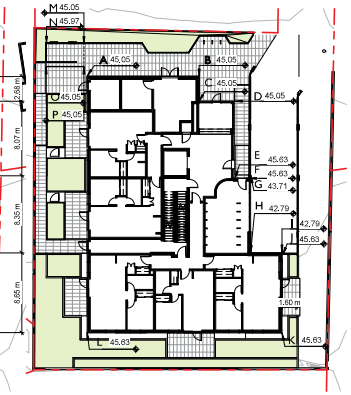
6 OPEN SITE SPACE
SCALE = 1 : 500



7 WITH DRIVEWAY
SCALE = 1 : 500



2 NATURAL GRADE REFERENCE PLAN
SCALE = 1 : 250



3 FINISHED GRADE REFERENCE PLAN
SCALE = 1 : 250

PROJECT DATA

ZONING ANALYSIS: R3-AM-2: MID RISE MULTIPLE DWELLING DISTRICT

	ZONE ALLOWANCE	PROPOSED	VARIANCE
SITE AREA:	920 m²	1,500 m²	N
FSR (BONUS FOR ENCLOSURE):	1.6:1	1.42:1	N
OPEN SITE SPACE (MIN):	30%	38%	N
OPEN SITE SPACE WITH DRIVEWAY (MIN):	50%	59%	N
SITE COVERAGE (MAX):	40%	48%	Y
NUMBER OF STOREYS:	4	4	N
ALLOWABLE HEIGHT:	12 m	12.92 m	Y
SETBACK - FRONT YARD :	10.5 m	1.805 m	Y
SETBACK - SIDE YARD WEST:	6.46 m	3.86 m	Y
SETBACK - SIDE YARD EAST:	6.46 m	3.05 m	Y
SETBACK - REAR YARD:	6.46 m	3.96 m	Y
# OF UNITS:	N/A	32	N/A
MINIMUM UNIT AREA:	33 m²	40 m²	N
MINIMUM NUMBER OF CAR STALLS:	45	26	Y
LONG TERM BICYCLE PARKING:	39	45	N
SHORT TERM BICYCLE PARKING:	6	6	N
ACCESSORY GARDEN STRUCTURE:	NOT LOCATED IN F.Y.	PROPOSED IN F.Y.	Y

OWNER:
Lantern Properties Ltd.

ARCHITECT:
Cascadia Architects Inc.

CIVIC ADDRESS:
1475 Fort Street
Victoria BC V8S 1Z4

LEGAL ADDRESS:
Lot 2, Section 74,
Victoria District, Plan 9798
Parcel Identifier: 005-397-863

PROJECT DESCRIPTION:
New residential building including:
• 4 storeys residential
• 1 storey below grade parking garage

RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	32
UNIT TYPE	26 1 BDRM, 6 2 BDRM
GROUND ORIENTED UNITS	5
MINIMUM UNIT FLOOR AREA (m²)	40 m²
TOTAL RESIDENTIAL FLOOR AREA (m²)	2,139.29 m²

CALCULATIONS:

SITE COVERAGE CALCULATION:

MAIN STRUCTURE	703.5 m²
ACCESSORY STRUCTURE	10.7 m²
LOT AREA:	1,500.0 m²
TOTAL (STRUCTURE) / LOT AREA	714.2 m² / 1,500.0 m²
SITE COVERAGE	***0.476 = 47.6%***

SITE COVERAGE ACCESSORY STRUCTURE CALCULATION:

ACCESSORY STRUCTURE	10.7 m²
LOT AREA:	1,500.0 m²
TOTAL (ACCESSORY) / LOT AREA	10.7 m² / 1,500.0 m²
SITE COVERAGE	***0.007 = 0.7%***

OPEN SITE SPACE CALCULATION:

MAIN BUILDING	612.5 m²
PARKING & DRIVEWAY	321.7 m² +
TOTAL	934 m²
LOT AREA / BUILDING & PARKING	1,500.0 m² - 934 m²
OPEN SITE SPACE	566 m²
OPEN SITE SPACE / LOT AREA	566 m² / 1,500.0 m²
OPEN SITE SPACE	***0.38 = 38%***

OPEN SITE SPACE WITH DRIVEWAY CALCULATION:

MAIN BUILDING	612.5 m²
LOT AREA / MAIN BUILDING	1,500.0 m² - 612.5 m²
OPEN SITE SPACE	887.5 m²
OPEN SITE SPACE / LOT AREA	887.5 m² / 1,500.0 m²
OPEN SITE SPACE w/ DRIVEWAY	***0.59 = 59%***

FSR CALCULATION:

FLOOR AREA LEVEL 1	419.60 m²
FLOOR AREA LEVEL 2	573.23 m² +
FLOOR AREA LEVEL 3	573.23 m² +
FLOOR AREA LEVEL 4	573.23 m²
TOTAL (STRUCTURE)	2,139.29 m²
LOT AREA	1,500.00 m²
TOTAL (STRUCTURE) / LOT AREA	2,139.29 m² / 1,500.00 m²
FLOOR SPACE RATIO	***1.42:1***

VEHICLE PARKING CALCULATION:

TOTAL UNITS	= 32 +
ZONE REQUIRED PARKING / UNIT	= 1.4
	44.8
REQUIRED PARKING STALLS:	*45 STALLS*
PROVIDED PARKING STALLS:	***26 STALLS***

BICYCLE PARKING CALCULATION:
USE: MULTIPLE DWELLING

5 UNITS < 45 m² (*1.00)	= 5
27 UNITS > 45 m² (*1.25)	= 33.75
LONG TERM SPACES	38.75
32 TOTAL UNITS (*0.1) SHORT TERM SPACES	= 3.2 = 6
REQUIRED LONG TERM SPACES	*39*
PROVIDED LONG TERM SPACES	***45***
REQUIRED SHORT TERM SPACES	*6*
PROVIDED SHORT TERM SPACES	***6***

MAIN STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS:

A: 45.05m
B: 45.05m
C: 45.05m
D: 45.05m
E: 45.63m
F: 45.63m
G: 43.71m
H: 42.79m
I: 42.79m
J: 45.40m (NATURAL)
K: 45.63m
L: 45.63m

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN	TOTALS
POINTS A & B:	((45.05 + 45.05) / 2) *45.05*	x 12.11m	= 545.56
POINTS B & C:	((45.05 + 45.05) / 2) *45.05*	x 2.68m	= 120.73
POINTS C & D:	((45.05 + 45.05) / 2) *45.05*	x 3.86m	= 173.89
POINTS D & E:	((45.05 + 45.63) / 2) *45.34*	x 8.07m	= 365.89
POINTS E & F:	((45.63 + 45.63) / 2) *45.63*	x 1.75m	= 79.85
POINTS G & H:	((43.71 + 42.79) / 2) *43.25*	x 8.35m	= 361.14
POINTS H & I:	((42.79 + 42.79) / 2) *42.79*	x 3.36m	= 143.77
POINTS J & K:	((45.40 + 45.63) / 2) *45.52*	x 8.65m	= 393.70
POINTS K & L:	((45.63 + 45.63) / 2) *45.63*	x 21.08m	= 961.88
POINTS L & A:	((45.63 + 45.05) / 2) *45.34*	x 27.75m	= 1,258.19
		= 97.66 m	**= 4,404.60**

GRADE CALCULATION:

4,404.60 / 97.66m (perimeter of building) = **45.10 m**

ACCESSORY STRUCTURE - AVERAGE GRADE CALCULATION:

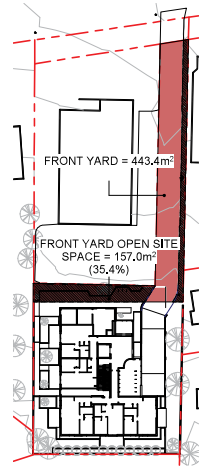
GRADE POINTS:

M: 45.05m
N: 45.34m (NATURAL)
O: 45.05m
P: 45.05m

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN	TOTALS
POINTS M & N:	((45.05 + 45.34) / 2) *45.20*	x 4.10m	= 185.32
POINTS N & O:	((45.34 + 45.05) / 2) *45.20*	x 2.59m	= 117.07
POINTS O & P:	((45.05 + 45.05) / 2) *45.05*	x 4.10m	= 184.71
POINTS P & M:	((45.05 + 45.05) / 2) *45.05*	x 2.59m	= 116.68
		= 13.38m	**= 603.78**

GRADE CALCULATION:

603.78 / 9.28m (perimeter of building) = **45.12 m**



9 FY OPEN SITE SPACE
SCALE = 1 : 500

FRONT YARD OPEN SITE SPACE:

FY OPEN SITE SPACE	157.0 m²
FRONT YARD	443.4 m² /
FY OPEN SITE SPACE	***0.354 = 35.4%***

NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
2	Development Permit Application	JUNE 12, 2019

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LANTERN PROPERTIES LTD
HADERA APARTMENTS 1475 Fort Street Victoria BC

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OCT 19, 2020
4

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A001

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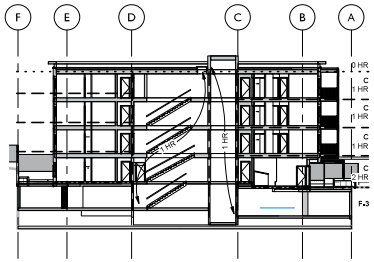


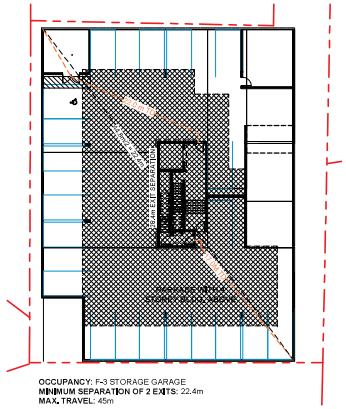
3.1.2.1 CLASSIFICATION OF BUILDING:
BUILDING TYPE: 4 STOREYS, DWELLING UNITS W/ UNDERGROUND PARKADE
STOREY 1 THROUGH 4: GROUP C (DWELLING UNITS)
UNDERGROUND: F-3 STORAGE GARAGE

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
COMBUSTIBLE CONSTRUCTION
FLOOR ASSEMBLIES: 1 hr
LOAD BEARING WALLS, COLUMNS, & ARCHES: 1 hr
MEZZANINES: 1 hr (N/A)
ROOF ASSEMBLIES: 0 hr

3.5.3.1. ELEVATOR HOISTWAYS
1 hr FRR as per TABLE 3.5.3.1.

3.2.1.2. STORAGE GARAGE CONSIDERED AS A SEPARATE BUILDING
2 hr FRR as per 3.2.1.2.1

8 CODE REVIEW - BUILDING SECTION
SCALE = 1 : 250



OCCUPANCY: F-3 STORAGE GARAGE
MINIMUM SEPARATION OF 2 EXITS: 22.4m
MAX. TRAVEL: 45m

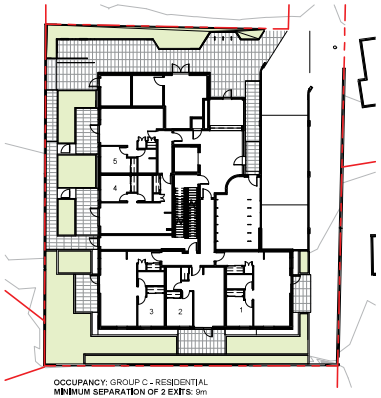
Net Area: 904 m²
Storage Garage: 46 sq.m/person
904/46 = 20 people

OCCUPANT LOAD: 20 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 20 = 160mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 20 = 122mm

1 CODE REVIEW PARKADE LEVEL
SCALE = 1 : 250



OCCUPANCY: GROUP C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

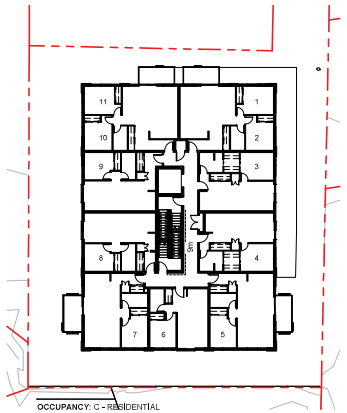
5 Bedrooms x 2 people/bedroom = 10 people

OCCUPANT LOAD: 10 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 10 = 80mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 10 = 61mm

2 CODE REVIEW LEVEL 1
SCALE = 1 : 250



OCCUPANCY: C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

11 bedrooms x 2 people/bedroom = 22 people

OCCUPANT LOAD: 22 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 22 = 176mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 22 = 134mm

3 CODE REVIEW 2/3/4 TYPICAL
SCALE = 1 : 250

BUILDING CODE REVIEW:

BUILDING CODE ANALYSIS:

REFERENCED DOCUMENT:
British Columbia Building Code 2018, Part 3

SECTION 3.1. GENERAL:

3.1.2.1. CLASSIFICATION OF BUILDINGS:
Group C: Residential Occupancy Levels 1-4
Group F-3: Low-Hazard Industrial Occupancy 1 Level (U/G)

3.2.1.2. STORAGE GARAGE CONSIDERED AS SEPARATE BUILDING:
2 hr FRR required as per 3.2.1.2.1

3.1.17. OCCUPANT LOAD:
See Code Review Plans A002

SECTION 3.2. BUILDING FIRE SAFETY:
Parkade Level
Gross Floor Area: 904 m²

Level 1: 412 m²
Level 2/3/4: (3x) 544 m²
Gross Floor Area: 2,044 m²

Building Area: 544 m²

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
- Maximum allowable building area not more than 1,800 m²
- Combustible construction
- Floor assemblies not less than 1hr
- Sprinklered - YES

3.2.3. SPATIAL SEPARATION AND EXPOSURE PROTECTION *(Table 3.2.3.1.-D)*
See Limiting Distance Key Elevations A002

SECTION 3.3. SAFETY WITHIN FLOOR AREAS:

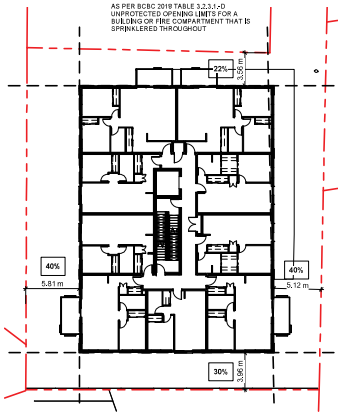
3.3.4.2. FIRE SEPARATIONS
Suites of residential occupancy shall be separated from each other and the remainder of the building by a fire separation having a fire resistance rating not less than 1hr

SECTION 3.4. EXITS:

3.4.2.1 MINIMUM NUMBER OF EXITS
Minimum number of exits: 2 per floor

3.4.2.5 LOCATION OF EXITS:
Max. Travel Permitted (residential use): 30m
Max. Travel Permitted (F3 use): 45m

3.4.2.3. DISTANCE BETWEEN EXITS
one half the maximum diagonal dimension of the floor area, but need not be more than 9m for a floor area having a public corridor.



9 CODE REVIEW - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING:	98.67 m² /
EXPOSING BUILDING FACE:	336.32 m²
EAST ACTUAL UNPROTECTED OPENING:	0.293 = 29.3%
LIMITING DISTANCE:	5.12 m (5 m)
ALLOWABLE UNPROTECTED OPENING:	40%

4 EAST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING:	53.43 m² /
EXPOSING BUILDING FACE:	252.04 m²
NORTH ACTUAL UNPROTECTED OPENING:	0.210 = ***21.0%***
LIMITING DISTANCE:	3.56 m (3 m)
ALLOWABLE UNPROTECTED OPENING:	22%

5 NORTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING:	81.03 m² /
EXPOSING BUILDING FACE:	336.64 m²
WEST ACTUAL UNPROTECTED OPENING:	0.210 = ***21.0%***
LIMITING DISTANCE:	5.7 m (5 m)
ALLOWABLE UNPROTECTED OPENING:	40%

6 WEST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING:	53.29 m² /
EXPOSING BUILDING FACE:	247.21 m²
SOUTH ACTUAL UNPROTECTED OPENING:	0.216 = ***21.6%***
LIMITING DISTANCE:	3.96 m (3 m)
ALLOWABLE UNPROTECTED OPENING:	22%

7 SOUTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

NO.	DESCRIPTION	DATE
3	DP Revision 2	OCT 19, 2020
2	Development Permit Application	JUNE 12, 2019

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HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
BUILDING CODE REVIEW

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APRIL 29, 2021

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4

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A002

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CLOSE UP VIEW FROM FREWING LANE

VIEW FROM FORT STREET

VIEW FROM PANHANDLE

VIEW OF LOBBY / PARKADE ENTRANCE

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5	DP Revision 2.2	FEB 9, 2021
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Sheet Name

3D VIEWS

Date

APRIL 29, 2021

Scale

1 : 300

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5

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A003

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SW CORNER VIEW FROM FREWING LANE

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HADERA APARTMENTS 1475 Fort Street Victoria BC

Sheet Name

3D VIEW

Date

APRIL 29, 2021

Scale: 1 : 300

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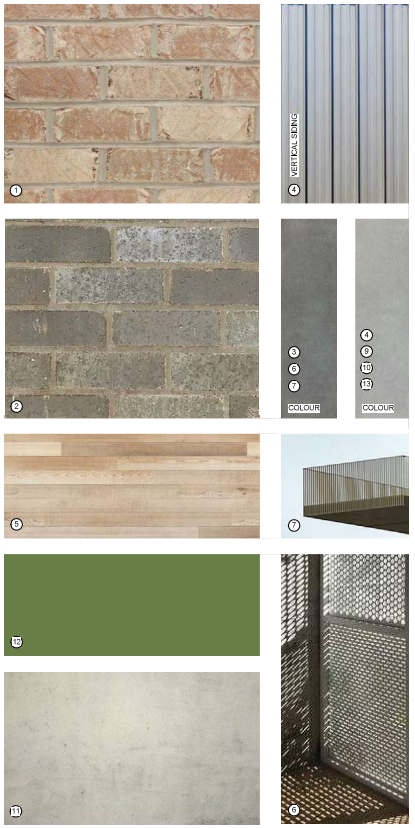
Revision: 5 — FEB 9, 2021

Sheet #: **A003.1**

4/30/2021 9:21:21 AM

VIEW FROM PANHANDLE



MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
6. PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
7. PREFINISHED ALUMINUM PICKET (DARK GREY)
8. VISION GLASS TYP. (DARK GREY FRAMES)
9. PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
10. PREFINISHED METAL CAP FLASHINGS (GREY)
11. ARCHITECTURAL CONCRETE
12. PREFINISHED ALUMINUM PLANTER (DARK GREEN)
13. PREFINISHED METAL CLAD COLUMN (GREY)

NO.	DESCRIPTION	DATE
6	DP Revision 2.2	FEB 9, 2021
5	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
MATERIALS

Date
APRIL 29, 2021

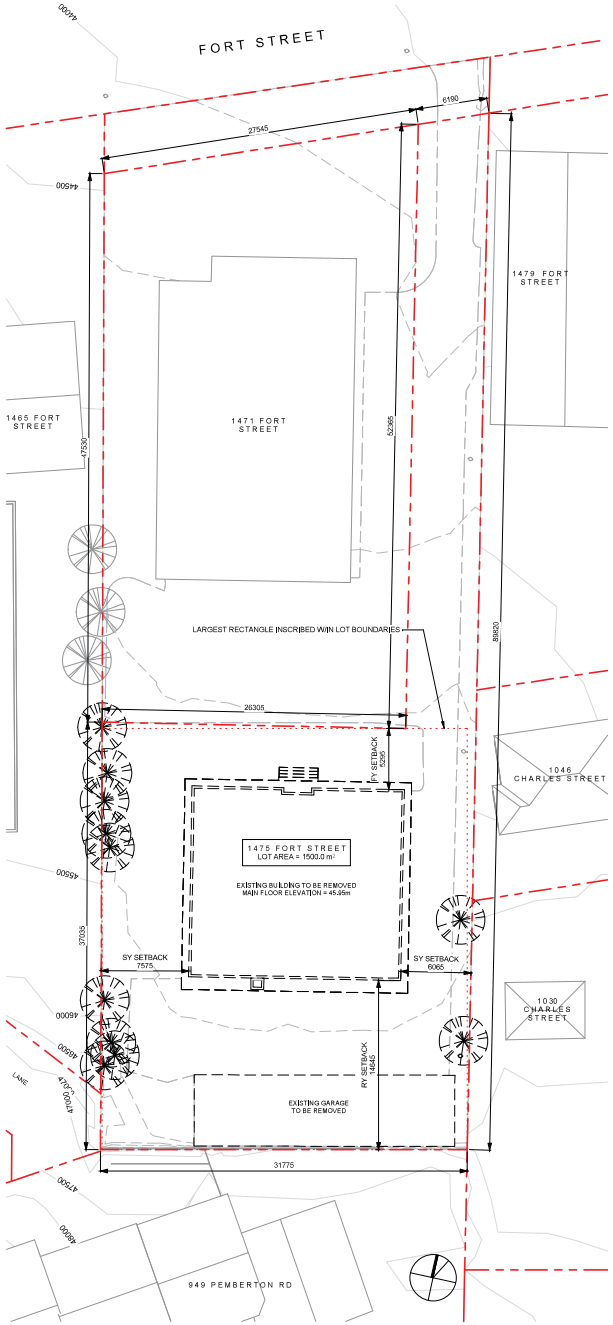
Scale
As indicated

Project #
1618

Revision
FEB 9, 2021
5

Sheet #
A004

4/30/2021 9:21:51 AM



1 SITE PLAN DEMOLITION
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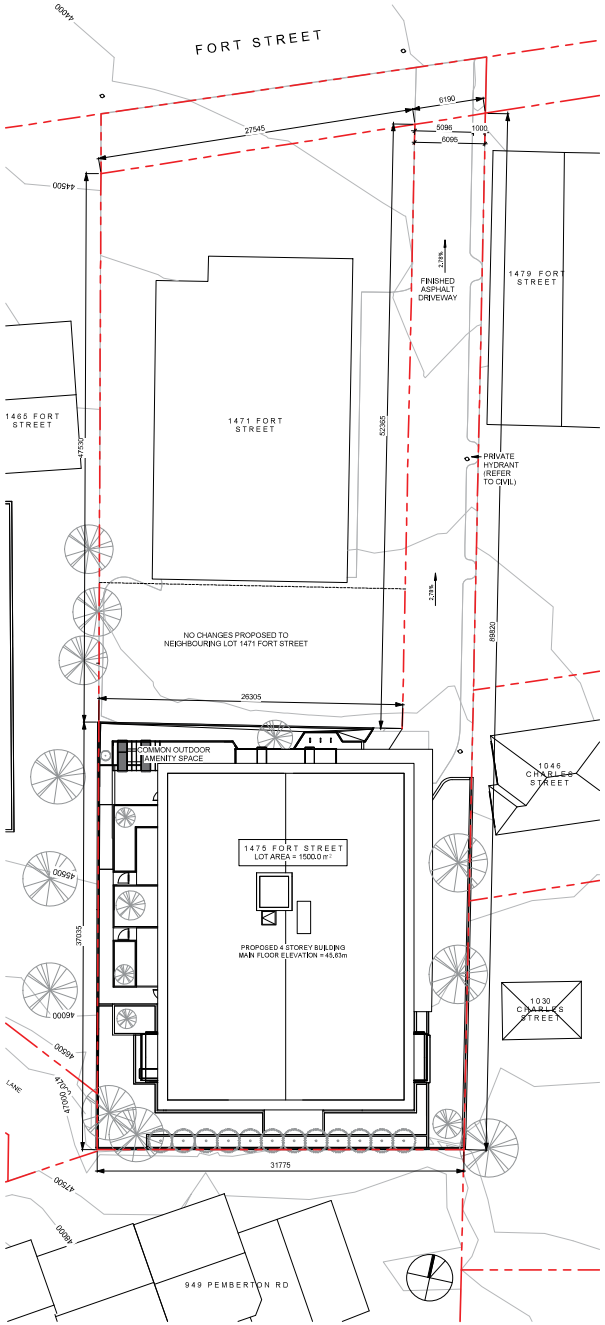

2 SITE PLAN PROPOSED
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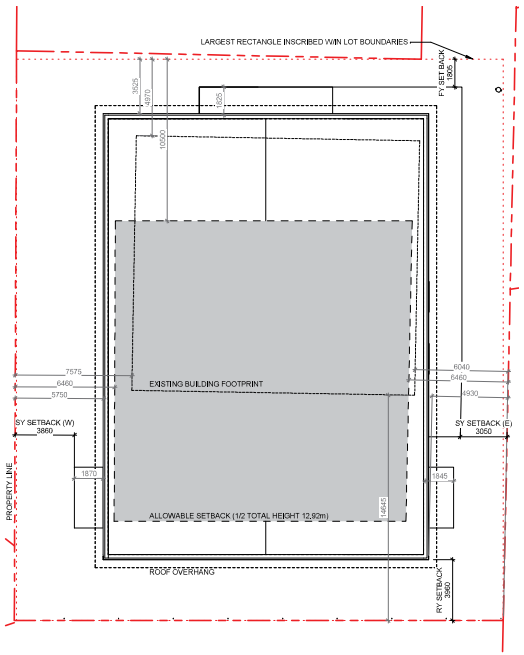

3 SETBACK DIAGRAM
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NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
2	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS 1475 Fort Street Victoria BC

Sheet Name
SITE PLANS - DEMOLITION & PROPOSED

Date
APRIL 29, 2021

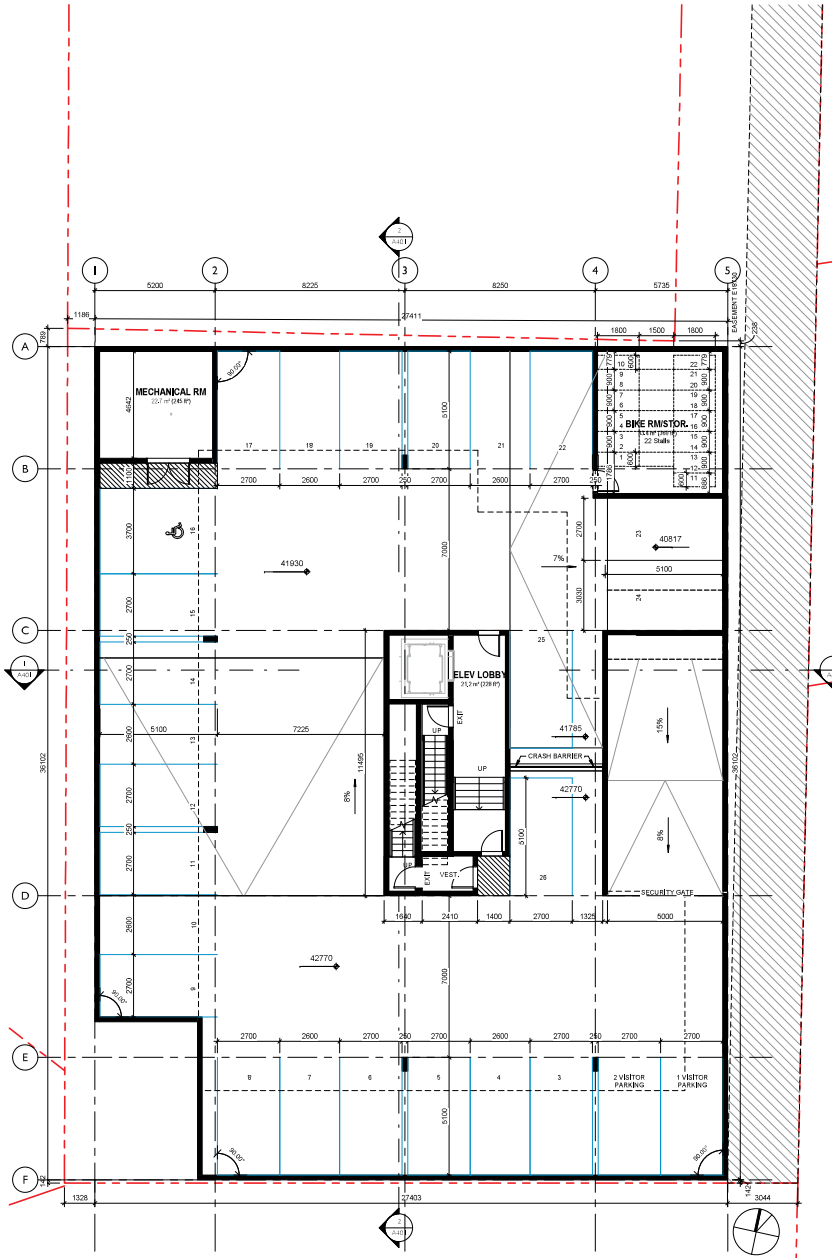
Scale
As indicated

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A101

4/30/2021 9:22:01 AM



1 PARKADE LEVEL
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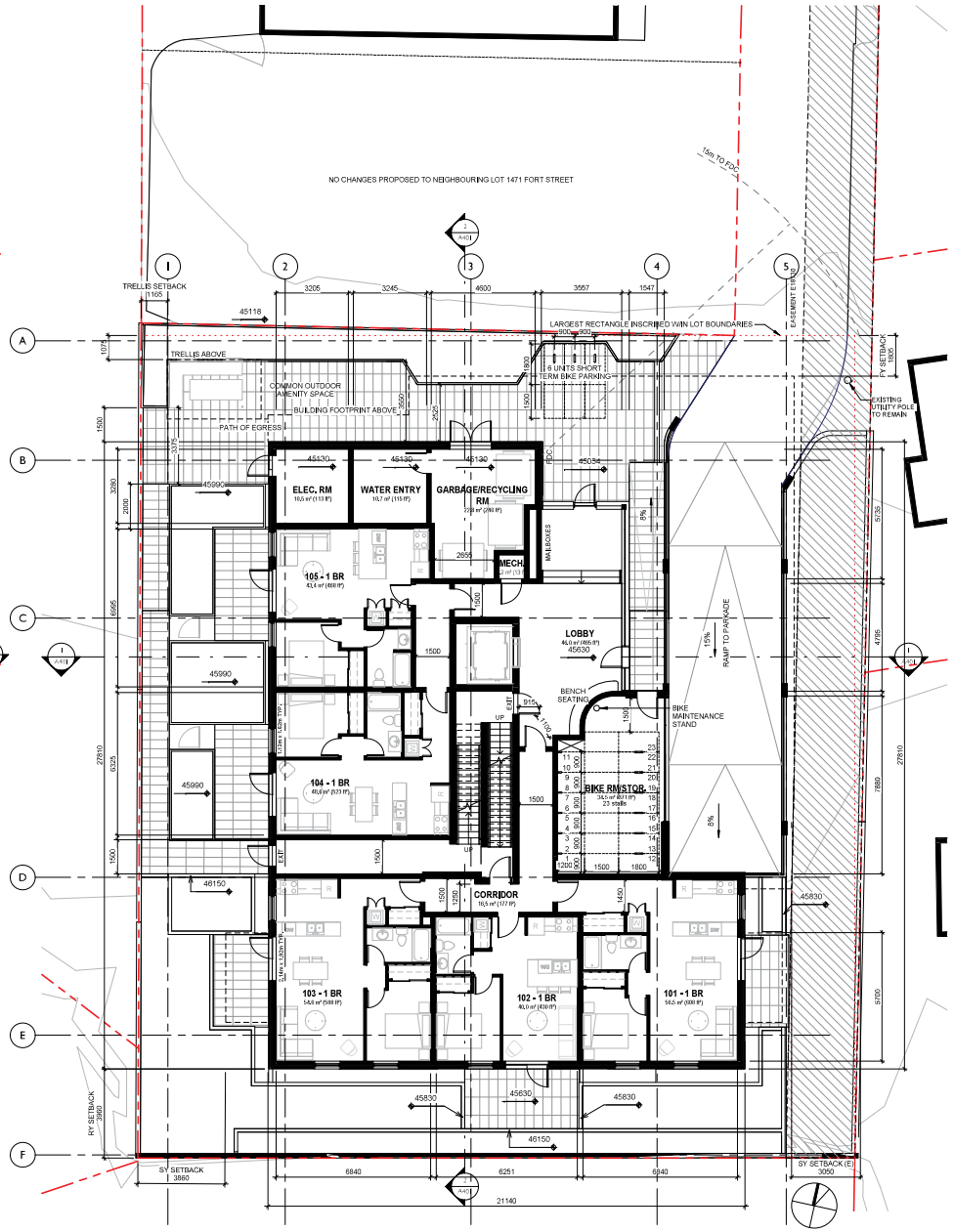

2 LEVEL 1
SCALE = 1 : 100

NO.	DESCRIPTION	DATE
5	DP Revision 2.2	FEB 9, 2021
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
2	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
FLOOR PLANS

Date
APRIL 29, 2021

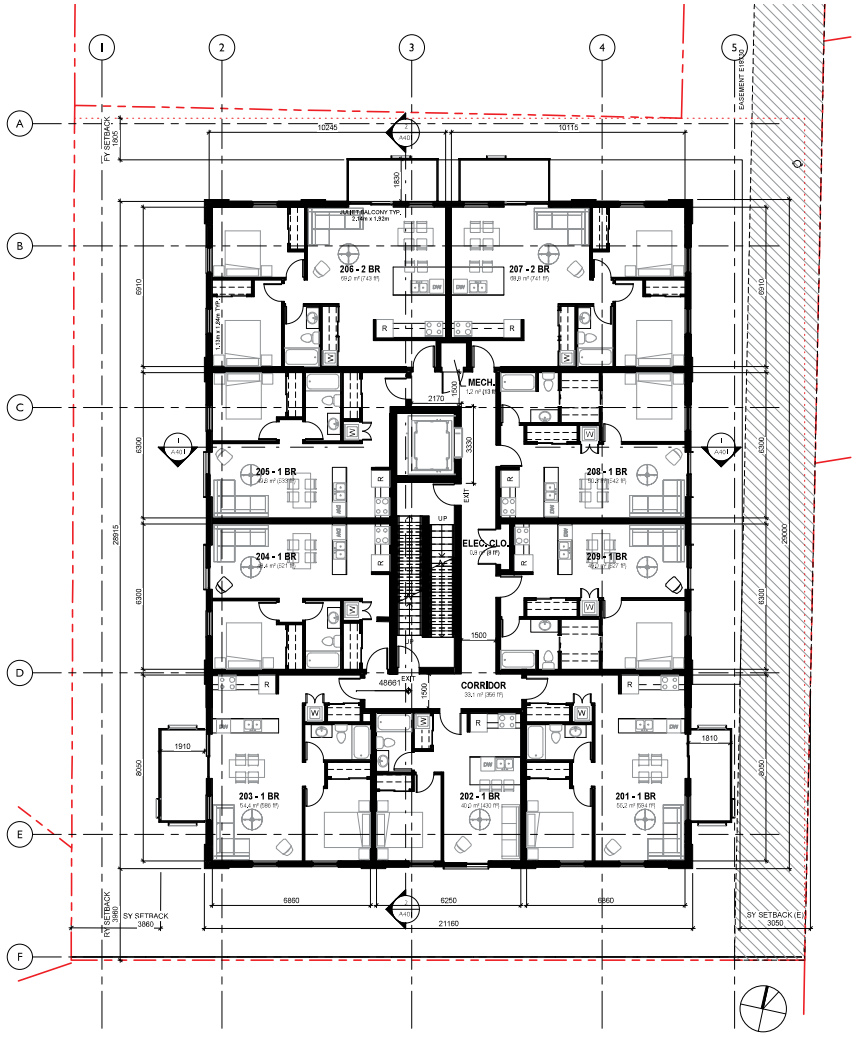
Scale
1 : 100

Project #
1618

Revision
FEB 9, 2021
5

Sheet #
A201

4/30/2021 9:22:12 AM



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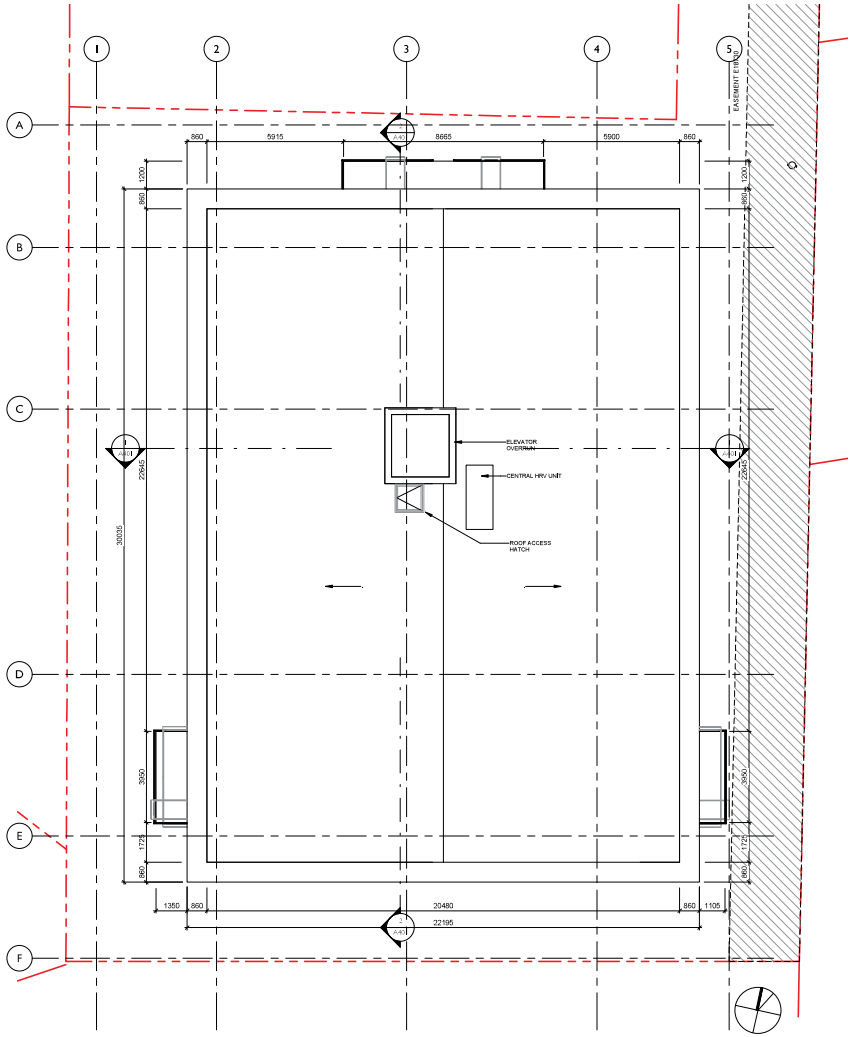

2 ROOF PLAN
SCALE = 1 : 100

NO.	DESCRIPTION	DATE
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
FLOOR PLANS

Date
APRIL 29, 2021

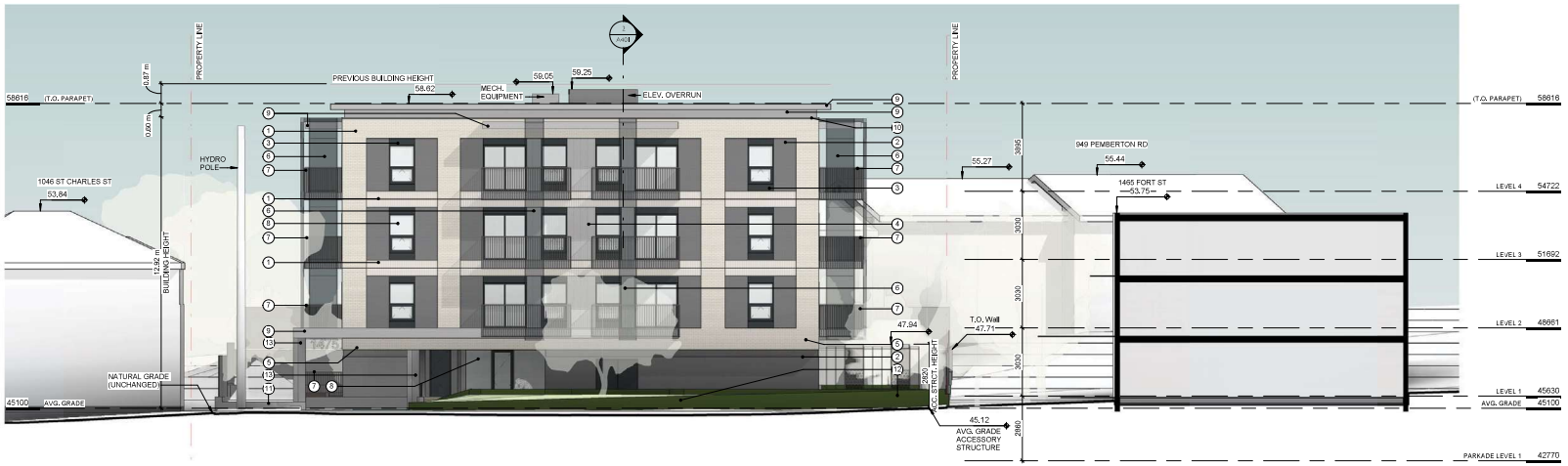
Scale
1 : 100

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A202

4/30/2021 9:22:18 AM



1 NORTH ELEVATION
SCALE = 1 : 100

2 EAST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
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10. PREFINISHED METAL CAP FLASHINGS (GREY)
11. ARCHITECTURAL CONCRETE
12. PREFINISHED ALUMINUM PLANTER (DARK GREEN)
13. PREFINISHED METAL CLAD COLUMN (GREY)

NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1.1	JUNE 12, 2020
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
ELEVATIONS

Date
APRIL 29, 2021

Scale
As indicated

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A301

4/30/2021 9:23:08 AM

1 SOUTH ELEVATION
SCALE = 1 : 100

2 WEST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
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NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1.1	JUNE 12, 2020
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
ELEVATIONS

Date
APRIL 29, 2021

Scale
As indicated

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
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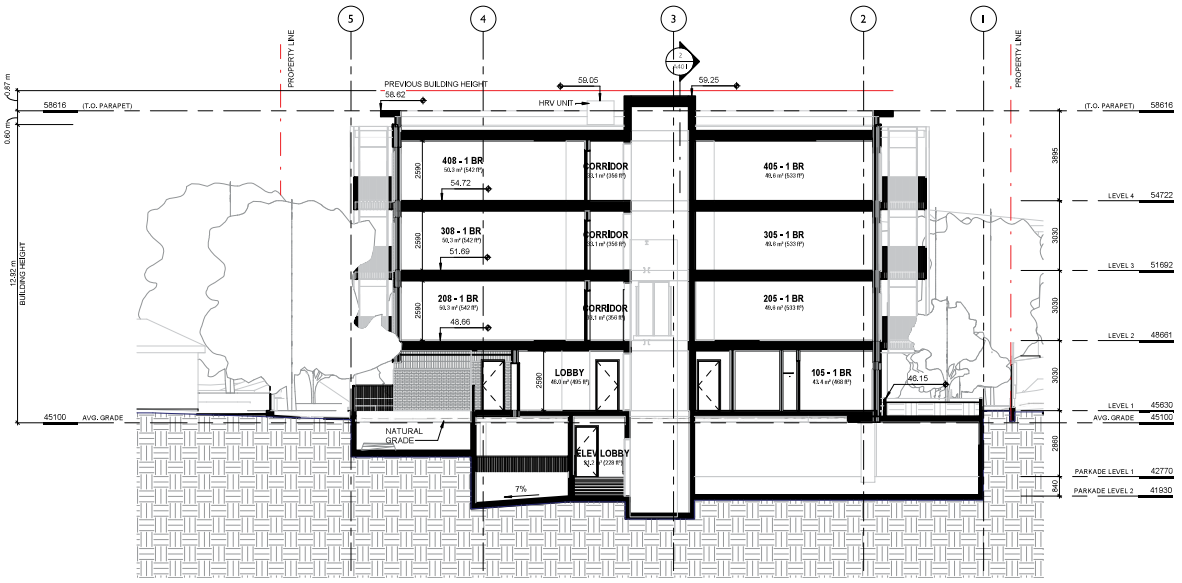

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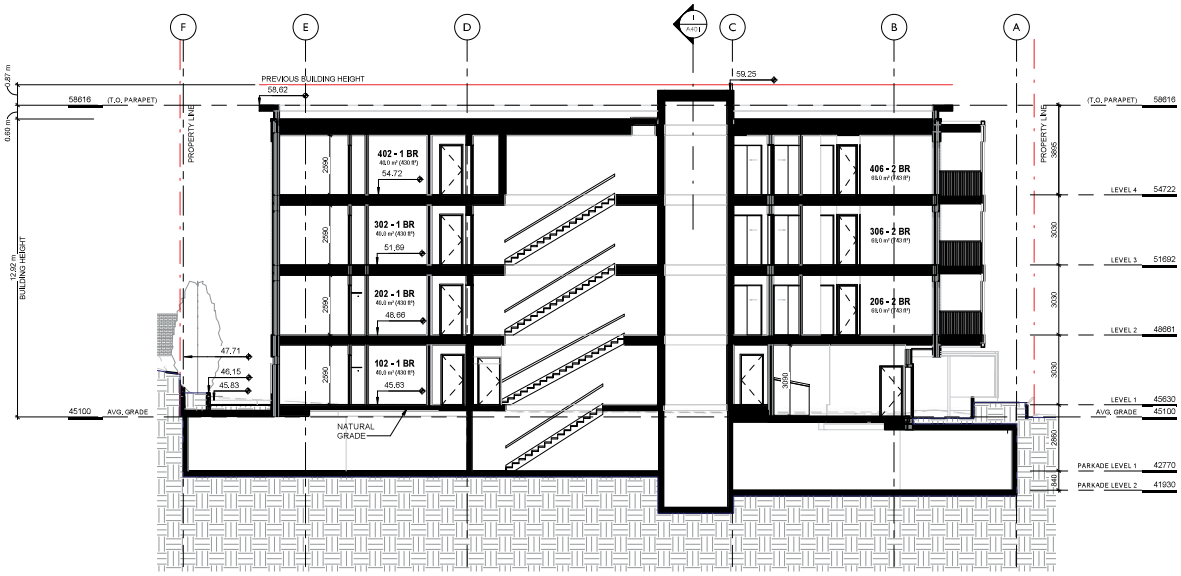

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NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 1475 Fort Street Victoria BC

Sheet Name
BUILDING + SITE SECTIONS

Date
APRIL 29, 2021

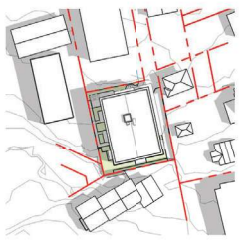
Scale
1 : 100

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A401

4/30/2021 9:24:15 AM



1 SUMMER SOLSTICE - 9AM
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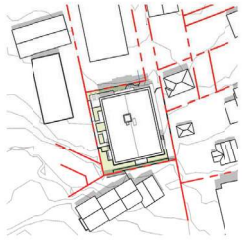

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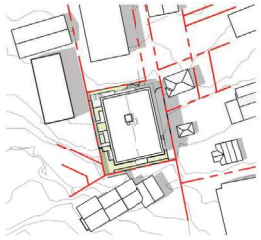

3 SUMMER SOLSTICE - 3PM
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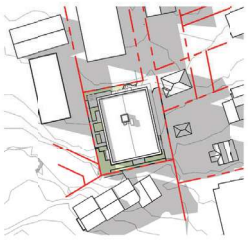

4 SUMMER SOLSTICE - 6PM
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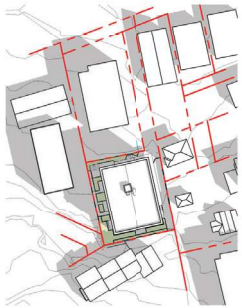

5 FALL EQUINOX - 9AM
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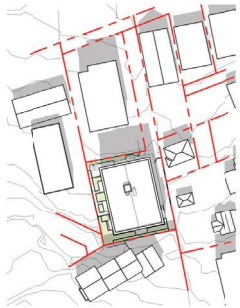

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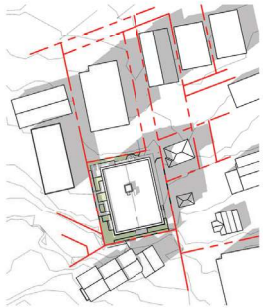

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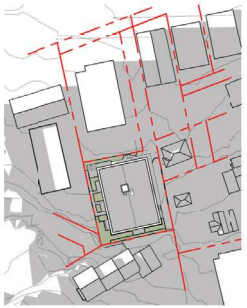

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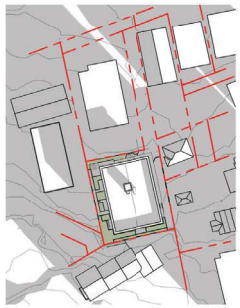

9 WINTER SOLSTICE - 9AM
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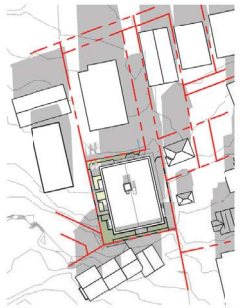

10 WINTER SOLSTICE - NOON
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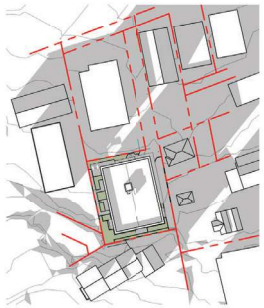

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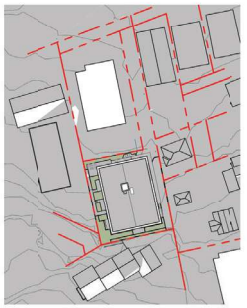

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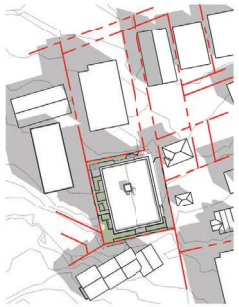
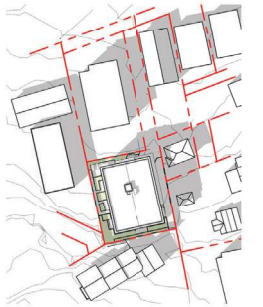
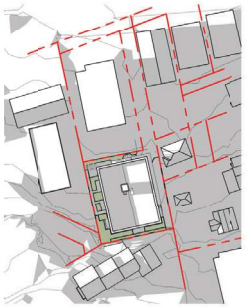


13 SPRING EQUINOX - 9AM
SCALE = 1 : 1000

14 SPRING EQUINOX - NOON
SCALE = 1 : 1000



15 SPRING EQUINOX - 3PM
SCALE = 1 : 1000



16 SPRING EQUINOX - 6PM
SCALE = 1 : 1000

NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
SHADOW STUDY

Date
APRIL 29, 2021

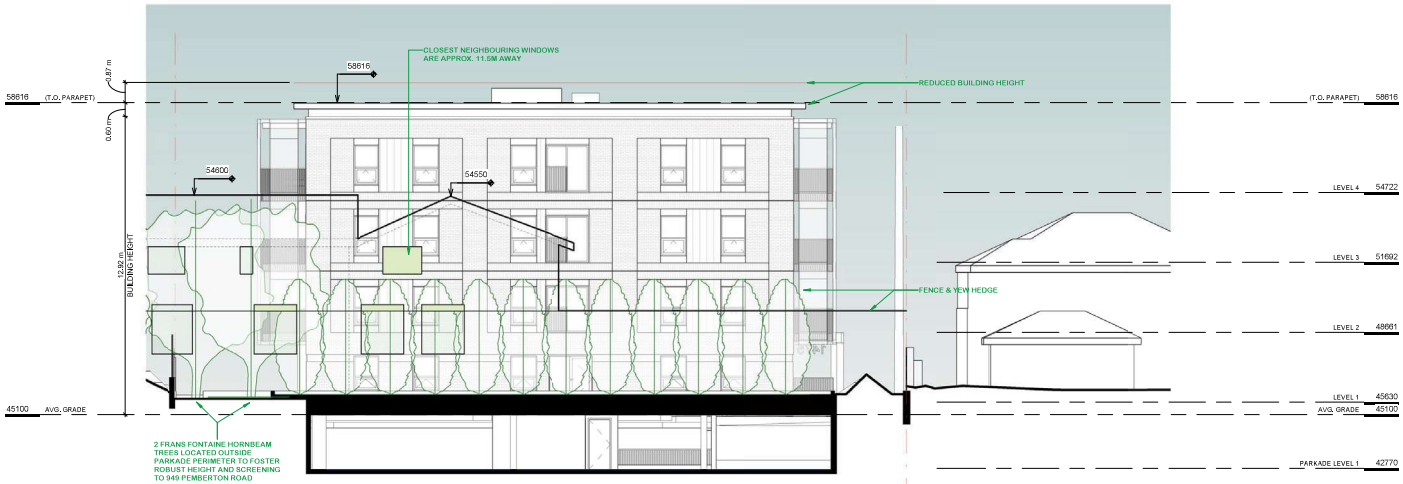
Scale
1 : 1000

Project #
1618

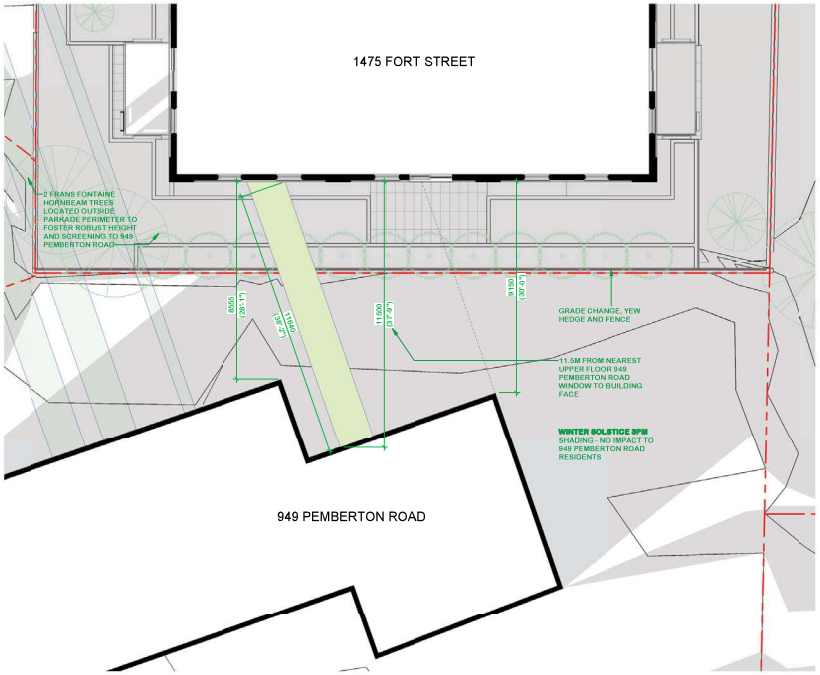
Revision
OCT 19, 2020
4

Sheet #
A501

4/30/2021 9:24:57 AM



1 949 PEMBERTON WINDOW OVERLAY ON SOUTH ELEVATION
SCALE = 1 : 100



2 949 PEMBERTON LEVEL 2 WINDOW OVERLAY
SCALE = 1 : 100

NOTE: 949 PEMBERTON ROAD WINDOW & DOOR LOCATIONS AND SIZES EXTRAPOLATED FROM SITE PHOTOGRAPH ABOVE

NO.	DESCRIPTION	DATE
6	DP Revision 2.3	APRIL 29, 2021

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Project
DP SUBMISSION REVISION 2.3
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 1475 Fort Street Victoria BC

Sheet Name
949 PEMBERTON ROAD WINDOW OVERLAY

Date
APRIL 29, 2021

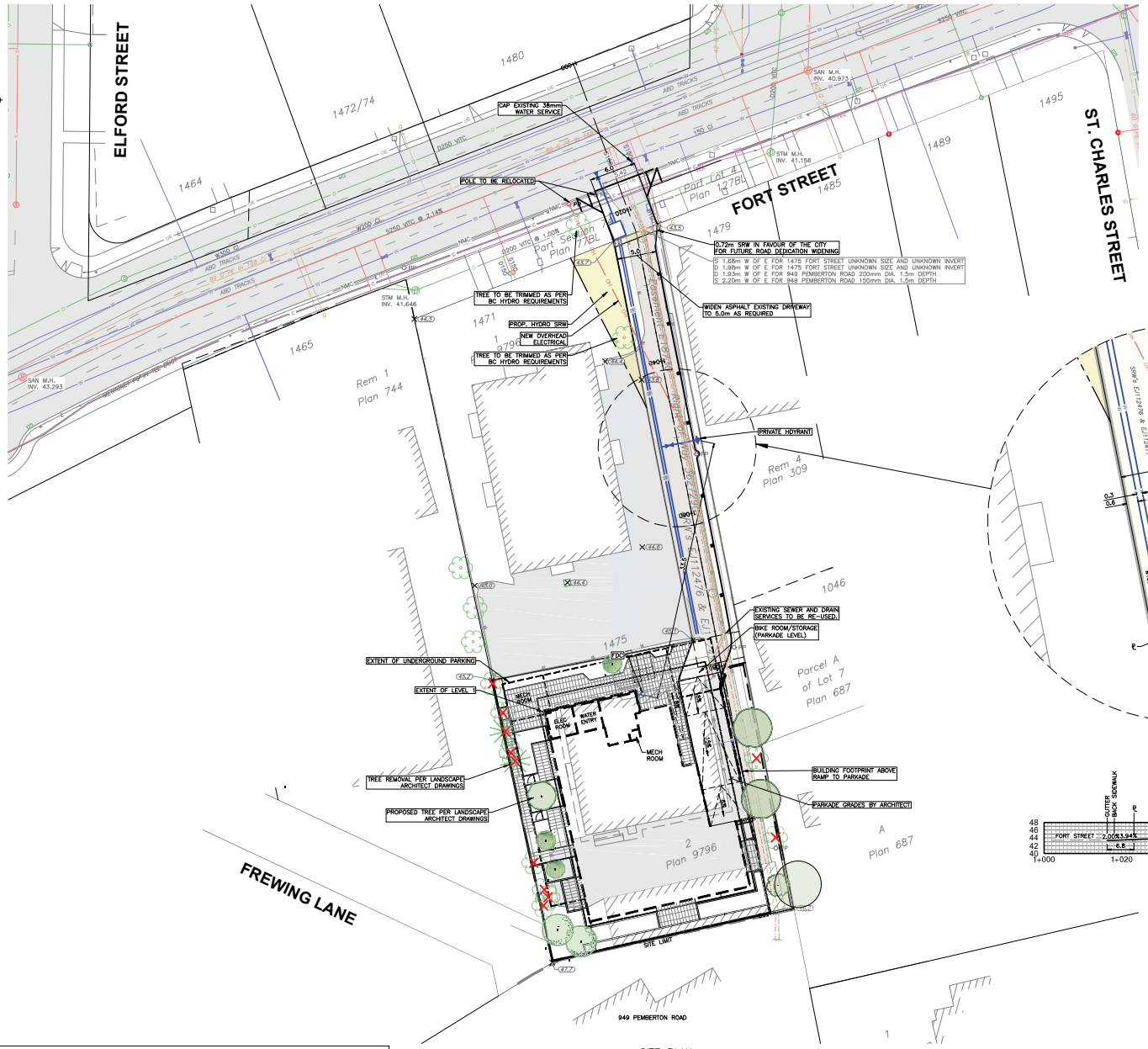
Scale
1 : 100

Project #
1618

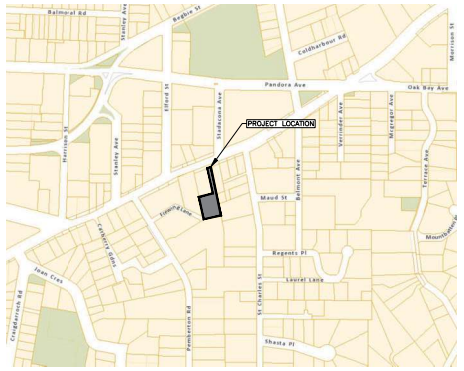
Revision
APRIL 29, 2021
6

Sheet #
A502

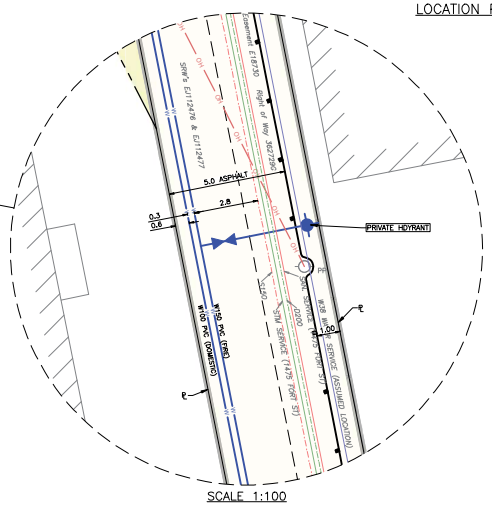
4/30/2021 9:25:06 AM



SITE PLAN
1:250



LOCATION PLAN



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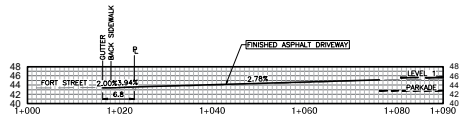


DRIVEWAY PROFILE
H 1:500
V 1:500

ISSUED FOR DEVELOPMENT PERMIT

FEBRUARY 10, 2021

V:_Projects\31821 – Lantern Properties – 1475 Fort\07 – Engineering\02 – Drawings & Sketches (Eng)\31821–Base.dwg Plot Date: February 10, 2021

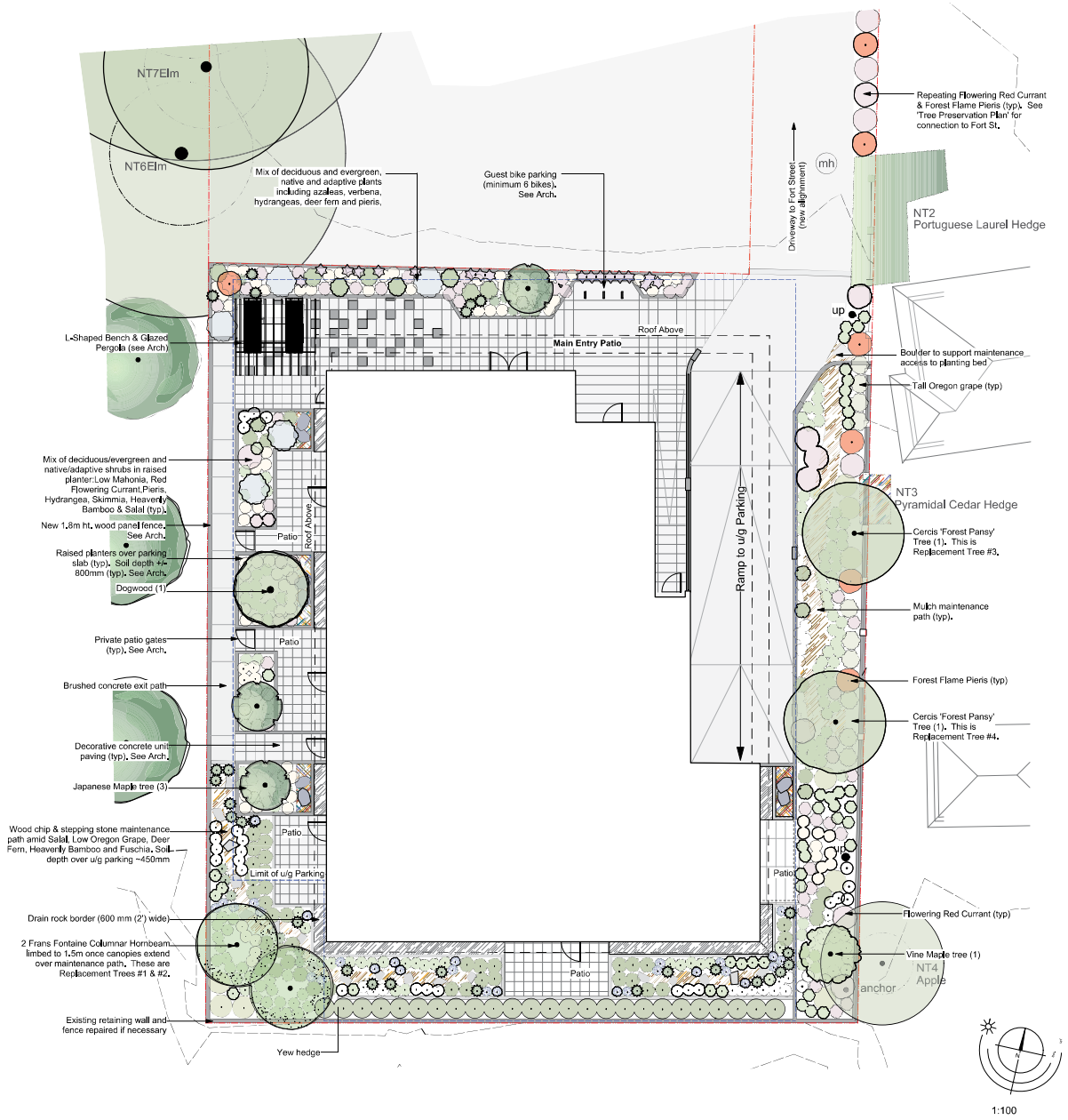
1475 FORT STREET CONCEPTUAL SITE SERVICING PLAN

Scale horiz. 1:250 Scale vert. N/A

Sheet 1 of 1

Eng. Project No. 31821

J E ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS
VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER
PHONE: 250-727-2214 FAX: 250-727-3395



Reference Images for Proposed Trees

'Forest Pansy' Redbud (early spring flowers)

Standard Green Japanese Maple

Milky Way Dogwood (late spring flowers)

Vine Maple (spring flowers and autumn samaras)

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AcC	1	Acer circinatum	Vine Maple	#15 pot; 2m ht min;
AcP	3	Acer palmatum	Japanese Maple	5cm cal
CaFF	2	Carpinus betulis 'Frans Fontaine'	Frans Fontaine Columnar Hornbeam	5cm cal
CJ	3	Cercidiphyllum japonicum	Katsura Tree	7cm cal.
CerFP	2	Cercis Canadensis 'Forest Pansy'	Forset Pansy Redbud	4cm cal. #15 pot
CorMW	1	Cornus kousa 'Milky Way'	Milky Way Dogwood	#20 pot

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
HyMB	7	Hydrangea macrophylla 'Blaumeise'	Teller Blue Lacecap Hydrangea	#7 pot
PiFF	12	Pieris 'Forest Flame'	Forest Flame Pieris	#7 pot
TaBaF	25	Taxus baccata 'Fastigiata'	Irish Yew	2m ht.

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
MaAq	10	Mahonia aquifolium	Tall Oregon Grape	#5 pot
RiSaKE	29	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#7 pot
SarR	6	Sarcococca ruscifolia	Sweet Box	#5 pot

Small Shrubs

ID	Quantity	Botanical Name	Common Name	Size
AzJH	8	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
GaSh	58	Gaultheria shallon	Salal	#1 pot
HyMTP	48	Hydrangea macrophylla 'Teller's Pink'	Teller's Pink Hydrangea	#3 pot
MaNe	187	Mahonia nervosa	Low Oregon Grape	#1 pot
NaHD		Nandina domestica 'Harbour Dwarf'	Harbour Dwarf Heavenly Bamboo	#2 pot
PiP	79	Pieris japonica 'Prelude'	Pieris 'Prelude'	#1 pot
SarR	3	Sarcococca ruscifolia	Sweet Box	#5 pot
SkJ	7	Skimmia japonica	Skimmia	#1 pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
BlS	48	Blechnum spicant	Deer Fern	#1 pot
FAH	29	Fuschia 'Alice Hoffman' (Hardy Fuschia)	Alice Hoffman Fuschia	#1 pot
VerB	18	Verbena bonariensis	Tall Verbena	#1 pot

Notes:
1. All work to be completed to current Canadian Landscape Standard
2. All soft landscape to be irrigated with an automatic irrigation system
3. LADR's work is limited to plant selections and soft landscape.
4. Four Replacement Trees are identified on this plan.

Rev C 210208 Trees revised in response to adjusted u/g parking

Rev B 201008 Planting revised to suit adjusted architecture, & in response to community comments.

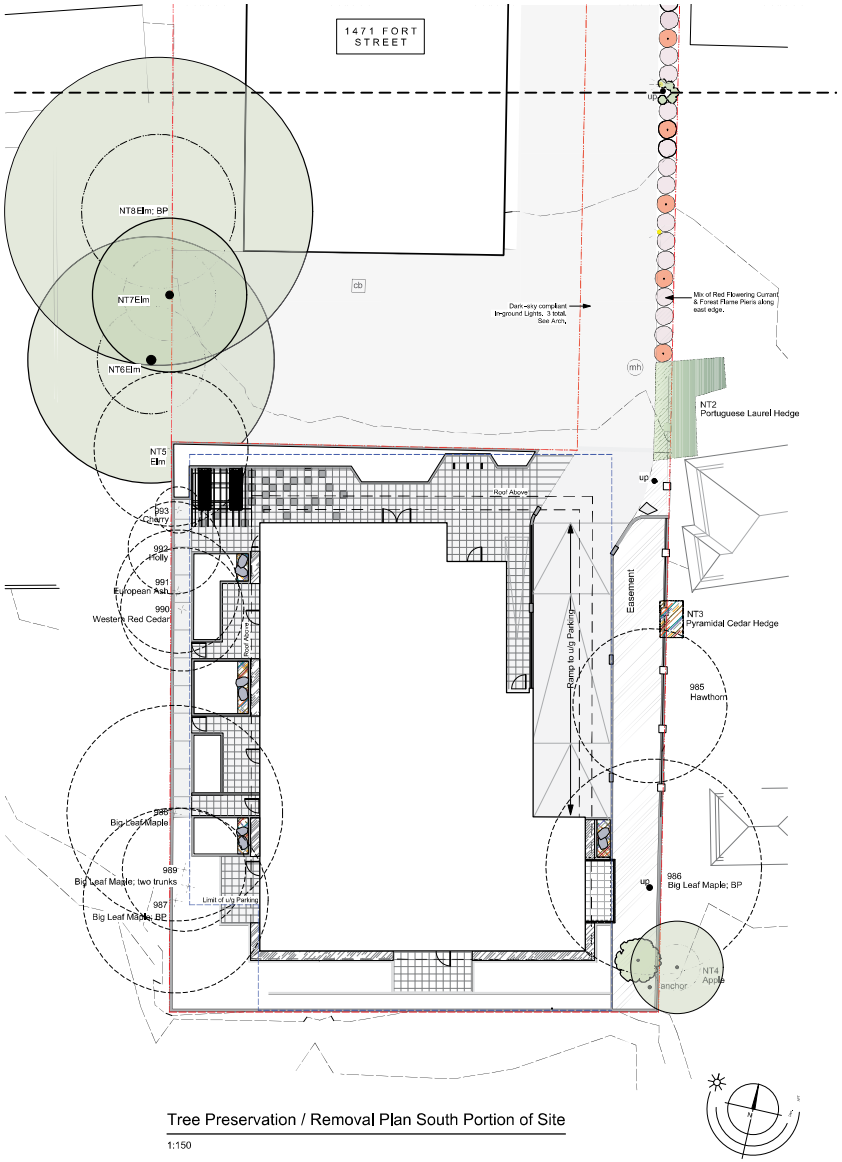
Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added.

1475 Fort St. - Landscape Concept Plan

LADR LANDSCAPE ARCHITECTS

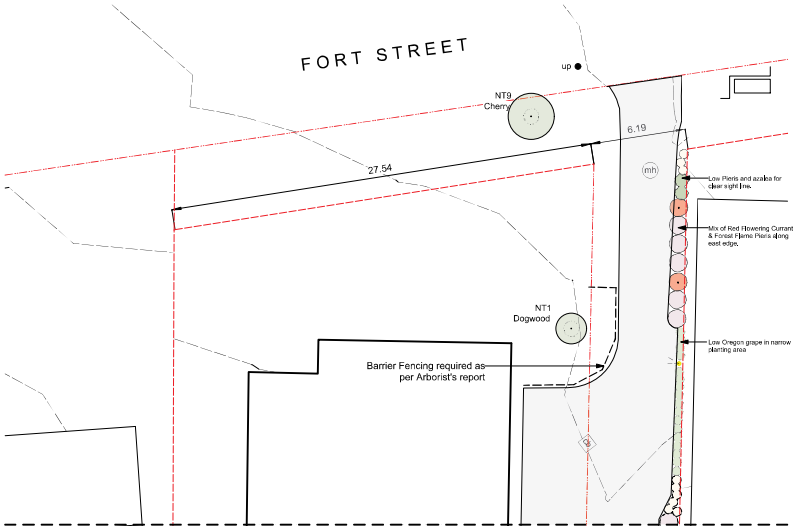
Project No: 1914 June 6, 2019

#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105



Tree Preservation / Removal Plan South Portion of Site

1:150



Tree Preservation / Removal Plan North Portion of Site

1:150

Tree Removal Key

- CRZ of Removed Tree (10 total)
- BP — By-law Protected (Removing 2; both on-site)
- CRZ of Retained Tree
- NT5 / 988 — Tree ID as per Arborist's Report
- Canopy of Retained Tree

Project Consulting Arborist is Graham Mackenzie at **Talbot Mackenzie and Associates**
Contact: 250-479-8733 Email: tmtreehelp@gmail.com

Tree Replacement Summary:

1) Two by-law protected trees, #986 and #987, are being removed (as per Arborist report). Four trees are required to replace the 2 by-law protected trees (2:1 replacement). they are identified on the Landscape Concept Plan.

2) Eight non-bylaw protected trees are being removed and replaced with 8 new trees.

3) One Bylaw protected tree, NT8, is being retained as per Arborist report.

4) Twelve new trees are proposed for this project (including Replacement Trees).

5) The following work to be supervised by the project Arborist:
Locating barrier (tree protection) fencing, locating work zones, supervising excavation within critical root zones of trees to be retained, and reviewing and advising of any pruning requirements for machine clearances.
Arborist to also review the arborist report with the site supervisor, prior to beginning work on site.

Rev D 210208 Trees revised in response to adjusted u/g parking

Rev C 201215 Notes around replacement trees revised.

Rev B 201008 Planting revised to suit adjusted architecture, & in response to community comments.

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Tree Preservation Plan

LADR LANDSCAPE ARCHITECTS

#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019

F.1.a.d 1475 Fort Street: Update on Development Permit with Variances Application No. 00120 (Rockland)

Moved By Councillor Potts
Seconded By Councillor Alto

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development
b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.
d. An agreement to secure sixteen car share memberships, to the satisfaction of the Director of Engineering and Public Works

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped October 19, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 12.92 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
    v. reduce the rear setback from 6.46 metres to 3.96 metres;
    vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
    vii. reduce the west side yard setback from 6.46 metres to 3.86 metres(balconies) and 5.75 metres (building);
    viii. increase the site coverage from 40 percent to 47 percent;
    ix. allow for an accessory structure to be located in the front yard rather than the rear yard.

3. Final plans generally in accordance with the plans date stamped October 19, 2020 with the following revisions:
    i. changes to the panhandle driveway to comply with the Highway Access Bylaw and BC Building Code requirements, to the satisfaction of the Director of Engineering and Public Works
    ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution."

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That this matter be referred to staff to work with the applicant to address concerns around privacy and tree removal.

Council discussed the following:

- *Input recent received from the public*
- *Rental applications in the city*

FOR (4): Councillor Thornton-Joe, Councillor Dubow, Councillor Isitt, Councillor Young
OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Loveday

DEFEATED (4 to 5)

On the main motion:

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Potts, Councillor Loveday
OPPOSED (3): Councillor Thornton-Joe, Councillor Isitt, Councillor Young

CARRIED (6 to 3)

F.1.a.d 1475 Fort Street: Update on Development Permit with Variances Application No. 00120 (Rockland)

Moved By Councillor Potts
Seconded By Councillor Alto

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

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ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities

4. The Development Permit lapsing two years from the date of this resolution."

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That this matter be referred to staff to work with the applicant to address concerns around privacy and tree removal.

Council discussed the following:

- *Input recent received from the public*
- *Rental applications in the city*

FOR (4): Councillor Thornton-Joe, Councillor Dubow, Councillor Isitt, Councillor Young
OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Loveday

DEFEATED (4 to 5)

On the main motion:

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Potts, Councillor Loveday
OPPOSED (3): Councillor Thornton-Joe, Councillor Isitt, Councillor Young

CARRIED (6 to 3)

E. LAND USE MATTERS

E.1 1475 Fort Street: Update on Development Permit with Variances Application No. 00120 (Rockland)

Committee received a report dated January 14, 2021 from the Director of Sustainable Planning and Community Development regarding a proposal to construct a four-storey residential rental building with multiple units on an existing panhandle lot.

Committee discussed:

- *Concerns with the loss of tree canopy for parking*
- *Concerns with City parking requirements*
- *Concerns with the number of variances in this application.*
- *The benefits of making changes to the application before it proceeds to Opportunity for Public Comment.*
- *Concerns with the size of the application for the site.*

Moved By Mayor Helps
Seconded By Councillor Andrew

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

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That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

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   ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution."

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 2)

Councillor Isitt returned to the meeting at 10:16 a.m.

Committee recessed at 10:16 a.m. and returned at 10:19 a.m.

Councillor Loveday joined the meeting at 10:19 a.m.

Committee of the Whole Report
For the Meeting of January 28, 2021

To:	Committee of the Whole	**Date:**	January 14, 2021
From:	Karen Hoese, Director, Sustainable Planning and Community Development		
Subject:	**Update on Development Permit with Variances Application No. 00120 for 1475 Fort Street**		

RECOMMENDATION

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

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    iv. reduce the front setback from 10.5 metres to **1.81 metres (entrance canopy) and 3.53 metres (building);**
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    vi. reduce the east side yard setback from **6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);**
    vii. reduce the west side yard setback from **6.46 metres to 3.86 metres**

(balconies) and 5.75 metres (building);

viii. increase the site coverage from 40 percent to 47 percent;

ix. allow for an accessory structure to be located in the front yard rather than the rear yard.

3. Final plans generally in accordance with the plans date stamped October 19, 2020 with the following revisions:

    a. changes to the panhandle driveway to comply with the *Highway Access Bylaw* and *BC Building Code* requirements, to the satisfaction of the Director of Engineering and Public Works

    b. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities

4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with updated information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1475 Fort Street. The proposal is to construct a four-storey residential rental building with multiple units on an existing panhandle lot. The variances are related to increased site coverage and height, reduced parking and setbacks, and siting of an accessory structure.

BACKGROUND

On June 11, 2020, Council passed a motion (attached) moving this Development Permit with Variances Application forward to an opportunity for public comment subject to specific conditions, which included undertaking consultation and reporting back to Committee of the Whole on the results of the consultation and any changes to the proposal.

UPDATE

Community Consultation

The Council motion directed the applicant to participate in a CALUC community meeting that included mailed notices to all owners and residents within 50 metres of the subject property. Given that in-person CALUC community meetings are not currently taking place, consultation was completed in accordance with the temporary online consultation process by mailing notices out to owners and residents within 50 metres of the site with instructions to view the proposal on the Development Tracker and provide feedback through the online comment form (see attached feedback). In addition, the applicant hosted an online community meeting on September 9, 2020 to share information about the proposal and gather feedback (minutes attached).

Following the consultation, the applicant has submitted revised plans that include changes to the building height and landscaping.

Building Height

As indicated in the applicant's letter to Mayor and Council dated October 19, 2020, the building height has been lowered by 1.47m from 14.39m to 12.92m. The reduction is due in part to an exemption of the parapet height (0.6m) which is consistent with the standard method for measuring height under the *Zoning Regulation Bylaw*. The remaining 0.87m reduction was achieved by reducing the floor-to-floor heights on each level.

The reduced height has also resulted in a change to the required side and rear setbacks, which are measured as half the building height (6.46m). The requested setback variances have been updated in the revised motion to reflect this change.

Data Table

The following data table compares the previous proposal and the current proposal with the existing R3-AM-2 Zone, Mid-Rise Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Current Proposal	Previous Proposal	R3-AM-2 Zone
Site area (m^2) – minimum	1500	1500	920
Density (Floor Space Ratio) – maximum	1.43:1	1.43:1	1.6:1
Total floor area (m^2) – maximum	2139.29	2139.29	N/A
Lot width (m) – minimum	31.78	31.78	N/A
Height (m) – maximum	**12.92***	**14.39***	12.00
Storeys – maximum	4	4	4

Zoning Criteria	Current Proposal	Previous Proposal	R3-AM-2 Zone
Site coverage (%) – maximum	**47***	**47***	40
Open site space (%) – minimum	38	38	30
Setbacks (m) – minimum			
Front (north)	**1.81*** **(entrance canopy)** **3.53** **(building)**	**1.81*** **(entrance canopy)** **3.53** **(building)**	10.50
Rear (south)	**3.96***	**3.96***	6.46 (1/2 building height)
Side (east)	**3.05*** **(entrance canopy and balconies)** **4.93** **(building)**	**3.05*** **(entrance canopy and balconies)** **4.93** **(building)**	6.46 (1/2 building height)
Side (west)	**3.86*** **(balconies)** **5.75** **(building)**	**3.86*** **(balconies)** **5.75** **(building)**	6.46 (1/2 building height)
Parking – minimum	**26***	**26***	45 31 (Schedule C for rental building)
Visitor parking included in the overall units – minimum	**2***	**2***	3
Bicycle parking stalls – minimums			
Short Term	6	6	6
Long Term	45	45	39

Landscaping

The design guidelines support site planning that responds to the physical characteristics of the site and adjacent properties. There are nine mature trees located along the west property line that provide visual screening and add to the character of the area. These trees are proposed for removal to accommodate underground parking for the building. The roof of the parkade would be landscaped with a mix of shrubs and ornamental trees.

With the revised plans, the perimeter path on the south side of the property was removed and the ground floor patios were reduced in size to provide a larger area for landscaping. A raised planter with a yew hedge is now proposed along the south property line to help provide some screening with adjacent properties. A deeper raised planter is proposed at the southwest corner to accommodate a medium sized canopy tree which will also provide screening as well as visual interest. Both of the raised planters are located above the underground parking structure,

therefore, the tree and hedge would likely be impacted or removed during any future maintenance work to the parkade roof.

Staff have encouraged the applicant to consider reducing the parkade footprint to allow for retention of trees and/or provide better planting conditions for replacement trees that could help mitigate the impact of the site coverage, building height and setback variances. Retaining trees or adding new trees that can grow to full maturity by having access to greater soil depth would reduce privacy impacts by providing screening and would help to soften the visual appearance of the building. They would also help achieve the City's goals of protecting and enhancing the urban tree canopy, which provides ecological services such as wildlife habitat, storm water management and reducing urban heat island effects. However, the applicant has chosen not to pursue a reduction in the parking due to a perceived market demand for on-site parking.

Two of the previously proposed trees on the east side of the property have been removed to avoid impacting the neighbour's existing servicing connections within the existing easement area.

Lastly, the location of new trees on 1465 Fort Street are now shown on the Landscape Plan; however, these have been labelled incorrectly as replacement trees for the two bylaw protected trees that are proposed to be removed from the subject site. This is problematic because the *Tree Preservation Bylaw* requires replacement trees to be planted on the same property where the bylaw protected tree was removed; therefore, in order to comply with the bylaw, the plans will have to be amended to show four replacement trees on the subject site. Should Council choose to approve this Development Permit with Variance Application the appropriate language has been added to the recommended motion to deal with the Plan revision prior to issuing the permit.

Parking

The parking requirements for this site are embedded in the R3-AM-2 Zone, which requires 1.3 stalls per dwelling unit plus 0.1 visitor stalls per unit for a total of 45 parking stalls. However, when assessed against Schedule C of the *Zoning Regulation Bylaw*, which was updated in 2018 and now correlates parking requirements to location (Core, Village/Centre or Other Area), as well as, tenure and unit size, the parking requirement for this site, located in "Other Area", would be 31 stalls.

A Parking Study, dated September 12, 2019, was provided with this Application. Given the site is within close proximity to Stadacona Village, the study recommends assessing the proposal against the Schedule C parking requirements for "Village/Centre". This would result in a parking requirement of 25 stalls, one less than the proposed 26 stalls. Fort Street is also a frequent transit corridor and All Ages and Abilities (AAA) bikeway so there is a strong rationale for supporting a larger parking variance for this proposal.

It is acknowledged that reducing the parkade footprint would result in an increase in the parking variance; however, with the right combination of Transportation Demand Management measures this could be supportable. Despite these considerations, the applicant wishes to proceed with the proposed application that includes 26 parking stalls.

CONCLUSIONS

The applicant has undertaken community consultation in accordance with Council's motion and made modifications to the proposal to reduce the impact on adjacent properties. Therefore, it is

recommended that the application proceed to an opportunity for public comment.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00120 for the property located at 1475 Fort Street.

Respectfully submitted,

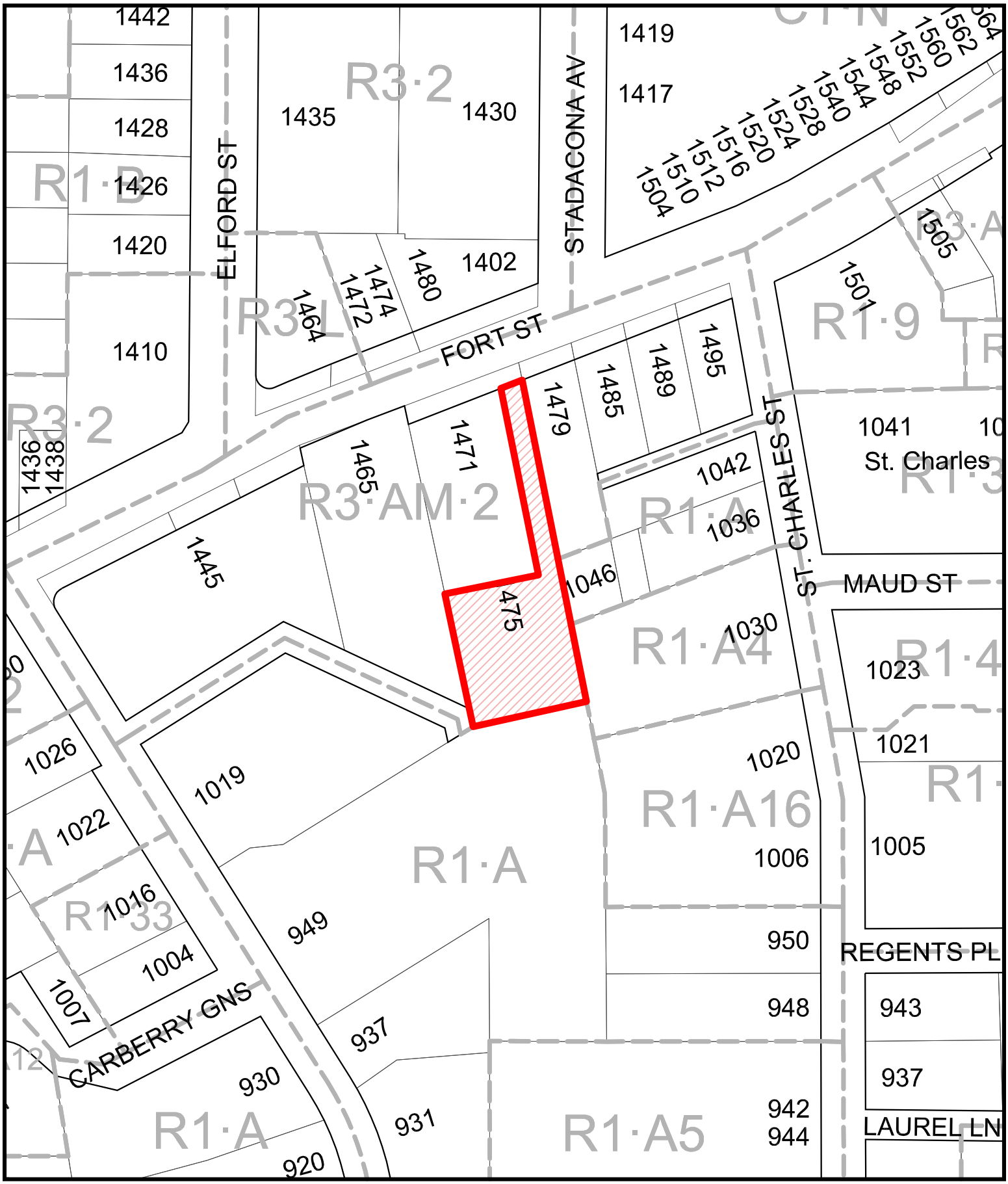
Alec Johnston
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A — Subject Map
- Attachment B — Aerial Map
- Attachment C — Plans date stamped December 16, 2020
- Attachment D — Letters from the applicant to Mayor and Council dated October 19, 2020
- Attachment E — Online comment forms
- Attachment F — Minutes of September 9, 2020 community meeting
- Attachment G — Staff report and attachments presented at the May 28, 2020 Committee of the Whole meeting
- Attachment H — May 28, 2020 Committee of the Whole meeting minutes
- Attachment I — June 11, 2020 Council meeting minutes
- Attachment J — Parking Impact Assessment dated September 12, 2019



N

1475 Fort Street
Development Permit with Variance #00120

CITY OF VICTORIA

N

1475 Fort Street

Development Permit with Variance #00120

CITY OF VICTORIA

ATTACHMENT C

CITY OF VICTORIA

Revisions

Received Date: December 16, 2020

1475 FORT STREET - HADERA APARTMENTS

VIEW FROM FREWING LANE

DRAWING LIST:

Architectural	
A000	COVER
A001	SURVEY + PROJECT DATA
A002	BUILDING CODE REVIEW
A003	3D VIEWS
A004	MATERIALS
A101	SITE PLANS - DEMOLITION & PROPOSED
A201	FLOOR PLANS
A202	FLOOR PLANS
A301	ELEVATIONS
A302	ELEVATIONS
A401	BUILDING + SITE SECTIONS
A501	SHADOW STUDY
Civil	
C-1	CONCEPTUAL SITE SERVICING PLAN
Landscape	
L-1	LANDSCAPE CONCEPT PLAN
L-2	TREE PRESERVATION PLAN

APPLICANT:
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LANTERN PROPERTIES LTD

DP SUBMISSION REVISION 2.1

DECEMBER 15, 2020

Project #	Date
1618	DECEMBER 15, 2020
Sheet #	Revision
A000	2 SEPT 15, 2019

CASCADIA ARCHITECTS INC
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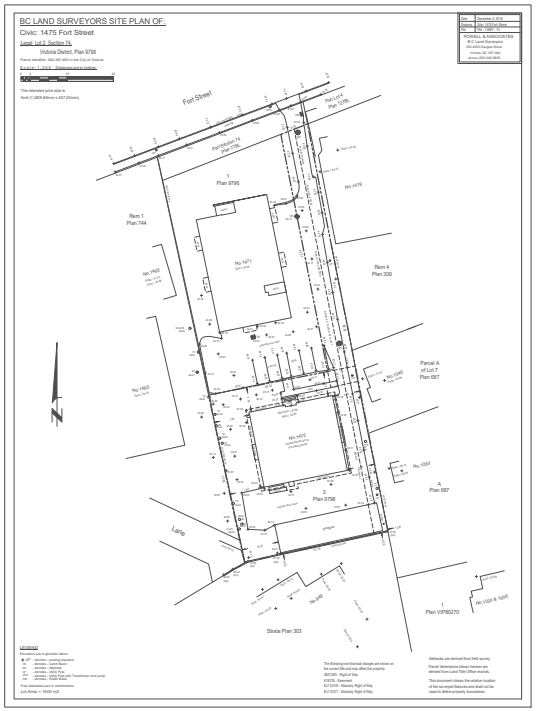
BC LAND SURVEYORS SITE PLAN OF:
Civic: 1475 Fort Street
Legal: Lot 2 Section 74
Victoria District, Plan 9796
Fort Street
Plan 9796
Plan 744
Plan 309
Plan 687
Plan VIP92270
Strata Plan 303
Lane
No. 1475
No. 1471
No. 1469
No. 1463
No. 1045
No. 1049
No. 1055
No. 1059
No. 1061
No. 1065
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No. 1109
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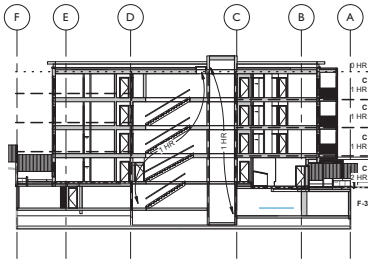
No. 1219
No.



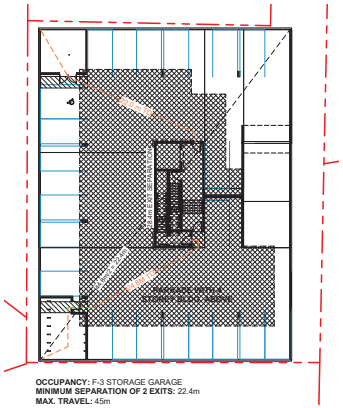
3.1.2.1 CLASSIFICATION OF BUILDING:
BUILDING TYPE: 4 STOREYS, DWELLING UNITS W/ UNDERGROUND PARKADE
STOREY 1 THROUGH 4: GROUP C (DWELLING UNITS)
UNDERGROUND: F-3 STORAGE GARAGE

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
COMBUSTIBLE CONSTRUCTION
FLOOR ASSEMBLIES: 1 hr
LOAD BEARING WALLS, COLUMNS, & ARCHES: 1 hr
MEZZANINES: 1 hr (N/A)
ROOF ASSEMBLIES: 0 hr

3.5.3.1. ELEVATOR HOISTWAYS
1 hr FRR as per TABLE 3.5.3.1.

3.2.1.2. STORAGE GARAGE CONSIDERED AS A SEPARATE BUILDING
2 hr FRR as per 3.2.1.2.1

8 CODE REVIEW - BUILDING SECTION
SCALE = 1 : 250



OCCUPANCY: F-3 STORAGE GARAGE
MINIMUM SEPARATION OF 2 EXITS: 22.4m
MAX. TRAVEL: 45m

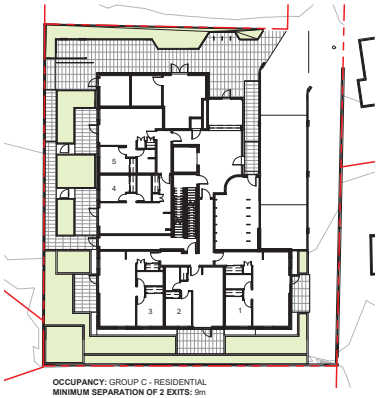
Net Area: 904 m²
Storage Garage: 46 sq.m/person
904/46 = 20 people

OCCUPANT LOAD: 20 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 20 = 160mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 20 = 122mm

1 CODE REVIEW PARKADE LEVEL
SCALE = 1 : 250



OCCUPANCY: GROUP C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

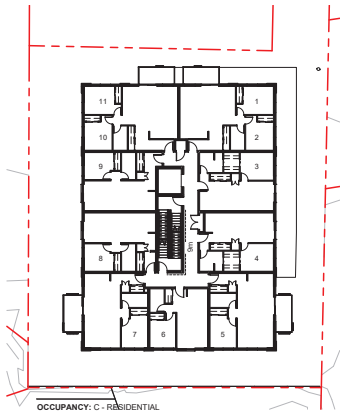
5 Bedrooms x 2 people/bedroom = 10 people

OCCUPANT LOAD: 10 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 10 = 80mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 10 = 61mm

2 CODE REVIEW LEVEL 1
SCALE = 1 : 250



OCCUPANCY: C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

11 bedrooms x 2 people/bedroom = 22 people

OCCUPANT LOAD: 22 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 22 = 176mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 22 = 134mm

3 CODE REVIEW 2/3/4 TYPICAL
SCALE = 1 : 250

BUILDING CODE REVIEW:

BUILDING CODE ANALYSIS:

REFERENCED DOCUMENT:
British Columbia Building Code 2018, Part 3

SECTION 3.1. GENERAL:

3.1.2.1. CLASSIFICATION OF BUILDINGS:
Group C: Residential Occupancy Levels 1-4
Group F-3: Low-Hazard Industrial Occupancy 1 Level (U/G)

3.2.1.2. STORAGE GARAGE CONSIDERED AS SEPARATE BUILDING:
2 hr FRR required as per 3.2.1.2.1

3.1.17. OCCUPANT LOAD:
See Code Review Plans A002

SECTION 3.2. BUILDING FIRE SAFETY:
Parkade Level:
Gross Floor Area: 904 m²

Level 1: 412 m²
Level 2/3/4: (3x) 544 m²
Gross Floor Area: 2,044 m²

Building Area: 544 m²

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
- Maximum allowable building area not more than 1,800 m²
- Combustible construction
- Floor assemblies not less than 1hr
- Sprinklered - YES

3.2.3. SPATIAL SEPARATION AND EXPOSURE PROTECTION *(Table 3.2.3.1.-D)*
See Limiting Distance Key Elevations A002

SECTION 3.3. SAFETY WITHIN FLOOR AREAS:

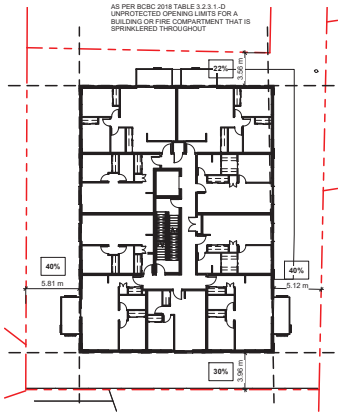
3.3.4.2. FIRE SEPARATIONS
Suites of residential occupancy shall be separated from each other and the remainder of the building by a fire separation having a fire resistance rating not less than 1hr

SECTION 3.4. EXITS:

3.4.2.1 MINIMUM NUMBER OF EXITS
Minimum number of exits: 2 per floor

3.4.2.5 LOCATION OF EXITS:
Max. Travel Permitted (residential use): 30m
Max. Travel Permitted (F3 use): 45m

3.4.2.3. DISTANCE BETWEEN EXITS
one half the maximum diagonal dimension of the floor area, but need not be more than 9m for a floor area having a public corridor.



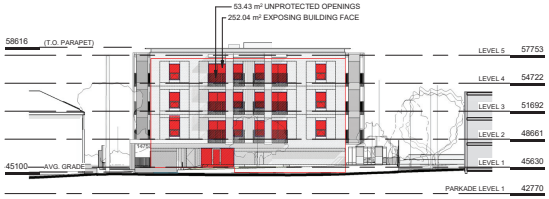
9 CODE REVIEW - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: 98.67 m² /
EXPOSING BUILDING FACE: 336.32 m²

EAST ACTUAL UNPROTECTED OPENING: 0.293 = 29.3%

LIMITING DISTANCE: 5.12 m (5 m)
ALLOWABLE UNPROTECTED OPENING: 40%

4 EAST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

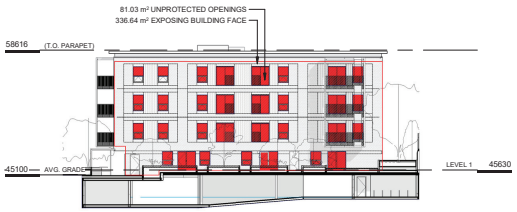


UNPROTECTED OPENING: 53.43 m² /
EXPOSING BUILDING FACE: 252.04 m²

NORTH ACTUAL UNPROTECTED OPENING: 0.210 = ***21.0%***

LIMITING DISTANCE: 3.56 m (3 m)
ALLOWABLE UNPROTECTED OPENING: 22%

5 NORTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250



UNPROTECTED OPENING: 81.03 m² /
EXPOSING BUILDING FACE: 336.64 m²

WEST ACTUAL UNPROTECTED OPENING: 0.210 = ***21.0%***

LIMITING DISTANCE: 5.7 m (5 m)
ALLOWABLE UNPROTECTED OPENING: 40%

6 WEST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: 53.29 m² /
EXPOSING BUILDING FACE: 247.21 m²

SOUTH ACTUAL UNPROTECTED OPENING: 0.216 = ***21.6%***

LIMITING DISTANCE: 3.96 m (3 m)
ALLOWABLE UNPROTECTED OPENING: 22%

7 SOUTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

NO.	DESCRIPTION	DATE
1	DP Revision 2	OCT 19, 2020
	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2

LANTERN PROPERTIES LTD

HADERA APARTMENTS 1475 Fort Street
Victoria BC

Sheet Name
BUILDING CODE REVIEW

Date
DECEMBER 15, 2020

Scale
As indicated

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A002

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VIEW FROM FREWING LANE

VIEW FROM FORT STREET

VIEW FROM PANHANDLE

VIEW OF LOBBY / PARKADE ENTRANCE

NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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HADERA APARTMENTS 1475 Fort Street
Victoria BC

Sheet Name

3D VIEWS

Date

DECEMBER 15, 2020

Scale

1 : 300

Project #

1618

Revision

OCT 19, 2020

4

Sheet #

A003

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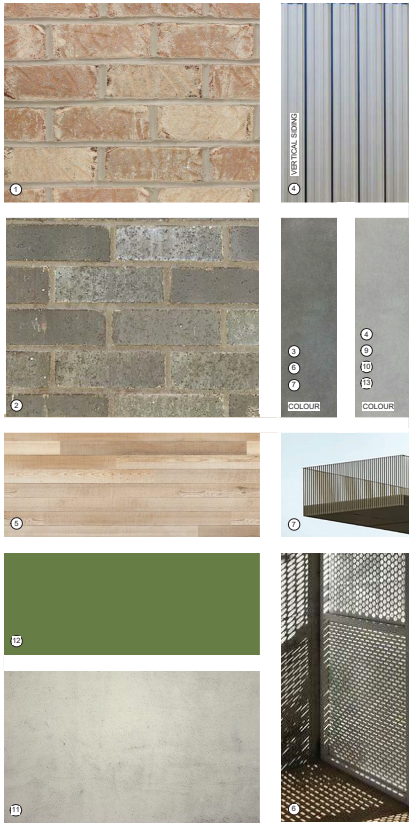
VIEW FROM PANHANDLE



MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
6. PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
7. PREFINISHED ALUMINUM PICKET (DARK GREY)
8. VISION GLASS TYP. (DARK GREY FRAMES)
9. PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
10. PREFINISHED METAL CAP FLASHINGS (GREY)
11. ARCHITECTURAL CONCRETE
12. PREFINISHED ALUMINUM PLANTER (DARK GREEN)
13. PREFINISHED METAL CLAD COLUMN (GREY)

NO.	DESCRIPTION	DATE
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Victoria BC

Sheet Name
MATERIALS

Date
DECEMBER 15, 2020

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Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A004

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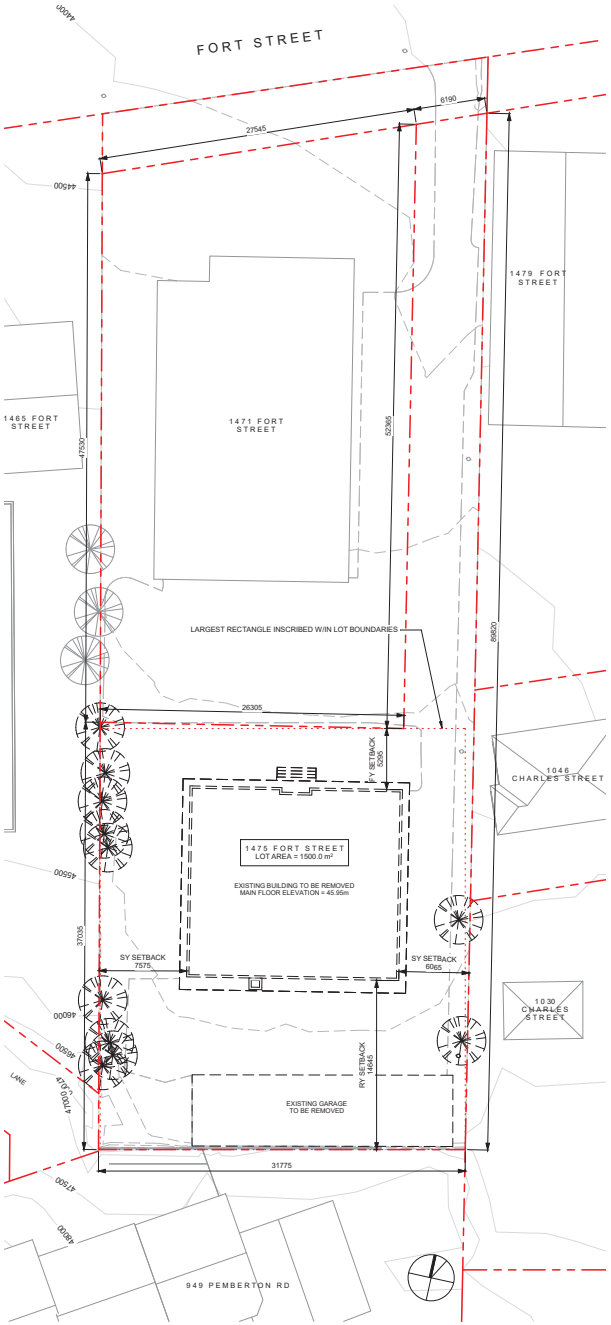

1 SITE PLAN DEMOLITION
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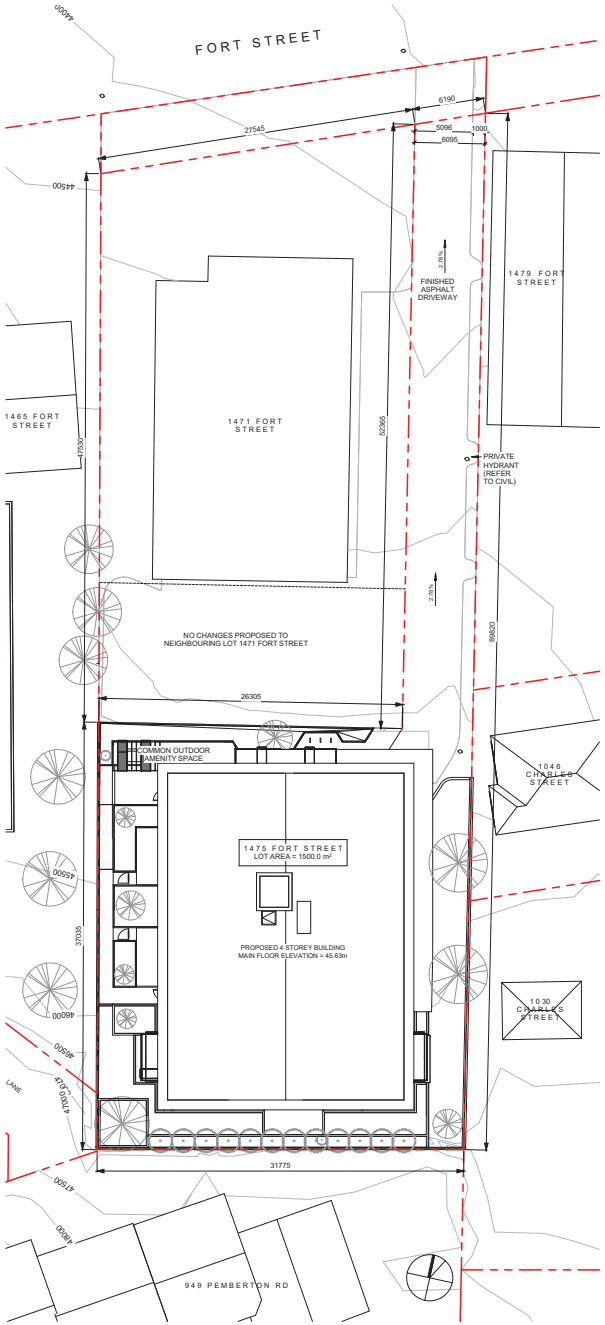
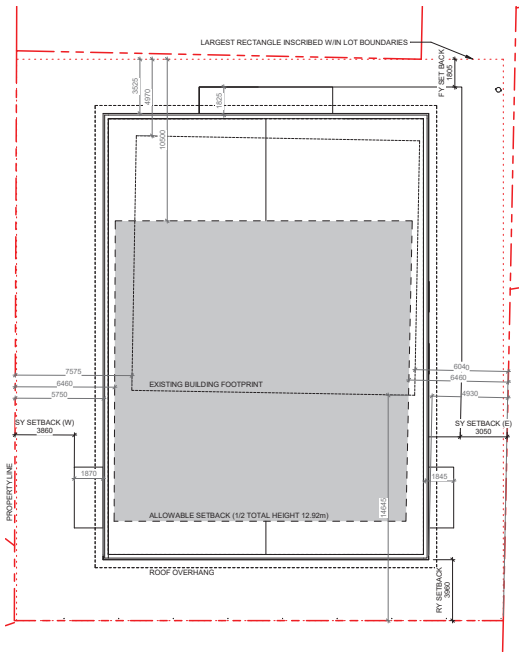


2 SITE PLAN PROPOSED
SCALE = 1 : 200



3 SETBACK DIAGRAM
SCALE = 1 : 150

NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
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1	Development Permit Application	JUNE 12, 2019

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Victoria BC

Sheet Name
SITE PLANS - DEMOLITION & PROPOSED

Date
DECEMBER 15, 2020

Scale
As indicated

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A101

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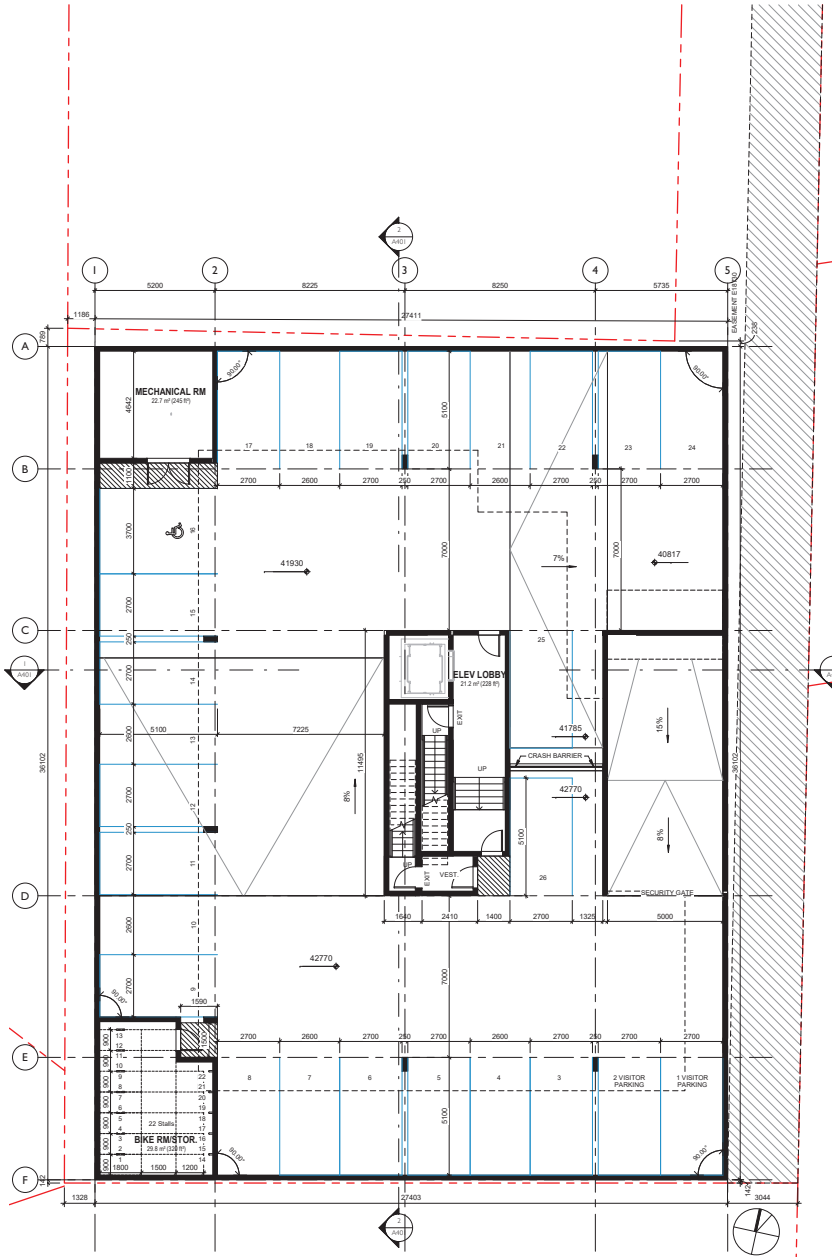
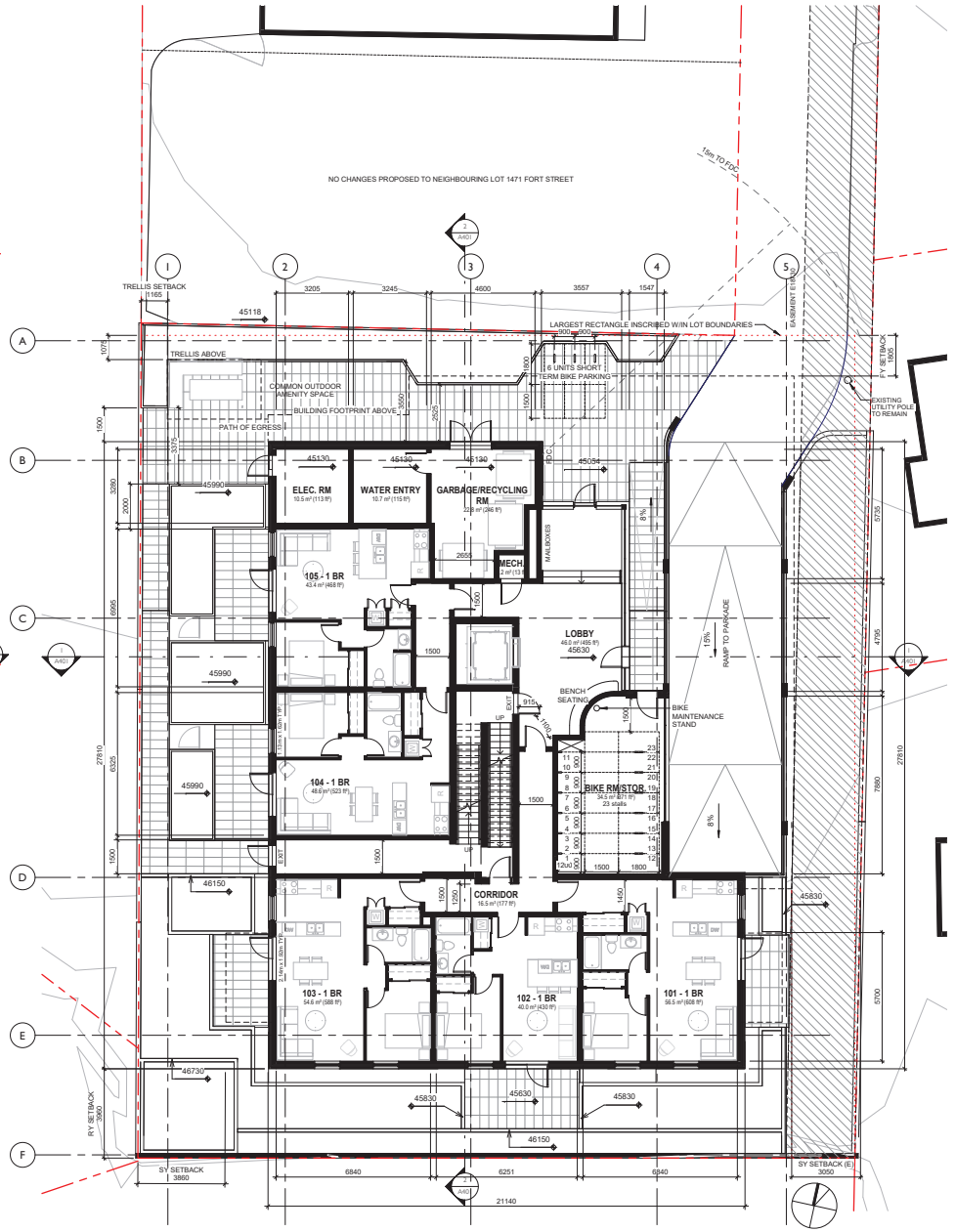


1 PARKADE LEVEL
SCALE = 1 : 100



2 LEVEL 1
SCALE = 1 : 100

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Victoria BC

Sheet Name
FLOOR PLANS

Date
DECEMBER 15, 2020

Scale
1 : 100

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A201

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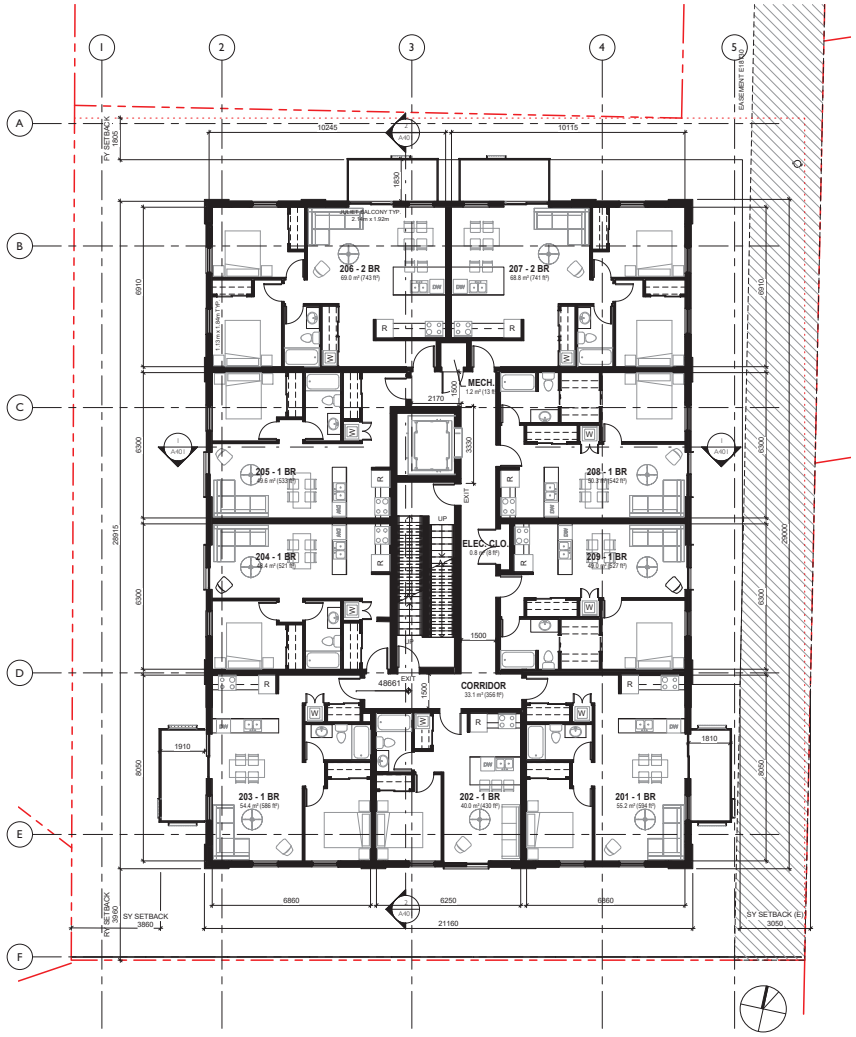

1 LEVEL 2/3/4 TYPICAL
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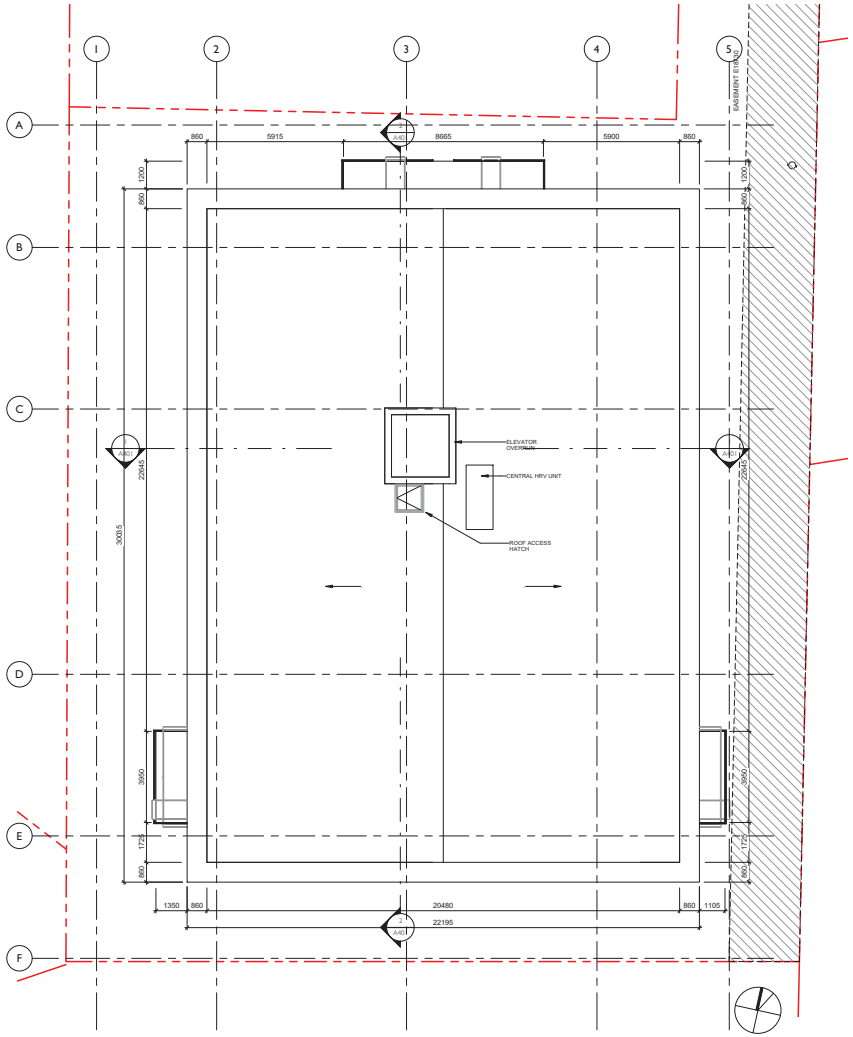

2 ROOF PLAN
SCALE = 1 : 100

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2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Victoria BC

Sheet Name
FLOOR PLANS

Date
DECEMBER 15, 2020

Scale
1 : 100

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A202

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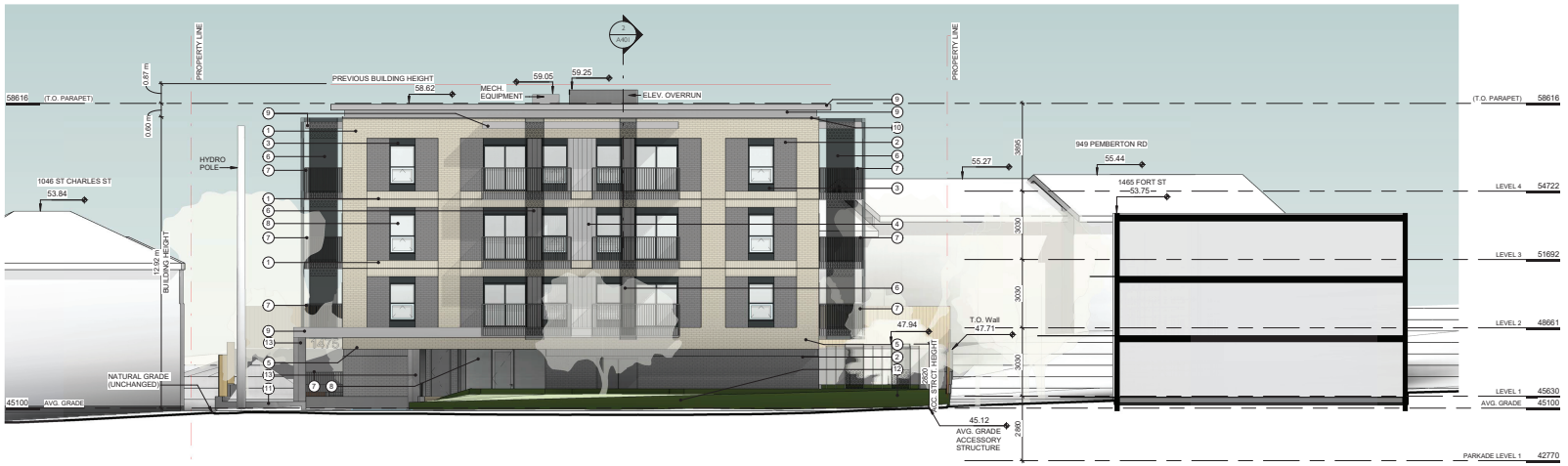

1 NORTH ELEVATION
SCALE = 1 : 100

2 EAST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
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13. PREFINISHED METAL CLAD COLUMN (GREY)

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LANTERN PROPERTIES LTD

HADERA APARTMENTS 1475 Fort Street
Victoria BC

Sheet Name
ELEVATIONS

Date
DECEMBER 15, 2020

Scale
As indicated

Project #
1618

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OCT 19, 2020
4

Sheet #
A301

12/15/2020 3:51:59 PM

1 SOUTH ELEVATION
SCALE = 1 : 100

2 WEST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
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1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2

LANTERN PROPERTIES LTD

HADERA APARTMENTS 1475 Fort Street Victoria BC

Sheet Name
ELEVATIONS

Date
DECEMBER 15, 2020

Scale
As indicated

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A302

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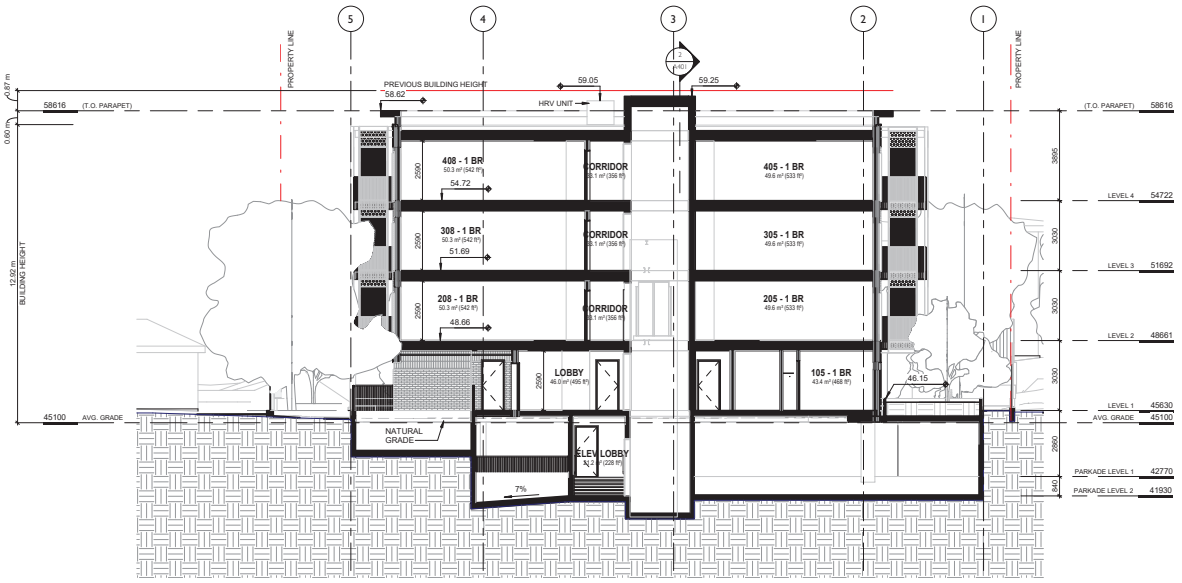

1 Section 1
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2 Section 2
SCALE = 1 : 100

NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2

LANTERN PROPERTIES LTD

HADERA APARTMENTS 1475 Fort Street
Victoria BC

Sheet Name
BUILDING + SITE SECTIONS

Date
DECEMBER 15, 2020

Scale
1 : 100

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A401

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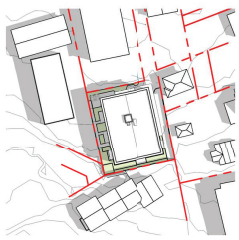

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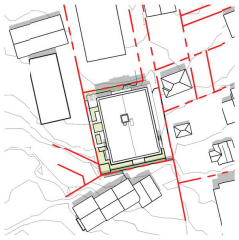

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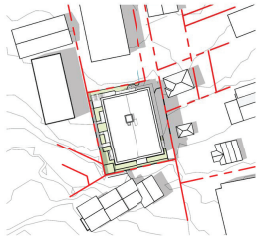

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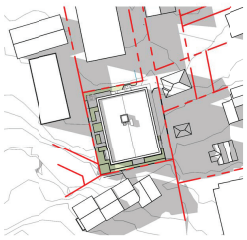

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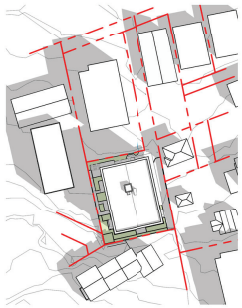

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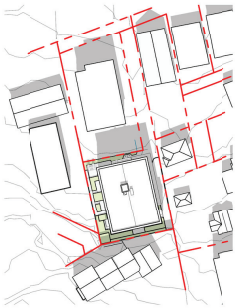

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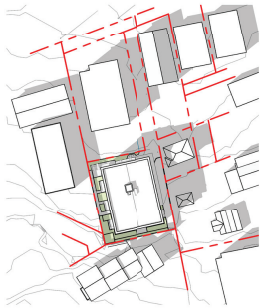

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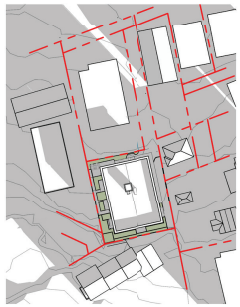

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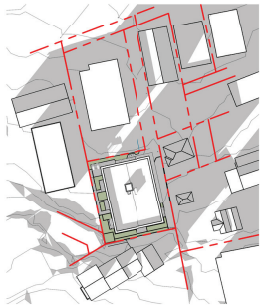

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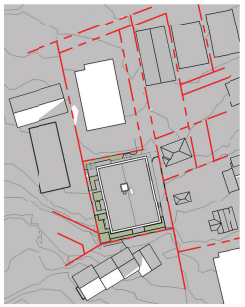

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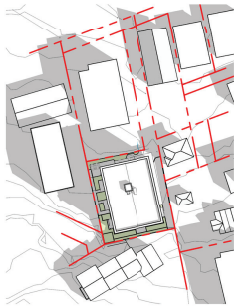

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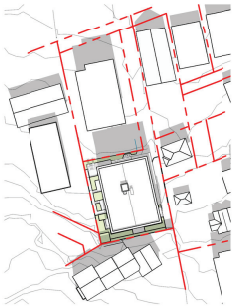

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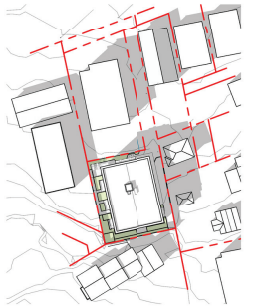

15 SPRING EQUINOX - 3PM
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16 SPRING EQUINOX - 6PM
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NO.	DESCRIPTION	DATE
4	DP Revision 2	OCT 19, 2020
3	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REVISION 2

LANTERN PROPERTIES LTD

HADERA APARTMENTS 1475 Fort Street
Victoria BC

Sheet Name
SHADOW STUDY

Date
DECEMBER 15, 2020

Scale
1 : 1000

Project #
1618

Revision
OCT 19, 2020
4

Sheet #
A501

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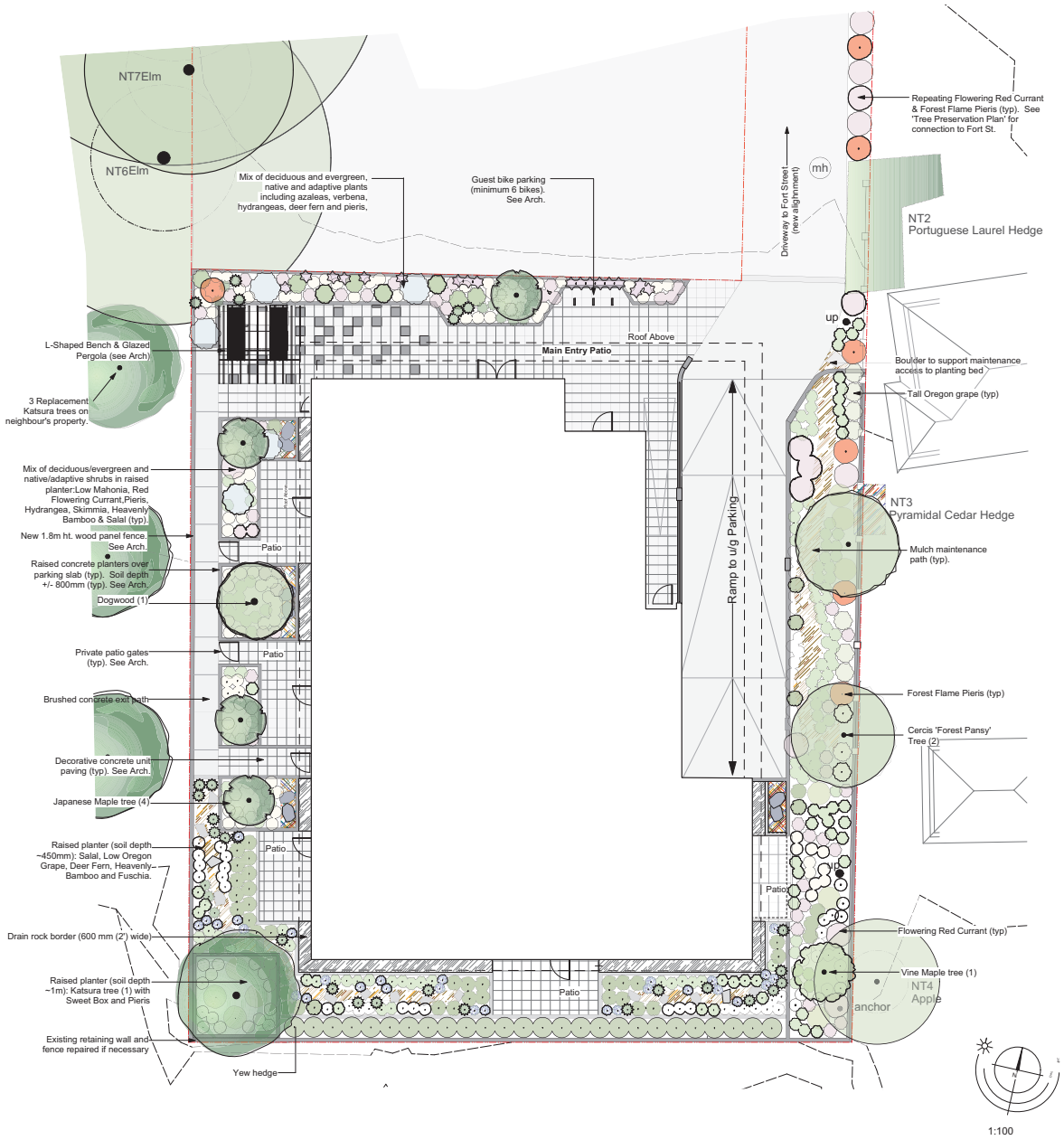
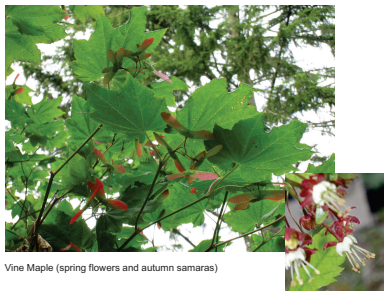


Reference Images for Proposed Trees

'Forest Pansy' Redbud (early spring flowers)

Standard Green Japanese Maple

Milky Way Dogwood (late spring flowers)



Vine Maple (spring flowers and autumn samaras)

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AcC	1	Acer circinatum	Vine Maple	#15 pot; 2m ht min;
AcP	4	Acer palmatum	Japanese Maple	5cm cal
CJ	4	Cercidiphyllum japonicum	Katsura Tree	7cm cal.
CerFP	2	Cercis Canadensis 'Forest Pansy'	Forset Pansy Redbud	4cm cal; #15 pot
CorMW	1	Cornus kousa 'Milky Way'	Milky Way Dogwood	#20 pot

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
HyMB	7	Hydrangea macrophylla 'Blaumeise'	Teller Blue Lacecap Hydrangea	#7 pot
PiFF	12	Pieris 'Forest Flame'	Forest Flame Pieris	#7 pot
TaBaF	26	Taxus baccata 'Fastigiata'	Irish Yew	2m ht.

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
MaAq	10	Mahonia aquifolium	Tall Oregon Grape	#5 pot
RiSaKE	29	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#7 pot
SarR	10	Sarcococca ruscifolia	Sweet Box	#5 pot

Small Shrubs

ID	Quantity	Botanical Name	Common Name	Size
AzJH	10	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
GaSh	58	Gaultheria shallon	Salal	#1 pot
HyMTP	48	Hydrangea macrophylla 'Teller's Pink'	Teller's Pink Hydrangea	#3 pot
MaNe	170	Mahonia nervosa	Low Oregon Grape	#1 pot
NaHD		Nandina domestica 'Harbour Dwarf'	Harbour Dwarf Heavenly Bamboo	#2 pot
PiP	93	Pieris japonica 'Prelude'	Pieris 'Prelude'	#1 pot
SkJ	7	Skimmia japonica	Skimmia	#1 pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
BlS	48	Blechnum spicant	Deer Fern	#1 pot
FAH	29	Fuschia 'Alice Hoffman' (Hardy Fuschia)	Alice Hoffman Fuschia	#1 pot
VerB	18	Verbena bonariensis	Tall Verbena	#1 pot

Notes:
1. All work to be completed to current Canadian Landscape Standard
2. All soft landscape to be irrigated with an automatic irrigation system
3. LADR's work is limited to plant selections and soft landscape.

Rev B 201008 Planting revised to suit adjusted architecture, & in response to community comments.

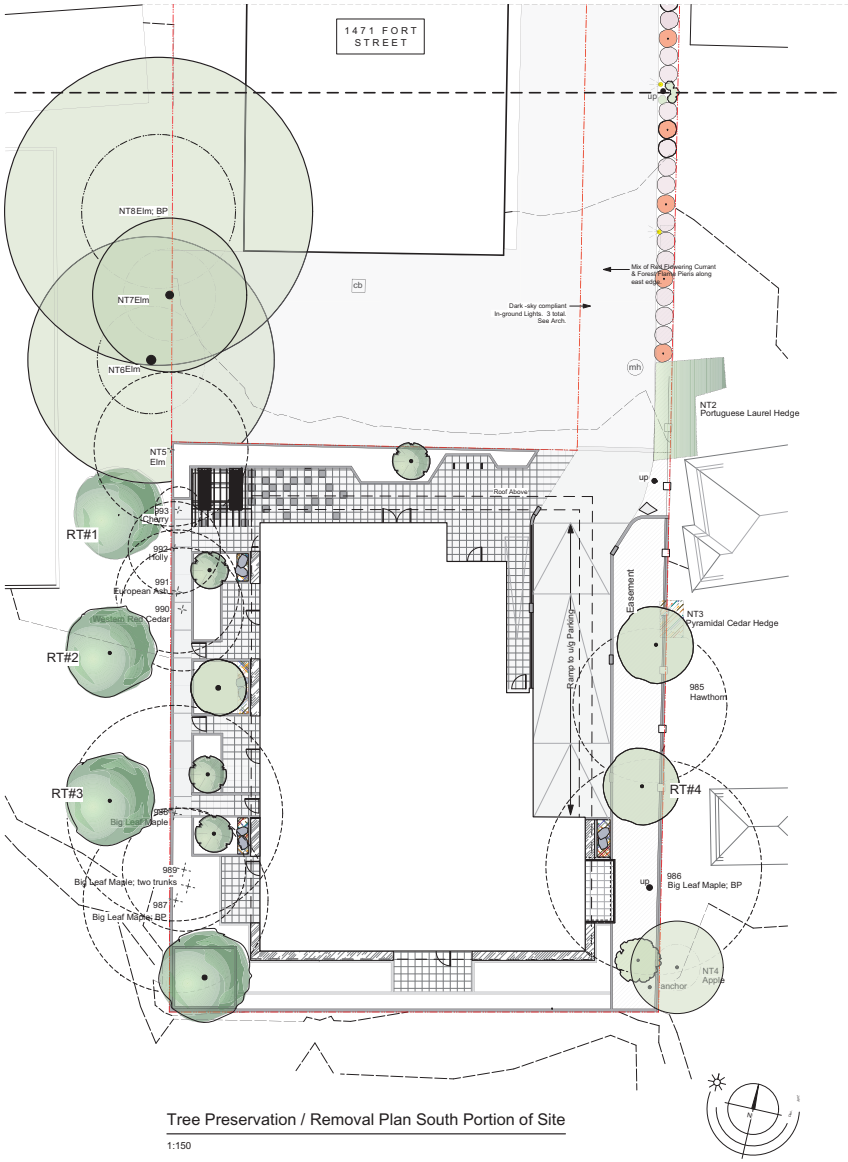
Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added.

1475 Fort St. - Landscape Concept Plan

LADR LANDSCAPE ARCHITECTS

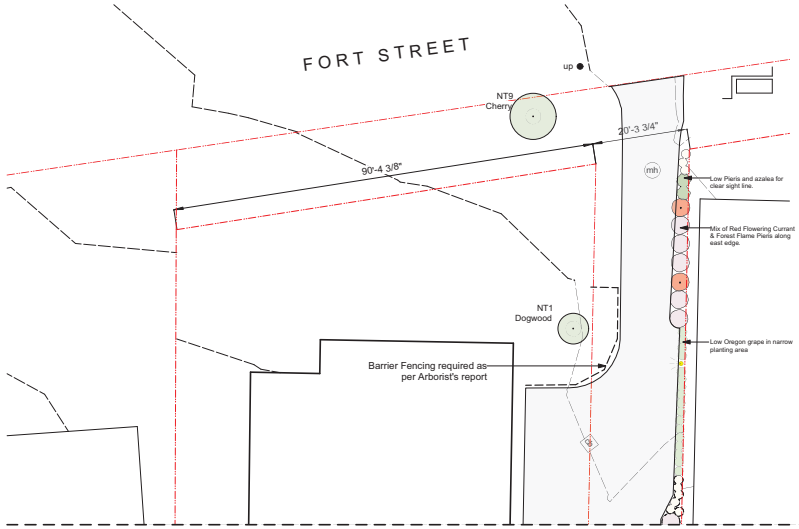
#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019



Tree Preservation / Removal Plan South Portion of Site

1:150



Tree Preservation / Removal Plan North Portion of Site

1:150

Tree Removal Key

	Tree Removed (10 total)
BP	By-law Protected (Removing 2; both on-site)
	Critical Root Zone
NT5 / 988	Tree ID as per Arborist's Report
	Tree Retained
RT#1	Replacement Tree

Project Consulting Arborist is Graham Mackenzie at **Talbot Mackenzie and Associates**
Contact: 250-479-8733 Email: tmtreehelp@gmail.com

Tree Replacement Summary:

1) Two by-law protected trees, #986 and #987, are being removed (as per Arborist report). Four trees are required to replace the 2 by-law protected trees (2:1 replacement). they are identified on the plan as RT#1- RT#4.

2) Eight non-bylaw protected trees are being removed and replaced with 8 new trees.

3) One Bylaw protected tree, NT8, is being retained as per Arborist report.

4) Twelve new trees are proposed for this project.

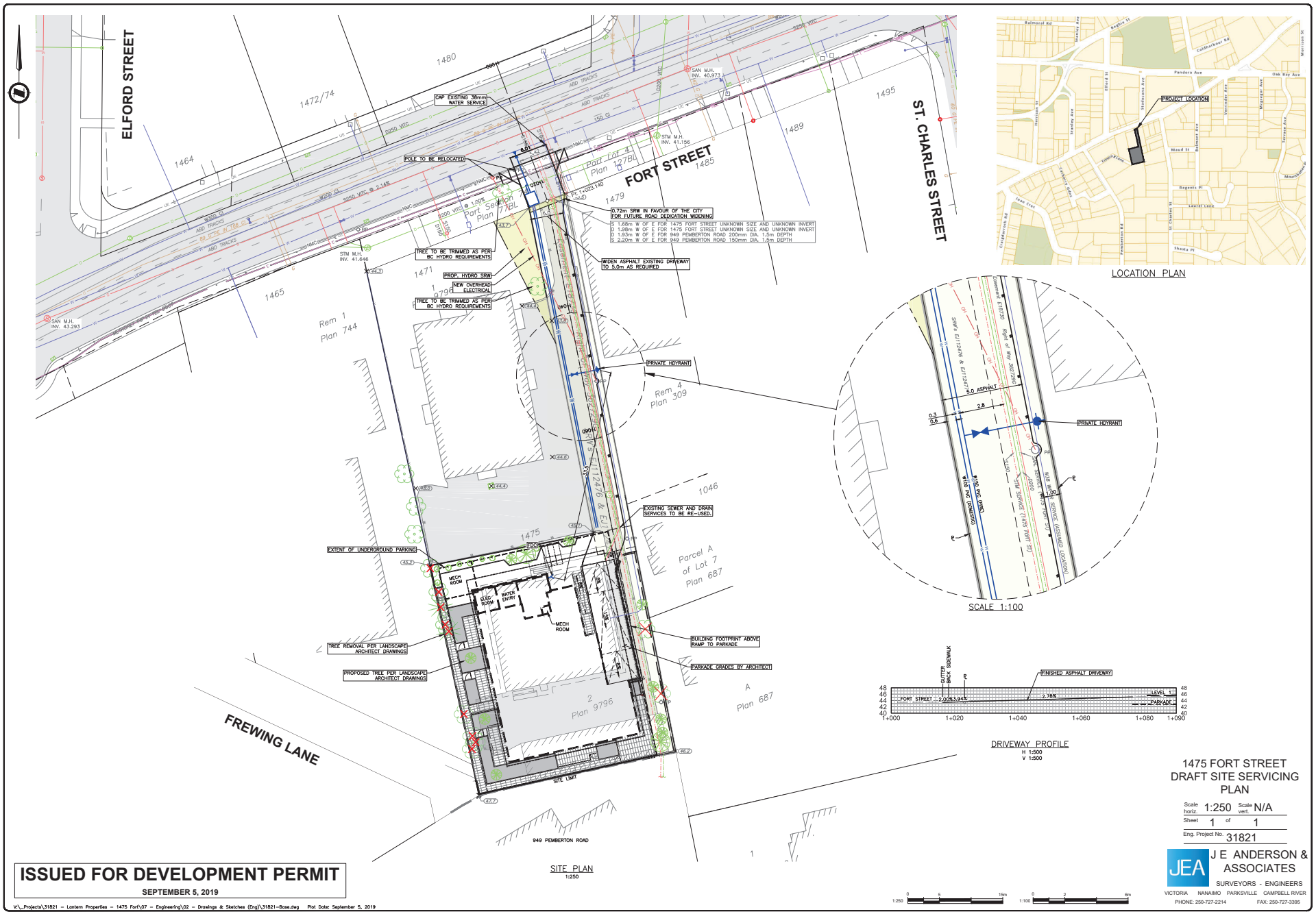
5) The following work to be supervised by the project Arborist:
Locating barrier (tree protection) fencing, locating work zones, supervising excavation within critical root zones of trees to be retained, and reviewing and advising of any pruning requirements for machine clearances.
Arborist to also review the arborist report with the site supervisor, prior to beginning work on site.

1475 Fort St. - Tree Preservation Plan

Rev C 201215 Notes around replacement trees revised.
Rev B 201008 Planting revised to suit adjusted architecture, & in response to community comments.
Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

LADR LANDSCAPE ARCHITECTS
#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019



SITE PLAN
1:250

ISSUED FOR DEVELOPMENT PERMIT

SEPTEMBER 5, 2019

V:_Projects\31821 – Lantern Properties – 1475 Fort\07 – Engineering\02 – Drawings & Sketches (Eng)\31821-Base.dwg Plot Date: September 5, 2019

1475 FORT STREET DRAFT SITE SERVICING PLAN

Scale horiz. 1:250 Scale vert. N/A

Sheet 1 of 1

Eng. Project No. 31821

J E ANDERSON & ASSOCIATES

SURVEYORS - ENGINEERS

VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER

PHONE: 250-727-2214 FAX: 250-727-3395

CASCADIA ARCHITECTS
DAMANT + JOHANNKNECHT

June 12th, 2019
Revised September 13th, 2019
Revised October 19th, 2020

City of Victoria
No.1 Centennial Square
Victoria BC
V8W 1P6

Attn.: Mayor & Council

Re: 1475 Fort Street Development Permit Application

Cascadia Architects is pleased to submit this Development Permit application for 1475 Fort Street on behalf of Lantern Properties Ltd. (the 'Applicant') for the construction of a four-storey 32 unit rental apartment building. The details of the proposal described in this application carefully respond to the relevant OCP Design Guidelines, Development Permit Area Design Guidelines, and its existing R3-AM-2 zone. In preparing this application, the design team has received preliminary input from City planning and engineering staff, and specialist consultants including a certified arborist and civil and geotechnical engineers.

The consultation and review process to date include the following meetings:

- *Consultation Meeting with City of Victoria (October 30, 2018)*
- Introductory Meeting with Fire Prevention Officer (April 09, 2019)
- Pre-Planning Meeting City of Victoria *(April 24, 2019)*
- Open House with local neighbours *(April 24, 2019)*
- A review of preliminary height and setbacks with residents of 1030 St Charles St. (May 30, 2019)
- Meeting with the Rockland Neighbourhood Association (June 10, 2019)
- *Presentation to Advisory Design Panel (January 22, 2020)*
- *Meeting with local neighbours (March 5, 2020)*
- *Committee of the Whole (May 28, 2020)*
- *Zoom Webinar meeting with local neighbours (September 9, 2020)*

Description of the Proposal:

The 1475 Fort Street parcel is 1500 sq.m in total area and is currently occupied by a 3 storey apartment building and associated at grade parking structure, both of which are deemed to be nearing the end of their life cycles. It is a panhandle lot as defined by the City of Victoria, and has a panhandle driveway which accesses Fort Street along the east property line of 1471 Fort, a property also owned by the Applicant.

CASCADIA ARCHITECTS INC
101-804 Broughton Street
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Canada

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A Corporate Partnership

Principals

GREGORY DAMANT
Architect AIBC, LEED AP

PETER JOHANNKNECHT
Architect AIBC, LEED AP,
Interior Architect AKNW Germany

The existing building on the site is currently leased to the Vancouver Island Health Authority, and as such the tenant assistance policy is not applicable to this redevelopment.

The current zoning of the site is R3-AM-2 – up to 4 storeys and 1.6:1 allowable FSR. It is located within the Development Permit Area 7B (HC): Heritage Corridor and is designated 'urban residential' in the Official Community Plan. The proposal is located in the Rockland neighbourhood.

The site itself is relatively flat, however, it sits significantly lower than the adjacent 949 Pemberton Road townhouses located to the south, and Frewing Lane to the southwest. There are a wide range of mature trees on and surrounding the site, and a service right of way from Fort Street to the Pemberton Road townhouses along the east property line.

The property is characterized primarily by its unique panhandle shape, which effectively pulls the building away from the Fort Street corridor, recessing it behind the 1471 Fort Street 4 storey apartment building and nestling it into the surrounding Rockland neighbourhood, an eclectic mix of townhouses, multi unit residential dwellings and single family homes.

Project Benefits and Amenities:
This project will bring 32 new units of rental housing stock to the City. The proposal will add much needed rental housing to the Rockland neighbourhood, and will enhance the quality of the public realm along the Fort Street corridor via the quality of its design, materials, and detailing.

Design and development guidelines:
The building reflects the intent of the current zoning, with a height of 4 storeys, underground resident parking, and a density (FSR) of 1.42:1. It takes its massing and material finish cues from the historic character of the neighbourhood, which provides the fundamental design concept that drives the project. This proposal strives to bridge between its historic context and a modern future for the Fort Street corridor, avoiding a pastiche or imitation of the past, but carefully referencing it through material selection and organization of massing on site. This approach is in keeping with the Rockland Neighbourhood Plan, providing strong architectural design that is compatible in character and quality with the Rockland environment.

The building is simple and uncomplicated and utilizes a refined material palette of light and dark brick, metal panels, aluminum pickets, and perforated screens. The base of the building is clad in dark brick, grounding it and visually reducing the building's mass. The second to fourth storeys are characterized by a clear hierarchy of materials, with strong horizontal and vertical light brick banding surrounding inset dark brick, and grey vertically oriented metal panels. These metal panels are matched in finish to a projecting roof overhang at the fourth storey and above the entrance to the underground parkade at the northeast corner of the building and the entrance to the site.

The entrance is set back from the face of the building, providing visual interest oriented towards Fort Street, and softened with cedar soffits. Dark green aluminum planters surround the building, punctuating the landscaping and providing textural contrast to the building itself, adding a further feature of visual interest. Perforated metal screens create a higher filigree of architectural expression to the balconies and provide some privacy screening between the proposal and the neighbouring sites.

The building draws on historical inspiration in a site specific response to achieve an elegant and timeless expression. It is comprised of high-quality exterior finishes which are durable and capable of weathering gracefully on all four facades, to the qualitative benefit of the public realm along the Fort Street corridor as well as the sightlines from adjacent residences. The design complements the mature landscaping and historic architectural character of the Rockland neighbourhood.

The primary design initiatives which reference the **Official Community Plan** can be summarized as follows:

- This proposal contributes a meaningful amount of in-fill rental housing stock within walking distance of services, amenities, and the City's downtown core.
- By placing new residential density in direct proximity to transit routes, and within cycling distance of downtown, new development can increase transportation choice and relieve vehicle dependence.
- The project seeks to enhance the sense of the neighbourhood's unique identity. The Rockland neighbourhood is characterized in many areas by atypical lots and variegated relationships between buildings and streets. The articulated façade treatment and contrasting colours and textures incorporated into the building's design create depth and visual interest from a distance, accentuating the lot's unique configuration and the orientation of the building upon it.
- This proposal introduces five ground oriented units, improving the contextual relationship between the building and the historic residential neighbourhood with ample ground oriented housing in which it is situated, elevating the pedestrian experience of the site.
- As a rental residential development, this proposal provides long term stable rental housing in the City of Victoria, upgrading and regenerating the city's existing rental housing stock, and encouraging a mix of new residents and a socio-economically inclusive community.

Additionally, the project responds to several relevant priorities laid out in **Development Permit Area 7B (HC): Heritage Corridor (Fort Street)**

- Fort Street is a corridor with the capacity for the intensification of multi unit residential development. The site is currently being utilized in a multi unit residential capacity. Through increased floor area and an additional fourth storey, this use is intensified in keeping with DPA 7B and OCP guidelines.
- Intensified multi-unit residential use in this location will promote pedestrian and bicycle use along Fort Street.
- Through thoughtful design and high-quality, durable building materials, this proposal supports the revitalization of Fort Street, and provides a sensitive response to its historic context, enhancing visual interest along the arterial.
- The exterior finishes and traditional massing achieve a cohesive design with the site's historic context and enhances the experience of the Fort Street corridor.

The proposal also reflects the following tenets of the referenced **Downtown Core Area Plan** guidelines**:**

- Due to its unique panhandle lot configuration, the building is not directly physically connected to the Fort Street frontage. The entrance to the building is oriented to the northeast corner of the site, visually connecting it to Fort Street and improving the building's relationship to the sidewalk.
- The grade difference between the site and its adjacent southern neighbours effectively reduces the impact of its height, and provides a sensitive transition between the R3-AM-2 and the R1-A zone as well as the Urban Residential and Traditional Residential Urban Place Designations moving away from Fort Street and into the Rockland residential area.

- The second storey cantilevers over the main level entrance, creating a continuous covered area along the street frontage and providing residents and users of the site with continuous shelter from the rain and other elements.
- The expression of the roof over the parkade ramp and lobby entrance distinguishes the entrance from the rest of the building, while the lobby entrance itself is recessed, providing visual articulation to the street facing north frontage of the building.
- A bike storage room, with generous glazing, is located next to the lobby and can be accessed from the outdoor by a separate entrance and ramp. The same ramp will act as the accessible entrance to the elevator lobby and can be used for moving days.

Transportation and Infrastructure:

The project is well situated and fully serviced by City of Victoria infrastructure. Schools, parks and recreation facilities are all located within walking distance of the site. In addition, the nearby work and shopping opportunities available both downtown and in the Stadacona Village, Oak Bay Avenue Village, Jubilee Village, and North Park Village make this site suitable for an increased population density. This population will be well serviced with regard to transportation options, including immediate proximity to major Transit routes on Fort Street and Pandora Avenue as well as vehicle and bicycle parking and storage provisions.

The project will include 24 resident and 2 visitor underground parking stalls accessed from the driveway at the northeast corner of the body of the panhandle lot.

The long term bicycle parking spaces have been separated into two designated and secure bicycle rooms, one adjacent to the lobby at grade, and the other located in the underground parkade. The required 6 short term bicycle parking spaces are placed at the entrance to the building, semi protected from the elements by a projecting overhang, and screened by a raised feature planter.

Design Revisions Following Community Consultation:

In response to concerns expressed by neighbours through the community consultation process, the following efforts have been made to mitigate the impact of the building to the surrounding Rockland neighbourhood. The size and number of perforated metal screens associated with the proposal's balconies have been increased and they have been relocated specifically to reduce sightlines between the balconies and the adjacent properties to the south and southeast of the proposal. Additionally, the exiting has been reconfigured at the main floor level, allowing for the removal of the exterior path in the rear yard of the building and the introduction of robust planters for maximized landscape screening to the south. Finally, the floor to floor heights of the above ground floor levels have been reduced by 150mm per floor and the parapet height has been minimized, dropping the total height of the proposal by 0.87m, reducing the impact of its massing on the immediate neighbours.

Green Building Features:

The following is a list of green building initiatives that will be deployed within the project:

- Exterior materials are highly durable, and detailing will suit life-span management of components.
- Solar Ready Conduit from Electrical Room to roof.
- LED lighting throughout.
- Low-VOC paint in all interior areas.

- Low-flow plumbing fixtures used throughout all units.
- Secure, heated bike storage at parkade and main level.
- Rough-in electrical for future electric bicycle charging locations within bicycle storage.
- Rough-in electrical for future electric vehicle charging stations.
- *Rough-in conduit to roof for future photo-voltaics.*
- Heat Recovery Ventilation for the building.
- High efficient centralized domestic hot water boiler system.
- Meeting the BC Energy Step Code level 3 requirements.

In preparing this development permit application package the team has carefully considered community concerns, the relevant OCP objectives, and the Development Permit Area Design Guidelines. The design proposes an elegant and timeless architecture that responds to the unique character of the location. We believe that it will add to the strength and character of the Fort Street corridor and the Rockland neighbourhood, and we look forward to presenting this project to Council. If you have any questions or require further clarification of any part of this application, please do not hesitate to contact our office.

Sincerely,

CASCADIA ARCHITECTS INC.

Peter Johannknecht, Architect AIBC, RAIC, LEED AP
cert. Passive House Designer, Principal

Gregory Damant, Architect AIBC, RAIC, LEED AP
Principal

1475 Fort Street (Rockland)

All feedback received from August 10 to September 18, 2020

Submitter's Name
Matt Pope

Submitter's Position
Oppose

Submitter's Address
1036 St Charles St

Timestamp of Submission
2020-08-25 17:30

Additional Comments
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 m / 2 = 7.2 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 Name
gretchen karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Road, Victoria

Timestamp of Submission
2020-09-03 17:41

Additional Comments
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 Name
Gretchen Karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Rd

Timestamp of Submission
2020-09-03 17:49

Additional Comments
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 Name
Gretchen Karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Road

Timestamp of Submission
2020-09-03 17:55

Additional Comments
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 Name
Caspar Davis & Lorena Mowers

Submitter's Position
Oppose

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

Timestamp of Submission
2020-09-15 18:05

Additional Comments
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 Name
Dee Hoyano

Submitter's Position
Oppose

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

Timestamp of Submission
2020-09-15 18:50

Additional Comments
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 Name
Alan Morton

Submitter's Position
Oppose

Submitter's Email
alanmorton61@gmail.com

Submitter's Address
7-949 Pemberton Road

Timestamp of Submission
2020-09-16 20:14

Additional Comments
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 Name
Christine Morissette

Submitter's Position
Oppose

Submitter's Email
cmorissette@telus.net

Submitter's Address
13 - 949 Pemberton Road

Timestamp of Submission
2020-09-16 23:22

Additional Comments
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 Name
Bill McKechnie

Submitter's Email
bmckechnie41@gmail.com

Submitter's Position
Oppose

Submitter's Address
9-949 Pemberton Rd

Timestamp of Submission
2020-09-17 4:20

Additional Comments
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 Name
Barry Willimott

Submitter's Position
Oppose

Submitter's Email
barrywillimott@telus.net

Submitter's Address
1030 St. Charles Street, Victoria, B.C.

Timestamp of Submission
2020-09-17 21:48

Additional Comments
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 Aril 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 9th “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

Submitter's Name
Vanessa Dingley

Submitter's Position
Oppose

Submitter’s Email
vdingley@shaw.ca

Submitter’s Address
#12 -949 Pemberton Road, Victoria, V8S 3R5

Timestamp of Submission
2020-09-18 2:47

Additional Comments
Despite many letters from neighbours having been submitted, I remain extremely concerned about the scale of the proposed development at 1475 Fort, adjacent to our townhouse complex. While understanding the urgent need for rental housing in Victoria, I do not think that this should enable developers to disregard existing setback and height requirements; they exist for a reason and should be respected. I appreciate the information given at the recent CALUC webinar, but this does not

reassure me that sufficient changes will be made to make the proposed development acceptable in the neighbourhood. I also remain concerned about the loss of mature trees.

Submitter's Name
Ken and Tamara Bailey

Submitter's Position
Oppose

Submitter's Address
10-949 Pemberton Rd

Timestamp of Submission
2020-09-18 18:35

Additional Comments
Dear Mayor and Council,
We live at 10-949 Pemberton Rd which is adjacent to the proposed apartment building proposed by Lantern Properties at 1475 Fort St.

As you know, the existing apartment building provides supportive housing for a vulnerable population. Where do these people go if Council approves this project? VIHA will certainly not be able to afford the rents associated with this high end building. Support for this proposal would be a big trade-off in favour of the developer with the losers being those that need much needed supportive housing (as well as surrounding neighbours and the environment.) Where are the City's priorities on this very important issue? What are the social and economic implications of not providing proper housing for vulnerable people in our City? We can see right now in Victoria that these are huge.

Lantern Properties' original design proposal included four affordable housing units. These have been removed from the current design proposal. The developer says that these were excluded as they are not economic for the project. We suggest that the City discuss its interest in supporting affordable and, or, supportive housing with the developer. Maybe the developer has to downsize his profit. Perhaps a renovation of the existing building may be a way of being economic for the developer at the same time as meeting the City's interest in supporting housing for the less prosperous members of our community. (By the way, many developers have upgraded existing buildings for rental purposes in Victoria and have done so successfully).

We are opposed to Lantern's design as proposed. Please send this design back to the developer to come up with a building which is better suited to the lot size, the environment and the community. It is on the record that Lantern Properties is a landholding company and only interested in developing and managing rental properties. Because of this, we can expect that this company will not bring a strata development proposal back to Council, a concern that was brought up by a couple of Councillors at the May 28 CotW meeting. And, in any event, Council can also decline any strata proposal that includes requests for excessive variances such as that proposed by Lantern.

Sincerely Yours,

Ken and Tamara Bailey

Submitter's Name
Carolina Ashe

Submitter's Position
Oppose

Submitter's Email
cmashe123@gmail.com

Submitter's Address
7-949 Pemberton Road

Timestamp of Submission
2020-09-18 18:47

Additional Comments
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 28th 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 livability 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

Submitter's Name
Jo Anna Hope

Submitter's Position
Oppose

Submitter's Email
johope66@gmail.com

Submitter's Address
15-949 Pemberton Road, Victoria BC

Timestamp of Submission
2020-09-18 19:53

Additional Comments
Mayor Helps and Councillors,
I am writing about the application for a 4 story apartment block at 1475 Fort Street. My townhouse complex borders this property. The proposed building cannot fit on this site without clear-cutting all the mature trees that all sand at the perimeter of the lot. I do not see how this can be considered a

good idea when the effects of climate change are literally hitting us in the face. As I write this letter, smoke from wildfires is covering the entire continent.
We know that the elimination of trees has been a major contribution to the climate crisis we are now facing. This has been happening over a long period of time. It may seem that the 1475 Fort Street development is small in comparison to other situations where many more trees have been lost. But humanity has created our climate crisis, one decision at a time – one tree here, a dozen trees there. It all adds up.
The only way we can hope to mitigate the effects of past actions is to start making decisions that will help the planet to heal.
I am asking you to send this application back to the developer with the message to redesign an apartment building that observes the zoning bylaws.
This will save 11 mature trees. It is the right thing to do.
Jo Anna Hope
15-949 Pemberton Road, Victoria

Submitter's Name
Cynthia Pacheco

Submitter's Position
Oppose

Submitter's Address
11-949 Pemberton Road Victoria

Timestamp of Submission
2020-09-18 21:06

Additional Comments
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

Submitter's Name
Barbara Bolli

Submitter's Position
Oppose

Submitter's Email
bbolli@telus.net

Submitter's Address
9-949 Pemberton Rd

Timestamp of Submission
2020-09-18 22:39

Additional Comments
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 Councilors' 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 Councilors 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 Councilors 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 Councilors' 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

Submitter's Name
Sandra Jones

Submitter's Position
Oppose

Submitter's Email
sa_jones@shaw.ca

Submitter's Address
6-949 Pemberton Road

Timestamp of Submission
2020-09-18 23:52

Additional Comments
Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road. I am expressing my concern about the proposed development at 1475 Fort Street by Lantern Properties because it will harm the natural environment in the neighbourhood.

I am so concerned that I have taken the time to paint the numerous birds that have been observed to inhabit the mature trees on this lot, in particular the Big Leaf maples. These birds and their ecosystem, of which we as neighbours and the city are a part, is what is at stake. These mature trees provide a substantial canopy and support a sensitive ecosystem from which we all benefit. As we all know, they remove carbon dioxide, reduce storm water, modify temperature and noise, and improve air quality. Research clearly indicates that an urban forest contributes to human health and well-being which is crucial in our era of pandemic and climate change.

We have experienced climate change effects this week with the toxic air from the fires in California, Oregon, and Washington. The mature trees are judiciously sequestering carbon and reducing air pollution by capturing particulate matter.

I hope you will consider:

- Lantern's current design with excessive variances and removal of all mature periphery trees destroys the beauty of our neighbourhood, the privacy of our homes and the habitat of the birds.

- Replacement trees will not make up for what is lost as they will not grow to anything of the size of these mature trees. 1-1 replacement is over an underground parking lot.

- The proposed development plan does not reflect meaningful consideration and input of the people most impacted by their plans. Lantern has not been required to consider ecosystems, or meet standards that reflect the integrity and environmental concerns of the people they affect.

Mayor and Council, I ask that this proposal be denied and sent back for redesign to a building that protects our urban forest and in doing so assists Victoria in climate recovery.

Sincerely,

Sandra Jones
#6-949 Pemberton Road
Victoria, BC
250-475-8341

Submitter's Name
Gillian Lawson

Submitter's Position
Oppose

Submitter's Address
1-949 Pemberton Road, Victoria, BC V8S 3R5

Timestamp of Submission
2020-09-19 1:14

Additional Comments

I'm writing to express my frustration with the process employed to consider this development proposal. You will already be aware of the misgivings our neighbourhood has concerning this development. We have tried every way we can think of to alert city council and city staff to our concerns. We felt encouraged when, in the May 28 CotW meeting, the developer was directed to engage in a CALUC with the neighbourhood. Even with the unusual circumstances of the pandemic, we heard in the June 11 CotW than an in-person CALUC should still be possible and that the developer would be ill-advised to ignore the option of an in-person meeting.
We offered two venues for an in-person CALUC but the developer turned us down and opted for an online version. This venue was a webinar hosted by an urban planner of their choice. So, instead of a properly constituted CALUC meeting moderated by the neighbourhood association, we had an event, hosted by an apologist for the developer, which severely limited our participation. Not only was the developer allowed to dictate the terms of the meeting, they were also permitted to describe it as a "project upgrade meeting" ie, one they were initiating voluntarily. Not so. They wouldn't have done this if City Council had not directed them to do so.
In addition to a developer unwilling to engage, we also appear to be dealing with city staff who are disinterested in our concerns. At the ADP meeting of January 22 2020, a senior planner was in attendance yet, according to the minutes, the meeting failed to address in any way the significant variances asked for by the developer even though that was specifically what the panel was asked to address. At the CotW meeting on May 28, city staff described the impact of the proposed development on adjacent properties as minimal and suggested that the new trees would contribute to the urban canopy, conveniently ignoring the 11 mature trees that would be removed. I'm disappointed that city employees would fail so abysmally at looking out for the concerns of the citizens who pay their salaries.
Where does this leave the average citizen? How can we make our position clear in a process that seems stacked against us? I certainly hope that, when this project returns for further consideration by City Council, we can count on the support of our elected councillors.
Gillian Lawson
Unit 1 – 949 Pemberton Road

Submitter's Name
Russ Scruggs

Submitter's Position
Oppose

Submitter's Email
rscruggs56@gmail.com

Submitter's Address
#2 1019 Pemberton Road

Timestamp of Submission

2020-09-19 1:17

Additional Comments
Dear Mayor and Council,

We are writing you as residents at 1019 Pemberton Road; a small townhouse complex adjacent to the proposed redevelopment of the Lantern Properties 1475 Fort Street property.
My wife and I have been signatories to neighbourhood group letters written and sent on to council over the past two months raising concerns and objections to this proposal as it sits with the city; development permit application with variances.
Our concerns are with:
1. the project:
• inclusion of extraordinary variances in order to accommodate the new building; building height, set back reduction.
• a request for almost 50% reduction in parking spaces with the new building – excavation required will extend footprint on 3 sides of the property
• removal of old growth trees both on the developer's property and risk to the root system of trees on neighbouring properties
• displacement of bird populations with the removal of the tree canopy
• privacy of neighbouring properties reduced with the tree removal

2. the process:
• the developer, architect and city planning representatives have stated that the adjacent neighbours have been consulted over the course of the development permit application process and support the project – this is not true.
• while we understand the challenge to host the requested CALUC meeting during this time of COVID protocol, but the on-line meeting held September 9th was poorly moderated and not a truly representative platform whereby neighbouring residents could properly voice and debate this project.
§ we were told that the meeting was recorded, and we encourage council members to listen to the proceeding to better grasp the cumbersome proceedings of the meeting and the concerns the neighbours of the proposed redeveloped property at 1475 Fort Street have.

We ask that Mayor, Council and the Victoria City Planning Department reject the development application (city folder DVP00120) applied for by Lantern Properties; June 12, 2019 and for the company to resubmit an application for redevelopment of the property with a building that maintains the green scape of the neighbourhood and meets the design criteria of the zoning bylaws.

Regards,
Russ and Candace Scruggs

1475 Fort Street (Rockland)

All feedback received from August 10 to September 18, 2020

Submitter's Name
Matt Pope

Submitter's Position
Oppose

Submitter's Address
1036 St Charles St

Timestamp of Submission
2020-08-25 17:30

Additional Comments
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 m / 2 = 7.2 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 Name
gretchen karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Road, Victoria

Timestamp of Submission
2020-09-03 17:41

Additional Comments
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 Name
Gretchen Karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Rd

Timestamp of Submission
2020-09-03 17:49

Additional Comments
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 Name
Gretchen Karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Road

Timestamp of Submission
2020-09-03 17:55

Additional Comments
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 Name
Caspar Davis & Lorena Mowers

Submitter's Position
Oppose

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

Timestamp of Submission
2020-09-15 18:05

Additional Comments
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 Name
Dee Hoyano

Submitter's Position
Oppose

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

Timestamp of Submission
2020-09-15 18:50

Additional Comments
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 Name
Alan Morton

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
7-949 Pemberton Road

Timestamp of Submission
2020-09-16 20:14

Additional Comments
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 Name
Christine Morissette

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
13 - 949 Pemberton Road

Timestamp of Submission
2020-09-16 23:22

Additional Comments
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 Name
Bill McKechnie

Submitter's Email
[redacted]

Submitter's Position
Oppose

Submitter's Address
9-949 Pemberton Rd

Timestamp of Submission
2020-09-17 4:20

Additional Comments
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 [redacted]

Submitter's Name
Barry Willimott

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
1030 St. Charles Street, Victoria, B.C.

Timestamp of Submission
2020-09-17 21:48

Additional Comments
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 Aril 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 9th “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

Submitter's Name
Vanessa Dingley

Submitter's Position
Oppose

Submitter’s Email
[redacted]

Submitter’s Address
#12 -949 Pemberton Road, Victoria, V8S 3R5

Timestamp of Submission
2020-09-18 2:47

Additional Comments
Despite many letters from neighbours having been submitted, I remain extremely concerned about the scale of the proposed development at 1475 Fort, adjacent to our townhouse complex. While understanding the urgent need for rental housing in Victoria, I do not think that this should enable developers to disregard existing setback and height requirements; they exist for a reason and should be respected. I appreciate the information given at the recent CALUC webinar, but this does not

reassure me that sufficient changes will be made to make the proposed development acceptable in the neighbourhood. I also remain concerned about the loss of mature trees.

Submitter's Name
Ken and Tamara Bailey

Submitter's Position
Oppose

Submitter's Address
10-949 Pemberton Rd

Timestamp of Submission
2020-09-18 18:35

Additional Comments
Dear Mayor and Council,
We live at 10-949 Pemberton Rd which is adjacent to the proposed apartment building proposed by Lantern Properties at 1475 Fort St.

As you know, the existing apartment building provides supportive housing for a vulnerable population. Where do these people go if Council approves this project? VIHA will certainly not be able to afford the rents associated with this high end building. Support for this proposal would be a big trade-off in favour of the developer with the losers being those that need much needed supportive housing (as well as surrounding neighbours and the environment.) Where are the City's priorities on this very important issue? What are the social and economic implications of not providing proper housing for vulnerable people in our City? We can see right now in Victoria that these are huge.

Lantern Properties' original design proposal included four affordable housing units. These have been removed from the current design proposal. The developer says that these were excluded as they are not economic for the project. We suggest that the City discuss its interest in supporting affordable and, or, supportive housing with the developer. Maybe the developer has to downsize his profit. Perhaps a renovation of the existing building may be a way of being economic for the developer at the same time as meeting the City's interest in supporting housing for the less prosperous members of our community. (By the way, many developers have upgraded existing buildings for rental purposes in Victoria and have done so successfully).

We are opposed to Lantern's design as proposed. Please send this design back to the developer to come up with a building which is better suited to the lot size, the environment and the community. It is on the record that Lantern Properties is a landholding company and only interested in developing and managing rental properties. Because of this, we can expect that this company will not bring a strata development proposal back to Council, a concern that was brought up by a couple of Councillors at the May 28 CotW meeting. And, in any event, Council can also decline any strata proposal that includes requests for excessive variances such as that proposed by Lantern.

Sincerely Yours,

Ken and Tamara Bailey

Submitter's Name
Carolina Ashe

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
7-949 Pemberton Road

Timestamp of Submission
2020-09-18 18:47

Additional Comments
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 28th 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 livability 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

Submitter's Name
Jo Anna Hope

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
15-949 Pemberton Road, Victoria BC

Timestamp of Submission
2020-09-18 19:53

Additional Comments
Mayor Helps and Councillors,
I am writing about the application for a 4 story apartment block at 1475 Fort Street. My townhouse complex borders this property. The proposed building cannot fit on this site without clear-cutting all the mature trees that all sand at the perimeter of the lot. I do not see how this can be considered a

good idea when the effects of climate change are literally hitting us in the face. As I write this letter, smoke from wildfires is covering the entire continent.
We know that the elimination of trees has been a major contribution to the climate crisis we are now facing. This has been happening over a long period of time. It may seem that the 1475 Fort Street development is small in comparison to other situations where many more trees have been lost. But humanity has created our climate crisis, one decision at a time – one tree here, a dozen trees there. It all adds up.
The only way we can hope to mitigate the effects of past actions is to start making decisions that will help the planet to heal.
I am asking you to send this application back to the developer with the message to redesign an apartment building that observes the zoning bylaws.
This will save 11 mature trees. It is the right thing to do.
Jo Anna Hope
15-949 Pemberton Road, Victoria

Submitter's Name
Cynthia Pacheco

Submitter's Position
Oppose

Submitter's Address
11-949 Pemberton Road Victoria

Timestamp of Submission
2020-09-18 21:06

Additional Comments
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

Submitter's Name
Barbara Bolli

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
9-949 Pemberton Rd

Timestamp of Submission
2020-09-18 22:39

Additional Comments
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 Councilors' 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 Councilors 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 Councilors 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 Councilors' 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

Submitter's Name
Sandra Jones

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
6-949 Pemberton Road

Timestamp of Submission
2020-09-18 23:52

Additional Comments
Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road. I am expressing my concern about the proposed development at 1475 Fort Street by Lantern Properties because it will harm the natural environment in the neighbourhood.

I am so concerned that I have taken the time to paint the numerous birds that have been observed to inhabit the mature trees on this lot, in particular the Big Leaf maples. These birds and their ecosystem, of which we as neighbours and the city are a part, is what is at stake. These mature trees provide a substantial canopy and support a sensitive ecosystem from which we all benefit. As we all know, they remove carbon dioxide, reduce storm water, modify temperature and noise, and improve air quality. Research clearly indicates that an urban forest contributes to human health and well-being which is crucial in our era of pandemic and climate change.

We have experienced climate change effects this week with the toxic air from the fires in California, Oregon, and Washington. The mature trees are judiciously sequestering carbon and reducing air pollution by capturing particulate matter.

I hope you will consider:

- Lantern's current design with excessive variances and removal of all mature periphery trees destroys the beauty of our neighbourhood, the privacy of our homes and the habitat of the birds.

- Replacement trees will not make up for what is lost as they will not grow to anything of the size of these mature trees. 1-1 replacement is over an underground parking lot.

- The proposed development plan does not reflect meaningful consideration and input of the people most impacted by their plans. Lantern has not been required to consider ecosystems, or meet standards that reflect the integrity and environmental concerns of the people they affect.

Mayor and Council, I ask that this proposal be denied and sent back for redesign to a building that protects our urban forest and in doing so assists Victoria in climate recovery.

Sincerely,

Sandra Jones
#6-949 Pemberton Road
Victoria, BC
[redacted]

Submitter's Name
Gillian Lawson

Submitter's Position
Oppose

Submitter's Address
1-949 Pemberton Road, Victoria, BC V8S 3R5

Timestamp of Submission
2020-09-19 1:14

Additional Comments

I'm writing to express my frustration with the process employed to consider this development proposal. You will already be aware of the misgivings our neighbourhood has concerning this development. We have tried every way we can think of to alert city council and city staff to our concerns. We felt encouraged when, in the May 28 CotW meeting, the developer was directed to engage in a CALUC with the neighbourhood. Even with the unusual circumstances of the pandemic, we heard in the June 11 CotW than an in-person CALUC should still be possible and that the developer would be ill-advised to ignore the option of an in-person meeting.
We offered two venues for an in-person CALUC but the developer turned us down and opted for an online version. This venue was a webinar hosted by an urban planner of their choice. So, instead of a properly constituted CALUC meeting moderated by the neighbourhood association, we had an event, hosted by an apologist for the developer, which severely limited our participation. Not only was the developer allowed to dictate the terms of the meeting, they were also permitted to describe it as a "project upgrade meeting" ie, one they were initiating voluntarily. Not so. They wouldn't have done this if City Council had not directed them to do so.
In addition to a developer unwilling to engage, we also appear to be dealing with city staff who are disinterested in our concerns. At the ADP meeting of January 22 2020, a senior planner was in attendance yet, according to the minutes, the meeting failed to address in any way the significant variances asked for by the developer even though that was specifically what the panel was asked to address. At the CotW meeting on May 28, city staff described the impact of the proposed development on adjacent properties as minimal and suggested that the new trees would contribute to the urban canopy, conveniently ignoring the 11 mature trees that would be removed. I'm disappointed that city employees would fail so abysmally at looking out for the concerns of the citizens who pay their salaries.
Where does this leave the average citizen? How can we make our position clear in a process that seems stacked against us? I certainly hope that, when this project returns for further consideration by City Council, we can count on the support of our elected councillors.
Gillian Lawson
Unit 1 – 949 Pemberton Road

Submitter's Name
Russ Scruggs

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
#2 1019 Pemberton Road

Timestamp of Submission

2020-09-19 1:17

Additional Comments
Dear Mayor and Council,

We are writing you as residents at 1019 Pemberton Road; a small townhouse complex adjacent to the proposed redevelopment of the Lantern Properties 1475 Fort Street property.
My wife and I have been signatories to neighbourhood group letters written and sent on to council over the past two months raising concerns and objections to this proposal as it sits with the city; development permit application with variances.
Our concerns are with:
1. the project:
• inclusion of extraordinary variances in order to accommodate the new building; building height, set back reduction.
• a request for almost 50% reduction in parking spaces with the new building – excavation required will extend footprint on 3 sides of the property
• removal of old growth trees both on the developer's property and risk to the root system of trees on neighbouring properties
• displacement of bird populations with the removal of the tree canopy
• privacy of neighbouring properties reduced with the tree removal

2. the process:
• the developer, architect and city planning representatives have stated that the adjacent neighbours have been consulted over the course of the development permit application process and support the project – this is not true.
• while we understand the challenge to host the requested CALUC meeting during this time of COVID protocol, but the on-line meeting held September 9th was poorly moderated and not a truly representative platform whereby neighbouring residents could properly voice and debate this project.
§ we were told that the meeting was recorded, and we encourage council members to listen to the proceeding to better grasp the cumbersome proceedings of the meeting and the concerns the neighbours of the proposed redeveloped property at 1475 Fort Street have.

We ask that Mayor, Council and the Victoria City Planning Department reject the development application (city folder DVP00120) applied for by Lantern Properties; June 12, 2019 and for the company to resubmit an application for redevelopment of the property with a building that maintains the green scape of the neighbourhood and meets the design criteria of the zoning bylaws.

Regards,
Russ and Candace Scruggs

1475 Fort Street CALUC Community Meeting
September 9, 2020

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 5th 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 10th. 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 an 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.

Committee of the Whole Report
For the Meeting of May 28, 2020

To:	Committee of the Whole	**Date:**	May 14, 2020
From:	Karen Hoese, Director, Sustainable Planning and Community Development		
Subject:	**Development Permit with Variances Application No. 00120 for 1475 Fort Street**		

RECOMMENDATION

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 14.39 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres
    v. reduce the rear setback from 7.2 metres to 3.96 metres
    vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
    vii. reduce the west side yard setback from 7.2 metres to 3.86 metres
    viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1475 Fort Street. The proposal is to construct a four-storey residential rental building with multiple units on an existing panhandle lot. The variances are related to increased site coverage and height, reduced parking and setbacks, and siting of an accessory structure.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Design Guidelines for Development Permit Area 7B(HC) – Corridors Heritage, which encourage human-scaled development that enhances the heritage character of the area
- the proposal is generally consistent with the Rockland Neighbourhood Plan which identifies the site for multi-unit development and encourages high quality architecture that reflects the character of the neighbourhood and relates to the lower-scale residential buildings to the south
- all trees on the subject lot and the one tree with shared ownership would be removed, including three bylaw protected trees, and replaced with ten new trees, including six bylaw replacement trees
- the applicant is willing to provide a 0.72m statutory Right-of-Way along Fort Street to help achieve a standard secondary arterial roadway width
- a housing agreement and a covenant are proposed to secure the rental tenure of the dwelling units in perpetuity
- the variances related to reduced setbacks and height are considered supportable as the proposed development would have minimal impacts on the adjacent properties in terms of privacy impacts and shading and there would be no impact on the public realm along Fort Street
- the proposed parking variance is considered sufficient to meet the parking demand for this development given the rental tenure, the provision of additional bicycle parking, and the site location in close proximity to a large urban village and frequent transit along Fort Street

- the variance to allow an accessory structure in the front yard is considered supportable as the proposed location would have minimal impact on adjacent properties
- the variance to allow for increased site coverage is considered supportable as the remaining open site space will be extensively landscaped to provide outdoor amenity space for the residents and add privacy screening between adjacent properties.

BACKGROUND

Description of Proposal

The proposal is to construct a four-storey residential rental building with approximately 32 rental units on an existing panhandle lot.

The proposal includes the following major design components:

- a contemporary four-storey building with underground parking
- a mix of one and two bedroom units
- bicycle storage rooms located in the underground parking level and on the ground floor, close to the main entrance.

Exterior materials include:

- tumbled and smooth brick
- metal panels
- vertical seam metal siding
- cedar soffits
- perforated aluminium screens and aluminium pickets
- metal fascia and flashing
- architectural concrete.

Landscape elements include:

- raised metal planters with a mix of shrubs and ornamental trees
- six stall bike rack located near the main entrance
- 1.8m high wood panel perimeter fence
- private patios for the ground floor units
- a common outdoor amenity area located at the north side of the building with a pergola.

The proposed variances are related to:

- reducing the vehicle parking from 45 stalls to 26 stalls;
- reducing the visitor parking from 3 stalls to 2 stalls;
- increasing the building height from 12 metres to 14.39 metres;
- reducing the front setback from 10.5 metres to 1.81 metres

- reducing the rear setback from 7.2 metres to 3.96 metres
- reducing the east side yard setback from 7.2 metres to 3.05 metres
- reducing the west side yard setback from 7.2 metres to 3.86 metres
- increasing the site coverage from 40 percent to 47 percent
- allowing for an accessory structure to be located in the front yard rather than the rear yard.

Affordable Housing

The applicant proposes the creation of 32 new residential rental units which would increase the overall supply of market rental housing in the area. A Housing Agreement and a Section 219 Covenant are also being proposed to secure the rental tenure of the building in perpetuity.

Tenant Assistance Policy

The proposal is to demolish an existing multi-unit building which had been leased to the Vancouver Island Health Authority (VIHA). The lease has now expired, however, VIHA is still currently using the building to provide temporary housing to VIHA clients until they are able to find longer term accommodation. Given the current occupancy of the building is not subject to the Residential Tenancy Act, the Tenant Assistance Policy does not apply to this proposal.

Sustainability

A number of sustainability features are outlined in the Architect's letter dated June 12, 2019 (revised September 13, 2019), including the following:

- electrical installation to accommodate future solar panels and future electric vehicle and bicycle charging stations
- LED lighting throughout the building and site
- heat recovery ventilation system for the building
- high efficiency plumbing fixtures and water heating system.

Active Transportation

The Application proposes 45 long term bicycle parking stalls and six short term bicycle parking stalls, which support active transportation.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit Application.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed common outdoor amenity space is designed to be accessible.

Existing Site Development and Development Potential

The site is presently developed as a three storey building with 11 dwelling units. In addition to multiple dwellings, the R3-AM-2 Zone permits the following uses:

- single family dwellings with a garden suite or secondary suit, subject to the regulations of the R1-B Zone
- two family dwellings, churches, public buildings, hospitals or schools, subject to the regulations of the R-2 Zone
- college fraternity buildings
- Class A or Class B rest homes.

Data Table

The following data table compares the proposal with the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	R3-AM-2 Zone
Site area (m^2) – minimum	1500	920
Density (Floor Space Ratio) – maximum	1.43:1	1.6:1
Total floor area (m^2) – maximum	2139.29	N/A
Lot width (m) – minimum	31.78	N/A
Height (m) – maximum	**14.39***	12.00
Storeys – maximum	4	4
Site coverage (%) – maximum	**47***	40
Open site space (%) – minimum	38	30
Setbacks (m) – minimum		
Front (north)	**1.81***	10.50
Rear (south)	**3.96***	7.2 (1/2 building height)
Side (east)	**3.05***	7.2 (1/2 building height)
Side (west)	**3.86***	7.2 (1/2 building height)
Parking – minimum	**26***	45 31 (Schedule C for rental building)

Zoning Criteria	Proposal	R3-AM-2 Zone
Visitor parking included in the overall units – minimum	**2***	3
Bicycle parking stalls – minimums		
Short Term	6	6
Long Term	45	39

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on June 25, 2019 the Application was referred for a 30-day comment period to the Rockland CALUC. A letter dated April 22, 2020 is attached to this report.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw,* it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The subject site is designated as Urban Residential in the *Official Community Plan* (OCP, 2012), which envisions low and mid-rise multi-unit buildings. The OCP also identifies the site within Development Permit Area 7B(HC) – Corridors Heritage, which supports high quality architecture, landscape and urban design that is human-scaled, responsive to its heritage context and helps to enhance the pedestrian experience along Fort Street. The design guidelines for this DPA that are applicable to this site are the *Advisory Design Guidelines for Buildings, Signs and Awnings* and the *Guidelines for Fences, Gates and Shutters*.

A number of multi-storey apartment buildings exist in the immediate vicinity that vary in design and contextual sensitivity. Consistent with the Design Guidelines, the proposed design respects the character of the established area and responds to the diversity of building types through form and massing that provides coherence and unity in relation to the adjacent properties. Without being imitative, the form and character of the design draws on the traditional character of the Rockland neighbourhood with the use of brick as a predominant building material and a design that speaks to natural, warm, and high-quality materials, strong horizontal emphasis, and a variety of texture and colour. Parking is provided underground and landscaped planting areas around the building's perimeter would enhance the residential character of the building, help with privacy screening and transition with adjacent properties.

Rockland Neighbourhood Plan

The Rockland Neighbourhood Plan supports new multi-unit residential development along the Fort Street corridor that relates in terms of scale to the residential properties to the south. Excellence in architectural design that is compatible with the historic character of Rockland is encouraged. The proposed development is considered consistent with these policies.

Regulatory Considerations

Although the proposed development complies with the R3-AM-2 Zone in terms of use and density, there are several variances required to facilitate the development:

- increase the building height from 12m to 14.39m
- increase the site coverage from 40% to 47%
- reduce the front setback from 10.5m to 1.81m
- reduce the rear yard, east side yard and west side yard setbacks from 7.2m (half the building height) to 3.96m, 3.05m and 3.86m, respectively
- reduce the vehicle parking from 45 stalls to 26 stalls. Note: the parking requirements in this zone are higher than the requirements under Schedule C (31 stalls)
- allow for an accessory structure (pergola) to be located in the front yard rather than the rear yard.

Setbacks

The variances related to reduced setbacks and height are considered supportable as the proposed development would have minimal impacts on the adjacent properties in terms of privacy impacts and shading and no impact on the public realm along Fort Street. There are no balconies on the south elevation to minimize overlook on the neighbouring townhouse development. Vertical metal screens have been added to the balconies on the east and west elevations to further reduce the potential for overlook.

Parking

The parking requirements for this site are embedded in the R3-AM-2 Zone, which requires 1.3 stalls per dwelling unit for a total of 45 parking stalls. However, Schedule C of the *Zoning Regulation Bylaw* was updated in 2018 and now correlates parking requirements to location (Core, Village/Centre or Other Area), as well as, tenure and unit size. When assessed against Schedule C, the parking requirement for this site, located in “Other Area”, would be 31 stalls.

A Parking Study, dated September 12, 2019, was provided with this Application. Given the site is within 30m of the Stadacona Large Urban Village, the study recommends assessing the proposal against the Schedule C parking requirements for “Village/Centre”. Based on the proposed unit sizes, this would result in a parking requirement of 25 stalls, one less than the proposed 26 stalls. The proposed parking is considered sufficient to meet the parking demand for this development given the proposed rental tenure and the site location in close proximity to the Stadacona Village as well as frequent transit along Fort Street.

Accessory Structure

The variance to allow an accessory structure in the front yard is considered supportable as the proposed location would have minimal impact on adjacent properties and no impact on the public realm along Fort Street.

Site Coverage
The variance to allow for increased site coverage is considered supportable as the remaining open site space will be extensively landscaped to provide outdoor amenity space for the residents and add privacy screening with adjacent properties

Advisory Design Panel Review

The application was referred to the Advisory Design Panel (ADP) on January 22, 2020. The ADP was asked to comment on the overall building and landscape design, with particular attention to the following aspects of the proposal:

- massing, setbacks and orientation
- response to context and physical characteristics of the site

The ADP voted unanimously to recommend to Council that the Application be approved as presented. The meeting minutes are attached for reference.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, and therefore falls under *Tree Preservation Bylaw No. 05-106* (consolidated June 1, 2015). The tree inventory for the proposal, outlined in the attached Arborist Report dated April 5, 2019, includes 17 trees potentially impacted by the proposed development: ten onsite, six offsite and one tree with shared ownership. All trees on the subject lot and the one tree with shared ownership are proposed for removal, including three bylaw protected trees. Tree removals are required for excavation of the underground parkade. The applicant is proposing to plant 10 new trees, including six bylaw replacement.

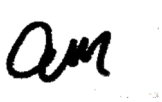
CONCLUSIONS

The proposed development is generally consistent with the applicable Design Guidelines and includes high-quality building materials and landscape finishes. The form and character of the building add to the character of the Fort Street Corridor and the potential impact of the variances has been mitigated through building design and landscaping. Therefore, staff recommend for Council's consideration that Council advance the Application to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00120 for the property located at 1475 Fort Street.

Respectfully submitted,



Alec Johnston
Senior Planner
Development Services Division

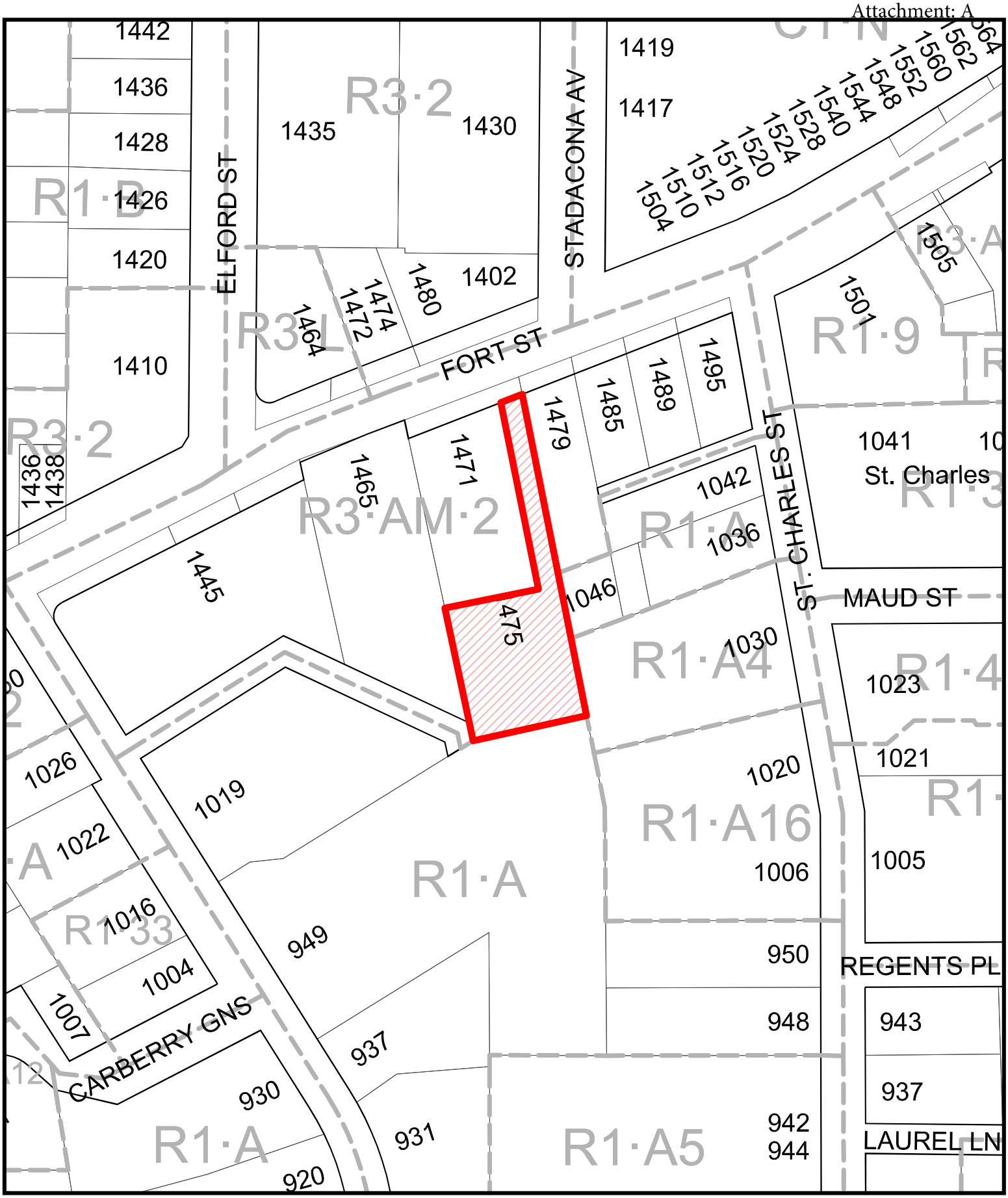
Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: 21 May, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 8, 2020
- Attachment D: Letter from applicant to Mayor and Council dated June 12, 2019 (revised September 13, 2019)
- Attachment E: Letter from the owner, Lantern Properties, to Mayor and Council
- Attachment F: Community Association Land Use Committee Comments dated April 22, 2020
- Attachment G: Arborist Report dated April 5, 2019
- Attachment H: Letter from the owner of 1465 Fort Street regarding tree replacement dated September 13, 2019
- Attachment I: Parking Impact Assessment dated September 12, 2019
- Attachment J: Correspondence (Letters received from residents).



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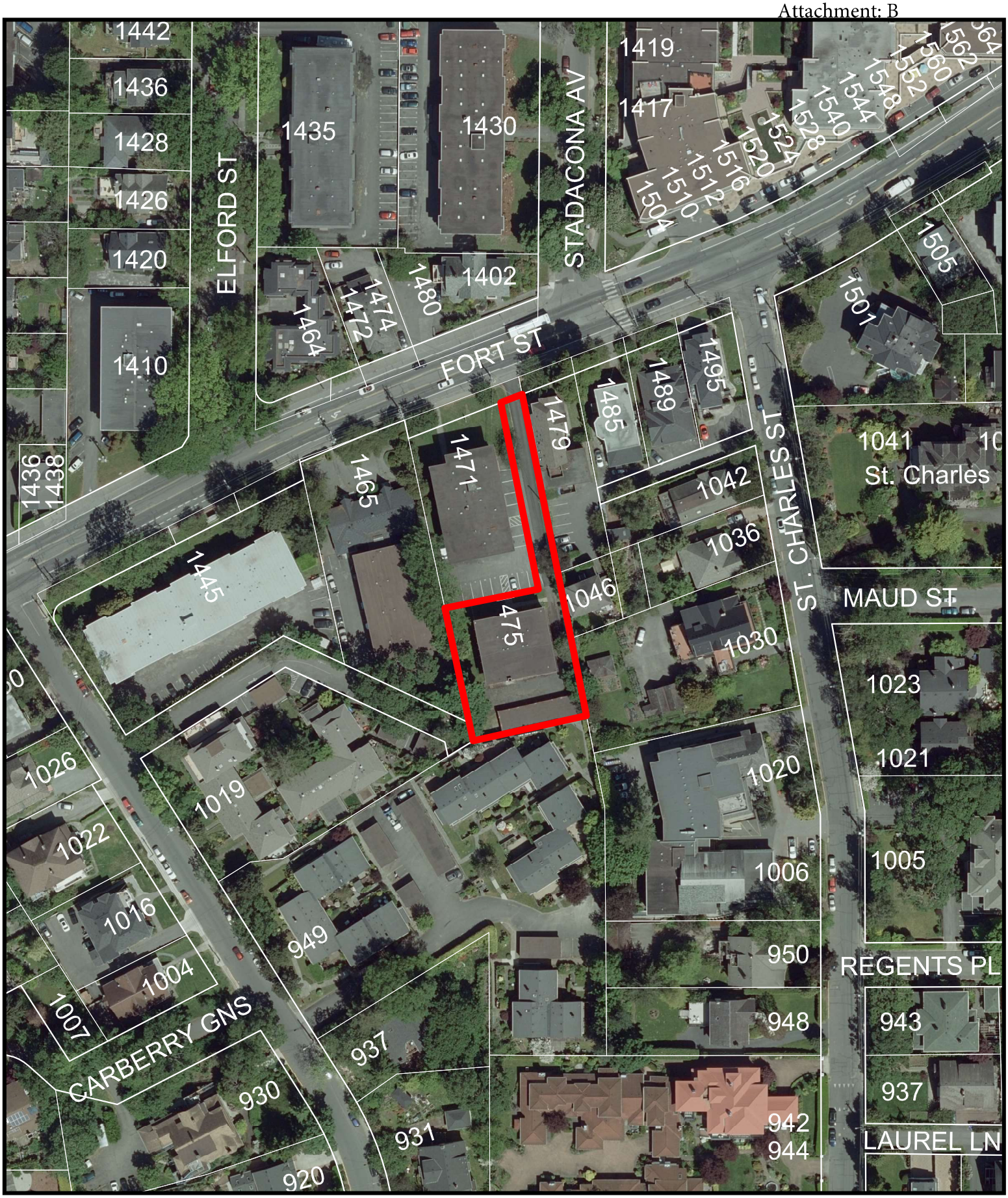
1475 Fort Street

Development Permit with Variance #00120

CITY OF VICTORIA



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1475 Fort Street

Development Permit with Variance #00120

CITY OF VICTORIA

Attachment:C

CITY OF VICTORIA
Revisions
Received Date:
April 8, 2020

1475 FORT STREET - HADERA APARTMENTS

VIEW FROM FREWING LANE

DRAWING LIST:

Architectural

A000	COVER
A001	SURVEY + PROJECT DATA
A002	BUILDING CODE REVIEW
A003	3D VIEWS
A004	MATERIALS
A101	SITE PLANS - DEMOLITION & PROPOSED
A201	FLOOR PLANS
A202	FLOOR PLANS
A301	ELEVATIONS
A302	ELEVATIONS
A401	BUILDING + SITE SECTIONS
A501	SHADOW STUDY

Civil

C-1	CONCEPTUAL SITE SERVICING PLAN

Landscape

L-1	LANDSCAPE CONCEPT PLAN
L-2	TREE PRESERVATION PLAN

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LANTERN PROPERTIES LTD

DP SUBMISSION REV 1.1

APRIL 02, 2020

Project #	1618
Sheet #	A000
Date	APRIL 02, 2020
Revision	3 APRIL 02, 2020

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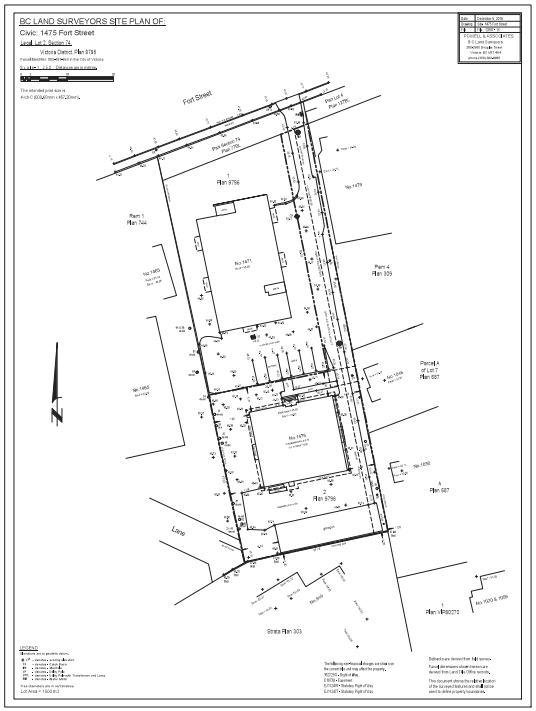
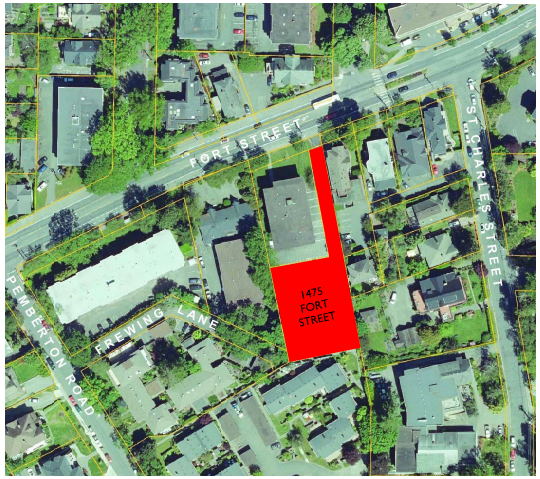
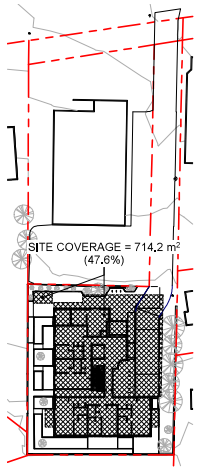


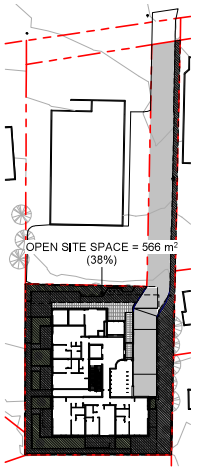
1 Existing Survey
SCALE = 1 : 500



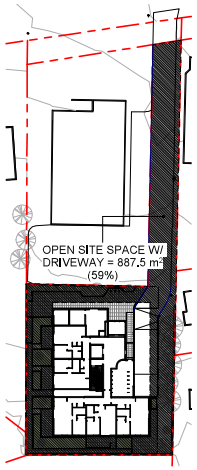
4 SITE LOCATION PLAN
SCALE = 1 : 1000



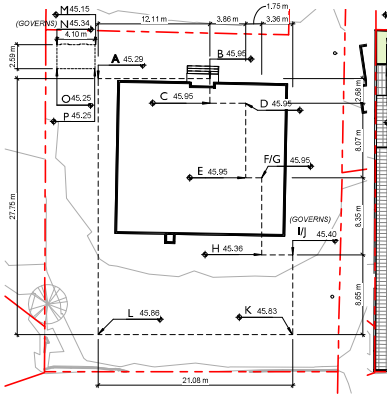
5 SITE COVERAGE
SCALE = 1 : 500



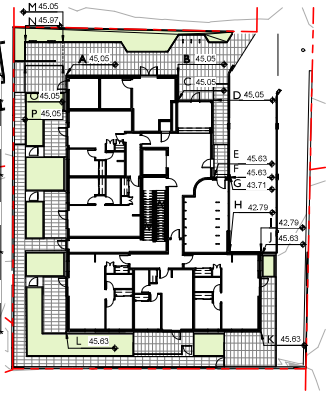
6 OPEN SITE SPACE
SCALE = 1 : 500



7 WITH DRIVEWAY
SCALE = 1 : 500



2 NATURAL GRADE REFERENCE PLAN
SCALE = 1 : 250



3 FINISHED GRADE REFERENCE PLAN
SCALE = 1 : 250

PROJECT DATA

ZONING ANALYSIS: R3-AM-2: MID RISE MULTIPLE DWELLING DISTRICT

	ZONE ALLOWANCE	PROPOSED	VARIANCE
SITE AREA:	920 m²	1,500 m²	N
FSR (BONUS FOR ENCLOSURE):	1.6:1	1.42:1	N
OPEN SITE SPACE (MIN):	30%	38%	N
OPEN SITE SPACE WITH DRIVEWAY (MIN):	50%	59%	N
SITE COVERAGE (MAX):	40%	48%	Y
NUMBER OF STOREYS:	4	4	N
ALLOWABLE HEIGHT:	12 m	14.39 m	Y
SETBACK - FRONT YARD :	10.5 m	1.805 m	Y
SETBACK - SIDE YARD WEST:	7.20 m	3.86 m	Y
SETBACK - SIDE YARD EAST:	7.20 m	3.05 m	Y
SETBACK - REAR YARD:	7.20 m	3.96 m	Y
# OF UNITS:	N/A	32	N/A
MINIMUM UNIT AREA:	33 m²	40 m²	N
MINIMUM NUMBER OF CAR STALLS:	45	26	Y
LONG TERM BICYCLE PARKING:	39	45	N
SHORT TERM BICYCLE PARKING:	6	6	N
ACCESSORY GARDEN STRUCTURE:	NOT LOCATED IN F.Y.	PROPOSED IN F.Y.	Y

OWNER:
Lantern Properties Ltd.

ARCHITECT:
Cascadia Architects Inc.

CIVIC ADDRESS:
1475 Fort Street
Victoria BC V8S 1Z4

LEGAL ADDRESS:
Lot 2, Section 74,
Victoria District, Plan 9798
Parcel Identifier: 005-397-863

PROJECT DESCRIPTION:
New residential building including:
• 4 storeys residential
• 1 storey below grade parking garage

RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	32
UNIT TYPE	26 1 BDRM, 6 2 BDRM
GROUND ORIENTED UNITS	5
MINIMUM UNIT FLOOR AREA (m²)	40 m²
TOTAL RESIDENTIAL FLOOR AREA (m²)	2,139.29 m²

CALCULATIONS:

SITE COVERAGE CALCULATION:

MAIN STRUCTURE	703.5 m²
ACCESSORY STRUCTURE	10.7 m²
LOT AREA:	1,500.0 m²
TOTAL (STRUCTURE) / LOT AREA	714.2 m² / 1,500.0 m²
SITE COVERAGE	***0.476 = 47.6%***

SITE COVERAGE ACCESSORY STRUCTURE CALCULATION:

ACCESSORY STRUCTURE	10.7 m²
LOT AREA:	1,500.0 m²
TOTAL (ACCESSORY) / LOT AREA	10.7 m² / 1,500.0 m²
SITE COVERAGE	***0.007 = 0.7%***

OPEN SITE SPACE CALCULATION:

MAIN BUILDING	612.5 m²
PARKING & DRIVEWAY	321.7 m² +
TOTAL	934 m²
LOT AREA / BUILDING & PARKING	1,500.0 m² - 934 m²
OPEN SITE SPACE	566 m²
OPEN SITE SPACE / LOT AREA	566 m² / 1,500.0 m²
OPEN SITE SPACE	***0.38 = 38%***

OPEN SITE SPACE WITH DRIVEWAY CALCULATION:

MAIN BUILDING	612.5 m²
LOT AREA / MAIN BUILDING	1,500.0 m² - 612.5 m²
OPEN SITE SPACE	887.5 m²
OPEN SITE SPACE / LOT AREA	887.5 m² / 1,500.0 m²
OPEN SITE SPACE w/ DRIVEWAY	***0.59 = 59%***

FSR CALCULATION:

FLOOR AREA LEVEL 1	419.60 m²
FLOOR AREA LEVEL 2	573.23 m² +
FLOOR AREA LEVEL 3	573.23 m² +
FLOOR AREA LEVEL 4	573.23 m²
TOTAL (STRUCTURE)	2,139.29 m²
LOT AREA	1,500.00 m²
TOTAL (STRUCTURE) / LOT AREA	2,139.29 m² / 1,500.00 m²
FLOOR SPACE RATIO	***1.42:1***

VEHICLE PARKING CALCULATION:

TOTAL UNITS	= 32
ZONE REQUIRED PARKING / UNIT	= 1.4
	44.8
REQUIRED PARKING STALLS:	*45 STALLS*
PROVIDED PARKING STALLS:	***26 STALLS***

BICYCLE PARKING CALCULATION:
USE: MULTIPLE DWELLING

5 UNITS < 45 m² (*1.00)	= 5
27 UNITS > 45 m² (*1.25)	= 33.75
LONG TERM SPACES	38.75
32 TOTAL UNITS (*0.1) SHORT TERM SPACES	= 3.2 = 6
REQUIRED LONG TERM SPACES	*39*
PROVIDED LONG TERM SPACES	***45***
REQUIRED SHORT TERM SPACES	*6*
PROVIDED SHORT TERM SPACES	***6***

MAIN STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS:

A: 45.05m
B: 45.05m
C: 45.05m
D: 45.05m
E: 45.63m
F: 45.63m
G: 43.71m
H: 42.79m
I: 42.79m
J: 45.40m (NATURAL)
K: 45.63m
L: 45.63m

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN		TOTALS
POINTS A & B:	((45.05 + 45.05) / 2) *45.05*	x 12.11m	=	545.56
POINTS B & C:	((45.05 + 45.05) / 2) *45.05*	x 2.66m	=	120.73
POINTS C & D:	((45.05 + 45.05) / 2) *45.05*	x 3.86m	=	173.89
POINTS D & E:	((45.05 + 45.63) / 2) *45.34*	x 8.07m	=	365.89
POINTS E & F:	((45.63 + 45.63) / 2) *45.63*	x 1.75m	=	79.85
POINTS G & H:	((43.71 + 42.79) / 2) *43.25*	x 8.35m	=	361.14
POINTS H & I:	((42.79 + 42.79) / 2) *42.79*	x 3.36m	=	143.77
POINTS J & K:	((45.40 + 45.63) / 2) *45.52*	x 8.65m	=	393.70
POINTS K & L:	((45.63 + 45.63) / 2) *45.63*	x 21.08m	=	961.88
POINTS L & A:	((45.63 + 45.05) / 2) *45.34*	x 27.75m	=	1,258.19
		= 97.66 m	**=**	**4,404.60**

GRADE CALCULATION:

4,404.60 / 97.66m (perimeter of building) **= 45.10 m**

ACCESSORY STRUCTURE - AVERAGE GRADE CALCULATION:

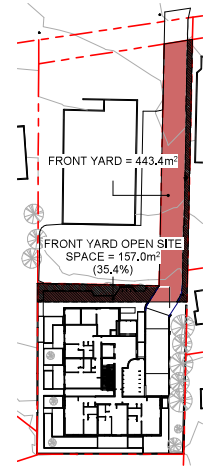
GRADE POINTS:

M: 45.05m
N: 45.34m (NATURAL)
O: 45.05m
P: 45.05m

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN		TOTALS
POINTS M & N:	((45.05 + 45.34) / 2) *45.20*	x 4.10m	=	185.32
POINTS N & O:	((45.34 + 45.05) / 2) *45.20*	x 2.59m	=	117.07
POINTS O & P:	((45.05 + 45.05) / 2) *45.05*	x 4.10m	=	184.71
POINTS P & M:	((45.05 + 45.05) / 2) *45.05*	x 2.59m	=	116.68
		= 13.38m	**=**	**603.78**

GRADE CALCULATION:

603.78 / 9.28m (perimeter of building) **= 45.12 m**



9 FY OPEN SITE SPACE
SCALE = 1 : 500

FRONT YARD OPEN SITE SPACE:

FY OPEN SITE SPACE	157.0 m²
FRONT YARD	443.4 m² /
FY OPEN SITE SPACE	***0.354 = 35.4%***

NO.	DESCRIPTION	DATE
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REV 1.1
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 1475 Fort Street
Victoria BC

Sheet / Layout
SURVEY + PROJECT DATA

Date
APRIL 02, 2020

Scale
As indicated

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A001

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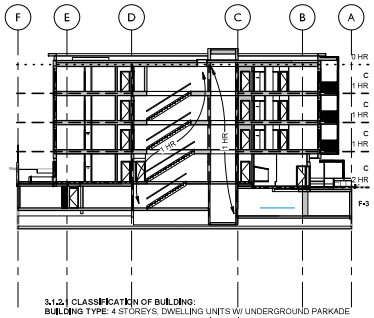


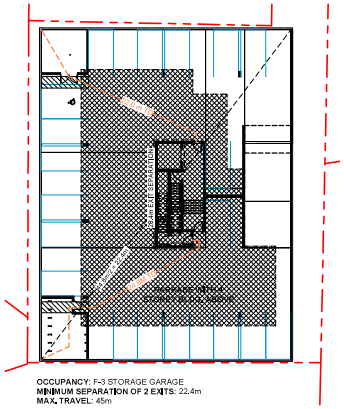
3.1.2. CLASSIFICATION OF BUILDING:
BUILDING TYPE: 4 STOREYS, DWELLING UNITS W/ UNDERGROUND PARKADE
STOREY 1 THROUGH 4: GROUP C (DWELLING UNITS)
UNDERGROUND: F-3 STORAGE GARAGE

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
COMBUSTIBLE CONSTRUCTION
FLOOR ASSEMBLIES: 1 hr
LOAD BEARING WALLS, COLUMNS, & ARCHES: 1 hr
MEZZANINES: 1 hr (N/A)
ROOF ASSEMBLIES: 0 hr

3.5.3.1. ELEVATOR HOISTWAYS
1 hr FRR as per TABLE 3.5.3.1.

3.2.1.2. STORAGE GARAGE CONSIDERED AS A SEPARATE BUILDING
2 hr FRR as per 3.2.1.2.1

8 CODE REVIEW - BUILDING SECTION
SCALE = 1 : 250



OCCUPANCY: F-3 STORAGE GARAGE
MINIMUM SEPARATION OF 2 EXITS: 22.4m
MAX. TRAVEL: 45m

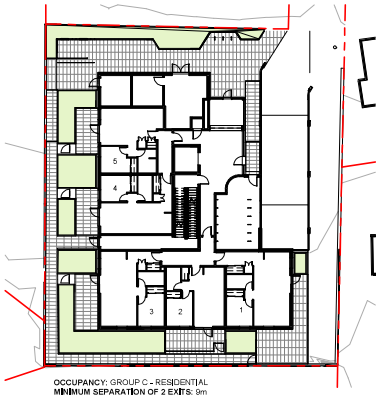
Net Area: 904 m²
Storage Garage: 46 sq.m/person
904/46 = 20 people

OCCUPANT LOAD: 20 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 20 = 160mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 20 = 122mm

1 CODE REVIEW PARKADE LEVEL
SCALE = 1 : 250



OCCUPANCY: GROUP C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

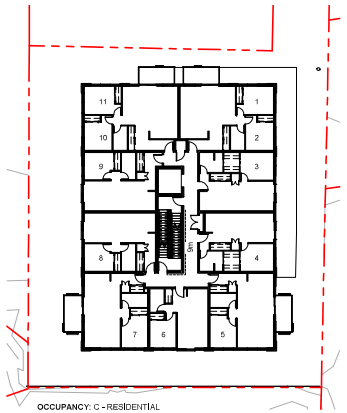
5 Bedrooms x 2 people/bedroom = 10 people

OCCUPANT LOAD: 10 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 10 = 80mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 10 = 61mm

2 CODE REVIEW LEVEL 1
SCALE = 1 : 250



OCCUPANCY: C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

11 bedrooms x 2 people/bedroom = 22 people

OCCUPANT LOAD: 22 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 22 = 176mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 22 = 134mm

3 CODE REVIEW 2/3/4 TYPICAL
SCALE = 1 : 250

BUILDING CODE REVIEW:

BUILDING CODE ANALYSIS:

REFERENCED DOCUMENT:
British Columbia Building Code 2018, Part 3

SECTION 3.1. GENERAL:

3.1.2.1. CLASSIFICATION OF BUILDINGS:
Group C: Residential Occupancy Levels 1-4
Group F-3: Low-Hazard Industrial Occupancy 1 Level (U/G)

3.2.1.2. STORAGE GARAGE CONSIDERED AS SEPARATE BUILDING:
2 hr FRR required as per 3.2.1.2.1

3.1.17. OCCUPANT LOAD:
See Code Review Plans A002

SECTION 3.2. BUILDING FIRE SAFETY:
Parkade Level
Gross Floor Area: 904 m²

Level 1: 412 m²
Level 2/3/4: (3x) 544 m²
Gross Floor Area: 2,044 m²

Building Area: 544 m²

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
- Maximum allowable building area not more than 1,800 m²
- Combustible construction
- Floor assemblies not less than 1hr
- Sprinklered - YES

3.2.3. SPATIAL SEPARATION AND EXPOSURE PROTECTION *(Table 3.2.3.1.-D)*
See Limiting Distance Key Elevations A002

SECTION 3.3. SAFETY WITHIN FLOOR AREAS:

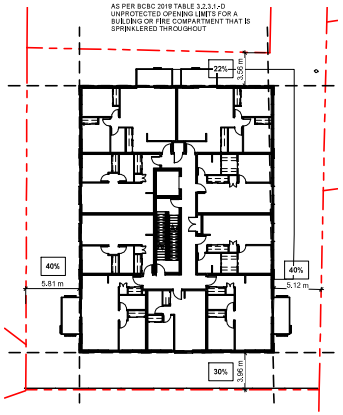
3.3.4.2. FIRE SEPARATIONS
Suites of residential occupancy shall be separated from each other and the remainder of the building by a fire separation having a fire resistance rating not less than 1hr

SECTION 3.4. EXITS:

3.4.2.1 MINIMUM NUMBER OF EXITS
Minimum number of exits: 2 per floor

3.4.2.5 LOCATION OF EXITS:
Max. Travel Permitted (residential use): 30m
Max. Travel Permitted (F3 use): 45m

3.4.2.3. DISTANCE BETWEEN EXITS
one half the maximum diagonal dimension of the floor area, but need not be more than 9m for a floor area having a public corridor.



9 CODE REVIEW - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	103.26 m² / 358.43 m²
EAST ACTUAL UNPROTECTED OPENING:	0.288 = **28.8%**
LIMITING DISTANCE:	5.12 m (5 m)
ALLOWABLE UNPROTECTED OPENING:	40%

4 EAST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	56.46 m² / 268.50 m²
NORTH ACTUAL UNPROTECTED OPENING:	0.210 = **21.0%**
LIMITING DISTANCE:	3.56 m (3 m)
ALLOWABLE UNPROTECTED OPENING:	22%

5 NORTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	87.52 m² / 358.75 m²
WEST ACTUAL UNPROTECTED OPENING:	0.244 = **24.4%**
LIMITING DISTANCE:	5.7 m (5 m)
ALLOWABLE UNPROTECTED OPENING:	40%

6 WEST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	56.79 m² / 262.44 m²
SOUTH ACTUAL UNPROTECTED OPENING:	0.216 = **21.6%**
LIMITING DISTANCE:	3.96 m (3 m)
ALLOWABLE UNPROTECTED OPENING:	22%

7 SOUTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

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1	Development Permit Application	JUNE 12, 2019

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LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
BUILDING CODE REVIEW

Date
APRIL 02, 2020

Scale
As indicated

Project #
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A002

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VIEW FROM FREWING LANE

VIEW FROM FORT STREET

VIEW FROM PANHANDLE

VIEW OF LOBBY / PARKADE ENTRANCE

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3D VIEWS

Date

APRIL 02, 2020

Scale

1 : 300

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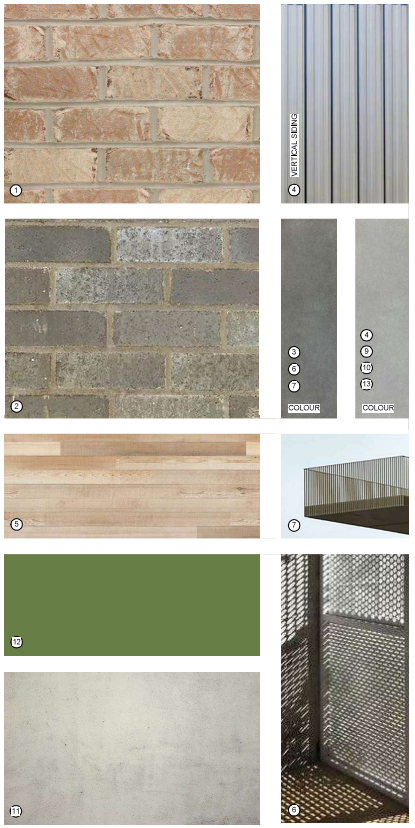
2

Sheet #

A003

4/8/2020 12:34:58 PM

VIEW FROM PANHANDLE



MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
6. PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
7. PREFINISHED ALUMINUM PICKET (DARK GREY)
8. VISION GLASS TYP. (DARK GREY FRAMES)
9. PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
10. PREFINISHED METAL CAP FLASHINGS (GREY)
11. ARCHITECTURAL CONCRETE
12. PREFINISHED ALUMINUM PLANTER (DARK GREEN)
13. PREFINISHED METAL CLAD COLUMN (GREY)

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1	Development Permit Application	JUNE 12, 2019

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MATERIALS

Date

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Scale

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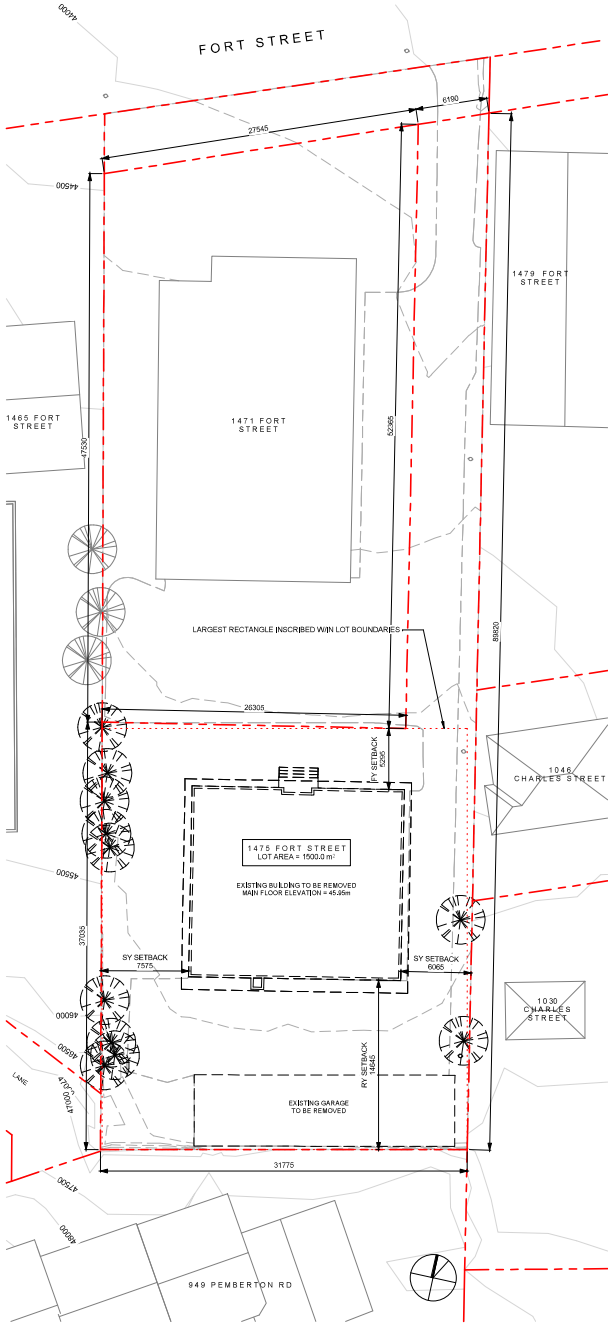
Sheet #

A004

4/8/2020 12:35:13 PM



1 SITE PLAN DEMOLITION
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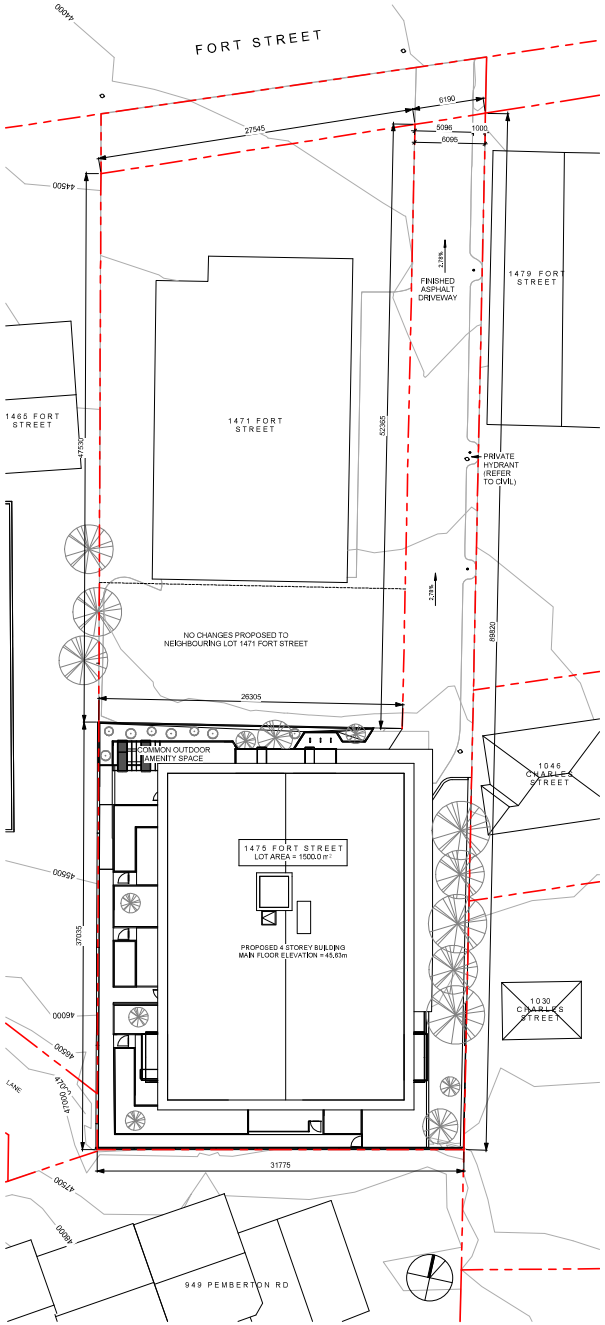

2 SITE PLAN PROPOSED
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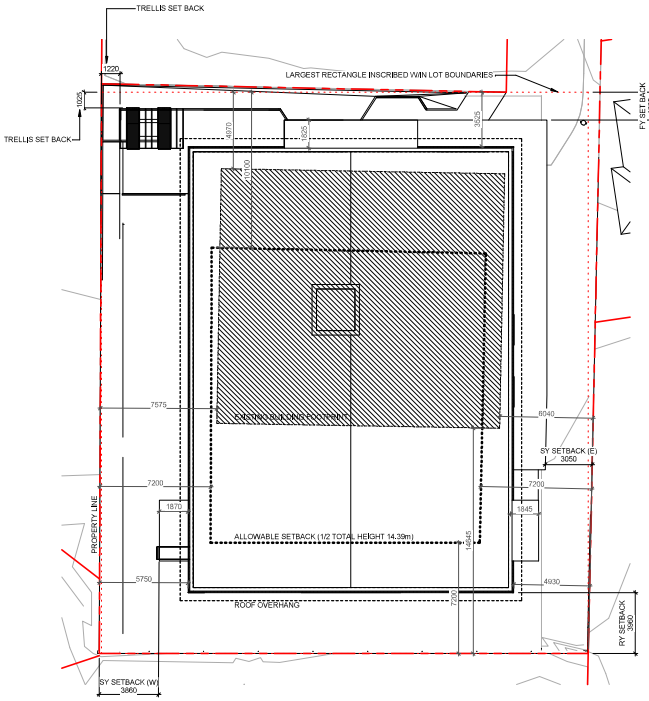

3 SETBACK DIAGRAM
SCALE = 1 : 150

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HADERA APARTMENTS | 475 Fort Street
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Sheet / Space
SITE PLANS - DEMOLITION & PROPOSED

Date
APRIL 02, 2020

Scale
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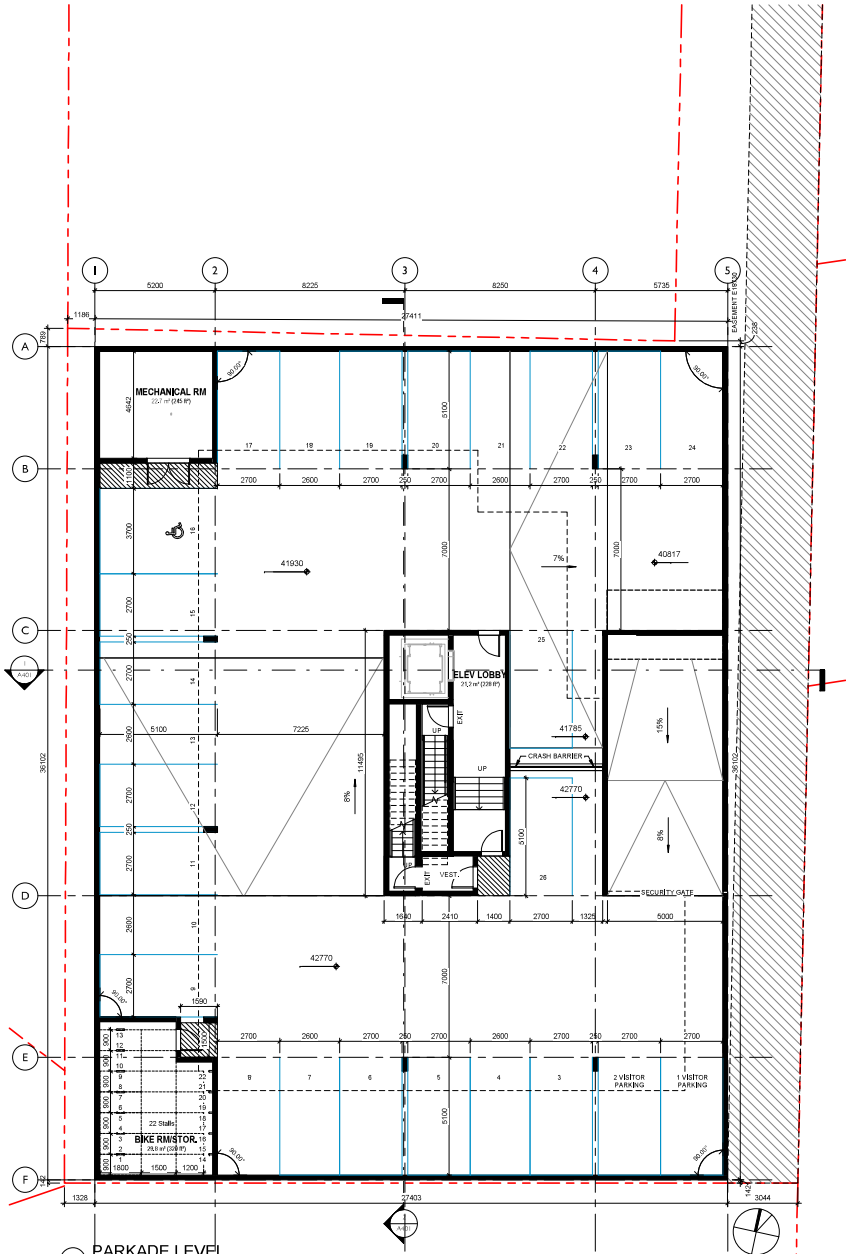
4/8/2020 12:35:29 PM



1 PARKADE LEVEL
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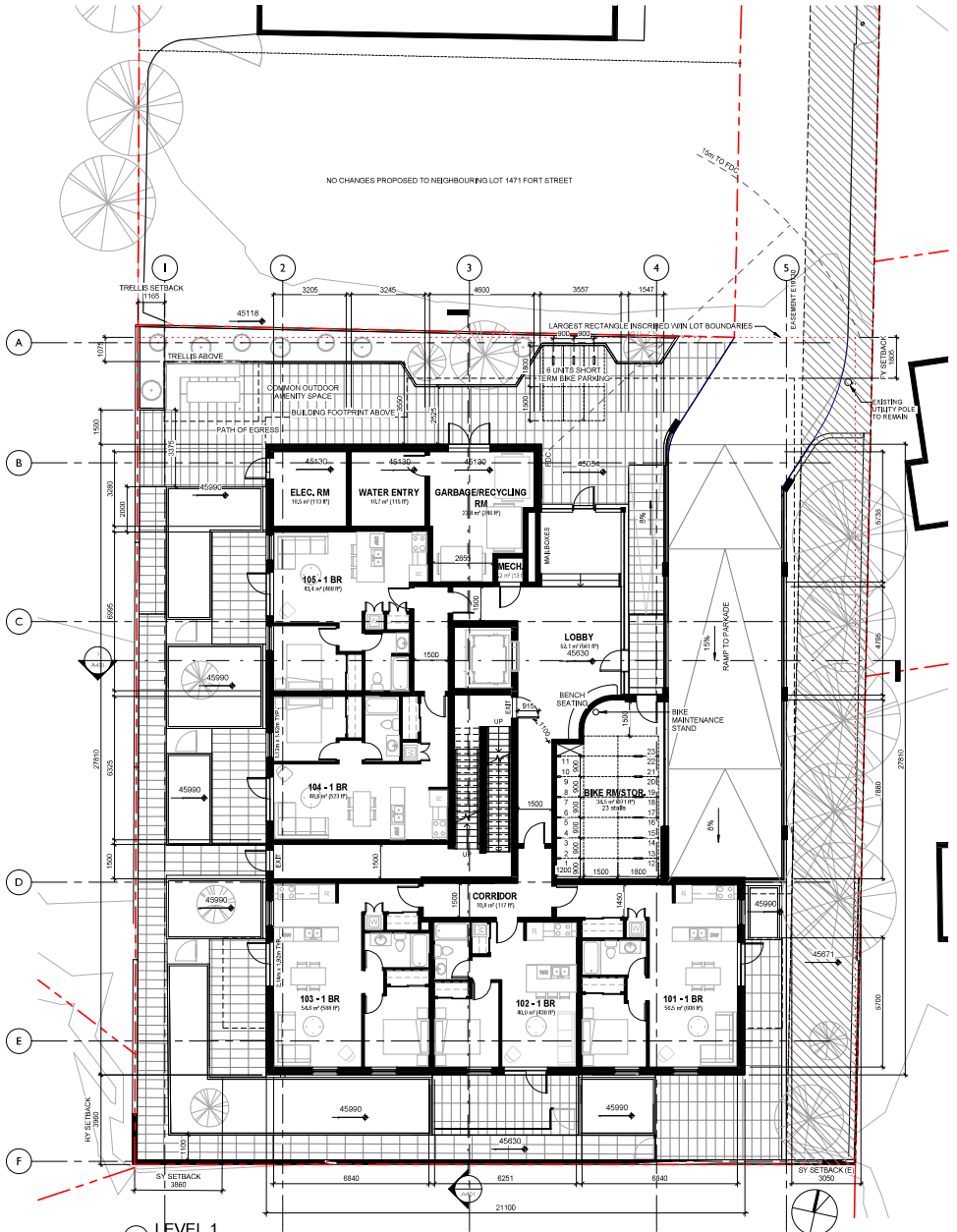

2 LEVEL 1
SCALE = 1 : 100

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Sheet Name
FLOOR PLANS

Date
APRIL 02, 2020

Scale
1 : 100

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2

Sheet #
A201

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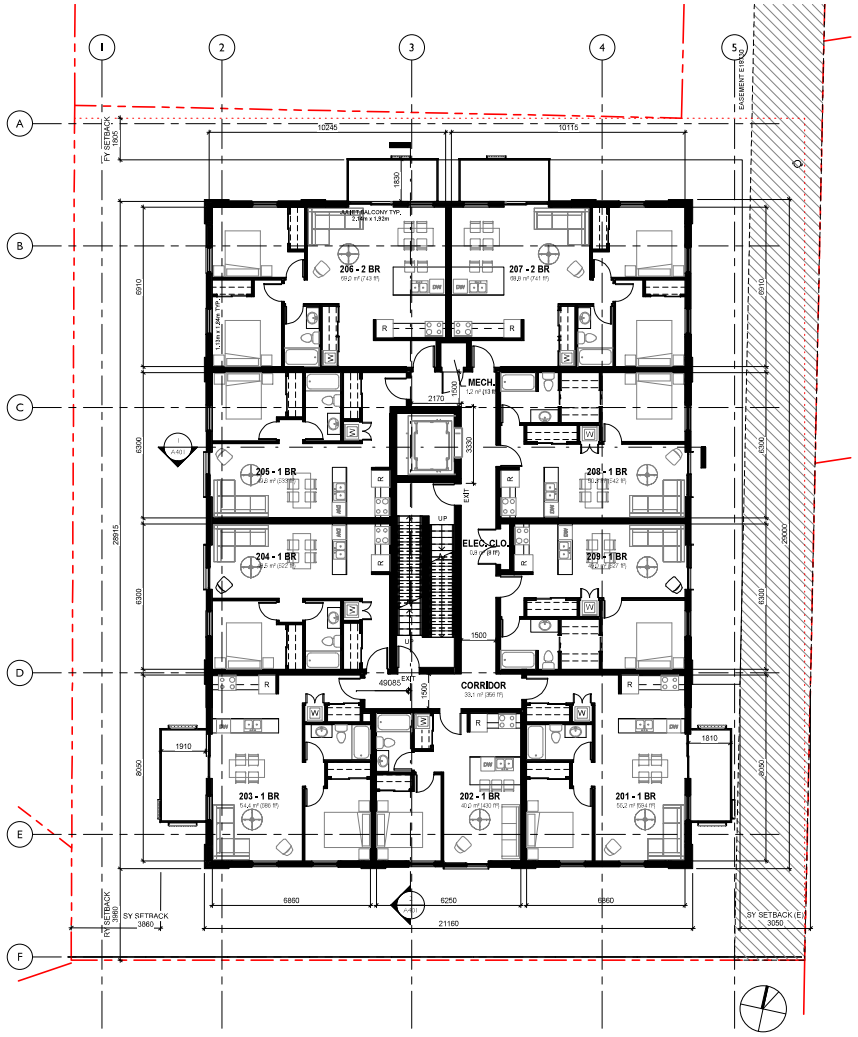

1 LEVEL 2/3/4 TYPICAL
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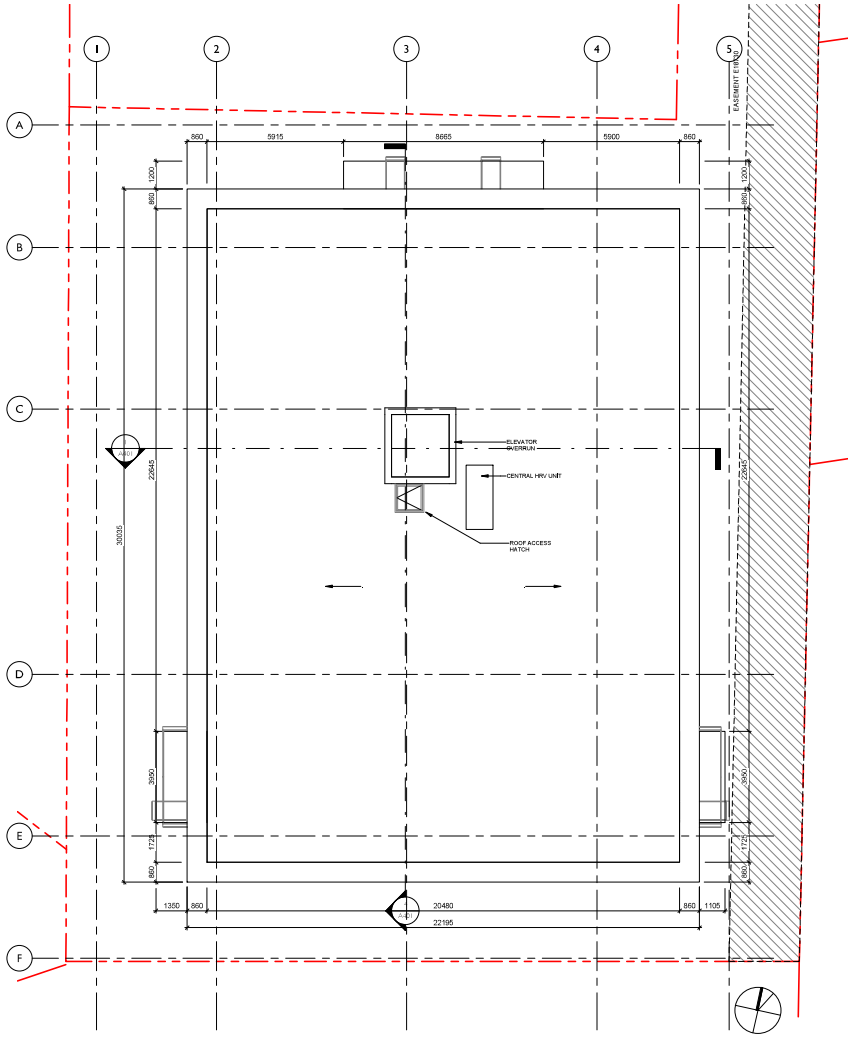

2 ROOF PLAN
SCALE = 1 : 100

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Sheet Name
FLOOR PLANS

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Scale
1 : 100

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2

Sheet #
A202

4/8/2020 12:35:41 PM

1 NORTH ELEVATION
SCALE = 1 : 100

2 EAST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR: SOFFITS (CLEAR FINISH)
6. PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
7. PREFINISHED ALUMINUM PICKET (DARK GREY)
8. VISION GLASS TYP. (DARK GREY FRAMES)
9. PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
10. PREFINISHED METAL CAP FLASHINGS (GREY)
11. ARCHITECTURAL CONCRETE
12. PREFINISHED ALUMINUM PLANTER (DARK GREEN)
13. PREFINISHED METAL CLAD COLUMN (GREY)

NO.	DESCRIPTION	DATE
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Sheet Name
ELEVATIONS

Date
APRIL 02, 2020

Scale
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1618

Revision
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3

Sheet #
A301

4/8/2020 12:36:24 PM

1 SOUTH ELEVATION
SCALE = 1 : 100

2 WEST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
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HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
ELEVATIONS

Date
APRIL 02, 2020

Scale
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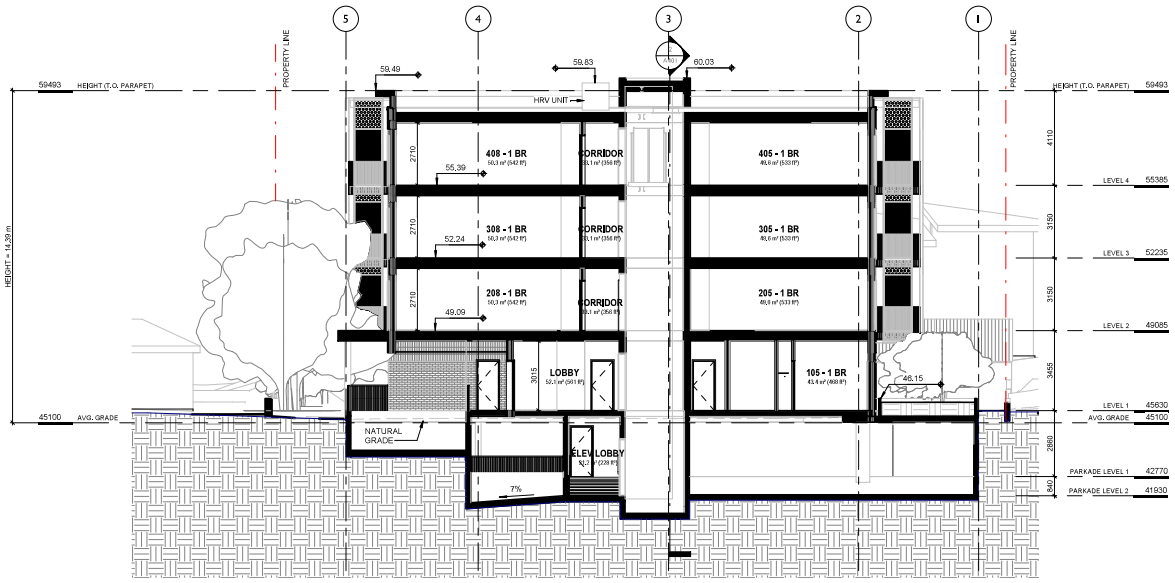
1618

Revision
APRIL 02, 2020
3

Sheet #
A302

4/8/2020 12:37:04 PM



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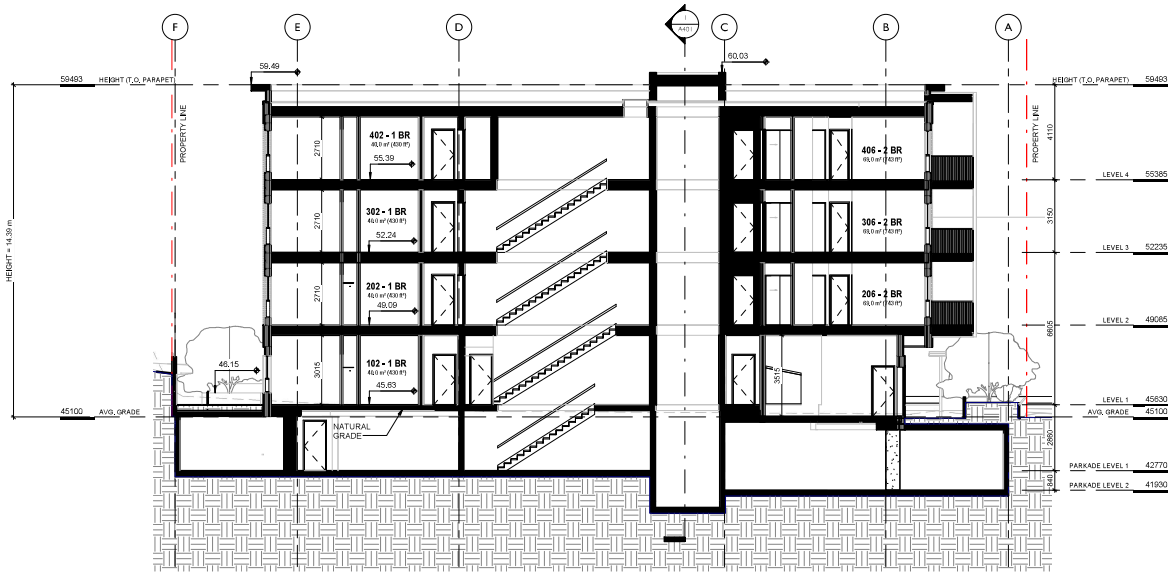

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Sheet Name
BUILDING + SITE SECTIONS

Date
APRIL 02, 2020

Scale
1 : 100

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A401

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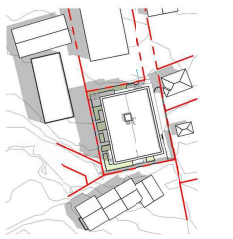

1 SUMMER SOLSTICE - 9AM
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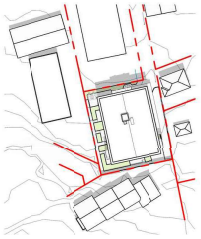

2 SUMMER SOLSTICE - NOON
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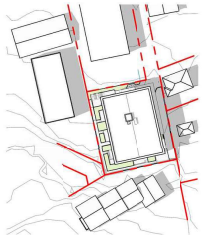

3 SUMMER SOLSTICE - 3PM
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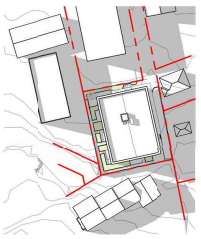

4 SUMMER SOLSTICE - 6PM
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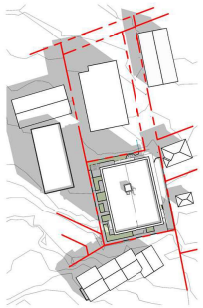

5 FALL EQUINOX - 9AM
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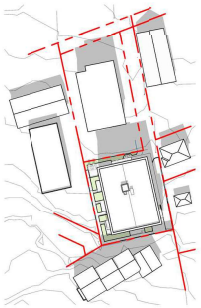

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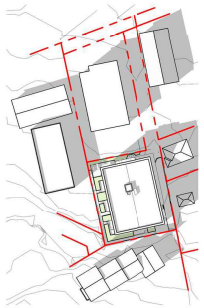

7 FALL EQUINOX - 3PM
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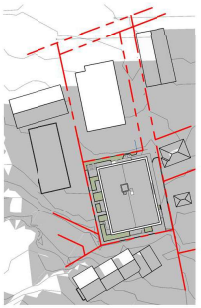

8 FALL EQUINOX - 6PM
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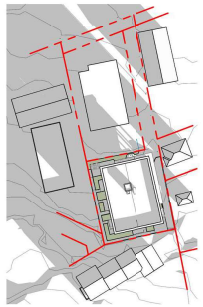

9 WINTER SOLSTICE - 9AM
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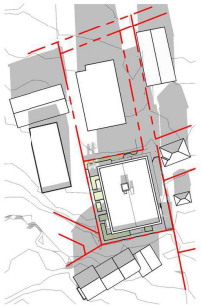

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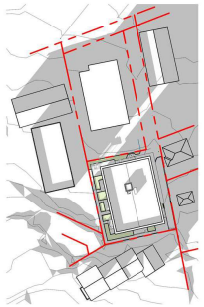

11 WINTER SOLSTICE - 3PM
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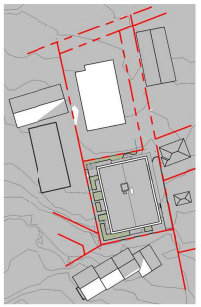

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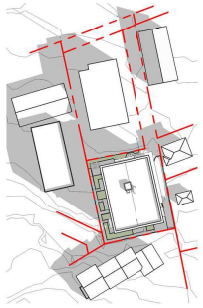

13 SPRING EQUINOX - 9AM
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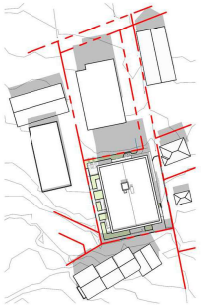

14 SPRING EQUINOX - NOON
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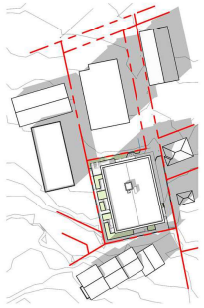

15 SPRING EQUINOX - 3PM
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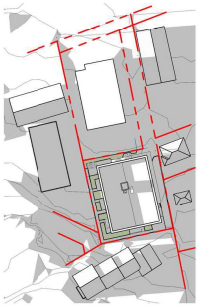

16 SPRING EQUINOX - 6PM
SCALE = 1 : 1000

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HADERA APARTMENTS | 475 Fort Street
Victoria BC

Sheet Name
SHADOW STUDY

Date
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Scale
1 : 1000

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
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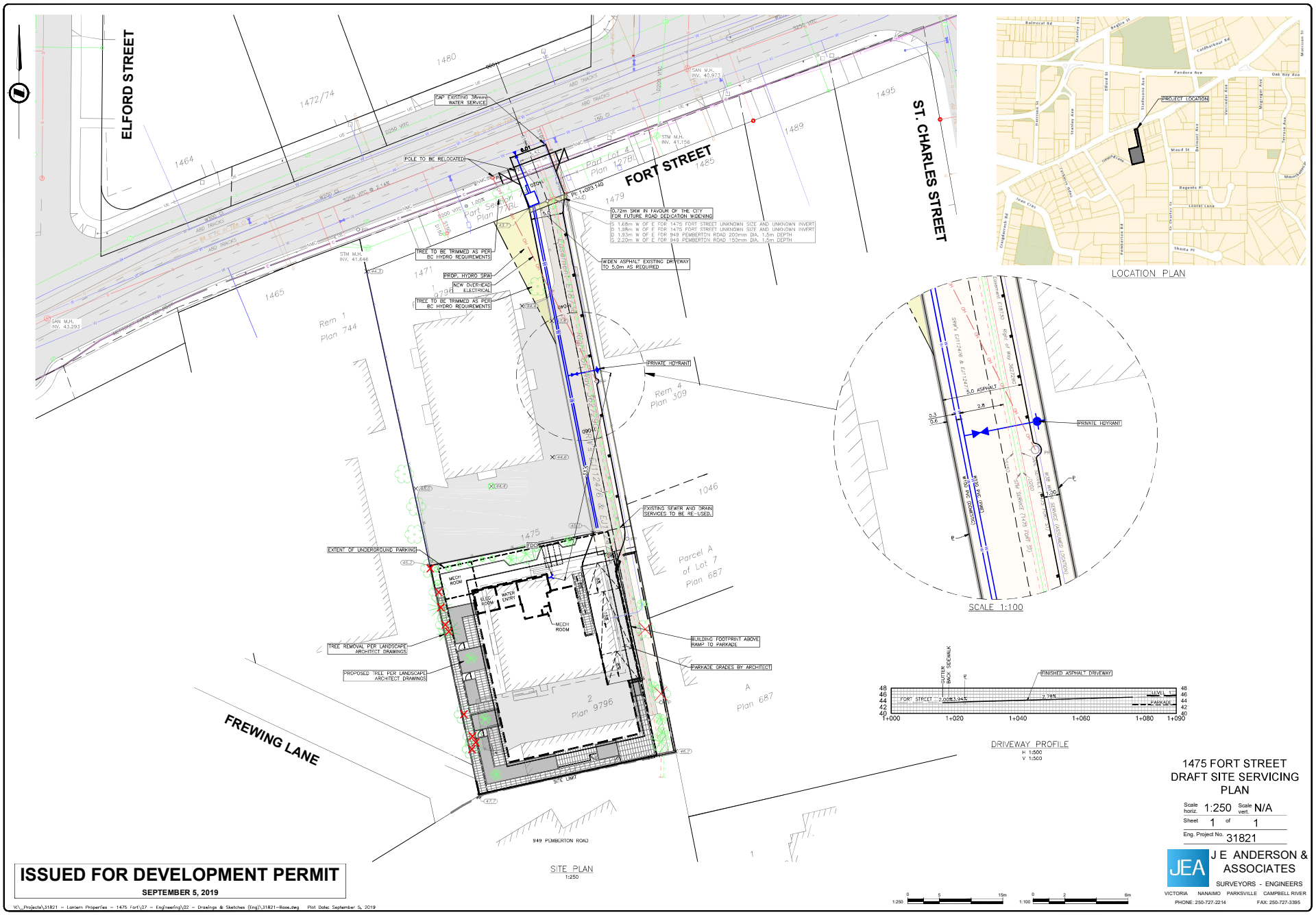


ISSUED FOR DEVELOPMENT PERMIT

SEPTEMBER 5, 2019

1475 FORT STREET DRAFT SITE SERVICING PLAN

Scale horiz. 1:250 Scale vert. N/A

Sheet 1 of 1

Eng. Project No. 31821

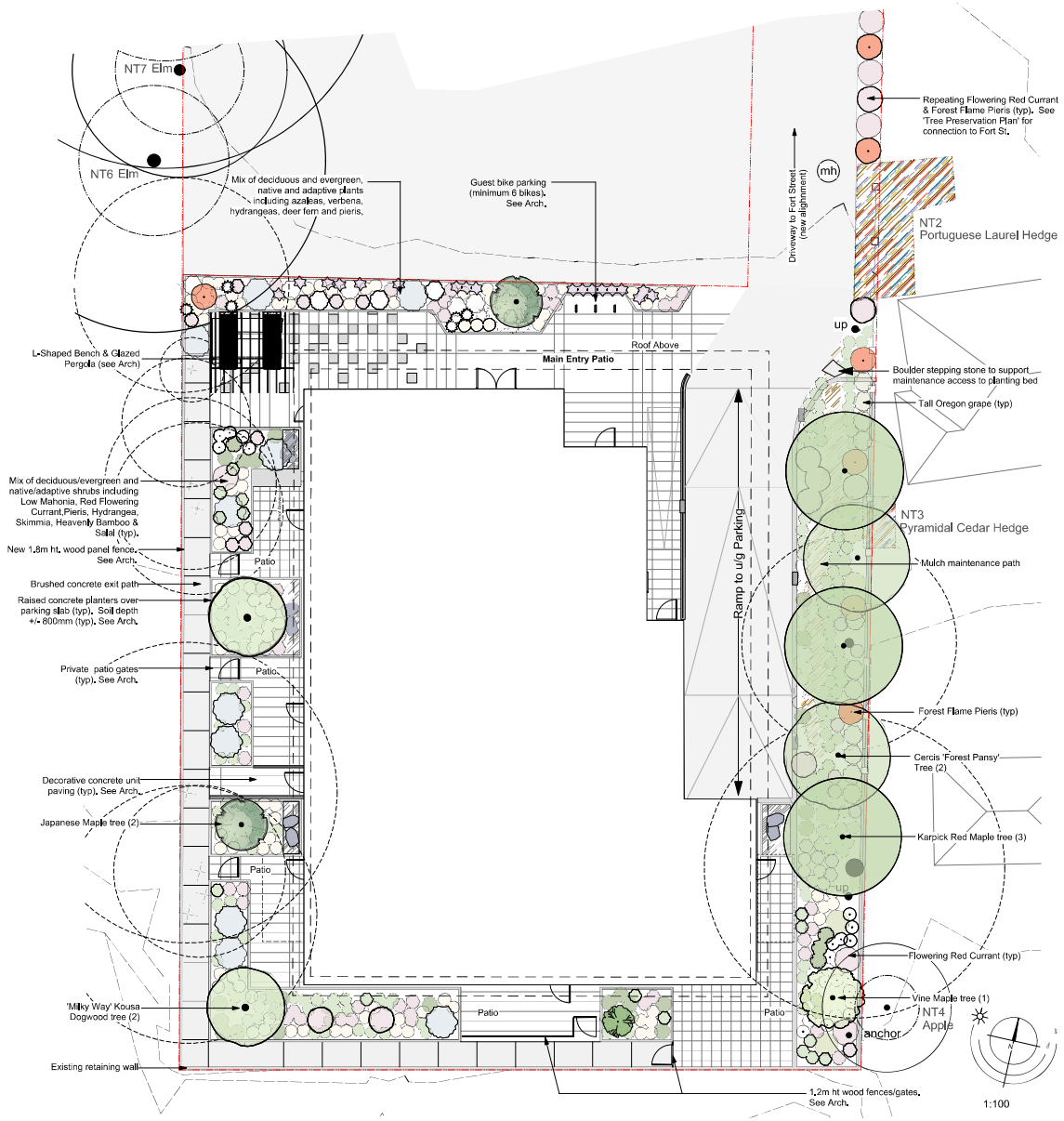
J E ANDERSON & ASSOCIATES

SURVEYORS - ENGINEERS

VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER

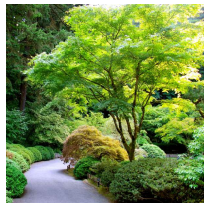
PHONE: 250-727-2214 FAX: 250-727-3395

W:_Projects\31821 - Lantern Properties - 1475 Fort\07 - Engineering\02 - Drawings & Sketches (Eng)\31821-Base.dwg Plot Date: September 5, 2019



Reference Images for Proposed Trees

'Forest Pansy' Redbud (early spring flowers)



Standard Green Japanese Maple

Milky Way Dogwood (late spring flowers)

Vine Maple (spring flowers and autumn samaras)

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AcC	1	Acer circinatum	Vine Maple	#15 pot; 2m ht min;
AcP	2	Acer palmatum	Japanese Maple	5cm cal
AcK	3	Acer rubrum 'Karpick'	Karpick Red Maple	4cm cal
CerFP	2	Cercis Canadensis 'Forest Pansy'	Forset Pansy Redbud	4cm cal; #15 pot
CorMW	2	Cornus kousa 'Milky Way'	Milky Way Dogwood	#20 pot

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
FatJ	1	Fatsia japonica	Japanese Fatsia	#7 pot
HyMB	12	Hydrangea macrophylla 'Blaumeise'	Teller Blue Lacecap Hydrangea	#7 pot
PiFF	12	Pieris 'Forest Flame'	Forest Flame Pieris	#7 pot

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
MaAq	11	Mahonia aquifolium	Tall Oregon Grape	#5 pot
RiSaKE	31	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#7 pot
SarR	6	Sarcococca ruscifolia	Sweet Box	#5 pot

Small Shrubs

ID	Quantity	Botanical Name	Common Name	Size
AzJH	10	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
GaSh	31	Gaultheria shallon	Salal	#1 pot
HyMTP	64	Hydrangea macrophylla 'Teller's Pink'	Teller's Pink Hydrangea	#3 pot
MaNe	181	Mahonia nervosa	Low Oregon Grape	#1 pot
NaHD	27	Nandina domestica 'Harbour Dwarf'	Harbour Dwarf Heavenly Bamboo	#2 pot
PiP	100	Pieris japonica 'Prelude'	Pieris 'Prelude'	#1 pot
SkJ	7	Skimmia japonica	Skimmia	#1 pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
BlS	21	Blechnum spicant	Deer Fern	#1 pot
VerB	18	Verbena bonariensis	Tall Verbena	#1 pot

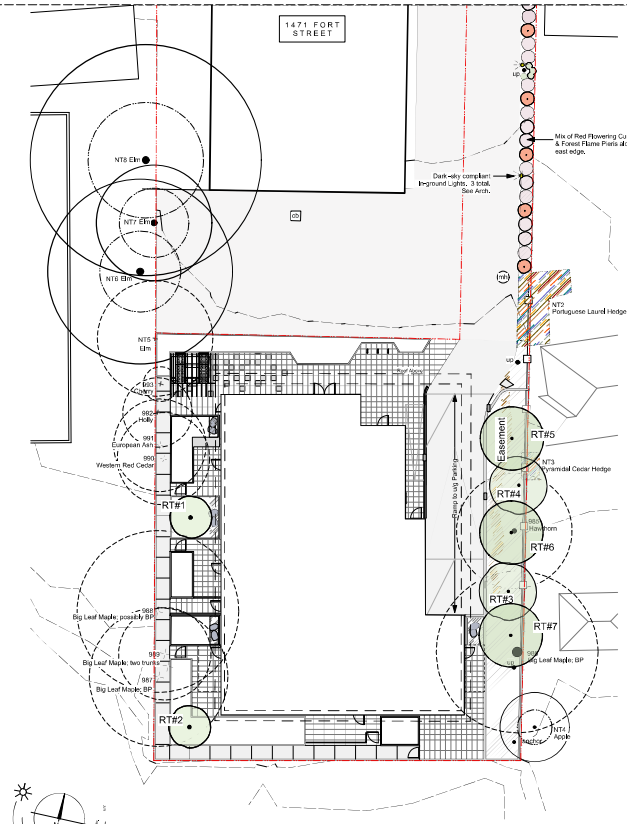
Notes:
1. **All work to be completed to current Canadian Landscape Standard**
2. **All soft landscape to be irrigated with an automatic irrigation system**
3. **LADR's work is limited to plant selections and soft lanscape.**

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Landscape Concept Plan

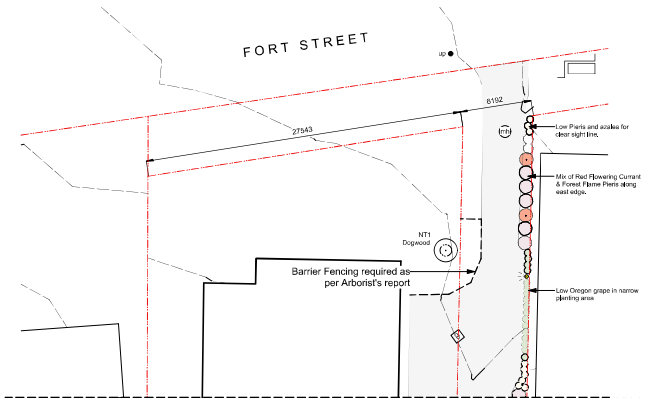
LADR LANDSCAPE ARCHITECTS
#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019



Tree Preservation / Removal Plan South Portion of Site

1:200



Tree Preservation / Removal Plan North Portion of Site

1:200

Tree Removal Key

	Tree Removed
BP	By-law Protected
	Critical Root Zone
NT5 / 988	Tree ID as per Arborist's Report
	Tree Retained
RT#1	Replacement Tree

Project Consulting Arborist is Noah Borges at **Talbot Mackenzie and Associates**
Contact: 250-479-8733
Email: tmtreehelp@gmail.com

Tree Replacement Summary:

1) Eleven trees are being removed; two are by-law protected and one may be by-law protected (as per arborist report). A minimum of 6 trees are required to replace the 3 by-law (or potentially by-law) protected trees (2:1 replacement).
2) Ten trees are proposed for this project. Seven qualify as replacement trees:
RT#1 & RT#2 are Cornus kousa 'Milky Way'.
RT#3 & RT#4 are Cercis canadensis 'Forest Pansy
RT# 5, RT#6 & RT#7 are Acer rubrum 'Karpick'
3) The following work to be supervised by the project arborist:
Locating barrier (tree protection) fencing. Locating work zones, supervising excavation within critical root zones of trees to be retained, and reviewing and advising of any pruning requirements for machine clearances.
Arborist to also review the arborist report with the site supervisor, prior to beginning work on site.

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Tree Preservation Plan

LADR LANDSCAPE ARCHITECTS
#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019

CASCADIA ARCHITECTS
DAMANT + JOHANNKNECHT

June 12th, 2019
Revised September 13, 2019

City of Victoria
No.1 Centennial Square
Victoria BC
V8W 1P6

Attn.: Mayor & Council

Re: 1475 Fort Street Development Permit Application

Cascadia Architects is pleased to submit this Development Permit application for 1475 Fort Street on behalf of Lantern Properties Ltd. (the 'Applicant') for the construction of *a four-storey 32 unit rental apartment building.* The details of the proposal described in this application carefully respond to the relevant OCP Design Guidelines, Development Permit Area Design Guidelines, and its existing R3-AM-2 zone. In preparing this application, the design team has received preliminary input from City planning and engineering staff, and specialist consultants including a certified arborist and civil and geotechnical engineers.

The consultation and review process to date include the following meetings:

- Pre-Planning Meeting City of Victoria (March 24, 2019)
- Open House with local neighbours (March 24, 2019)
- Introductory Meeting with Fire Prevention Officer (April 09, 2019)
- A review of preliminary height and setbacks with residents of 1030 St Charles St. (May 30, 2019)
- Meeting with the Rockland Neighbourhood Association (June 10, 2019)

Description of the Proposal:

The 1475 Fort Street parcel is 1500 sq.m in total area and is currently occupied by a 3 storey apartment building and associated at grade parking structure, both of which are deemed to be nearing the end of their life cycles. It is a panhandle lot as defined by the City of Victoria, and has a panhandle driveway which accesses Fort Street along the east property line of 1471 Fort, a property also owned by the Applicant.

The existing building on the site is currently leased to the Vancouver Island Health Authority, *and as such the tenant assistance policy is not applicable to this redevelopment.*

The current zoning of the site is R3-AM-2 – up to 4 storeys and 1.6:1 allowable FSR. It is located within the Development Permit Area 7B (HC): Heritage Corridor and is designated 'urban

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Victoria BC, V8W 1E4
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A Corporate Partnership

Principals

GREGORY DAMANT
Architect AIBC, LEED AP

PETER JOHANNKNECHT
Architect AIBC, LEED AP,
Interior Architect AKNW Germany

residential' in the Official Community Plan. The proposal is located in the Rockland neighbourhood.

The site itself is relatively flat, however, it sits significantly lower than the adjacent 949 Pemberton Road townhouses located to the south, and Frewing Lane to the southwest. There are a wide range of mature trees on and surrounding the site, and a service right of way from Fort Street to the Pemberton Road townhouses along the east property line.

The property is characterized primarily by its unique panhandle shape, which effectively pulls the building away from the Fort Street corridor, recessing it behind the 1471 Fort Street 4 storey apartment building and nestling it into the surrounding Rockland neighbourhood, an eclectic mix of townhouses, multi unit residential dwellings and single family homes.

Project Benefits and Amenities:

This project will bring 32 new units of rental housing stock to the City. The proposal will add much needed rental housing to the Rockland neighbourhood, and will enhance the quality of the public realm along the Fort Street corridor via the quality of its design, materials, and detailing.

Design and development guidelines:

The building reflects the intent of the current zoning, with a height of 4 storeys, underground resident parking, and a density (FSR) of 1.42:1. It takes its massing and material finish cues from the historic character of the neighbourhood, which provides the fundamental design concept that drives the project. This proposal strives to bridge between its historic context and a modern future for the Fort Street corridor, avoiding a pastiche or imitation of the past, but carefully referencing it through material selection and organization of massing on site. This approach is in keeping with the Rockland Neighbourhood Plan, providing strong architectural design that is compatible in character and quality with the Rockland environment.

The building is simple and uncomplicated and utilizes a refined material palette of light and dark brick, metal panels, aluminum pickets, and perforated screens. The base of the building is clad in dark brick, grounding it and visually reducing the building's mass. The second to fourth storeys are characterized by a clear hierarchy of materials, with strong horizontal and vertical light brick banding surrounding inset dark brick, and grey vertically oriented metal panels. These metal panels are matched in finish to a projecting roof overhang at the fourth storey and above the entrance to the underground parkade at the northeast corner of the building and the entrance to the site.

The entrance is set back from the face of the building, providing visual interest oriented towards Fort Street, and softened with cedar soffits. Dark green aluminum planters surround the building, punctuating the landscaping and providing textural contrast to the building itself, adding a further feature of visual interest. Perforated metal screens create a higher filigree of architectural expression to the balconies and provide some privacy screening between the proposal and the neighbouring sites.

The building draws on historical inspiration in a site specific response to achieve an elegant and timeless expression. It is comprised of high-quality exterior finishes which are durable and capable of weathering gracefully on all four facades, to the qualitative benefit of the public realm along the Fort Street corridor as well as the sightlines from adjacent residences. The design complements the mature landscaping and historic architectural character of the Rockland neighbourhood.

The primary design initiatives which reference the **Official Community Plan** can be summarized as follows:

- This proposal contributes a meaningful amount of in-fill rental housing stock within walking distance of services, amenities, and the City's downtown core.
- By placing new residential density in direct proximity to transit routes, and within cycling distance of downtown, new development can increase transportation choice and relieve vehicle dependence.
- The project seeks to preserve and enhance the sense of the neighbourhood's unique identity. The Rockland neighbourhood is characterized in many areas by atypical lots and variegated relationships between buildings and streets. The articulated façade treatment and contrasting colours and textures incorporated into the building's design create depth and visual interest from a distance, accentuating the lot's unique configuration and the orientation of the building upon it.
- This proposal introduces five ground oriented units, improving the contextual relationship between the building and the historic residential neighbourhood with ample ground oriented housing in which it is situated, elevating the pedestrian experience of the site.
- *As a rental residential development*, this proposal provides long term stable rental housing in the City of Victoria, upgrading and regenerating the city's existing rental housing stock, and encouraging a mix of new residents and a socio-economically inclusive community.

Additionally, the project responds to several relevant priorities laid out in **Development Permit Area 7B (HC): Heritage Corridor (Fort Street)**

- Fort Street is a corridor with the capacity for the intensification of multi unit residential development. The site is currently being utilized in a multi unit residential capacity. Through increased floor area and an additional fourth storey, this use is intensified in keeping with DPA 7B and OCP guidelines.
- Intensified multi-unit residential use in this location will promote pedestrian and bicycle use along Fort Street.
- Through thoughtful design and high-quality, durable building materials, this proposal supports the revitalization of Fort Street, and provides a sensitive response to its historic context, enhancing visual interest along the arterial.
- The exterior finishes and traditional massing achieve a cohesive design with the site's historic context and enhances the experience of the Fort Street corridor.

The proposal also reflects the following tenets of the referenced **Downtown Core Area Plan** guidelines**:**

- Due to its unique panhandle lot configuration, the building is not directly physically connected to the Fort Street frontage. The entrance to the building is oriented to the northeast corner of the site, visually connecting it to Fort Street and improving the building's relationship to the sidewalk.
- The grade difference between the site and its adjacent southern neighbours effectively reduces the impact of its height, and provides a sensitive transition between the R3-AM-2 and the R1-A zone as well as the Urban Residential and Traditional Residential Urban Place Designations moving away from Fort Street and into the Rockland residential area.
- The second storey cantilevers over the main level entrance, creating a continuous covered area along the street frontage and providing residents and users of the site with continuous shelter from the rain and other elements.

- The expression of the roof over the parkade ramp and lobby entrance distinguishes the entrance from the rest of the building, while the lobby entrance itself is recessed, providing visual articulation to the street facing north frontage of the building.
- A bike storage room, with generous glazing, is located next to the lobby and can be accessed from the outdoor by a separate entrance and ramp. The same ramp will act as the accessible entrance to the elevator lobby and can be used for moving days.

Transportation and Infrastructure:

The project is well situated and fully serviced by City of Victoria infrastructure. Schools, parks and recreation facilities are all located within walking distance of the site. In addition, the nearby work and shopping opportunities available both downtown and in the Stadacona Village, Oak Bay Avenue Village, Jubilee Village, and North Park Village make this site suitable for an increased population density. This population will be well serviced with regard to transportation options, including immediate proximity to major Transit routes on Fort Street and Pandora Avenue as well as vehicle and bicycle parking and storage provisions.

The project will include *24 resident and 2 visitor underground parking stalls* accessed from the driveway at the northeast corner of the body of the panhandle lot.

The long term bicycle parking spaces have been separated into two designated and secure bicycle rooms, one adjacent to the lobby at grade, and the other located in the underground parkade. The required 6 short term bicycle parking spaces are placed at the entrance to the building, semi protected from the elements by a projecting overhang, and screened by a raised feature planter.

Green Building Features:

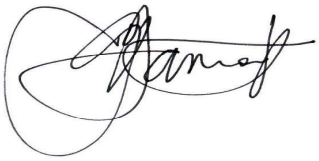
The following is a list of green building initiatives that will be deployed within the project:

- Exterior materials are highly durable, and detailing will suit life-span management of components.
- Solar Ready Conduit from Electrical Room to roof.
- LED lighting throughout.
- Low-VOC paint in all interior areas.
- Low-flow plumbing fixtures used throughout all units.
- Secure, heated bike storage at parkade and main level.
- Rough-in electrical for future electric bicycle charging locations within bicycle storage.
- Rough-in electrical for future electric vehicle charging stations.
- Heat Recovery Ventilation for the building.
- High efficient centralized domestic hot water boiler system.
- Meeting the BC Energy Step Code level 1 requirements.

In preparing this development permit application package the team has carefully considered community concerns, the relevant OCP objectives, and the Development Permit Area Design Guidelines. The design is respectful of neighbouring properties and proposes an elegant and timeless architecture that responds to the unique character of the location. We believe that it will add to the strength and character of the Fort Street corridor and the Rockland neighbourhood, and we look forward to presenting this project to ADP and Council. If you have any questions or require further clarification of any part of this application, please do not hesitate to contact our office.

Sincerely,

CASCADIA ARCHITECTS INC.



Peter Johannknecht, Architect AIBC, RAIC, LEED AP
Principal

Gregory Damant, Architect AIBC, RAIC, LEED AP
Principal

LANTERN
PROPERTIES LTD

Dear Mayor and Council,

Lantern Properties Ltd. is a multigenerational, multi-family rental housing operator and developer founded in 1962 by Arthur & Arlene Hayes. Lantern's first property was a low-rise concrete apartment building in the Ambleside neighbourhood of West Vancouver. Since then, Lantern has steadily grown its portfolio to include properties in several east and west-side Vancouver neighborhoods, as well as Victoria. Lantern has never sold an asset in its roughly 50-year history.

Lantern's first investment in Victoria was in the Rockland neighbourhood in 1976, when the founder built a 48-suite rental building at 1180 Fort Street. Other acquisitions occurred in the 1990's in James Bay, and Lantern bought the subject 1471/1475 Fort Street property in 2016. It is a two-lot site with two buildings. Lantern invested in upgrades to the landscaping and storm drainage, balcony repair and window replacement on both sites. A recent evaluation of the condition of 1475 determined that the building is approaching the end of its life and further investment would not be prudent. The redevelopment of 1475 will allow Lantern to provide the community with a safer and more energy efficient building, as well as providing more rental housing on this currently underutilized site. Lanterns investment in the site illustrates its long-term commitment to serving the communities in which it operates.

Best Wishes,
Lantern Properties Ltd.

1176 Burnaby Street, Vancouver BC, V6L1Y1
604-998-2290 866-288-1991 jeff.hayes@lanprop.com lanprop.com

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

Attachment : F

rockland.bc.ca

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).

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

Talbot Mackenzie & Associates
Consulting Arborists

1475 Fort St, Victoria

Construction Impact Assessment &

Tree Preservation Plan

Prepared For: Lantern Properties Ltd
#101-1176 Burnaby St
Vancouver, BC
V6E 1P1

Prepared By: Talbot, Mackenzie & Associates
Noah Borges – Consulting Arborist
ISA Certified: #PN-8409A
TRAQ – Qualified

Date of Issuance: April 5, 2019

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com

Talbot Mackenzie & Associates
Consulting Arborists

Jobsite Property: 1475 Fort St, Victoria

Date of Site Visit: June 6, 2018

Site Conditions: Existing multi-storey residential building with panhandle driveway. No ongoing construction activity.

Summary: Ten trees will require removal for construction of the underground parkade. Assuming excavation will occur up to the property line, roots from trees NT2-4 and NT6 are likely to be encountered. As NT2 and NT3 are located adjacent to the east fence line, their health may be significantly impacted. We recommend the project arborist supervise all excavation within the critical root zones of these four trees and prune any roots severed back to sound tissue at the edge of excavation.

Scope of Assignment:

- To inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to demolish the existing building and construct a new multi-storey housing complex with underground parking
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The by-law protected trees with their identification numbers were labelled on the attached Site Plan. The conclusions reached were based on the information provided within the attached plans from Cascadia Architects (dated 02/12/19).

Limitations: No exploratory excavations have been requested and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Servicing plans were not available for comment. We recommend the project arborist review servicing plans once they become available to evaluate the proposed impacts to any trees to be retained.

Summary of Tree Resource: Seventeen trees were inventoried, three of which are by-law protected. There is a row of large elm trees along the west fence line on the neighbouring property.

Trees to be Removed: Ten trees will require removal as a result of construction-related impacts:

- **Trees #985-993 and NT5** are within or immediately adjacent to the footprint of the underground parkade. We assume excavation will occur up to the property line along the west property line.

  We anticipate large, structural roots from **Elm NT5** (56cm DBH, under shared ownership with west neighbour) will be severed during excavation, resulting in significant health and structural impacts.

Potential Impacts on Trees to be Retained and Mitigation Measures

- **Dogwood NT1** (5cm DBH): This tree is located 3m from the existing driveway. We do not anticipate its health will be impacted by the proposed construction but recommend barrier fencing be erected at the edge of the driveway around the tree up to the property line to avoid accidental mechanical injury and unnecessary soil compaction within its CRZ.

- **Portuguese Laurel hedge NT2** (stems up to ~15cm DBH) and **Pyramidal Cedar hedge NT3** are located on neighbouring properties to the east (1479 Fort St and 1046 St. Charles St). Assuming excavation for construction of the underground parkade occurs up to the east fence line, roots from both of these hedges will be encountered. Half the CRZs of the cedar stems and the laurel stems growing along the fence will be severed, potentially resulting in significant health impacts (particularly to the cedar hedge). We recommend the project arborist prune any roots severed back to sound tissue at the time of excavation and that the neighbours be informed of the proposed impacts to their trees.

- **Apple NT4** (~25cm DBH) is located on the property of 1030 St. Charles St, approximately 1.5m from the fence line. Assuming excavation for construction of the underground parkade occurs up to the east fence line, we anticipate roots from this tree will be impacted, potentially resulting in minor health impacts. We recommend the project arborist prune any roots severed back to sound tissue at the time of excavation and that the neighbour be informed of the proposed impacts to their tree.

- **Elm NT6** (~60cm DBH) is under the ownership of #1465 Fort St and is located approximately 4m from the northwest property corner. We anticipate some roots from this tree may be encountered if excavation occurs up to the property corner, but its health will not be significantly impacted. No clearance pruning will be required, as the aboveground portions of the building are 5.5m from the west property line.

- **Arborist Supervision**: All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:

    - Excavation within the CRZ of trees NT2-4 and NT6

- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:

    - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
    - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
    - Placing two layers of 19mm plywood.
    - Placing steel plates.

- **Demolition of the Existing Buildings:** The demolition of the existing multi-storey building and garage, and any services that must be removed or abandoned, must take the critical root zone of the trees to be retained into account. If any excavation or machine access is required within the critical root zones of trees to be retained, it must be completed under the supervision and direction of the project arborist. If temporarily removed for demolition, barrier fencing must be erected immediately after the supervised demolition. We do not anticipate that any trees to be retained will be impacted by the demolition of the existing structures.

- **Mulching**: Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.

- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.

- **Scaffolding:** This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see "Minimizing Soil Compaction" section).

- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.

- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

    - Locating the barrier fencing
    - Reviewing the report with the project foreman or site supervisor
    - Locating work zones, where required
    - Supervising any excavation within the critical root zones of trees to be retained
    - Reviewing and advising of any pruning requirements for machine clearances

- **Review and site meeting**: Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.

Thank you,

Neal Borgan

Noah Borges
ISA Certified #PN-8409A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 2-page tree resource spreadsheet, 1-page site plan with trees, 2-page building plans, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

1475 Fort Street
Tree Resource Spreadsheet

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
985	Hawthorn	*Crataegus spp.*	43	10	5.0	Good	Good	Fair/poor	Under utility lines. Previously topped. Water sprouts. Codominant union at 1.5m	N	X
986	Big Leaf Maple	*Acer macrophyllum*	86 below unions	14	10.0	Moderate	Fair	Poor	Tridominant union at 1m. Large pruning wounds. Fill around base. Crossing/rubbing limbs. Swelling at base. Epicormic growth	Y	X
987	Big Leaf Maple	*Acer macrophyllum*	~50, 45	12	9.0	Moderate	Good	Fair/poor	Possibly shared with neighbour. Codominant union at base. Damaged surface roots. Asymmetric crown due to competition with adjacent maple	Y	X
988	Big Leaf Maple	*Acer macrophyllum*	58	14	7.0	Moderate	Good	Fair	* Possibly by-law protected *. Sweep at base, corrected. Large pruning wounds.	N	X
989	Big Leaf Maple	*Acer macrophyllum*	~45	8	5.5	Moderate	Good	Fair	Codominant union at 5m	N	X
990	Western Red Cedar	*Thuja plicata*	40	8	6.0	Poor	Fair/poor	Fair	Declining top	N	X
991	European Ash	*Fraxinus excelsior*	29	8	3.5	Moderate	Good	Fair/poor	Codominant union at 6m	N	X
992	Holly	*Ilex aquifolium*	24	6	2.5	Good	Good	Fair/poor	Multiple leaders	N	X
993	Cherry	*Prunus spp.*	12	3	1.5	Moderate	Fair	Fair/poor	Second stem cut at base	N	X
NT1	Dogwood	*Cornus spp.*	5	2	1.0	Poor	Good	Fair	Neighbour's. 3m from driveway	N	Retain
NT2	Portuguese Laurel hedge	*Prunus lusitanica*	Multistem	3	1.5	Good	Good	Fair	Neighbour's. Adjacent to fence, stems up to ~15cm DBH	N	Retain
NT3	Pyramidal Cedar hedge	*Thuja spp.*	Multistem	1	1.5	Poor	Good	Good	Neighbour's. Adjacent to fence	N	Retain
NT4	Apple	*Malus spp.*	~25	6	3.0	Moderate	Good	Fair	Neighbour's. 1.5m from fence	N	Retain

Prepared by:
Talbot Mackenzie & Associates
ISA Certified and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: tmtreehelp@gmail.com

1475 Fort Street
Tree Resource Spreadsheet

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
NT5	Elm	*Ulmus spp.*	56	10	6.5	Moderate	Good	Fair	Under shared ownership with neighbour. Adjacent to fence. Overhangs 6m. Asymmetric due to competition	N	X
NT6	Elm	*Ulmus spp.*	~60	16	7.0	Moderate	Good	Fair	Neighbour's. 1m from fence. Deadwood. Roots likely uplifting pavement.	N	Retain
NT7	Elm	*Ulmus spp.*	~50	10	6.0	Moderate	Good	Fair	Neighbour's. Adjacent to fence. Ivy. Deadwood	N	Retain
NT8	Elm	*Ulmus spp.*	~60, 40	20	10.0	Moderate	Fair	Fair/poor	building clearance (1471 Fort St). Codominant union at base. Significant epicormic growth. Large pruning wounds	Y	Retain

Prepared by:
Talbot Mackenzie & Associates
ISA Certified and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: tmtreehelp@gmail.com

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1475 Fort Street

Legal Lot 2, Section 74,
Victoria District, Plan 9796

Parcel Identifier: 005-397-863 in the City of Victoria

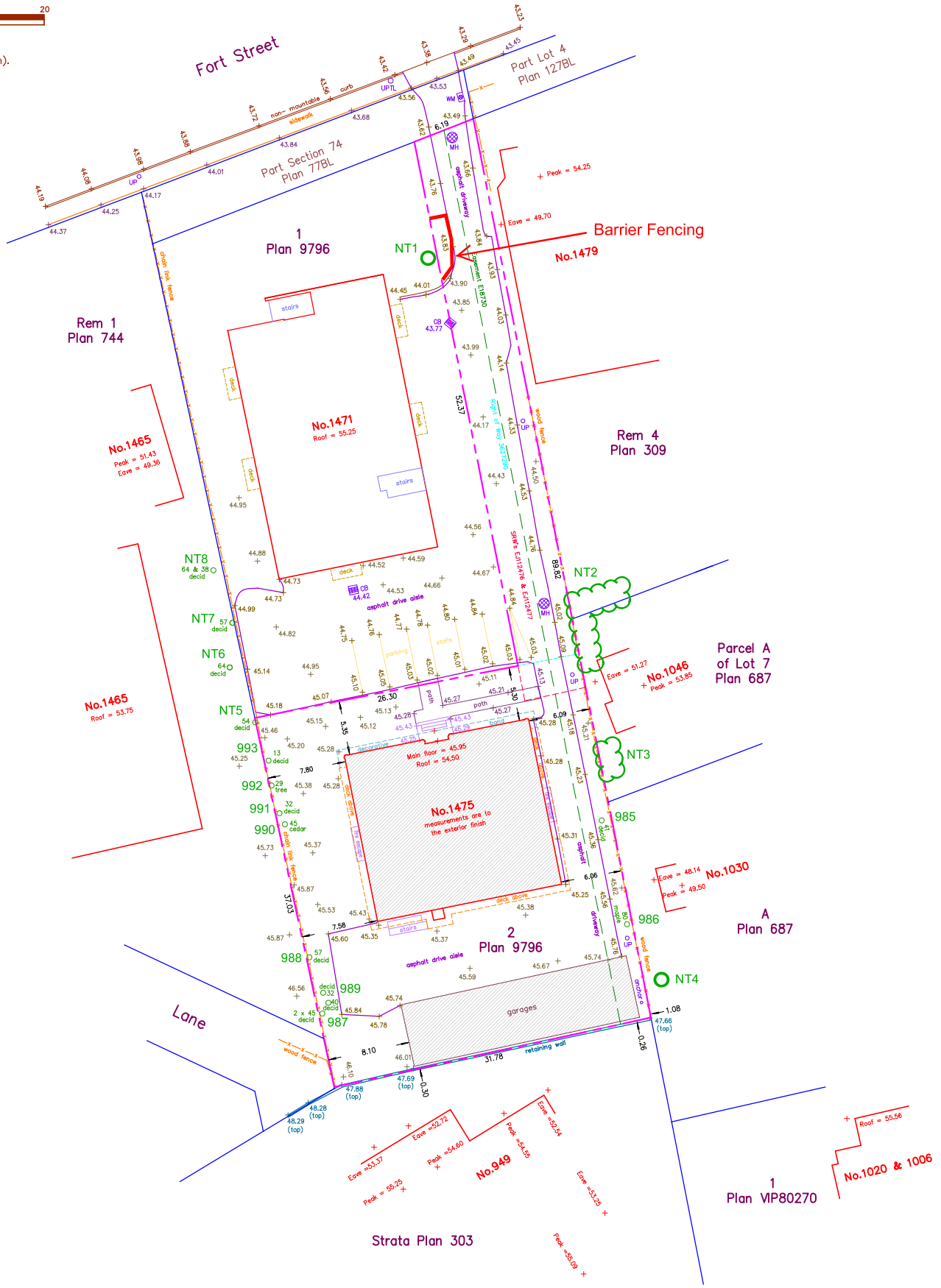
Scale - 1 : 250 Distances are in metres.

0 2 10 20

The intended print size is
Arch C (609.60mm x 457.20mm).

Date	December 5, 2018
Drawing	Site- 1475 Fort Street
File	File : 12897 - 15

POWELL & ASSOCIATES
B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 382-8855



LEGEND

Elevations are to geodetic datum.

+ 44.44 – denotes – existing elevation
CB – denotes – Catch Basin
MH – denotes – Manhole
UP – denotes – Utility Pole
UPTL – denotes – Utility Pole with Transformer and Lamp
WM – denotes – Water Meter

Tree diameters are in centimetres.

Lot Area = 1500 m2

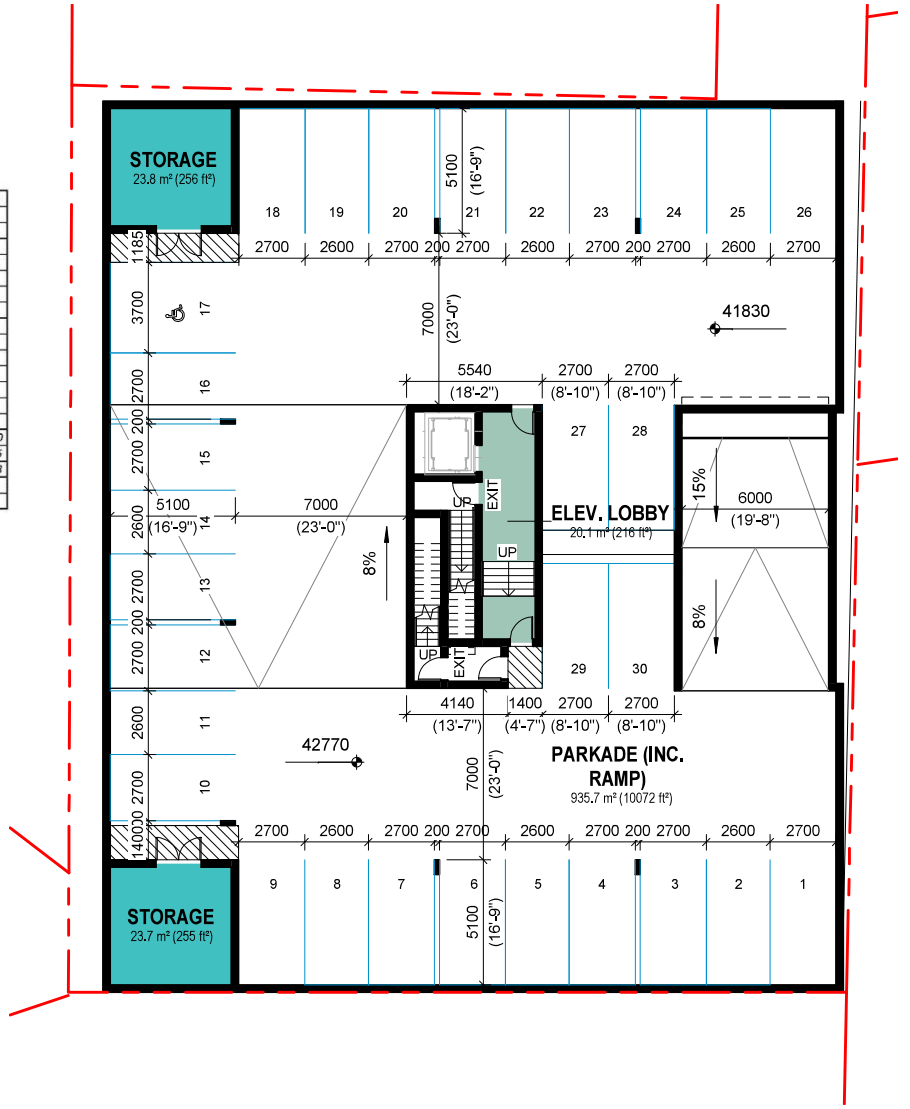
The following non-financial charges are shown on the current title and may affect the property.
362729G – Right of Way
E18730 – Easement
EJ112476 – Statutory Right of Way
EJ112477 – Statutory Right of Way

Setbacks are derived from field survey.

Parcel dimensions shown hereon are derived from Land Title Office records.

This document shows the relative location of the surveyed features and shall not be used to define property boundaries.

VERSION 5.7 (4 STOREY W/ UNDERGROUND PARKING)	ZONE ALLOWANCE	PROPOSED	VARIANCE	VISITOR STALLS	UNITS >45sqm	UNITS <45sqm	AFF. >45sqm	AFF. <45sqm
LOT AREA:	920M2	1500m2	N					
FSR:	1.6:1	1.44	N					
OPEN SITE SPACE (MIN):	30%	33.99%	N	*ASSUMES 3 VISITOR STALLS AT GRADE				
OPEN SITE SPACE WITH DRIVEWAY (MIN):	50%	56.90%	N					
SITE COVERAGE (MAX):	40%	40.65%	N					
# OF STOREYS:	4	4	N					
ALLOWABLE HEIGHT:	12M	12.90M	Y					
SETBACK - FRONT YARD	6.45M	3.56M	Y					
SETBACK - SIDE YARD W.	6.45M	5.68M	Y					
SETBACK - SIDE YARD E.	6.45M	4.97M	Y					
SETBACK - REAR YARD	6.45M	4.00M	Y					
# OF UNITS	N/A	33	N/A					
MINIMUM UNIT AREA:	33M2	39M2	N					
MINIMUM # OF CAR STALLS (APARTMENT):	32.1	33	N	3.3	2.25	21.6	0	0
MINIMUM # OF CAR STALLS (AFFORDABLE):	18	N/A	N	3.3	0	0	1.2	13.5
COMBINED APARTMENT/AFFORDABLE	29.25	N/A	N	3.3	2.25	21.6	3	3
LONG TERM BICYCLE PARKING:	39.75	40	N					
SHORT TERM BICYCLE PARKING:	6	6	N					



CASCADIA ARCHITECTS

OPTION 5.7 PLAN & DATA

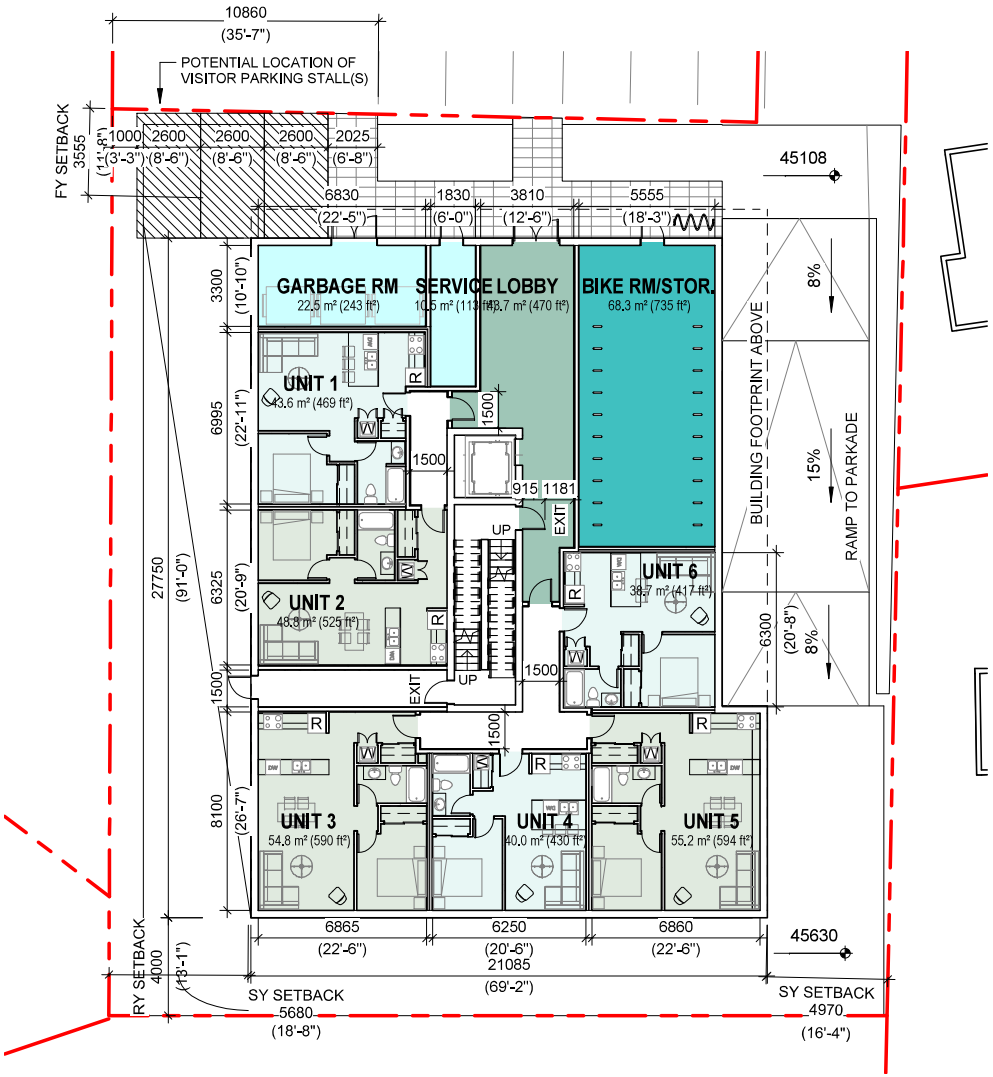
LANTERN PROPERTIES LTD

1475 FORT STREET

02/12/19

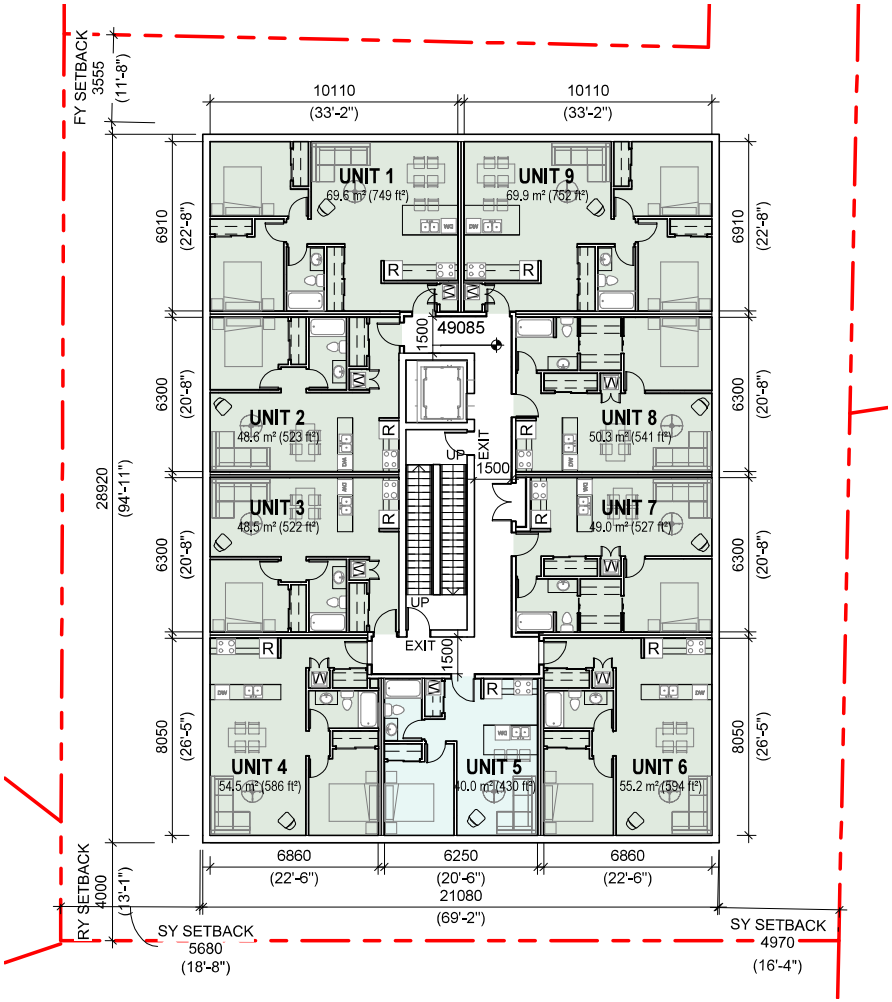
1 : 200

ASK 01



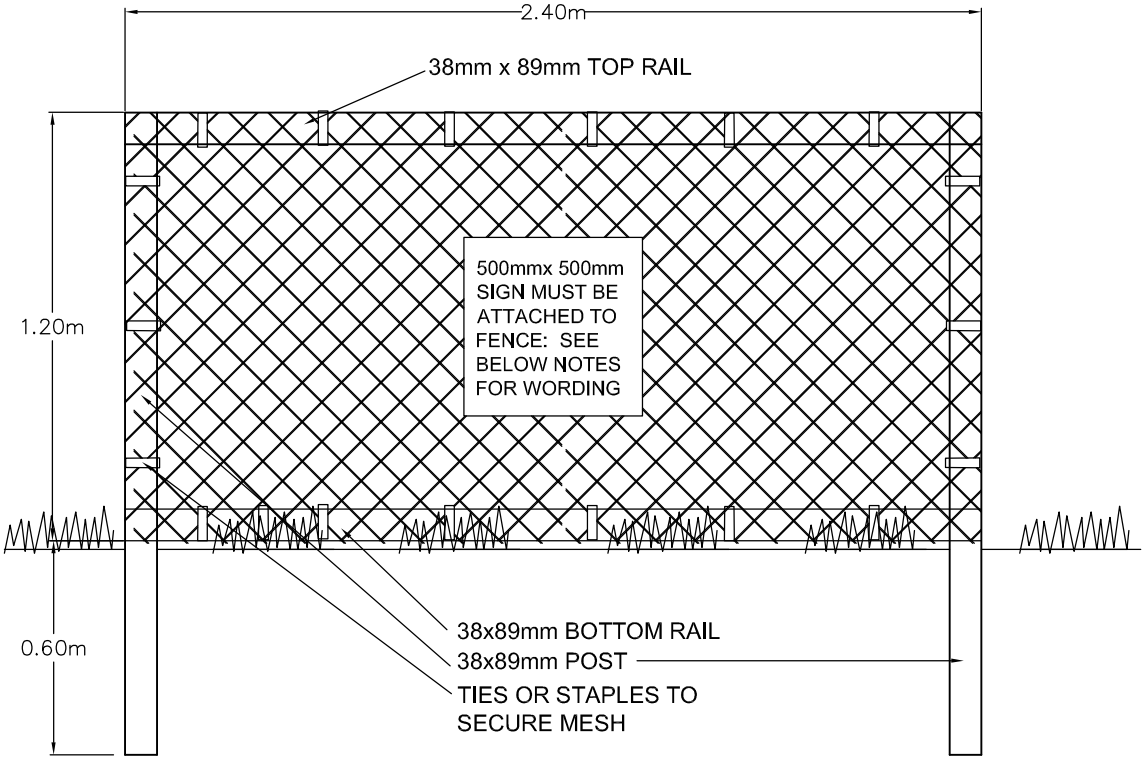
1 LOBBY LEVEL

SCALE = 1 : 200



2 TYPICAL UNIT LAYOUT

SCALE = 1 : 200



TREE PROTECTION FENCING

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH"ZIP" TIES OR GALVANIZED STAPLES.

2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

Talbot Mackenzie & Associates
Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com

Tree Resource Spreadsheet Methodology and Definitions

Tag: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.
* Measured over ivy
~ Approximate due to inaccessibility or on neighbouring property

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

Critical Root Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

Health Condition:

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

Retention Status:

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

Devon
PROPERTIES

September 13, 2019

VIA E-MAIL: jeff.hayes@lanprop.com

Lantern Properties Ltd.
1176 Burnaby Street
Vancouver, BC V6L 1Y1

Attention: Jeff Hayes, Managing Director

Dear Jeff:

Re: Chalet Apartments - 1465 Fort Street, Victoria BC – Tree Removal

I am in receipt of your letter dated September 5, 2019.

Please accept this letter as confirmation that you may proceed with replacing the subject trees with juvenile specimens at your cost. The owner of the property at 1465 Fort Street is in agreement with this project.

Should you have any questions or wish to discuss further, please contact our office at 250-595-7000.

Regards,

DEVON PROPERTIES LTD.

Alexandra Creighton
Vice-President, Residential Properties

AC/sc

TRANSPORTATION PLANNERS AND ENGINEERS

MEMO

DATE: September 12, 2019
PROJECT NO: 04-19-0028
PROJECT: 1475 Fort Street
SUBJECT: Parking Study

TO: Josh Hayes, Lantern Properties Ltd
FROM: Simon Button, P.Eng.

1. INTRODUCTION

Lantern Properties Ltd is seeking to redevelop 1475 Fort Street (see **Figure 1**) into a 4-storey residential rental building. The project is seeking a development permit within the existing R3-AM-2 Zone. The building will contain 32 market rental units. The residences are supported by 26 vehicle parking spaces (24 for residents and 2 for visitors). This equates to a parking supply rate of 0.81 spaces/unit (0.75 spaces/unit for residents and 0.06 spaces/unit for visitors). The following memo presents our assessment of the suitability of the parking supply.

Figure 1: Site Location

2. BYLAW VEHICLE PARKING REQUIREMENT

The R3-AM-2 Zone requires 1.3 parking spaces per dwelling unit for dwelling units not subject to strata title ownership. This rate equates to 42 parking spaces for the proposed 32 dwelling units. This Bylaw rate is not consistent with current parking patterns and recent parking studies undertaken by the City of Victoria (2017 Off-street Parking Review).

3. SCHEDULE C PARKING REQUIREMENTS

If the proposed development were a rezoning, it would be subject to the parking requirements in Schedule C of the Zoning Bylaw No. 80-159. **Table 1** summarizes the minimum parking supply rates from Schedule C relevant for this study.

Table 1: Bylaw Minimum Vehicle Parking Supply Rates (Parking Spaces/Unit)

RENTAL APARTMENT SIZE	VILLAGE/CENTRE	OTHER AREA	VISITOR
< 45 m^2	0.60	0.75	0.1
45 m^2 < 70 m^2	0.70	0.90	
> 70 m^2	1.10	1.30	

The minimum parking rates are based on location. As shown in **Figure 2**, the site would fall into the 'Other Areas' category however it is almost across the street (30 metres) from the Stadacona Village area. Although the property is outside of the Village's Bylaw limits, as the properties surrounding the village (including the proposed site) redevelop, the geographic size of the village will likely expand to incorporate the development site. There is also no discernible difference in mobility access (walkability, cycling and transit opportunities) between the site and the village boundary 30 metres away. As such, Bunt views the Village/Centre minimum parking requirements be considered appropriate for the site.

Figure 2: Proximity to Off-Street Parking Sub-Areas

Table 2 summarizes the Schedule C minimum vehicle parking requirement for the two relevant location definitions.

Table 2: Schedule C Minimum Vehicle Parking Supply (Parking Spaces)

RENTAL APARTMENT SIZE	UNITS	RESIDENTS - *VILLAGE/CENTRE*	RESIDENTS - *OTHER AREAS*	VISITOR
< 45 m^2	5	3	4	3
45 m^2 < 70 m^2	27	19	24	
> 70 m^2	0	0	0	
TOTALS	**32**	**22**	**28**	**3**

The Schedule C vehicle parking requirement equates to 25 to 29 parking spaces depending on the chosen location (Village/Centre versus Other Areas). The proposed parking supply of 26 spaces is in the middle of this range.

4. RESIDENT PARKING DEMAND

Bunt previously researched vehicle ownership rates in market rental apartment buildings in the James Bay and Fairfield neighbourhoods. The data presented in **Table 3** was derived from three key sources of information:

- Vehicle ownership information acquired from ICBC;
- Data collected in the field during resident and visitor peak parking periods; and,
- Information gathered from building manager interviews.

Table 3: Market Rental Apartment Vehicle Ownership

NAME AND ADDRESS	STUDIO UNITS	1 BDR UNITS	2 BDR UNITS	ON-SITE RESIDENT PARKING SPACES	ON-SITE VISITOR PARKING SPACES	PARKING STALL COST (MONTHLY)	VEHICLE OWNERSHIP RATE
805 Academy Close	0	10	0	0	0	N/A	0.70
360 Douglas Street, Goodacre Towers N. & S.	55	81	61	152	32	$15 - $20	0.68
240 Douglas Street, Beacon Tower Apartments	0	44	16	42	0	$30	0.73
151 St. Andrews, Beacon Park Apartments	3	10	62	90	5	$35	0.81
575 Marifield Ave, Kirkcauldy Apartments	7	28	8	28	3	$20	0.53
562/566 Simcoe Street	6	78	24	75	12	$20	0.54
576 Simcoe Street, Park Plaza	3	27	7	35	1	$0	0.55
160 Government Street, Weybridge Manor	N/A	N/A	N/A	23	3	N/A	0.63
890 Academy Close	12	30	13	33	0	$10-$15	0.63
505 Quadra Street, Beacon Arms	2	21	11	26	1	$15-$30	0.68
955 Humbolt Street	0	37	6	40	3	$45	0.72
976 Humbolt Street	6	13	4	15	0	$45	0.52
						AVERAGE	0.66

The apartment buildings were almost all occupied with an average occupancy of 98.5%. The data indicates that the vehicle ownership rate (i.e. residential parking demand) of the 12 rental apartment buildings was 0.66 vehicles per unit. The majority of the sites would fall into the

Schedule C "Other Areas" location. These parking ownership rates are approximately 40% lower than bylaw minimum supply rates for "Other Areas" location and 10% below the proposed resident parking supply of 0.75 spaces/unit.

The data illustrates the impact of unit size as the highest vehicle occupant buildings have a higher proportion of two-bedroom units. The proposed development includes 75% one-bedroom units and 25% two-bedroom units.

5. VISITOR PARKING DEMAND

Bunt's experience for municipalities across Greater Victoria and Vancouver suggest a visitor parking supply rate of 0.05 to 0.08 spaces/unit is appropriate for residential developments. This recommendation stems from the Metro Vancouver Residential Apartment Parking Study[1] which found that visitor parking demand never exceeded 0.06 vehicles per dwelling unit during the study period. Similar peak visitor parking rates have been observed at buildings in Victoria and Saanich.

The proposed supply of 0.06 visitor spaces/unit lands in the middle of Bunt's recommended range.

6. SUMMARY

Table 4 summarizes the Bylaw required vehicle parking supply, comparable rates and the proposed supply. The proposed supply is between the two Schedule C requirements and exceeds the vehicle ownerships compiled by Bunt. Overall, Bunt considers the proposed parking supply to be suitable for the proposed development.

Table 4: Summary

	UNIT	MARKET RENTAL RESIDENTS	VISITOR
R3-AM-2 Zone	spaces/unit	1.30	(included in residents)
Schedule C – Village	spaces/unit	0.60 – 0.70	0.10
Schedule C – Other Areas	spaces/unit	0.75 – 0.90	0.10
Vehicle Demand	vehicles/unit	0.66	0.05 – 0.08
PROPOSED SUPPLY		**0.82**	**0.06**

[1] The visitor parking demand results from the Metro Vancouver Residential Parking Study was obtained from suburban sites in Burnaby, Port Coquitlam and Richmond which had varying levels of transit service. The visitor parking demand was not correlated with proximity to the Frequent Transit Network; in fact the site with the worst transit service had the lowest peak visitor parking demand of 0.02 visitor vehicles per dwelling. Therefore the results from the Metro Vancouver Residential Parking Study are seen as applicable to the proposed development.

Lucas De Amaral

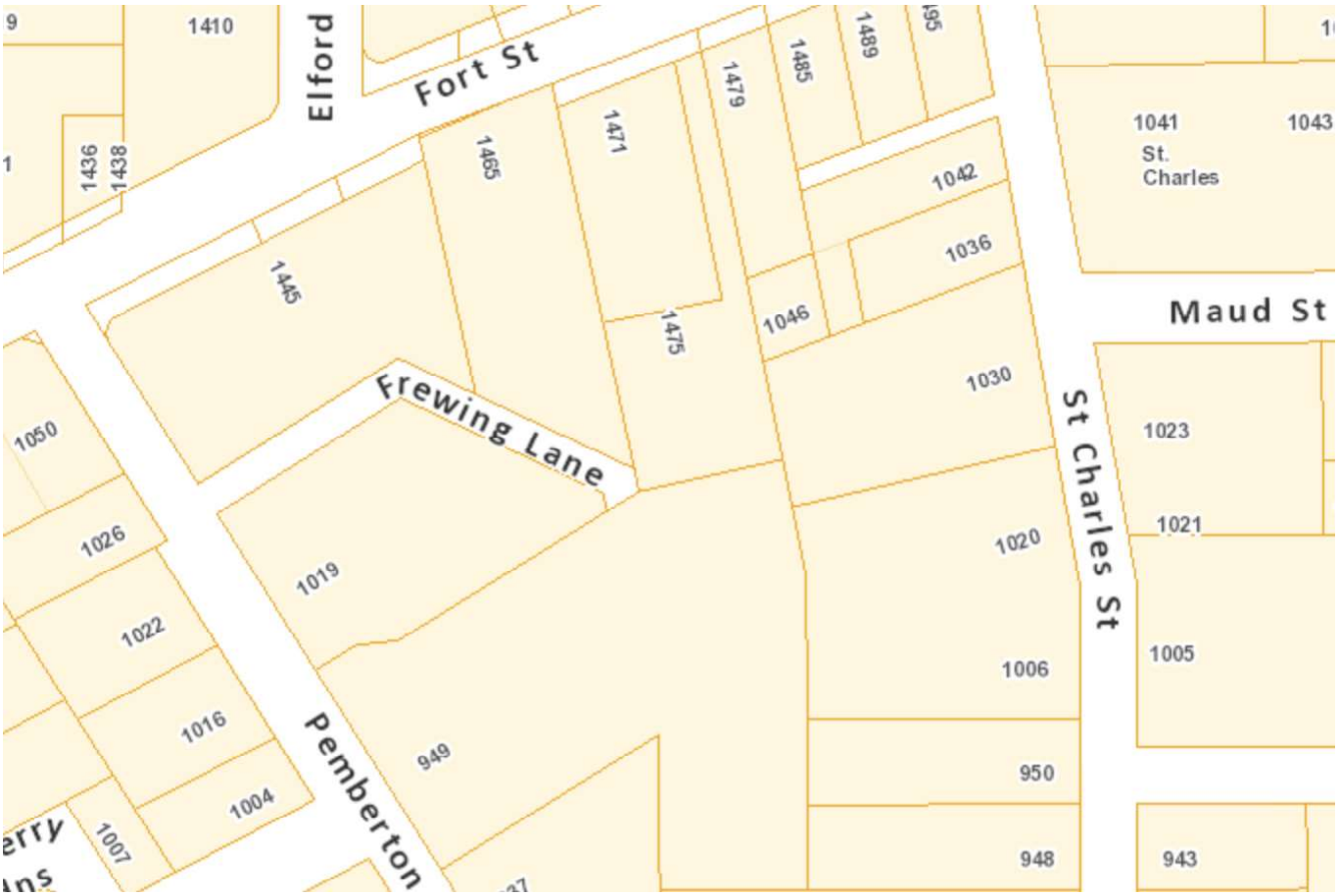
From: Lantern Properties [redacted]
Sent: February 26, 2020 10:47 AM
To: Carolina Ashe
Cc: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted] megan bermand
Subject: Re: Proposed Development at 1475 Fort Street

Hi Carolina,

The voluntary meeting was only for properties adjoining 1475 Fort St. As you can see in the image attached from VicMap, Frewing Lane separates 1475 Fort St and 1019 Pemberton Rd.

Looking forward to the second meeting at Cascadia's office on March 5th.

Thanks,
Josh.



On Feb 25, 2020, at 2:56 PM, Carolina Ashe [redacted] wrote:

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

Lack of Consultation

- The architect's letter of June 12th, 2019 states there was an open house on March 24th – which we were unaware of – and that they have "carefully considered community's concerns." This belies the fact that the neighbours most immediately affected at 949 and 1019 Pemberton have not been consulted.
- The developer has refused to share important documents that will help us better understand the proposed development. While the developer has consented to meet with our strata, lack of consultation and transparency to date has not set the stage for a trusting relationship.

The proposal requests setback and height variances. The combined effects would have a profoundly negative impact on neighbouring homes, which may not be evident by reviewing the architect's drawings alone. Initial concerns are listed below.

Loss of privacy

- If both the height and southern setback variances are approved, the new building will be only 12 feet from the perimeter fence of 949 Pemberton, and 27 feet from nearest townhomes.

Windows on the 2nd, 3rd and 4th stories will overlook private back yards, and will face directly into bedroom windows.

- Sightlines from townhomes will be blocked by the size and very close proximity of the new building.

Environmental destruction

- Approval of all setback variances would result in a large building footprint requiring removal of virtually all mature trees – 11 in total - resulting in:
  - elimination of much-needed visual screens and noise absorption.
  - permanent damage to the unique character and liveability of the neighbourhood, as the landscape plan lists only a few small replacement trees and shrubs that would only benefit residents of 1475 Fort Street.
  - permanent loss of trees that birds and other wildlife rely on for food and shelter.

Safety/structural concern

- There is a retaining wall about 5 ½ feet high between 1475 Fort Street and 949 Pemberton Road. We have no assurance that blasting for the underground parkade will not damage the integrity of this wall, especially if the southern variance is approved, bringing the building to within 12 feet of the retaining wall.

Victoria's Official Community Plan (OCP) embraces values that emphasise citizen engagement and whole systems thinking, "including the environmental, social and economic dimensions for urban life and development." (Value 3.1) We believe that the development proposal for 1475 Fort Street stands in opposition to those values, in that it appears to benefit only the developer, at the economic and social expense of surrounding neighbours, and at great cost to the environment.

As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

Lucas De Amaral

From: Gillian Lawson [redacted]
Sent: February 26, 2020 1:33 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: Strata 303 [redacted]
Subject: 1475 Fort Street proposed development

To: Mayor and Council,

I am writing to address the proposed development at this address. I live at 949 Pemberton Road in a strata complex that borders the back of the development site.
My concerns are as follows:

1. Despite the developer's protestations to the contrary, no one in our strata received any notice of the proposed development even though we share a border and will be significantly affected.

2. The project drawings indicate that the proposed building would be significantly closer to the the strata property line than is the case with the current building. If the requested variances are allowed they would result in a significant loss of privacy and natural light to the units of our strata that border the development site.

3. The proposed encroachment of the new building would likely require the removal of mature trees which would adversely affect the character of the neighbourhood, not to mention animal habitat.

4. Our property is separated from the development site by an approximately 5 foot retaining wall. As the development proposal calls for an underground parkade, we are concerned that any blasting required for the construction of this parkade will compromise the integrity of this wall.

While I share the general concern that there is insufficient rental accommodation in our city, I do not believe that efforts to correct this should lead to a situation of reduced liveability for current homeowners. I think there must be a compromise here and I am counting on the Mayor and Council to seek that compromise.

Sincerely,

Gillian Lawson
Unit 1 - 949 Pemberton Road

Sent from my iPad

Lucas De Amaral

From: Carolina Ashe [redacted]
Sent: February 25, 2020 2:57 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]; Carolina Ashe
Subject: Proposed Development at 1475 Fort Street

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

Lack of Consultation

- The architect's letter of June 12th, 2019 states there was an open house on March 24th – which we were unaware of – and that they have "carefully considered community's concerns." This belies the fact that the neighbours most immediately affected at 949 and 1019 Pemberton have not been consulted.
- The developer has refused to share important documents that will help us better understand the proposed development. While the developer has consented to meet with our strata, lack of consultation and transparency to date has not set the stage for a trusting relationship.

The proposal requests setback and height variances. The combined effects would have a profoundly negative impact on neighbouring homes, which may not be evident by reviewing the architect's drawings alone. Initial concerns are listed below.

Loss of privacy

- If both the height and southern setback variances are approved, the new building will be only 12 feet from the perimeter fence of 949 Pemberton, and 27 feet from nearest townhomes. Windows on the 2nd, 3rd and 4th stories will overlook private back yards, and will face directly into bedroom windows.
- Sightlines from townhomes will be blocked by the size and very close proximity of the new building.

Environmental destruction

- Approval of all setback variances would result in a large building footprint requiring removal of virtually all mature trees – 11 in total - resulting in:
  - elimination of much-needed visual screens and noise absorption.
  - permanent damage to the unique character and liveability of the neighbourhood, as the landscape plan lists only a few small replacement trees and shrubs that would only benefit residents of 1475 Fort Street.
  - permanent loss of trees that birds and other wildlife rely on for food and shelter.

Safety/structural concern

- There is a retaining wall about 5 ½ feet high between 1475 Fort Street and 949 Pemberton Road. We have no assurance that blasting for the underground parkade will not damage the integrity of this wall, especially if the southern variance is approved, bringing the building to within 12 feet of the retaining wall.

Victoria's Official Community Plan (OCP) embraces values that emphasise citizen engagement and whole systems thinking, "including the environmental, social and economic dimensions for urban life and development." (Value 3.1) We believe that the development proposal for 1475 Fort Street stands in opposition to those values, in that it appears to benefit only the developer, at the economic and social expense of surrounding neighbours, and at great cost to the environment.

As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

Katie Lauriston

From: Alec Johnston
Sent: February 25, 2020 3:15 PM
To: Katie Lauriston
Subject: FW: Proposed Development at 1475 Fort Street

More correspondence for 1475 Fort.

Thanks,
Alec

From: Carolina Ashe <cmashe123@gmail.com>
Sent: February 25, 2020 2:57 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; inquiries@lanprop.com; Strata 303 <strata303@gmail.com>
Cc: Alan Morton [redacted]; Bill McKechnie <[redacted]; Bill Stroll [redacted]; Carolina Ashe [redacted]; Lorena and Caspar [redacted]; [redacted]; Erik Solbakken [redacted]; Gillian Lawson [redacted]; Jan Klizs [redacted] Jay Nefsky [redacted] Jessica Sluymer [redacted]; Jo Anna Hope [redacted]; Vanessa Dingley <[redacted]; Miranda Worthy [redacted]; Norman Spector <[redacted]; Sandy Jones [redacted]; [redacted]; Strata 303 <strata303@gmail.com>; Ken Bailey [redacted]; megan bermand [redacted]; [redacted] Bill McKechnie [redacted] Carolina Ashe [redacted]
Subject: Proposed Development at 1475 Fort Street

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

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As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

[redacted]

From: Kenneth Bailey [redacted]
Sent: February 14, 2020 10:35 AM
To: Lisa Helps (Mayor); mayor@victoria.c
Subject: Re: Proposed Development of a 33 unit apartment building at 1475 Fort St. Victoria

Dear Mayor Helps and Council,

As a resident at 949 Pemberton Rd., Victoria I and my wife wish to add our expressions of concern regarding the proposed Development of a 33 unit apartment building directly behind our residence at #10. We feel that such a building will have a very Negative impact on the quality of life we have enjoyed for some twenty years. We certainly will lose our privacy and be forced To face significant increases in noise levels due to much extra traffic coming and going during construction and upon completion.

Additionally, we foresee even great difficulty in accessing Fort Street from Pemberton Rd. which is difficult enough already.

We strongly urge you and the Council give this matter the attention it deserves.

Yours sincerely,
Kenneth Bailey

Lucas De Amaral

From: Bill Stroll [redacted]
Sent: February 13, 2020 1:18 PM
To: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com; Strata 303; Lisa Helps (Mayor); [redacted]
Subject: Proposed development at 1475 Fort Street

Dear Mayor and city councillors,

We own a townhouse at 949 Pemberton Road and are writing about our concerns over a lack of information and consultation with Lantern Properties regarding the proposed rental development on Fort Street.

We are in favour of a new rental development on condition of meeting the concerns of our strata, however no residents in our 16 unit townhouse strata nor our neighbouring strata at 1019 Pemberton Road have been contacted by the developer. We are worried about the possible impact to our retaining wall that borders the proposed development if blasting takes place for a planned underground parking lot. If a study been done on the potential effects of this, can this information be released to us? Further, we understand that the developer has requested a variance to allow 10-12 feet from their proposed 4 story building to our retaining wall. Is this a usual amount of space between properties in Victoria? Before this project moves foward the City should have these answers. We also welcome the opportunity to get more information from the developer.

Sincerely,

Bill Stroll
3-949 Pemberton Road

[redacted]

From: [redacted]
Sent: February 12, 2020 2:41 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted] 'Strata 303'
Cc: 'Alan Morton'; 'Barbara Bolli'; 'Bill McKechnie'; 'Bill Stroll'; 'Carolina Ashe'; 'Caspar Davis'; 'Chantal Brodeur'; 'Christine Morissette'; 'Erik Solbakken'; 'Gillian Lawson'; 'Jan Klizs'; 'J Nefsky'; 'Jessica Sluymer'; 'Jo Anna Hope'; 'Vanessa Dingley'; 'Miranda Worthy'; 'Sandy Jones'; [redacted]; 'Steve Williams'; 'Strata 303'; 'Ken Bailey'; 'megan bermand'
Subject: Proposed Development: 1475 Fort Street

Re: Proposed development of a 33 unit apartment building at 1475 Fort Street

Dear Mayor and Council,

I reside at 9-949 Pemberton Rd in a 16 unit strata complex which is located immediately adjacent to the back of the above referenced development site. Although the developer made a Development Permit Application to the City of Victoria in June 2019, the strata only became aware of the proposal in late January when Pam Madoff had contacted a strata member about the Design Advisory Committee's recent review of the project. In advance of a meeting with the developer to review the design, I would like to offer the following comments about the proposal and in particular the developer's engagement process to date:

Preliminary comments of the project design

- While I will reserve providing detailed comments on the design until after the developer's presentation, I think it is important for Mayor and Council to appreciate at this juncture the context of our concerns about the inadequacy of the developers notification/consultation with the strata about this development. Based on the project drawings located on the City of Victoria website, it appears that the proposed building will have negative impacts on our strata. The proposal involves a large footprint relative to the size of the development site. The setback variances requested are significant. As example, the set back requested at the rear of the property would bring the building to within 10-12 feet of the strata property line. Some of the strata units will lose privacy and the viewscape will be impacted by the building. Mature tress would need to be removed to accommodate the large footprint of the structure and the requested setbacks – reducing privacy, creating habitat loss and generally impacting the ambiance of the Rockland community. It may also exacerbate traffic congestion on Fort Street where congestion has recently increased substantially.

Notification/Consultation

- The developer has not adequately explained why the strata was not notified of this project. The developer has apologized for this oversight but at the same time states that notifications were issued. Although the City of Victoria's Development Permit process encourages but does not require proponents to consult neighbours, there is a strong expectation that property owners located immediately adjacent to a development or, are potentially impacted by a project in some way, be consulted by the developer in a timely and transparent manner. By not doing so, developers set up the basis for a poor relationship with neighbours.

- I understand that the developer had advised the Design Advisory Committee that all neighbours had been consulted about the project. As stated above, this is not the case. Had even one of the 16 members of the strata been notified of the project, this would have been brought to the immediate attention of our Council.

- I am befuddled by the developer's approach to notifying and engaging neighbours about the project. We understand that the proponent did notify and engage with some neighbours about the project including two neighbours on St Charles Street. Why not engage 949 Pemberton Rd and the strata at 1019 Pemberton Rd? And why did the developer not attempt to connect with the Strata Council when it became evident that not a single property owner at 949 Pemberton St had contacted the developer – especially given that the developer must have known full well that homeowners in the complex are the most likely to be impacted by this proposal.

Information Sharing

- I am disappointed at the developer's refusal to provide requested project related documents including the design drawing, the geotechnical report and the application. Although drawings are available on line, those produced/printed by the developer are friendlier to use. We are interested in reviewing the geotechnical report as there is a substantial retaining wall between the two properties which we want to ensure is not affected in the construction process. An on-site visit has also been declined by the developer. While I understand that these are not commonly undertaken, a willingness of the developer to support this shows good will and enables property owners to have a clearer understanding of the project and its implications for their properties. This developer's comment that the company only shares documents with the City is an unfortunate approach to collaborating with neighbours.

Developer's Presentation

- We initially declined an opportunity for a project presentation in hopes that this would compel the developer to step up and share information mentioned above. As this turned out to not be the case, the developer was approached to schedule another presentation. The developer responded that a presentation could not be offered until early March – and has not committed to a date. I am concerned about whether this is going to impact our timely review and input to this project.

Development Permit Application Process

- I think it is fair to conclude that there is need for improvements in the PDA process to ensure that there is adequate public notification and meaningful engagement by developers with respect to their development proposals. The current process is clearly not consistent with other levels of governments requirements for public involvement in developments. The scope and scale of this project warrants a process that ensures that developers engage the public in an open, transparent and timely manner and provides access to information so that the publics' perspectives can help inform and influence decisions. The current process involving formal public input at the end of the process does not make much sense and does not set up conditions for win/win developments.

  One further thought. What is the value of the input provided by the Rockland Neighbour Association and the Design Advisory Committee in absence of proper consultation with neighbours? Moreover, how can these entities properly assess a project when a site visit/neighbourhood reconnaissance has not been undertaken?

I am not opposed to this project. The current building needs replacement. There is a paucity of rental accommodation in the city. But at the end of the day, the scale of this project needs to be commensurate with the development site and surrounding neighbouring properties as well as take into account all potential impacts to a range of interests and values.

Thank you.

Barbara Bolli

jloveday@victoria.ca
sdubow@victoria.ca
bisitt@victoria.ca

spotts@victoria.ca
gyoung@victoria.ca
cthornton-joe@victoria.ca
malto@victoria.ca
ajohnston@victoria.ca
[redacted]
[redacted]
List all members of Strata Council/ owners
1019 Pemberton Rd contact?

Subject: Proposed Development: 1475 Fort Street
Date: February 12, 2020 at 4:41:09 PM CST
To: <mayor@victoria.ca>, <jloveday@victoria.ca>, <sdubow@victoria.ca>, <bisitt@victoria.ca>, <spotts@victoria.ca>, <gyoung@victoria.ca>, <cthornton-joe@victoria.ca>, <malto@victoria.ca>, <ajohnston@victoria.ca>,

Re: Proposed development of a 33 unit apartment building at 1475 Fort Street

Dear Mayor and Council,

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- I understand that the developer had advised the Design Advisory Committee that all neighbours had been consulted about the project. As stated above, this is not the case. Had even one of the 16 members of the strata been notified of the project, this would have been brought to the immediate attention of our Council.

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strata at 1019 Pemberton Rd? And why did the developer not attempt to connect with the Strata Council when it became evident that not a single property owner at 949 Pemberton St had contacted the developer – especially given that the developer must have known full well that homeowners in the complex are the most likely to be impacted by this proposal.

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One further thought. What is the value of the input provided by the Rockland Neighbour Association and the Design Advisory Committee in absence of proper consultation with neighbours? Moreover, how can these entities properly assess a project when a site visit/neighbourhood reconnaissance has not been undertaken?

I am opposed to this project as it stands and as it has been presented . . . or no . . . to the affected neighbourhood. At the end of the day, the scale of this project needs to be commensurate with the development site and surrounding neighbouring properties as well as take into account all potential impacts to a range of interests and values.

Sincerely,

Jo Anna Hope
#15-949 Pemberton Road
Victoria BC
V8S 3Rt

Lucas De Amaral

From: Paul Lecavalier [redacted]
Sent: February 11, 2020 11:57 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); cthorton-joe@victoria.ca; gyoug@victoria.ca; Marianne Alto (Councillor); inquiries@victoria.ca; ajhonston@victoria.ca
Cc: [redacted] samantha walls; Russ Scruggs; Shirley Anderson
Subject: Proposed development on Fort Street

Dear City of Victoria Council members

I am the president of Strata 740 at 1019 Pemberton Road. I am writing to state the support of our strata members with the email sent to you by Christine Morisette of Strata 303 on February 10th, 2020.
No household in our Strata has been consulted with regards this development, which I find strange since the variance being requested will directly impact us a we are an adjacent property.
We would appreciate the opportunity of meeting with City officials to discuss this matter.

Thank you

Paul Lecavalier
President, Strata 740

Lucas De Amaral

From: josh.hayes [redacted]
Sent: February 11, 2020 3:20 PM
To: Lisa Helps (Mayor)
Cc: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Subject: Fwd: 1475 Fort St
Attachments: 1475 Letter to Mayor and Council .pdf

Dear Mayor & Council,

I am forwarding this email from Strata 303 to make mayor and council aware I've offered two dates to hold an information meeting and they were both declined until the list of items below were sent to Strata 303. I am not sure how things such as Geotechnical reports would be relevant to a strata council—I've explained to the Strata that all relevant information can be found on the City's website.

Furthermore, the reason I am unable to meet until the end of month is because I am leaving the country for my grandfather's 98th birthday. Lantern is committed to holding a second meeting for the neighbours and will notify mayor and council once this has taken place.

Please feel free to contact me by email or phone with any questions.

Thanks,
Josh.

LANTERN
PROPERTIES LTD

Josh Hayes
Director of Development

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

Begin forwarded message:

From: Joshua Hayes [redacted]
Subject: 1475 Fort St
Date: February 11, 2020 at 2:51:02 PM PST
To: mayor@victoria.ca
Cc: jloveday@victoria.ca, sdubow@victoria.ca, bisitt@victoria.ca, spotts@victoria.ca, gyoung@victoria.ca, cthornton-joe@victoria.ca, malto@victoria.ca, Alec Johnston <ajohnston@victoria.ca>

Dear Mayor & Council,

Please see the attached letter regarding the Strata 303 email.

If you have any questions, please don't hesitate to contact me.

Best,
Josh.

Pierre-Paul Angelblazer

From: Bill Stroll [redacted]
Sent: May 20, 2020 1:54 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; DaveMcWalter@gmail.com; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: Proposed development at 1475 Fort Street Follow Up

Dear Mayor and city councillors

I wrote to you February 13 regarding my concerns of the proposed Lantern Properties development at 1475 Fort Street. In that email I noted a lack of information and consultation, and questionable variances the developer had proposed. Although a meeting did take place between Strata 303 owners, the Rockland Neighbourhood Association and Lantern Properties these matters still remain troublesome.

Despite zoning bylaws, the new structure would occupy almost 50% of the site, up from the current 30% and that the setback, with the height addition of another storey would only be a couple of feet from our property line. Furthermore, there will be a loss of affordable housing as all units will be available only at market value. I request council insist on public consultation before this redevelopment moves forward.

Bill Stroll
3 - 949 Pemberton Road

Pierre-Paul Angelblazer

From: Sandra Jones [redacted]>
Sent: May 20, 2020 7:13 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); bisett@victoria.ca; Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the proposed design affecting the adjacent community.
A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
#6 -949 Pemberton Road

Pierre-Paul Angelblazer

From: [redacted]
Sent: May 21, 2020 1:03 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: 'Strata 303'; 'Gillian Lawson'; cmorissette@telus.net; 'brodeurc'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Lorena and Caspar'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; 'Bill McKechnie'; stevewilliams89@hotmail.com; 'Dave McWalter'; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'; inquiries@lanprop.com; [redacted]
Subject: Variance request 1475 Fort St

Dear Mayor and Council

- I live adjacent to the north property line of the proposed development at 1475 Fort St. I only became aware of the proposal recently while talking to my neighboring strata owners.
- The existing 3 story building (which is to be replaced) has a rear yard setback of approximately 50ft. The proposal in question calls for a four story building with a setback of only 12ft. to our property line.
- No amount of hedging or visual barrier will prevent the 3rd or 4th story occupants of the new building from looking directly into our backyard/windows, nor will it reduce the inevitable noise from the apartments particularly during the summer months when windows and balcony doors are open
- In my opinion this project is a huge overreach for the size of the lot and involves clearcutting the whole project site. It makes sense that the development be commensurate with the size of this panhandle lot.

I appeal to Council to take the appropriate steps when reviewing this project to ensuring the project is aligned with current zoning, with perhaps minor changes, instead of the major variances being requested
Thank you,
B. McKechnie
949 Pemberton Rd.
[redacted]

Pierre-Paul Angelblazer

From: Alan Morton [redacted]
Sent: May 20, 2020 11:18 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; DaveMcWalter@gmail.com; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street

Dear Mayor and Council:

As one of the residents of 949 Pemberton Road I have some concerns with the proposed redevelopment at 1475 Fort Street, which is adjacent to my townhome complex.

While the lack of consultation has been frustrating, I find the misrepresentation and lack of transparency regarding ultimate goals to be very concerning. There seems to be a steady shift of goal posts in what is being asked for.

From the time of the BC Land Surveyors site plan and Arborists' report the proposal has gone from:
- 12.9m to 14.39m in height
- 28 market rentals and 4 affordable units to all 32 market rental
- 26 resident parking underground and 3 grade level to all underground in order to ask for a front setback variance of just under 2m as opposed to 10m

The initial letter to council from the developer in June 12, 2019 stated that 1475 Fort is significantly lower than 949 Pemberton and that they are providing a "sensitive transition" between the R1 and R3 zoning. There is a grade difference but it is only 6 feet. Therefore, the proposal for a building face that is 13 feet from and 41 feet above the adjoining property line would seem to be in opposition to the concept of a transition as outlined in the Design Guidelines-Multiuse Residential Commercial Industrial, 1.6.1 and 1.6.2.

I feel that the lack of transparency, unwillingness to work with the community to address concerns, and the desire to push through massive variances despite zoning bylaws and Design Guidelines will cloud future interactions with this developer and architect.

Alan Morton
7-949 Pemberton Road

Pierre-Paul Angelblazer

From: Russ Scruggs [redacted]
Sent: May 20, 2020 3:24 PM
To: Jeremy Loveday (Councillor); Marianne Alto (Councillor); Lisa Helps (Mayor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); cthorton-joe@victoria.ca; Alec Johnston
Cc: inquiries@lanprop.com
Subject: Redevelopment of 1475 Fort Street

To the Mayor and Victoria city Councillors,

We are residents of 1019 Pemberton Road strata.
It was recently brought to our attention by our neighbours to the south; 949 Pemberton Road that Lantern Properties of Vancouver has put forward a proposal to demolish the building; 1475 Fort Street and build a new rental property.
As owners of one of the 9 Units of Strata VIS 740 we have concerns with the proposed new development as the proposed new structure will be a significant expansion of both footprint and height of the building.

- R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
- R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
- R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23’7”); the proposed building would be 3.6 m (12 ft) from our property line.

As for the process itself; there has been a lack of transparency and sharing of information with the two stratas who will be grossly impacted.
Lantern Properties has claimed that notices were distributed to the two neighbouring stratas but the owners of the units of both stratas have all said this is not the case.

The current structure is indeed in need of replacement but this new building will be in short an overbuild relative to the site, neighbours, blue sky and it will displace the current residents living there; VIHA assisted individuals.
The current council is looking for ways to "densify" the city with affordable rental units but this is not the way to achieve that means.
The new building footprint will result in the removal of a green belt of trees needed for reduction in sound and sight for neighbours; quality of daily life in the area.
We trust the city council and city planners will challenge this redevelopment as it currently stands relative to the proposal documents on the city site.

Regards,
Candace and Russ Scruggs

Pierre-Paul Angelblazer

From: Norman Spector [redacted]
Sent: May 18, 2020 6:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor)
Cc: Alec Johnston; Peter Johanknnecht; Lantern Properties
Subject: Re: 1475 Fort Street

Dear Madam Mayor and Council:

I am writing in regard to the above development proposal by Lantern Properties.

While walking my dog, I have been observing a similar development in the neighbourhood at 1201 Fort Street by Abstract Development for well-nigh two years.

In this case, there have been regular traffic stoppages as construction vehicles have entered and exited the site; indeed, the lane closest to the sidewalk seems to have been taken over on a semi-permanent basis by the developer.

In the case of the proposed Lantern Properties development, Fort Street is significantly narrower at the driveway where construction vehicles would be entering and exiting the site for an extended period of time. Consequently, stoppages and blockages are a much more problematic issue.

Since Fort Street is a major traffic artery for public transit, cyclists and private cars--including for Camosun and U Vic students--I would hope you'd give serious consideration to the transportation issue in assessing the developer's proposal

Yours faithfully

Norman Spector

Pierre-Paul Angelblazer

From: Caspar Davis [redacted]
Sent: May 20, 2020 12:58 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; DaveMcWalter@gmail.com; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: Proposed Development at 1475 Fort Street

Importance: High

Dear Mayor Helps and Council,

I live in a townhouse complex at 949 Pemberton Road, directly south of Lantern Properties' proposed development at 1475 Fort Street. I understand that their application is going to come before the Committee of the Whole on May 28.

This development proposes to replace a run down social housing apartment building with a much larger and taller market rental building. This building would also come within 12 feet of our property line. It would represent a very significant expansion of both the footprint and height of the building, and flouts the zoning bylaw, requiring major variances whose nature would compound their impact:

R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23'7"); the proposed building would be 3.6 m (12 ft) from our property line.

The inappropriateness of the requested variances is compounded by the fact that the property line between us and them is a zoning border and the City's Guidelines call for "respect of character of established areas, of design transition and respect of privacy". The proposed building would have a sky-blotting wall with windows looking directly into bedrooms in our complex from as little as 30 feet away.

We would welcome an appropriate redevelopment at 1475 Fort but what is proposed would have a severe impact on our privacy and would severely limit the light for several of our units. It also does away with social housing in favour of more market housing, and it calls for the demolition of several mature trees which significantly enhance our daily enjoyment of life, in addition to providing valuable habitat for the birds and other wildlife of our neighbourhood.

Moreover, the developer, has acted very badly. They claim to have distributed a notice to all of our units as well as to those next door at 1019 Pemberton Road, but none of us ever received such a notice. We learned about the proposed development only when it came up in a conversation between one of our owners and Pam Madoff. After we approached Lantern, they finally deigned to give us a meeting with the architects, who responded to our concerns by saying that many Europeans are used to living much closer together. They didn't mention the fact that most European towns grew organically over centuries, or that for much of that time raw sewage frequently flowed in the gutters.

Lantern's conduct stands in stark contrast to that of our neighbours to the southeast, who are also proposing redevelopment. Those neighbours got in touch with us early in the process, before completing the design, and hosted a Zoom meeting in which they sought our input as they showed us how they had created the plan with consideration to

our sight lines and had reduced the height as their proposed building approaches our border.

Lantern's proposed design egregiously flaunts the zoning requirements, and they have not even pretended to take our very legitimate concerns seriously. Their design should not be approved

Caspar Davis and Lorena Mowers
#16 - 949 Pemberton Road

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Pierre-Paul Angelblazer

From: Jo Anna Hope <[redacted]>
Sent: May 21, 2020 8:01 AM
To: Alec Johnston; Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); inquiries@lanprop.com; Jeremy Loveday (Councillor); Marianne Alto (Councillor); Lisa Helps (Mayor); Sharmarke Dubow (Councillor); Sarah Potts (Councillor)
Subject: Fwd: 1475 Fort Street Development Permit Application

Dear Mayor and Council,

I reside at #15-949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. I recognize that the existing building on that site needs replacement so do not oppose redevelopment. I appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, I do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, I am concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – I understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so I will not reiterate all of these concerns, but I do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement, and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit of the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary—12 feet, I understand. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings and would most likely have a negative affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties and provide habitat for many species of bird and other small beings. I am concerned about the unnecessary loss of existing trees. I also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

I request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:
-- The lack of consultation with us at an appropriate time in the planning and design process;
-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

I hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Jo Anna Hope
15-949 Pemberton Road
--

PLEASE NOTE, my new email address: [redacted]

LANTERN
PROPERTIES LTD

1176 Burnaby Street, Vancouver BC, V6E1P1

lanprop.com

LANTERN

PROPERTIES LTD

1176 Burnaby Street, Vancouver BC, V6E1P1

lanprop.com

Pierre-Paul Angelblazer

From: Barbara Bolli <[redacted]>
Sent: May 19, 2020 12:16 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; DaveMcWalter@gmail.com; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: 1475 Fort Street: Proposed Development
Attachments: 1474 Fort Street DPV 00120.pdf; Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303; Fwd: 1475 Update

Importance: High

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 revaluate 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

Pierre-Paul Angelblazer

From: Christine Morissette [redacted]
Sent: May 19, 2020 3:47 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; [redacted]; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street development

Dear Mayor and Council:

We are homeowners who live adjacent to a proposed development at 1475 Fort Street. We are writing to express our concerns regarding three aspects of this development:

1. The request for significant variances on size and height of the new building The existing building on this property takes up 30% of the area, whereas the new building is slated to take up nearly 50%, as well as an additional story in height. This will place the new building within two meters of our strata's boundary fence, and along with one more story, will significantly reduce the privacy of our units that face the fence. The variances requested will also necessitate the removal of eleven mature trees, greatly reducing the urban canopy for which this neighbourhood is known.

2. The lack of consultation with adjacent property owners At no time were any of the 16 homeowners at 949 Pemberton Road ever informed about or consulted on this development by the developer. It is our understanding that this consultation is required by the City of Victoria. To add insult to injury, the developer continues to insist that we all were, in fact, consulted.

3. The loss of affordable housing, particularly for vulnerable citizens When this development was first proposed, it was implied there would be some affordable housing to meet the City's current needs. While we applaud the commitment to rentals, we now understand they will be available only at market value. Furthermore, the current building housed people with mental health conditions overseen by VIHA. So in the stroke of a pen, the new development will prevent low income and other vulnerable citizens from accessing housing at this location.

We trust that going forward, the considerations of adjacent property owners will play a role in the approval process for the development at 1475 Fort Street.

Christine Morissette and Chantal Brodeur
#13 - 949 Pemberton Road
Victoria BC

Pierre-Paul Angelblazer

From: Vanessa Dingley [redacted]
Sent: May 21, 2020 12:59 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; cmorissette; brodeurc; Carolina Ashe; vdingley; Lorena and Caspar; [redacted] Miranda Worthy; Sandy Jones; [redacted] Ken Bailey; megan bermand; Bill McKechnie; Steve Williams; Dave McWalter; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; [redacted] Bill Stroll; Barbara Bolli
Subject: 1475 Fort Street Development Permit Application

We are resident owners of one of the 16 townhouses at 949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. We recognize that the existing building on that site needs replacement so we do not oppose redevelopment. We appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, we do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, we are concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – we understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so we will not reiterate all of these concerns. But we do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were both told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3

- **3. Request for Excessive Variances and Need for Buffer Zone Between Properties**:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement; and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole

benefit the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings, and could negatively affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties. We are concerned about the unnecessary loss of existing trees. We also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

We request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:
-- The lack of consultation with us at an appropriate time in the planning and design process;
-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

- We hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Vanessa and John Dingley
12-949 Pemberton Road

Pierre-Paul Angelblazer

From: Carolina Ashe [redacted]
Sent: May 20, 2020 7:20 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: Strata 303; Gillian Lawson; [redacted]; Carolina Ashe; Vanessa Dingley; Lorena and Caspar; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill McKechnie; [redacted]; Dave McWalter; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs; inquiries@lanprop.com
Subject: 1475 Fort Street building proposal

Dear Mayor and Council,

On February 25, 2020, I sent you a letter expressing initial concerns with a development proposal at 1475 Fort Street, which abuts 949 Pemberton Road, where I live. In my previous letter, I mentioned my concerns about lack of consultation and transparency on the part of the developer. In spite of a meeting with the developer (initiated by a resident of 949 Pemberton Road), along with a follow-up email, the developer continues to show no interest in addressing concerns brought forward by residents.

Following are additional concerns:

Design guidelines: 1981 vs 2019

- It is my understanding that the 1981 *Advisory Design Guidelines for Buildings, Signs, and Awnings* has been referenced in respect to the proposal for 1475 Fort Street.
- These antiquated guidelines are cursory, incomplete, and do not address what can be expected in a new build for 2020.
- The *Design Guidelines for: Residential, Commercial and Industrial, 2012/2019 (2012/2019 Design Guidelines)*, supersede the 1981 guidelines and provide much more comprehensive and current direction for transition between the two zones. Sections 1.1, 1.2, 1.5 and 1.6., in particular, are applicable to this proposal.
- It is reasonable to expect that the *2012/2019 Design Guidelines* will be referenced in the review of this application.

Impact of variances on properties bordering 1475 Fort Street

- The current site plans show the view of the building from the perspective of passers-by on Fort Street.
- The view is very different for neighbours living on the other sides.
- Residents at 949 Pemberton Road will no longer see the sky and trees when they step outside their back doors. Instead, they will be confronted with a massive wall, 12 to 13 feet from the property line, and reaching more than 40 feet above them.
- With the removal of mature trees, the residents of both 949 and 1019 Pemberton Road will have no visual or sound buffer from this large block-shaped building that will virtually fill its entire lot.
- It is difficult to put into words the detrimental ecological impact of the removal of mature trees which stand at the border between 1475 Fort Street and other properties, not to mention the loss of visual and sound buffer that these trees provide.

Parking

- The proponent is requesting a variance which will reduce the number of required parking stalls from 45 (for residents and visitors) to 26. While bicycle parking stalls will be available, it cannot be assumed that all occupants of the building, as well as their visitors, will not own cars.
- There is already a dearth of on-street parking in the neighbourhood. One of the nearest possibilities, Pemberton Road, is already congested with parked cars on both sides.

Summary

I understand that there is a shortage of rental apartments in Victoria and am not opposed to a new rental building replacing the old one at 1475 Fort Street. However, this proposal presents a case of extreme overreach in an apparent attempt to squeeze as many profitable, market rental units as possible into a small parcel of land, regardless of cost to surrounding neighbours, and to the environment.

What I am asking for

- I am asking that you apply whole systems thinking in your review of this development. Please consider not only the economic goals of the developer, but also the social, environmental and economic impacts of this development on the entire neighbourhood.
- Please visit the building site. See for yourself what the impact of this proposed building will be if the requested variances and removal of trees are approved.
- Please talk to the residents who have spent many hours researching this situation and reaching out to you.

I am trusting that if you do these things, you will ask the proponent to redraw plans that:

- are in keeping with current zoning bylaws, with only minor variances, if any;
- are aligned with relevant sections of *2012/2019 Design Guidelines*; and
- address and incorporate the concerns of neighbours who have been, and continue to reach out to the City and to the proponent.

Thank you,

Carolina Ashe
Unit 7, 949 Pemberton Road

Pierre-Paul Angelblazer

From: Barbara Bolli <[redacted]>
Sent: May 21, 2020 2:16 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; [redacted]; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: 1475 Fort St: Proposed Development Application

Mayor and Council:

I am a resident of a strata on 949 Pemberton Rd which borders a proposed development at 1475 Fort St. Much correspondence, including my own letter of February 12, 2020, has been written to Mayor and Council expressing strong concerns with this proposed development, the conduct of the developer and the very inadequate process in which it is being reviewed. As such, I will not repeat these concerns here. I do, however, want to strongly recommend that in order to demonstrate that a fair and reasonable assessment of this proposed project is undertaken, the Committee of the Whole needs to ensure the following:

- **That the project is in keeping with current zoning bylaws**
- **That it is aligned with relevant sections of *2012/2019 Design Guidelines* and NOT the dated *1981 Advisory Design Guidelines for Buildings, Signs, and Awnings* which has been referenced in respect to the proposal for 1475 Fort Street**
- **That the Advisory Design Panel is directed to reassess the development plans given that the developer misled the ADP when it advised the panel that neighbours response to the project was "positive" when the strata complexes at 949 and 1019 Pemberton Rd had not been made aware of the project by the developer**
- **That a thorough analysis of the implications of the project with respect to parking is undertaken as there is limited parking available at the proposed apartment complex and a dearth of parking in the neighbourhood**
- **That the arborist's impact assessment report is updated to reflect the scaled-up project design**
- **That there is clear demonstration of meaningful/tangible consideration of and response to concerns/input of neighbours**
- **That an onsite visit is conducted to understand the real on-the-ground impacts of this project**
- **That there is clear demonstration that the costs of this project through loss of privacy, increased noise, decreased property values, significant tree and habitat loss and adverse impacts to the general ambiance of the neighbourhood through the erection of an oversized building on too small a lot is NOT born by adjacent neighbors**

Consider this as the committee's due diligence check list as the proposal application is reviewed. I look forward to reviewing the Committee's response to the application and its consideration of this check list. If followed, I am

confident that the Committee will support the construction of a building that complements the neighbourhood rather than erodes it.

Sincerely,
Barbara Bolli

Pierre-Paul Angelblazer

From: Strata 303 [redacted]
Sent: May 18, 2020 12:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; Lantern Properties; Peter Johanknnecht
Cc: Alan Morton; Barbara Bolli; Bill McKechnie; Bill Stroll; Carolina Ashe; Caspar Davis; Chantal Brodeur; Christine Morissette; Erik Solbakken; Gillian Lawson; Jan Klizs; Jay Nefsky; Jessica Sluymer; Jo Anna Hope; John and Vanessa Dingley; Miranda Worthy; Norman Spector; Sandy Jones; Steve Williams; Strata 303; Paul Lecavalier; [redacted]; megan bermand; Ken Bailey
Subject: 1475 Fort Street

This letter is a follow up to a letter sent February 10, 2020 by our then Strata Chair, Christine Morissette, expressing concerns about the above-mentioned development.

Our concerns remain the following:

- **LACK OF CONSULTATION**
  From the beginning, there has been poorly conceived community consultation on the part of the developer and architects. We realize that a variance request does not oblige the developer to consult with surrounding neighbours, however in this case the developer/architects have repeatedly presented themselves as having sought feedback from the community. That is simply not the case. No one in our strata, or the strata next door at 1019 Pemberton Road received the letter purported to have been distributed for an open house on March 24, 2019. Subsequent requests to see a copy of that letter and a distribution list have been ignored. At the January 22, 2020 meeting of the ADP, in reply to a question from the panel asking about the feedback so far from neighbours, the developer completely misrepresented the situation by stating that the feedback had been very positive. In fact, no feedback had ever been solicited from us. After hearing of the proposed development from a third party, **we requested** a meeting with the developer/architect which was held on March 5, 2020.
- **EXCESSIVE VARIANCE REQUESTS**
  The proposed plan asks for substantial variances on all four sides plus a height variance. We see this request as an overreach. Our understanding is that variance requests deal with minor changes but the proposed changes are anything but minor. The site coverage of the current building is 30% and the proposed plan calls for a 46.9% site coverage. The result is a massive rebuild with significant loss of privacy to strata homeowners to the south and an unfortunate loss of mature trees in the area. Although the architects acknowledged these facts during the March 5 meeting, their only response was a seeming willingness to add more shrubbery.
- **NON-COMPLIANCE WITH GUIDELINES**
  The current development plan does not comply with Section 1.6 of the **City of Victoria Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012 (updated December 2019)** which require that privacy issues be addressed and that a stepped transition be employed between two zones when one is a multi-unit.
- **LOSS OF TREES**
  Visitors to our city always remark on our magnificent trees. The City even has an Urban Forest Master Plan. We know as a society how important it is to maintain our tree canopy. This proposed development would lead to the loss of 11 mature trees with the consequent loss of habitat, visual beauty, and sound barrier. This is not in keeping with our city's image or the best interests of the neighbourhood.

We acknowledge the need for rental housing in Victoria. This development was originally billed as offering some low rental units but, along the way, that feature has been abandoned. The result is that the residents of the 11 current low rental units will be displaced to allow for 32 units to be rented out at market rates.

The developer in question did a fine job of renovating an adjacent building on the property and the plans for this building appear to include attractive materials. The existing building on this site is in poor shape and we have no objection to a new building being erected in its place. However, we feel that any new building should be one where only minor variances are required, not the major ones being sought in this project, and where the transitions between this building and its neighbours are as outlined in the current city guidelines.

We wish to extend an invitation to the Mayor and Councillors to visit our strata to see the proposed development from our vantage point.

Gillian Lawson
Chair, Strata 303
949 Pemberton Road

Pierre-Paul Angelblazer

From: Alec Johnston
Sent: May 26, 2020 8:53 AM
To: Pierre-Paul Angelblazer
Subject: FW: Proposed Development at 1475 Fort Street

Additional correspondence for 1475 Fort.

Thanks,
Alec

-----Original Message-----
From: Sandra Jones <[redacted]>
Sent: May 20, 2020 7:13 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; bisett@victoria.ca; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; inquiries@lanprop.com
Cc: Strata 303 <[redacted]>
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the proposed design affecting the adjacent community.
A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
#6 -949 Pemberton Road

Katie Lauriston

From: Alec Johnston
Sent: May 25, 2020 8:42 AM
To: Victoria Mayor and Council
Cc: Katie Lauriston
Subject: FW: Redevelopment of 1475 Fort Street

From: Russ Scruggs [redacted]
Sent: May 20, 2020 3:24 PM
To: Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Lisa Helps (Mayor) <LHelps@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; cthorton-joe@victoria.ca; Alec Johnston <ajohnston@victoria.ca>
Cc: inquiries@lanprop.com
Subject: Redevelopment of 1475 Fort Street

To the Mayor and Victoria city Councillors,

We are residents of 1019 Pemberton Road strata.
It was recently brought to our attention by our neighbours to the south; 949 Pemberton Road that Lantern Properties of Vancouver has put forward a proposal to demolish the building; 1475 Fort Street and build a new rental property.
As owners of one of the 9 Units of Strata VIS 740 we have concerns with the proposed new development as the proposed new structure will be a significant expansion of both footprint and height of the building.

- R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
- R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
- R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23’7”); the proposed building would be 3.6 m (12 ft) from our property line.

As for the process itself; there has been a lack of transparency and sharing of information with the two stratas who will be grossly impacted.
Lantern Properties has claimed that notices were distributed to the two neighbouring stratas but the owners of the units of both stratas have all said this is not the case.

The current structure is indeed in need of replacement but this new building will be in short an overbuild relative to the site, neighbours, blue sky and it will displace the current residents living there; VIHA assisted individuals.
The current council is looking for ways to "densify" the city with affordable rental units but this is not the way to achieve that means.
The new building footprint will result in the removal of a green belt of trees needed for reduction in sound and sight for neighbours; quality of daily life in the area.
We trust the city council and city planners will challenge this redevelopment as it currently stands relative to the proposal documents on the city site.

Regards,
Candace and Russ Scruggs

Katie Lauriston

From: Alec Johnston
Sent: February 11, 2020 8:55 AM
To: Katie Lauriston
Subject: FW: proposed development at 1475 Fort Street

For the file. DPV No. 00120.

Thanks,
Alec

From: Strata 303 [redacted]
Sent: February 10, 2020 2:48 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted]; Paul Lecavalier [redacted]
Subject: proposed development at 1475 Fort Street

Dear City of Victoria Council members,

I'm writing to you as Chair of Strata 303, located at 949 Pemberton Road. I'm writing on behalf of our 16 homeowners regarding the development of a 33 unit apartment building proposed for 1475 Fort Street. Our strata complex is located immediately behind the proposed development site. We understand that the developer submitted a Development Permit Application in June 2019. However, we were unaware of the proposed development until this month, February 2020, when a member of the City's Advisory Design Committee advised one of our homeowners about the project.

I'm writing to express the concern of all our homeowners regarding the lack of consultation for this development, the variance of setback for the building, and the difficulty of obtaining a meeting with the developer to look at the architectural plans and drawings.

When we contacted the project manager of Lantern Properties for a consultation, they insisted we had already been consulted, even though not one of our 16 homeowners has been approached. We have since learned that a neighbouring strata that also borders the development site was not consulted. The proposed development will have as much impact on that strata as it will on ours. Is that why we were never consulted, but residents of St. Charles, who do not border the development, were?

A Strata 303 representative has contacted the project manager on several occasions, only to receive delay tactics, today finally culminating in the offer to meet during the last week of this month. Representatives from both stratas have a desire to attend this meeting, though coming so late in the process, it is neither transparent nor timely.

One of our greatest concerns about the proposed development is the request for a variance of setback from 20 feet to ten feet to the property line of our homeowners. This will have a significant impact on strata owners whose units open to to the development site. Construction noise and debris will find its way to the front yards of homeowners, and the variance of setback will permanently affect the privacy of these same units. The variance, if approved by

Council, will be entirely to the advantage of the developer, and entirely to the disadvantage of the homeowners whose units have been in place for 45 years.

We are asking Council to advise us at what stage in the process the Development Permit Application sits, and how we, as the homeowners most affected by the development, can best provide our feedback. We await your response.

Christine Morissette, Chair
Strata 303

From: Sandra Jones [redacted]
Sent: May 20, 2020 7:12 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); bisett@victoria.ca; Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]
Cc: Strata 303
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with
that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to
the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the
proposed design affecting the adjacent community.
A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees
and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable
community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood
and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
[redacted]

From: Carolina Ashe [redacted]
Sent: May 25, 2020 4:06 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted] Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: Strata 303 [redacted] Gillian Lawson [redacted] brodeurc [redacted] Carolina Ashe [redacted] Vanessa Dingley [redacted] Lorena and Caspar [redacted] Bill Stroll [redacted] Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill McKechnie [redacted] Dave McWalter [redacted] 'Jessica Sluymer' [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted]
Subject: 1475 Fort Street Proposal - tree loss

Dear Mayor and Council,

Attached please find a letter for your consideration at the Committee of the Whole meeting on May 28, 2020, regarding the proposed development at 1475 Fort Street.

Thank you,

Carolina Ashe and Alan Morton

Dear Mayor and Council,

We have each written previous letters expressing concerns about the development at 1475 Fort Street. This letter specifically addresses the irreversible damage that will result from the removal of 11 trees to accommodate the extreme variances requested for this proposed development.

To the left is a photograph of three Big Leaf Maples, standing approximately 50 feet tall. These magnificent trees are among those slated for removal, should the building permit be granted. They are a vital part of an urban ecosystem supporting a surprising number of birds, which we have identifited year after year:

American Robin	House Finch
Anna's Hummingbird	Hutton's Vireo
Bewick's Wren	Merlin
Brown Creeper	Northern Flicker
Bushtit	Purple Finch
Chestnut-backed Chickadee	Rose-breasted Nuthatch
Cooper's Hawk	Spotted Towhee
Dark-eyed Junco	Song Sparrow
Downey Woodpecker	Stellar`s Jay
Fox Sparrow	Varied Thrush
Golden-crowned Sparrow	White-crowned Sparrow

Where will the birds go if these trees are removed? There is a disturbing pattern of sacrificing trees for densification, as one urban ecosystem after another is felled for townhouse and apartment developments, pushing the birds that depend upon the trees to compete for ever-shrinking habitat. In addtiion to habitat loss, the carbon sequestration, water-filtering, and benefit to people that these large trees provide cannot be replicated by patio shrubs or tiny saplings.

We understand the need to create homes for all. We do not understand why it is taking place at the expense of the environment. It *is* possible to find a balance. Victoria is at risk of losing the natural surroundings that have contributed to its reputation as a uniquely beautiful and livable city.

We ask that your decision reflect not only the viewpoints of the developer, but also those who love Victoria and call it "home" .

Sincerely,

Carolina Ashe and Alan Morton

From: Grace Golightly [redacted]
Sent: May 22, 2020 12:00 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Re: 1475 Fort Street

Dear Mayor and councillors,

From what I understand, creating underground parking, which is bigger than the building envelope, is expected to "necessitate" removing a number of these mature trees during development of this site.

I greatly appreciate the City's focus on planting more trees, and encouraging homeowners to do so as well. However, with climate change breathing down our necks, retaining the mature trees we already have would actually do us more good right now.

This area is very walkable and bikeable, with easy access to transit. There is really no good reason to sacrifice mature trees, merely to allow cars to sit underground at this site. It is simply what has become normal. But it is well past time to come up with a new normal.

These trees provide incredible eco-services (oxygen, carbon sequestration, air purifying, reducing floodwater, etc.) as well as beauty that raises people's spirits and reduces their stress levels. Saplings cannot come anywhere close to providing the same things -- and won't, for decades.

Car shares could be made available instead of some of the parking. There are many tenants or buyers who would be interested in the proposed units, even without the parking.

I understand there is also concern about some of the remaining tenants, and that they may not be protected by normal rental protections. I believe you are all caring people who would not want to see vulnerable people destabilized or made homeless in this situation. I hope they are given time and support to find equally supportive and affordable housing.

Sincerely,
Grace Golightly

From: Vanessa Dingley [redacted]
Sent: May 21, 2020 12:58 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted] Gillian Lawson [redacted] cmorissette [redacted] brodeurc [redacted] Carolina Ashe [redacted] vdingley [redacted] Lorena and Caspar [redacted] johope66 [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] alanmorton61 [redacted] Ken Bailey [redacted] megan bermand [redacted] Bill McKechnie [redacted] Steve Williams [redacted] McWalter [redacted] Jessica Sluymer [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted]>; rscruggs56 [redacted] Bill Stroll [redacted] Barbara Bolli [redacted]
Subject: 1475 Fort Street Development Permit Application

We are resident owners of one of the 16 townhouses at 949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. We recognize that the existing building on that site needs replacement so we do not oppose redevelopment. We appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, we do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, we are concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – we understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so we will not reiterate all of these concerns. But we do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were both told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

- **3. Request for Excessive Variances and Need for Buffer Zone Between Properties**:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and

setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement; and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings, and could negatively affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties. We are concerned about the unnecessary loss of existing trees. We also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

We request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:

-- The lack of consultation with us at an appropriate time in the planning and design process;

-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

- We hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Vanessa and John Dingley
[redacted]

From: Nancy Macgregor [redacted]
Sent: May 21, 2020 4:42 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Development application 1475 Fort Street

Dear Mayor Helps and Councillors,

I began my concern about this development with the need to protect trees in Victoria. On this site are ten mature trees that will be removed. Only two of these trees qualified as protected when this application first came to the city, but since that time seven tree would fit that category. Most of the trees being removed are along the western boundary of the property, shared by the neighbour. Large big leaf maples, red cedar and European Ash grace the edges, and on the east Hawthorn and Maple. These trees will be removed in order to allow for underground parking which extends outside the building envelope.

While parking spaces have been decreased due to a walking distance to the city centre and a great bus service on Fort and Yates St, and bike spaces with a heated bike room for repairs incorporated on site, more could be done.

Diminishing the tree canopy here is a sad loss not just to tenants of this apartment but to neighbours and to the tree canopy of the city. Fort St. lost a significant number of mature, diverse and exceptional trees in 2019 at 1201 Fort St.

With each development we are chipping away at the urban forest that makes this city unique and prepares us for climate change days ahead. Hearing the birds again is a lesson from Covid 19, not to be forgotten.

By offering shares in a car share company or investing in the eco pass bus pass program, less parking would be needed, saving more trees. The city could also improve the regulations around how many cars we need per unit of housing.

My greater concern is about the human family, the tenants of 1475 Fort St. housed by VIHA, some waiting for alternate housing to be found, since this lease to VIHA has expired. There is also a current lease by VIHA at 1471 Fort St, a building owned by the same developer.

This is an issue that needs Provincial work, to house the vulnerable in our society. But at present , we have a situation that adds stress to people who deserve to have a place of healing, a home, that does not require them to move on until they can do so with confidence. For that reason, I request that the Mayor and Council delay this development until VIHA is able to find appropriate housing for these citizens, and that they may know that their tenancy is secure. In this time of Covid 19, Bonnie Henry asks us to "be calm, be kind, and be safe". Let us heed her words and take our time to recover. We may expect a 2nd wave of this pandemic. Let us not impose more stress on our health care workers, and those seeking stability and a safe home.

Thank you for your consideration, Nancy Macgregor

From: Jo Anna Hope [redacted]
Sent: May 21, 2020 8:00 AM
To: Alec Johnston <ajohnston@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; [redacted] Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Lisa Helps (Mayor) <LHelps@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>
Subject: Fwd: 1475 Fort Street Development Permit Application

Dear Mayor and Council,

I reside at #15-949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. I recognize that the existing building on that site needs replacement so do not oppose redevelopment. I appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, I do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, I am concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – I understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so I will not reiterate all of these concerns, but I do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement, and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit of the developer, and this is most unjust. Apparently, the height

variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary—12 feet, I understand. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings and would most likely have a negative affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties and provide habitat for many species of bird and other small beings. I am concerned about the unnecessary loss of existing trees. I also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

I request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:
-- The lack of consultation with us at an appropriate time in the planning and design process;
-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

I hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Jo Anna Hope
[redacted]
--

PLEASE NOTE, my new email address: [redacted]

From: bmckechnie41@gmail.com <bmckechnie41@gmail.com>
Sent: May 21, 2020 1:03 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>
Cc: 'Strata 303' 'Gillian Lawson' 'brodeurc' 'Carolina Ashe' 'Vanessa Dingley' 'Lorena and Caspar' 'Jo Anna Hope' 'Miranda Worthy' 'Sandy Jones' 'Alan Morton' 'Ken Bailey' 'megan bermand' 'Bill McKechnie' 'Dave McWalter' 'Jessica Sluymer' 'Jan Klizs' 'Bob June' 'Paul Lecavalier'
Subject: Variance request 1475 Fort St

Dear Mayor and Council

- I live adjacent to the north property line of the proposed development at 1475 Fort St. I only became aware of the proposal recently while talking to my neighboring strata owners.
- The existing 3 story building (which is to be replaced) has a rear yard setback of approximately 50ft. The proposal in question calls for a four story building with a setback of only 12ft. to our property line.
- No amount of hedging or visual barrier will prevent the 3rd or 4th story occupants of the new building from looking directly into our backyard/windows, nor will it reduce the inevitable noise from the apartments particularly during the summer months when windows and balcony doors are open
- In my opinion this project is a huge overreach for the size of the lot and involves clearcutting the whole project site. It makes sense that the development be commensurate with the size of this panhandle lot.

I appeal to Council to take the appropriate steps when reviewing this project to ensuring the project is aligned with current zoning, with perhaps minor changes, instead of the major variances being requested
Thank you,
B. McKechnie

From: Barbara Bolli [redacted]
Sent: May 21, 2020 2:15 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca[redacted]
Cc: 'Strata 303' [redacted] 'Gillian Lawson' [redacted] 'Christine Morissette' [redacted] 'Chantal Brodeur' [redacted] 'Carolina Ashe' [redacted] 'Vanessa Dingley' [redacted] 'Caspar Davis' [redacted] 'Bill Stroll' [redacted] 'Jo Anna Hope' [redacted] 'Miranda Worthy' [redacted] 'Sandy Jones' [redacted] 'Alan Morton' [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill [redacted] 'Steve Williams' [redacted] 'Jessica Sluymer' [redacted] 'Jan Klizs' [redacted] 'Bob June' [redacted] 'Paul Lecavalier' [redacted] 'Russ Scruggs' [redacted]
Subject: 1475 Fort St: Proposed Development Application

Mayor and Council:

I am a resident of a strata on 949 Pemberton Rd which borders a proposed development at 1475 Fort St. Much correspondence, including my own letter of February 12, 2020, has been written to Mayor and Council expressing strong concerns with this proposed development, the conduct of the developer and the very inadequate process in which it is being reviewed. As such, I will not repeat these concerns here. I do, however, want to strongly recommend that in order to demonstrate that a fair and reasonable assessment of this proposed project is undertaken, the Committee of the Whole needs to ensure the following:

- **That the project is in keeping with current zoning bylaws**
- **That it is aligned with relevant sections of *2012/2019 Design Guidelines* and NOT the dated *1981 Advisory Design Guidelines for Buildings, Signs, and Awnings* which has been referenced in respect to the proposal for 1475 Fort Street**
- **That the Advisory Design Panel is directed to reassess the development plans given that the developer misled the ADP when it advised the panel that neighbours response to the project was "positive" when the strata complexs at 949 and 1019 Pemberton Rd had not been made aware of the project by the developer**
- **That a thorough analysis of the implications of the project with respect to parking is undertaken as there is limited parking available at the proposed apartment complex and a dearth of parking in the neighbourhood**
- **That the arborist's impact assessment report is updated to reflect the scaled-up project design**
- **That there is clear demonstration of meaningful/tangible consideration of and response to concerns/input of neighbours**

- **That an onsite visit is conducted to understand the real on-the-ground impacts of this project**
- **That there is clear demonstration that the costs of this project through loss of privacy, increased noise, decreased property values, significant tree and habitat loss and adverse impacts to the general ambiance of the neighbourhood through the erection of an oversized building on too small a lot is <u>NOT</u> born by adjacent neighbors**

Consider this as the committee's due diligence check list as the proposal application is reviewed. I look forward to reviewing the Committee's response to the application and its consideration of this check list. If followed, I am confident that the Committee will support the construction of a building that complements the neighbourhood rather than erodes it.

Sincerely,
Barbara Bolli

From: Paul Lecavalier [redacted]
Sent: May 19, 2020 10:47 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; cthorton-joe@victoria.ca <cthorton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; ajohnston@vistoria.ca <ajohnston@vistoria.ca>
Subject: Major concerns regarding 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 concern with the proposed apartment building development at 1475 Fort Street.

This proposed development, which is immediately to the North-East of our Strata lot, calls for the removal of a number of mature trees along the western and southern boundaries of the development lot. The removal of these trees will have a considerable negative impact on our Strata in that it removes a very effective visual and noise barrier between the two properties.

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

- I agree that new rental development at relatively high density is needed in Victoria and Fort Street is a good location for such development.
- The new building being proposed will be of good quality and will improve the overall character of the area.
- 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 negatively (views, noise etc.) and ultimately lower their property values.
- 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.
- If it is not possible to save these trees given the proximity of the new construction, then the developer and /or the City MUST PROVIDE a buffer area with the appropriate attenuation measures to compensate for the lost tree cover.
- This buffer area will benefit the medium density townhouse developments immediately adjacent (south and south-west) to the proposed development site and will benefit the eventual tenants of the new apartment building by providing much needed greenery.
- IT IS EXTREMELY IMPORTANT that the City always insist that such buffer areas be included in any redevelopment plans calling for the insertion of higher density developments into existing built-up areas. This will be crucial in getting neighbouring property owners to accept these new projects.

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 [redacted]

From: Janet Simpson [redacted]
Sent: May 20, 2020 10:33 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: re 1475 Fort Street (COW May 28th)

Dear Mayor and Council,

I would like to express my grave concerns over the proposed development on this site.

There is currently an apartment building here that could accommodate many renters. Demolishing it and hauling all the materials off to the landfill should be the last resort. The site is large enough for an addition to provide more accommodation.

But the current proposal is to tear everything down and build something which unreasonably exceeds what is permitted by the zoning. In fact, the excess and the impact on neighbours warrants a rezoning.

The ask for a 17% increase in site coverage (especially in what is a panhandle situation), and a reduction of 100% of the setbacks is basically a request to take down every significant tree on the property. Many of these trees are Big leaf maples and Wester red cedars. They are all at least 60-70 feet high. Eleven of these trees would be removed.
This would be an unconscionable violation of the City's expressed intent to protect and enhance our tree canopy. These trees are on the perimeter of the property and, with the appropriate and necessary adherence to the site coverage and setback regulations, would not interfere with the development of the site.

Sincerely,
Janet Simpson

[redacted]

From: Carolina Ashe [redacted]
Sent: May 20, 2020 7:20 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>
Cc: [redacted] brodeurc [redacted] Carolina Ashe Vanessa Dingley [redacted] Lorena and Caspar Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton Ken Bailey [redacted] megan bermand McKechnie [redacted] Dave McWalter [redacted] Jessica Sluymer Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted] Russ Scruggs [redacted]
Subject: 1475 Fort Street building proposal

Dear Mayor and Council,

On February 25, 2020, I sent you a letter expressing initial concerns with a development proposal at 1475 Fort Street, which abuts 949 Pemberton Road, where I live. In my previous letter, I mentioned my concerns about lack of consultation and transparency on the part of the developer. In spite of a meeting with the developer (initiated by a resident of 949 Pemberton Road), along with a follow-up email, the developer continues to show no interest in addressing concerns brought forward by residents.

Following are additional concerns:

Design guidelines: 1981 vs 2019

- It is my understanding that the 1981 *Advisory Design Guidelines for Buildings, Signs, and Awnings* has been referenced in respect to the proposal for 1475 Fort Street.
- These antiquated guidelines are cursory, incomplete, and do not address what can be expected in a new build for 2020.
- The *Design Guidelines for: Residential, Commercial and Industrial, 2012/2019 (2012/2019 Design Guidelines)*, supersede the 1981 guidelines and provide much more comprehensive and current direction for transition between the two zones. Sections 1.1, 1.2, 1.5 and 1.6., in particular, are applicable to this proposal.
- It is reasonable to expect that the *2012/2019 Design Guidelines* will be referenced in the review of this application.

Impact of variances on properties bordering 1475 Fort Street

- The current site plans show the view of the building from the perspective of passers-by on Fort Street.
- The view is very different for neighbours living on the other sides.
- Residents at 949 Pemberton Road will no longer see the sky and trees when they step outside their back doors. Instead, they will be confronted with a massive wall, 12 to 13 feet from the property line, and reaching more than 40 feet above them.

- With the removal of mature trees, the residents of both 949 and 1019 Pemberton Road will have no visual or sound buffer from this large block-shaped building that will virtually fill its entire lot.
- It is difficult to put into words the detrimental ecological impact of the removal of mature trees which stand at the border between 1475 Fort Street and other properties, not to mention the loss of visual and sound buffer that these trees provide.

Parking

- The proponent is requesting a variance which will reduce the number of required parking stalls from 45 (for residents and visitors) to 26. While bicycle parking stalls will be available, it cannot be assumed that all occupants of the building, as well as their visitors, will not own cars.
- There is already a dearth of on-street parking in the neighbourhood. One of the nearest possibilities, Pemberton Road, is already congested with parked cars on both sides.

Summary

I understand that there is a shortage of rental apartments in Victoria and am not opposed to a new rental building replacing the old one at 1475 Fort Street. However, this proposal presents a case of extreme overreach in an apparent attempt to squeeze as many profitable, market rental units as possible into a small parcel of land, regardless of cost to surrounding neighbours, and to the environment.

What I am asking for

- I am asking that you apply whole systems thinking in your review of this development. Please consider not only the economic goals of the developer, but also the social, environmental and economic impacts of this development on the entire neighbourhood.
- Please visit the building site. See for yourself what the impact of this proposed building will be if the requested variances and removal of trees are approved.
- Please talk to the residents who have spent many hours researching this situation and reaching out to you.

I am trusting that if you do these things, you will ask the proponent to redraw plans that:

- are in keeping with current zoning bylaws, with only minor variances, if any;
- are aligned with relevant sections of *2012/2019 Design Guidelines*; and
- address and incorporate the concerns of neighbours who have been, and continue to reach out to the City and to the proponent.

Thank you,

Carolina Ashe
[redacted]

From: Bill Stroll [redacted]
Sent: May 20, 2020 1:54 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted] Gillian Lawson [redacted] Christine Morissette [redacted] Chantal Brodeur [redacted] Ashe [redacted] Dingley [redacted] Caspar Davis [redacted] Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton [redacted] Ken Bailey [redacted] megan bermand [redacted] Bill [redacted] Steve Williams [redacted] Jessica Sluymer [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted] Russ Scruggs [redacted]
Subject: Proposed development at 1475 Fort Street Follow Up

Dear Mayor and city councillors

I wrote to you February 13 regarding my concerns of the proposed Lantern Properties development at 1475 Fort Street. In that email I noted a lack of information and consultation, and questionable variances the developer had proposed. Although a meeting did take place between Strata 303 owners, the Rockland Neighbourhood Association and Lantern Properties these matters still remain troublesome.

Despite zoning bylaws, the new structure would occupy almost 50% of the site, up from the current 30% and that the setback, with the height addition of another storey would only be a couple of feet from our property line. Furthermore, there will be a loss of affordable housing as all units will be available only at market value. I request council insist on public consultation before this redevelopment moves forward.

Bill Stroll
[redacted]

From: Alan Morton [redacted]
Sent: May 20, 2020 11:18 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted] Gillian Lawson [redacted] Christine Morissette [redacted] Chantal Brodeur [redacted] Carolina Ashe [redacted] Vanessa Dingley [redacted] Caspar Davis [redacted] Bill Stroll [redacted] Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton [redacted] Ken Bailey [redacted] megan bermand [redacted] Bill [redacted] Steve Williams [redacted] Jessica Sluymer [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted] Russ Scruggs [redacted]
Subject: 1475 Fort Street

Dear Mayor and Council:

As one of the residents of 949 Pemberton Road I have some concerns with the proposed redevelopment at 1475 Fort Street, which is adjacent to my townhome complex.

While the lack of consultation has been frustrating, I find the misrepresentation and lack of transparency regarding ultimate goals to be very concerning. There seems to be a steady shift of goal posts in what is being asked for.

From the time of the BC Land Surveyors site plan and Arborists' report the proposal has gone from:
- 12.9m to 14.39m in height
- 28 market rentals and 4 affordable units to all 32 market rental
- 26 resident parking underground and 3 grade level to all underground in order to ask for a front setback variance of just under 2m as opposed to 10m

The initial letter to council from the developer in June 12, 2019 stated that 1475 Fort is significantly lower than 949 Pemberton and that they are providing a "sensitive transition" between the R1 and R3 zoning. There is a grade difference but it is only 6 feet. Therefore, the proposal for a building face that is 13 feet from and 41 feet above the adjoining property line would seem to be in opposition to the concept of a transition as outlined in the Design Guidelines-Multiuse Residential Commercial Industrial, 1.6.1 and 1.6.2.

I feel that the lack of transparency, unwillingness to work with the community to address concerns, and the desire to push through massive variances despite zoning bylaws and Design Guidelines will cloud future interactions with this developer and architect.

Alan Morton
[redacted]

From: Christine Morissette [redacted]
Sent: May 19, 2020 3:46 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; [redacted] Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street development

Dear Mayor and Council:

We are homeowners who live adjacent to a proposed development at 1475 Fort Street. We are writing to express our concerns regarding three aspects of this development:

1. The request for significant variances on size and height of the new building

The existing building on this property takes up 30% of the area, whereas the new building is slated to take up nearly 50%, as well as an additional story in height. This will place the new building within two meters of our strata's boundary fence, and along with one more story, will significantly reduce the privacy of our units that face the fence. The variances requested will also necessitate the removal of eleven mature trees, greatly reducing the urban canopy for which this neighbourhood is known.

2. The lack of consultation with adjacent property owners

At no time were any of the 16 homeowners at 949 Pemberton Road ever informed about or consulted on this development by the developer. It is our understanding that this consultation is required by the City of Victoria. To add insult to injury, the developer continues to insist that we all were, in fact, consulted.

3. The loss of affordable housing, particularly for vulnerable citizens

When this development was first proposed, it was implied there would be some affordable housing to meet the City's current needs. While we applaud the commitment to rentals, we now understand they will be available only at market value. Furthermore, the current building housed people with mental health conditions overseen by VIHA. So in the stroke of a pen, the new development will prevent low income and other vulnerable citizens from accessing housing at this location.

We trust that going forward, the considerations of adjacent property owners will play a role in the approval process for the development at 1475 Fort Street.

Christine Morissette and Chantal Brodeur
[redacted]

From: Miranda Worthy [redacted]
Sent: May 19, 2020 12:18 PM
To: Barbara Bolli [redacted] Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: 'Strata 303' [redacted] 'Gillian Lawson' [redacted] 'Christine Morissette' [redacted] 'Chantal Brodeur' [redacted] 'Carolina Ashe' [redacted] 'Vanessa Dingley' [redacted] 'Caspar Davis' [redacted] 'Bill Stroll' [redacted] 'Jo Anna Hope' [redacted] 'Sandy Jones' [redacted] 'Alan Morton' [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill [redacted] 'Steve Williams' [redacted] Sluymer' [redacted] 'Jan Klizs' [redacted] 'Bob June' [redacted] 'Paul Lecavalier' [redacted] 'Russ Scruggs' [redacted]
Subject: RE: 1475 Fort Street: Proposed Development

Good afternoon,

The below email thread has been forwarded for the Property Owner's review and action.

If I can be of further assistance or you have questions, please let me know.

COVID -19 Announcement Updated April 29,2020:

Please be advised, our **office is open** for business at regular hours (9-5 M-F) with measures in place as per the recommendations of government and health authorities. Our staff continues to self-isolate as much as possible, on a rotating schedule for office hours. Many of us are still working remotely, but checking our emails regularly and available. Emergency calls (250-478-9141) will continue to be answered after hours.
Any **maintenance** requests which are non-emergent will be deferred until further notice, pending availability of contractors.

We remain deeply grateful for the positive, understanding and cooperative spirit we have encountered to date.

~ Stay safe, stay health and if you can stay home ~

Sincerely,

Miranda A. Worthy
[redacted]

IMPORTANT NOTICE!
This email is confidential, may be legally privileged and is for the intended recipient only. Access, disclosure, copying and distribution or reliance on any of, by anyone else is prohibited and may be a criminal offence. Please delete if obtained in error and e-mail confirmation to the sender.

From: Barbara Bolli [redacted]
Sent: May 19, 2020 12:16 PM
To: mayor@victoria.ca; jloveday@victoria.ca; sdubow@victoria.ca; bisitt@victoria.ca; spotts@victoria.ca; gyoung@victoria.ca; cthornton-joe@victoria.ca; malto@victoria.ca; ajohnston@victoria.ca; [redacted]
Cc: 'Strata 303' [redacted] 'Gillian Lawson' [redacted] 'Christine Morissette' [redacted] 'Chantal Brodeur' [redacted] 'Carolina Ashe' [redacted] 'Vanessa Dingley' [redacted] 'Caspar Davis' [redacted] 'Bill Stroll' [redacted] 'Jo Anna Hope' [redacted] Miranda Worthy [redacted] 'Sandy Jones' [redacted] 'Alan Morton' [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill [redacted] 'Steve Williams' [redacted] 'Jessica Sluymer' [redacted] 'Jan Klizs' [redacted] 'Bob June' [redacted] 'Paul Lecavalier' [redacted] 'Russ Scruggs' [redacted]
Subject: 1475 Fort Street: Proposed Development
Importance: High

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 revaluate 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
[redacted]

From: Norman Spector [redacted]
Sent: May 18, 2020 6:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor)
Cc: Alec Johnston; Peter Johanknnecht; Lantern Properties
Subject: Re: 1475 Fort Street

Dear Madam Mayor and Council:

I am writing in regard to the above development proposal by Lantern Properties.

While walking my dog, I have been observing a similar development in the neighbourhood at 1201 Fort Street by Abstract Development for well-nigh two years.

In this case, there have been regular traffic stoppages as construction vehicles have entered and exited the site; indeed, the lane closest to the sidewalk seems to have been taken over on a semi-permanent basis by the developer.

In the case of the proposed Lantern Properties development, Fort Street is significantly narrower at the driveway where construction vehicles would be entering and exiting the site for an extended period of time. Consequently, stoppages and blockages are a much more problematic issue.

Since Fort Street is a major traffic artery for public transit, cyclists and private cars--including for Camosun and U Vic students--I would hope you'd give serious consideration to the transportation issue in assessing the developer's proposal

Yours faithfully

Norman Spector

From: Strata 303 [redacted]
Sent: May 18, 2020 12:26 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; Lantern Properties [redacted] Peter Johanknnecht [redacted]
Cc: Alan Morton [redacted] Barbara Bolli [redacted] Bill McKechnie [redacted] Bill Stroll [redacted] Carolina Ashe [redacted] Caspar Davis [redacted] Chantal Brodeur [redacted] Christine Morissette [redacted] Erik Solbakken [redacted] Gillian Lawson [redacted]>; Jan Klizs [redacted] Jay Nefsky [redacted] Jessica Sluymer [redacted] Jo Anna Hope [redacted] John and Vanessa Dingley [redacted] Miranda Worthy [redacted] Norman Spector [redacted] Sandy Jones [redacted] Steve Williams [redacted] Strata 303 [redacted] Paul Lecavalier [redacted] megan bermand [redacted] Ken Bailey [redacted]
Subject: 1475 Fort Street

This letter is a follow up to a letter sent February 10, 2020 by our then Strata Chair, Christine Morissette, expressing concerns about the above-mentioned development.

Our concerns remain the following:

- **LACK OF CONSULTATION**

  From the beginning, there has been poorly conceived community consultation on the part of the developer and architects. We realize that a variance request does not oblige the developer to consult with surrounding neighbours, however in this case the developer/architects have repeatedly presented themselves as having sought feedback from the community. That is simply not the case. No one in our strata, or the strata next door at 1019 Pemberton Road received the letter purported to have been distributed for an open house on March 24, 2019. Subsequent requests to see a copy of that letter and a distribution list have been ignored. At the January 22, 2020 meeting of the ADP, in reply to a question from the panel asking about the feedback so far from neighbours, the developer completely misrepresented the situation by stating that the feedback had been very positive. In fact, no feedback had ever been solicited from us. After hearing of the proposed development from a third party, **we requested** a meeting with the developer/architect which was held on March 5, 2020.

- **EXCESSIVE VARIANCE REQUESTS**

The proposed plan asks for substantial variances on all four sides plus a height variance. We see this request as an overreach. Our understanding is that variance requests deal with minor changes but the proposed changes are anything but minor. The site coverage of the current building is 30% and the proposed plan calls for a 46.9% site coverage. The result is a massive rebuild with significant loss of privacy to strata homeowners to the south and an unfortunate loss of mature trees in the area. Although the architects acknowledged these facts during the March 5 meeting, their only response was a seeming willingness to add more shrubbery.

- **NON-COMPLIANCE WITH GUIDELINES**

  The current development plan does not comply with Section 1.6 of the **City of Victoria Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012 (updated December 2019)** which require that privacy issues be addressed and that a stepped transition be employed between two zones when one is a multi-unit.

- **LOSS OF TREES**

  Visitors to our city always remark on our magnificent trees. The City even has an Urban Forest Master Plan. We know as a society how important it is to maintain our tree canopy. This proposed development would lead to the loss of 11 mature trees with the consequent loss of habitat, visual beauty, and sound barrier. This is not in keeping with our city's image or the best interests of the neighbourhood.

We acknowledge the need for rental housing in Victoria. This development was originally billed as offering some low rental units but, along the way, that feature has been abandoned. The result is that the residents of the 11 current low rental units will be displaced to allow for 32 units to be rented out at market rates.

The developer in question did a fine job of renovating an adjacent building on the property and the plans for this building appear to include attractive materials. The existing building on this site is in poor shape and we have no objection to a new building being erected in its place. However, we feel that any new building should be one where only minor variances are required, not the major ones being sought in this project, and where the transitions between this building and its neighbours are as outlined in the current city guidelines.

We wish to extend an invitation to the Mayor and Councillors to visit our strata to see the proposed development from our vantage point.

Gillian Lawson
[redacted]

Excellent care, for everyone,
everywhere, every time.

island health

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

Mental Health and Substance Use
Located at: 2334 Trent Street | Victoria, BC V8R 4Z3 Canada
Tel: 250-370-8396 | Fax: 250-370-8578
viha.ca/mhas

Madison Heiser

From: Madison Heiser
Sent: Tuesday, May 26, 2020 8:09 AM
To: Madison Heiser
Subject: FW: 1475 Fort St RNA Response Letter
Attachments: 1475-Lantern Response Letter.pdf; 1475 RNA.pdf

From: josh.hayes lanprop.com [redacted]
Sent: May 22, 2020 8:41 AM
To: Lisa Helps (Mayor) [redacted] >
Cc: Marianne Alto (Councillor) [redacted]; Sharmarke Dubow (Councillor) <[redacted]>; Ben Isitt (Councillor) [redacted] Jeremy Loveday (Councillor) [redacted]; Geoff Young (Councillor) [redacted]; Sarah Potts (Councillor) [redacted]; Charlayne Thornton-Joe (Councillor) [redacted] >; Alec Johnston <[redacted]
Subject: 1475 Fort St RNA Response Letter

Dear Mayor & Council,

The Rockland Neighbourhood Association's letter dated April 22, 2020 contained inaccuracies about the 1475 Fort St. rental project. Please find a response letter attached along with the RNA letter for your convince.

Please don't hesitate to contact me with any questions.

Best,
Josh.

LANTERN
PROPERTIES LTD

Josh Hayes
Director of Development

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

[redacted]

May 22, 2020

LANTERN
PROPERTIES LTD

Dear Mayor Helps & Council,

Please see comments and corrections below in response to the Rockland Neighbourhood Association's (RNA) letter dated April 22nd, regarding our 1475 Fort Street rental project.

Site Coverage

1. R3 AM-2 Site Coverage zone allowance is 40%. The proposed site coverage is 48% resulting in an 8% increase.
2. R3-AM-2 bonus applies at a 1.6:1 density with all but visitor parking enclosed. The current project has all parking enclosed, including visitor parking with a density of 1.42:1

Guidelines

Cascadia Architects has followed the correct City of Victoria guidelines and the projected received unanimous support from the Advisory Design Panel on January 22, 2020. The panel explicitly discussed the project's success in integrating within the Rockland neighbourhood.

Setbacks

The setbacks are measured from the closest structure of the building to the closest property line. For the east and west elevations, this dimension is taken from the 1.9m protruding balconies. The more relevant building facades setbacks are 5.76m (18'-9") on the west, 4.9m (16'-1") on the east and 4m (13'-1") to the south. There is no average setback as calculated by the RNA.

Parking

The requested parking variance is based on the current Schedule C and not on the dated R3-AM-2 Zone requirements, as described in the parking study prepared by Bunt & Associates.

The Schedule C vehicle parking requirement equates to 25 to 29 parking spaces depending on the chosen location (Village/Centre versus Other Areas). The proposed parking supply of 26 spaces is in the middle of this range.

1176 Burnaby Street, Vancouver BC, V6E1P1
[redacted]

May 22, 2020

LANTERN
PROPERTIES LTD

Tree Retention

The Arborist Report from April 5th, 2019 describes only two by-law protected trees to be removed, not four as stated in the RNA letter. One of the two by-law protected trees is not in good health. Any trees to be removed would be replaced at minimum 2:1 ratio of the same species. The neighbour whose trees would be replaced wrote a letter of support for replacement due to over-shading and the excessive accumulation of leaves on the rooftop.

Sincerely,
Joshua Hayes-Director of Development

Joshua P. K. Hayes

1176 Burnaby Street, Vancouver BC, V6E1P1
[redacted]

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).

Tree Retention:

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

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
RNA LUC

Dave McWalter, co-chair

Madison Heiser

From: Madison Heiser
Sent: Wednesday, May 27, 2020 9:26 AM
To: Madison Heiser
Subject: Subject: 1475 Fort Street - Rental Proposal – Committee of the Whole
Attachments: City of Victoria 1475 Fort May 22 2020.pdf

From: David Hutniak [redacted]
Sent: May 22, 2020 3:30 PM
To: Victoria Mayor and Council [redacted]
Cc: David Hutniak [redacted]
Subject: Subject: 1475 Fort Street - Rental Proposal – Committee of the Whole

Dear Mayor Helps and Council,

We respectively ask that you please consider the attached letter in support of the above-captioned purpose-built rental project.

Thank you.

David Hutniak
Chief Executive Officer
LandlordBC - BC's top resource for owners and managers of rental housing
[redacted]
Website: www.landlordbc.ca

#areyouregistered Go To Landlordregistry.ca

LANDLORDBC
BC's top resource for owners and managers of rental housing

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LANDLORDBC

Vancouver
1210 - 1095 West Pender
Vancouver BC V6E 2M6

Victoria
830B Pembroke Street
Victoria BC V8T 1H9

[redacted]

May 22, 2020

Mayor Helps and Council
City of Victoria

Sent via email: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Subject: RE: 1475 Fort Street - Rental Proposal – Committee of the Whole

Dear Mayor Helps and Council,

LandlordBC is a non-profit association and the leading voice for owners and managers of rental housing in British Columbia. I am writing to you on behalf of our 3300 members in support of the above-captioned proposal for a secure purpose-built rental housing project providing 32 new homes for the community.

The City of Victoria, under the leadership of your Worship and Council, and with the strong support of your very capable staff, have created an environment that has been conducive to the building of new purpose-built rental. It has been encouraging to see that new purpose-built rental has come on-stream in the community, with more in the pipeline. This is great news for both current and future renters and the broader community.

The proposed rental building construction at 1475 Fort Street is an opportunity for your Worship and Council to replace a small structure at the end of its functional life with 32 new safe, healthy, and sustainable rental homes. Furthermore, this will be accomplished without displacing any existing tenants.

We are aware that City staff supports the project, and we've learned from the proponent that during the course of its passage through the design review process, the project was complimented for the quality of the proposed build. The site now has a 19 unit building and an 11-unit building. It is 100% occupied by the Vancouver Island Health Authority as transition housing. They are at the end of their lease term on the 11 unit building and the proponent has advised that they are extending their relationship with the Vancouver Island Health Authority on the 19-unit building. Furthermore, the health authority has expressed interest in completely occupying the new build and the proponent is incorporating a right of first refusal for them in their lease. This is very much a win-win-win for the health authority, their clients and, the community.

LANDLORDBC

Vancouver
1210 - 1095 West Pender
Vancouver BC V6E 2M6

Victoria
830B Pembroke Street
Victoria BC V8T 1H9

[redacted]

The proponent is long-time member of LandlordBC and well-known to our organization. Lantern Properties is a family-owned company and has been providing high quality, secure rental housing in Victoria and Vancouver for over 60 years. Lantern is a highly reputable landlord recognized for embracement of industry best practices, and a commitment to establishing and maintaining positive and respectful relationships with the individuals and families for whom they provide homes. They are committed to this community for the long term.

Secure purpose-built rental housing is a critically important housing typology that has been neglected for over three decades and, to this date, remains extremely challenging to build. High land and construction costs, and developers favouring the generally lower risks and greater rewards associated with building strata condos, continue to be barriers to the construction of new purpose-built rental housing. We are pleased to see the proponent advance this project.

In closing, I wish to reiterate that LandlordBC strongly supports this project, and we respectfully ask you to approve this application to ensure that this critical rental housing gets built. Thank you.

Sincerely,

D. Hutniak

David Hutniak
CEO
LandlordBC

Madison Heiser

From: Madison Heiser
Sent: Tuesday, May 26, 2020 8:07 AM
To: Madison Heiser
Subject: FW: 1475 Fort Street: Proposed Development
Attachments: 1474 Fort Street DPV 00120.pdf; Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303; Fwd: 1475 Update

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From: Barbara Bolli
Sent: May 19, 2020 12:15 PM
To: Lisa Helps (Mayor) >; Jeremy Loveday (Councillor) >; Sharmarke Dubow (Councillor) >; Ben Isitt (Councillor) >; Sarah Potts (Councillor) ; Geoff Young (Councillor) Charlayne Thornton-Joe (Councillor) < Marianne Alto (Councillor) ; Alec Johnston
Cc: 'Strata 303' 'Gillian Lawson' ; 'Christine Morissette' < 'Chantal Brodeur' < 'Carolina Ashe' 'Vanessa Dingley' Caspar Davis' Bill Stroll' < ; 'Jo Anna Hope' < 'Miranda Worthy' 'Sandy Jones' ; 'Alan Morton' < 'Ken Bailey' ; 'megan bermand' Bill 'Steve Williams' ; ; 'Jessica Sluymer' 'Jan Klizs' >; 'Bob June' >; 'Paul Lecavalier' ; 'Russ Scruggs'
Subject: 1475 Fort Street: Proposed Development

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 revaluate 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

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

rockland.bc.ca

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:

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- 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

Madison Heiser

From: Strata 303 [redacted]
Sent: Saturday, April 25, 2020 10:16 AM
To: Gillian Lawson; Barbara Bolli
Subject: Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303

---------- Forwarded message ---------
From: **Strata 303** [redacted]
Date: Sat, Apr 25, 2020 at 10:14 AM
Subject: Record of March 5 Meeting between Lantern/Cascadia and Strata 303
To: Peter Johanknnecht [redacted] Lantern Properties [redacted]
Cc: Strata 303 [redacted]

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

Madison Heiser

From: Strata 303 [redacted]
Sent: Tuesday, May 19, 2020 12:04 PM
To: Barbara Bolli
Subject: Fwd: 1475 Update

---------- Forwarded message ---------
From: **Strata 303** [redacted]
Date: Sun, May 10, 2020 at 9:24 PM
Subject: Re: 1475 Update
To: Lantern Properties [redacted]

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 [redacted] 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 [redacted] > 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 [redacted] 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

From: s g [redacted]
Sent: May 26, 2020 11:44 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1475 FORT STREET PROPOSED DEVELOPMENT

TO WHOM IT MAY CONCERN

Please find attached copy of letter urging approval of the purpose built development proposed for 1475 Fort Street.

Steve Gillrie
[redacted]

Dear Mayor and Council

My name is Steve Gillrie and I have resided in Victoria for approximately 20 years. I would like to state that I support the purpose built rental building proposed at 1475 Fort Street. Rental buildings are critical in the Victoria Housing Market, in particular for young families who cannot afford to purchase in our high price market.

The project is very well designed to fit into the character of the neighborhood and I understand that it received unanimous approval from the ADP.

Lantern Properties Ltd has been in existence since 1962. The company prides itself on providing safe, clean and secure housing. They have a proven track record of considering their tenants and neighbours in all their projects.

After more than a decade of experience acting as a property manager I have had the pleasure of dealing with hundreds of tenants and prospective tenants. In addition I have dealt with concerns of neighboring buildings, both privately owned and rented. All I have spoken with think this development would be a great asset to the community.

I urge approval of the project.

Steve Gillrie
[redacted]

May 25,2020

Dear Mayor Helps and Councillors,

I am writing to express my concern about the proposed development application at 1475 Fort St.

The proposed development is requesting three variance permits that will have a negative impact on tree canopy cover and the loss of many mature trees on the perimeter. By excavating up to the property line on both the east and west borders, it will remove mature elms and big leaf maples which will be replaced by a few small Japanese maples and dogwood trees. The replacement trees are small as there is not sufficient soil volume to replace with larger trees. The trees that are to be retained may be damaged by blasting, scaffolding and irrigation lines as outlined in the arborist report.

The trees that are to be removed constitute 488 diameters (OBH) of mature trees with a large canopy. The trees that are being retained constitute 186 diameters (OBH).
This is a loss of 300 DBH and large canopy cover. One maple tree (58 OBH) can sequester 2.4 kg of carbon/year and the reduce water run off by 484 litres. Plus remove air pollution. The lifetime C02 equivalent of carbon is 3000 Kg. (itree.org) This is how ONE mature maple tree benefits the city.
The replacement trees at 4 cm times 4 trees represent 16 OBH.

If the variance permit applications are denied, the building could be built AND at the same time, preserve the magnificent mature tress that provide the benefits of carbon sequestration, reduce water run off and of course, retain the canopy cover.

The Fort St area has suffered the loss of many mature diverse trees. This development does not need to extend to the property lines and decimate the mature perimeter trees. The underground parking and the building envelope requiring 3 variances **should not be approved.**

How can the city maintain a stable canopy cover if it allows a developer to build so close to the property line? The regulations state 7.2 metres from the fence line and the developer is requesting from 2.8 to 3,8 metres. This will remove 300 OBH of mature trees.

Please consider the impact of this decision on the canopy cover of the urban forest in regards to climate change. Please visit the site and look up into the marvellous canopy of the elms and maples.

Sincerely,

Jan Firstbrook
[redacted]

Pierre-Paul Angelblazer

From: Alec Johnston
Sent: May 27, 2020 6:41 AM
To: Pierre-Paul Angelblazer
Subject: FW: Expressing Support for 1475 Fort Street Development

Hi Pierre,

Additional correspondence for 1475 Fort Street.

Thanks,
Alec

Sent from Mail for Windows 10

From: Calvin Jennings
Sent: May 26, 2020 9:43 PM
To: Lisa Helps (Mayor); Marianne Alto (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Geoff Young (Councillor); Sarah Potts (Councillor); Charlayne Thornton-Joe (Councillor); Alec Johnston
Subject: Expressing Support for 1475 Fort Street Development

To whom it may concern,

My name is Calvin Jennings and I'm a Victoria resident having previously worked in downtown Vancouver with marginalized populations, specifically those dealing with mental health and addiction issues. I'm writing to all City councillors today to express my support for the rental building proposed at 1475 Fort Street.

Purpose-built rental buildings are critically important for Victoria given home prices in the region. These apartments provide housing security in a time where it's scarce and can prevent individuals from having to rent condos or basements where eviction is a constant threat.

I also understand that this building will likely be used by the Victoria Health Authority as an addiction recovery home. I feel extremely passionately about the lack of detox centres available in BC and think this is a tremendous use of a facility to support a vulnerable population working to overcome challenges they've had in their life.

I fully support this project and urge the City of Victoria to approve it.

Thank you for considering my comments.

Sincerely,
Calvin Jennings

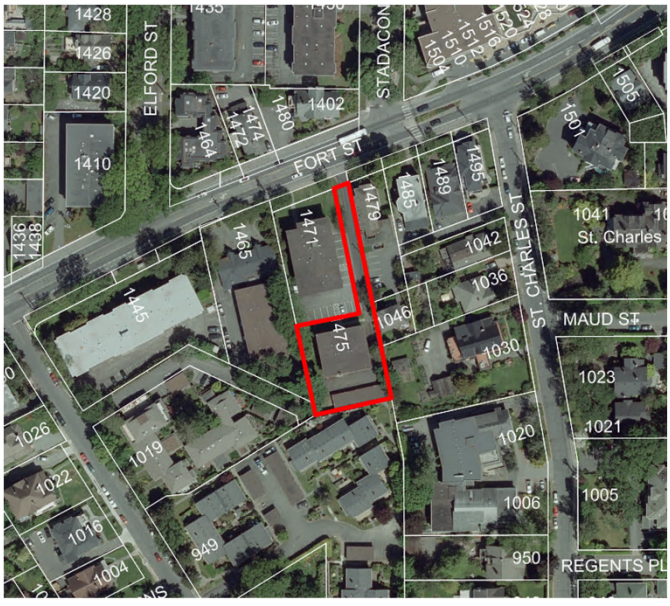
1

Development Permit with Variances Application for 1475 Fort Street

1

Aerial View

2



2

Subject Property

3

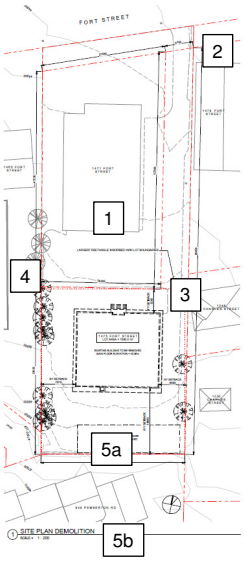
1475 Fort Street 1471 Fort Street

1475 Fort Street

3

Neighbouring Properties

4



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5a

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Neighbouring Properties

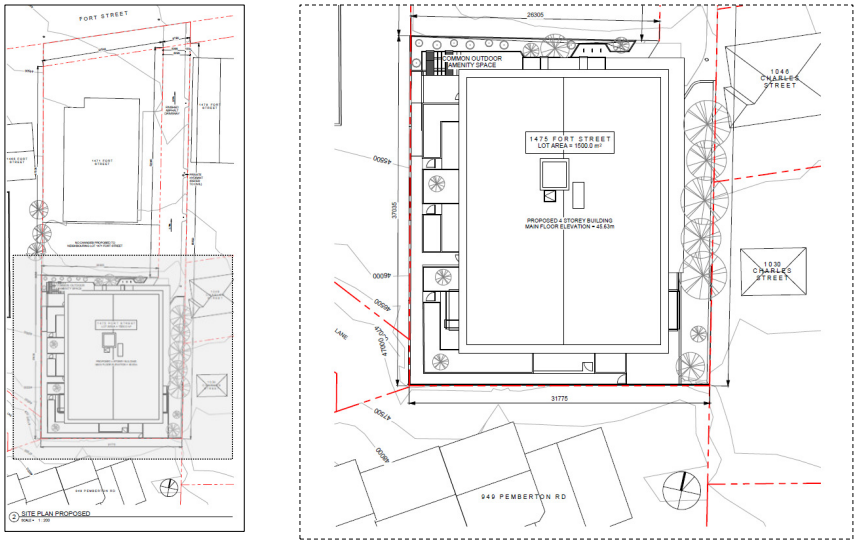
5

CITY OF VICTORIA

5

Site Plan

6

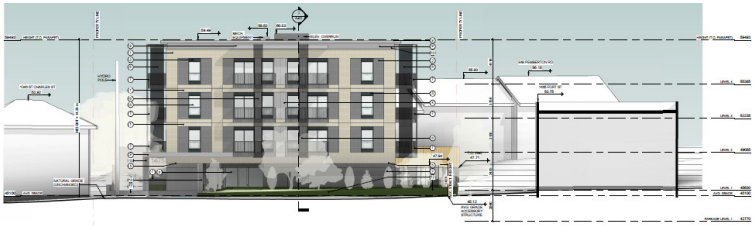


CITY OF VICTORIA

6

Elevations

7



1 NORTH ELEVATION
SCALE = 1:100

2 EAST ELEVATION
SCALE = 1:100

CITY OF VICTORIA

7

Elevations

8

1 SOUTH ELEVATION
SCALE = 1:100

2 WEST ELEVATION
SCALE = 1:100

CITY OF VICTORIA

8

Materials

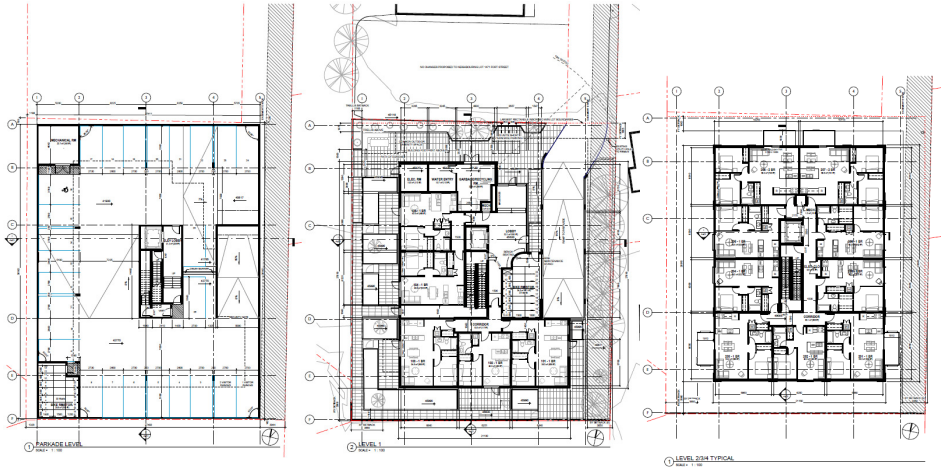
9

CITY OF VICTORIA

9

Floor Plans

10

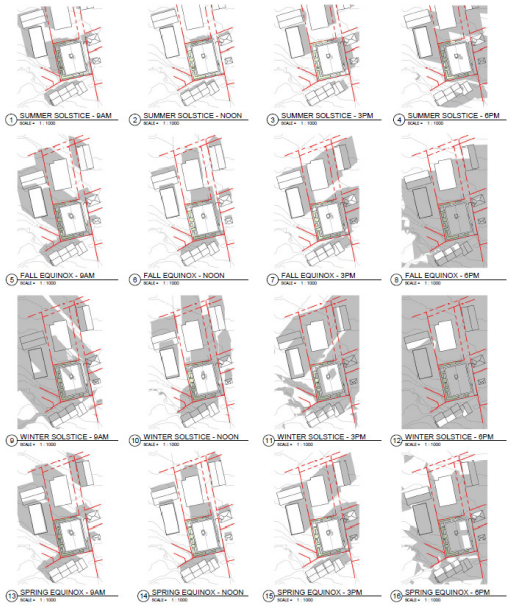


CITY OF VICTORIA

10

Shadow Study

11

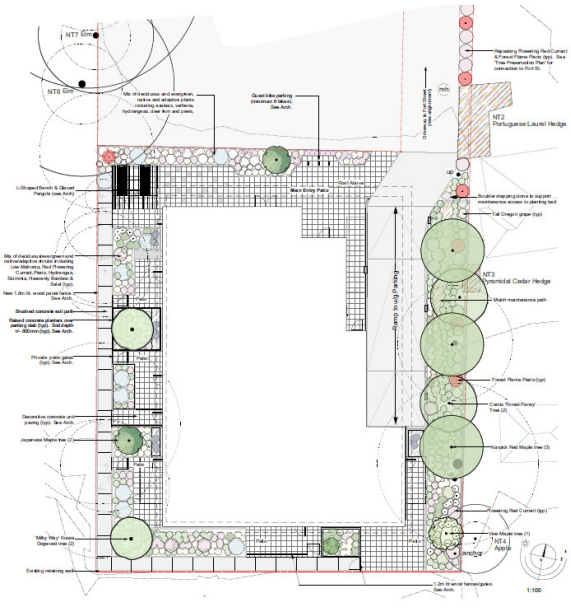


CITY OF VICTORIA

11

Landscape Plan

12



CITY OF VICTORIA

12

Renderings

VIEW FROM FRYING LANE

VIEW FROM FORT STREET

VIEW FROM PANHANDLE

VIEW OF LOBBY / PARKADE ENTRANCE

CITY OF VICTORIA

E.1 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

Council received a report dated May 14, 2020 from the Director of Sustainable Planning and Community Development presenting Council with an application to construct a four-storey residential rental building with multiple buildings on an existing panhandle lot. The report recommends proceeding to an opportunity for public comment.

Committee discussed the following:

- *Variations to the process which provides for additional consultation*
- *Potential delays to the project should additional consultation be imposed*
- *Height differentials between the proposal and the current surrounding context*
- *Merits of rental-only tenure buildings amidst a housing crisis.*
- *Preservation of bylaw-protected trees on and around the site*

Moved By Councillor Alto
Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 14.39 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres

v. reduce the rear setback from 7.2 metres to 3.96 metres

vi. reduce the east side yard setback from 7.2 metres to 3.05 metres

vii. reduce the west side yard setback from 7.2 metres to 3.86 metres

viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.

Amendment to the Amendment:

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

~~**Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.**~~

That Council request that the applicant undertake a CALUC community meeting that includes mail notice to owners and occupiers within 50 metres of the subject property, and staff provide a further report to Committee of the Whole based on this process along with a revised motion reflecting any changes to the proposal

FOR (3): Councillor Isitt, Councillor Dubow, and Councillor Young
OPPOSED (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton Joe

DEFEATED (3 to 4)

On the amendment:

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young
OPPOSED (1): Councillor Alto

CARRIED (6 to 1)

On the main motion as amended:

Moved By Councillor Alto
Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal**.**

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A Section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

d. An agreement to secure sixteen car share memberships, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

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    vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
    vii. reduce the west side yard setback from 7.2 metres to 3.86 metres

viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow
OPPOSED (1): Councillor Young
CARRIED (6 to 1)

MINUTES - VICTORIA CITY COUNCIL

June 11, 2020, 3:45 P.M.
COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC
To be held immediately following the Committee of the Whole Meeting
The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Due to the COVID19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

PRESENT:	Mayor Helps in the Chair, Councillor Alto, Councillor Thornton-Joe, Councillor Dubow, Councillor Young
PRESENT VIA ELECTRONIC PARTICIPATION:	Councillor Isitt, Councillor Loveday, Councillor Potts
STAFF PRESENT:	J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk , P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, M. Betanzo - Senior Planner, AK Ferguson - Committee Secretary, J. Paul - Assistant Director of Engineering, J. O'Reilly, Senior Planner

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Dubow
Seconded By Councillor Alto

that the agenda be approved as amended

Amendment:

Moved By Councillor Dubow
Seconded By Councillor Alto

That the motions from the June 11, 2020 Committee of the Whole meeting be added to the agenda at D.1.c.

CARRIED UNANIMOUSLY

C. PROCLAMATIONS

C.1 "World Refugee Day" - June 20, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "World Refugee Day" - June 20, 2020

CARRIED UNANIMOUSLY

C.2 "International Medical Cannabis Day" - June 11, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "International Medical Cannabis Day" - June 11, 2020

CARRIED UNANIMOUSLY

C.3 "World Refrigeration Day" - June 26, 2020

Moved By Councillor Thornton-Joe
Seconded By Councillor Dubow

That the following proclamation be endorsed:

1. "World Refrigeration Day" - June 26, 2020

CARRIED UNANIMOUSLY

C.4 "Longest Day of Smiles" - June 20, 2020

Moved By Councillor Dubow
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Longest Day of Smiles" - June 20, 2020

CARRIED UNANIMOUSLY

D. REPORTS OF COMMITTEES

D.1 Committee of the Whole

D.1.a Report from the May 28, 2020 COTW Meeting

D.1.a.a 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal**.**

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A Section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

d. An agreement to secure sixteen car share memberships, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

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viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

FOR (5): Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow
OPPOSED (3): Mayor Helps, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

D.1.a.b COVID-19 Update (Verbal)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the report from the City Manager be received for information.

CARRIED UNANIMOUSLY

D.1.a.c Festival Investment Grant Report

Moved By Councillor Dubow
Seconded By Councillor Thornton-Joe

That Council direct staff to:

1. Report back with 2020 Festival Investment Grant recommendations based on organizations' programming intentions outlined in their grant applications

2. Require recipients to observe provincial health orders in their planning and delivery of cultural programming

3. Require recipients to submit final reports detailing how funds were used to pay artists, deliver cultural programming and engage audiences by December 31, 2020.

MEMO

DATE: September 12, 2019
PROJECT NO: 04-19-0028
PROJECT: 1475 Fort Street
SUBJECT: Parking Study

TO: Josh Hayes, Lantern Properties Ltd
FROM: Simon Button, P.Eng.

1. INTRODUCTION

Lantern Properties Ltd is seeking to redevelop 1475 Fort Street (see **Figure 1**) into a 4-storey residential rental building. The project is seeking a development permit within the existing R3-AM-2 Zone. The building will contain 32 market rental units. The residences are supported by 26 vehicle parking spaces (24 for residents and 2 for visitors). This equates to a parking supply rate of 0.81 spaces/unit (0.75 spaces/unit for residents and 0.06 spaces/unit for visitors). The following memo presents our assessment of the suitability of the parking supply.

Figure 1: Site Location

2. BYLAW VEHICLE PARKING REQUIREMENT

The R3-AM-2 Zone requires 1.3 parking spaces per dwelling unit for dwelling units not subject to strata title ownership. This rate equates to 42 parking spaces for the proposed 32 dwelling units. This Bylaw rate is not consistent with current parking patterns and recent parking studies undertaken by the City of Victoria (2017 Off-street Parking Review).

3. SCHEDULE C PARKING REQUIREMENTS

If the proposed development were a rezoning, it would be subject to the parking requirements in Schedule C of the Zoning Bylaw No. 80-159. **Table 1** summarizes the minimum parking supply rates from Schedule C relevant for this study.

Table 1: Bylaw Minimum Vehicle Parking Supply Rates (Parking Spaces/Unit)

RENTAL APARTMENT SIZE	VILLAGE/CENTRE	OTHER AREA	VISITOR
< 45 m^2	0.60	0.75	0.1
45 m^2 < 70 m^2	0.70	0.90	
> 70 m^2	1.10	1.30	

The minimum parking rates are based on location. As shown in **Figure 2**, the site would fall into the 'Other Areas' category however it is almost across the street (30 metres) from the Stadacona Village area. Although the property is outside of the Village's Bylaw limits, as the properties surrounding the village (including the proposed site) redevelop, the geographic size of the village will likely expand to incorporate the development site. There is also no discernible difference in mobility access (walkability, cycling and transit opportunities) between the site and the village boundary 30 metres away. As such, Bunt views the Village/Centre minimum parking requirements be considered appropriate for the site.

Figure 2: Proximity to Off-Street Parking Sub-Areas

Table 2 summarizes the Schedule C minimum vehicle parking requirement for the two relevant location definitions.

Table 2: Schedule C Minimum Vehicle Parking Supply (Parking Spaces)

RENTAL APARTMENT SIZE	UNITS	RESIDENTS - *VILLAGE/CENTRE*	RESIDENTS - *OTHER AREAS*	VISITOR
< 45 m^2	5	3	4	3
45 m^2 < 70 m^2	27	19	24	
> 70 m^2	0	0	0	
TOTALS	**32**	**22**	**28**	**3**

The Schedule C vehicle parking requirement equates to 25 to 29 parking spaces depending on the chosen location (Village/Centre versus Other Areas). The proposed parking supply of 26 spaces is in the middle of this range.

4. RESIDENT PARKING DEMAND

Bunt previously researched vehicle ownership rates in market rental apartment buildings in the James Bay and Fairfield neighbourhoods. The data presented in **Table 3** was derived from three key sources of information:

- Vehicle ownership information acquired from ICBC;
- Data collected in the field during resident and visitor peak parking periods; and,
- Information gathered from building manager interviews.

Table 3: Market Rental Apartment Vehicle Ownership

NAME AND ADDRESS	STUDIO UNITS	1 BDR UNITS	2 BDR UNITS	ON-SITE RESIDENT PARKING SPACES	ON-SITE VISITOR PARKING SPACES	PARKING STALL COST (MONTHLY)	VEHICLE OWNERSHIP RATE
805 Academy Close	0	10	0	0	0	N/A	0.70
360 Douglas Street, Goodacre Towers N. & S.	55	81	61	152	32	$15 - $20	0.68
240 Douglas Street, Beacon Tower Apartments	0	44	16	42	0	$30	0.73
151 St. Andrews, Beacon Park Apartments	3	10	62	90	5	$35	0.81
575 Marifield Ave, Kirkcauldy Apartments	7	28	8	28	3	$20	0.53
562/566 Simcoe Street	6	78	24	75	12	$20	0.54
576 Simcoe Street, Park Plaza	3	27	7	35	1	$0	0.55
160 Government Street, Weybridge Manor	N/A	N/A	N/A	23	3	N/A	0.63
890 Academy Close	12	30	13	33	0	$10-$15	0.63
505 Quadra Street, Beacon Arms	2	21	11	26	1	$15-$30	0.68
955 Humbolt Street	0	37	6	40	3	$45	0.72
976 Humbolt Street	6	13	4	15	0	$45	0.52
						AVERAGE	0.66

The apartment buildings were almost all occupied with an average occupancy of 98.5%. The data indicates that the vehicle ownership rate (i.e. residential parking demand) of the 12 rental apartment buildings was 0.66 vehicles per unit. The majority of the sites would fall into the

Schedule C "Other Areas" location. These parking ownership rates are approximately 40% lower than bylaw minimum supply rates for "Other Areas" location and 10% below the proposed resident parking supply of 0.75 spaces/unit.

The data illustrates the impact of unit size as the highest vehicle occupant buildings have a higher proportion of two-bedroom units. The proposed development includes 75% one-bedroom units and 25% two-bedroom units.

5. VISITOR PARKING DEMAND

Bunt's experience for municipalities across Greater Victoria and Vancouver suggest a visitor parking supply rate of 0.05 to 0.08 spaces/unit is appropriate for residential developments. This recommendation stems from the Metro Vancouver Residential Apartment Parking Study[1] which found that visitor parking demand never exceeded 0.06 vehicles per dwelling unit during the study period. Similar peak visitor parking rates have been observed at buildings in Victoria and Saanich.

The proposed supply of 0.06 visitor spaces/unit lands in the middle of Bunt's recommended range.

6. SUMMARY

Table 4 summarizes the Bylaw required vehicle parking supply, comparable rates and the proposed supply. The proposed supply is between the two Schedule C requirements and exceeds the vehicle ownerships compiled by Bunt. Overall, Bunt considers the proposed parking supply to be suitable for the proposed development.

Table 4: Summary

	UNIT	MARKET RENTAL RESIDENTS	VISITOR
R3-AM-2 Zone	spaces/unit	1.30	(included in residents)
Schedule C – Village	spaces/unit	0.60 – 0.70	0.10
Schedule C – Other Areas	spaces/unit	0.75 – 0.90	0.10
Vehicle Demand	vehicles/unit	0.66	0.05 – 0.08
PROPOSED SUPPLY		**0.82**	**0.06**

[1] The visitor parking demand results from the Metro Vancouver Residential Parking Study was obtained from suburban sites in Burnaby, Port Coquitlam and Richmond which had varying levels of transit service. The visitor parking demand was not correlated with proximity to the Frequent Transit Network; in fact the site with the worst transit service had the lowest peak visitor parking demand of 0.02 visitor vehicles per dwelling. Therefore the results from the Metro Vancouver Residential Parking Study are seen as applicable to the proposed development.

1

Development Permit with Variances Application for 1475 Fort Street

1

Aerial View

2

2

Subject Property

3

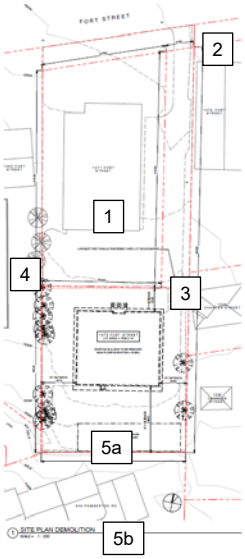
1475 Fort Street 1471 Fort Street

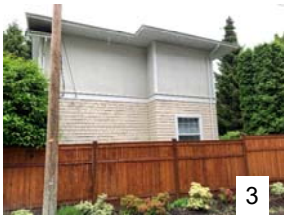
1475 Fort Street

3

Neighbouring Properties

4





4

Consultation

5

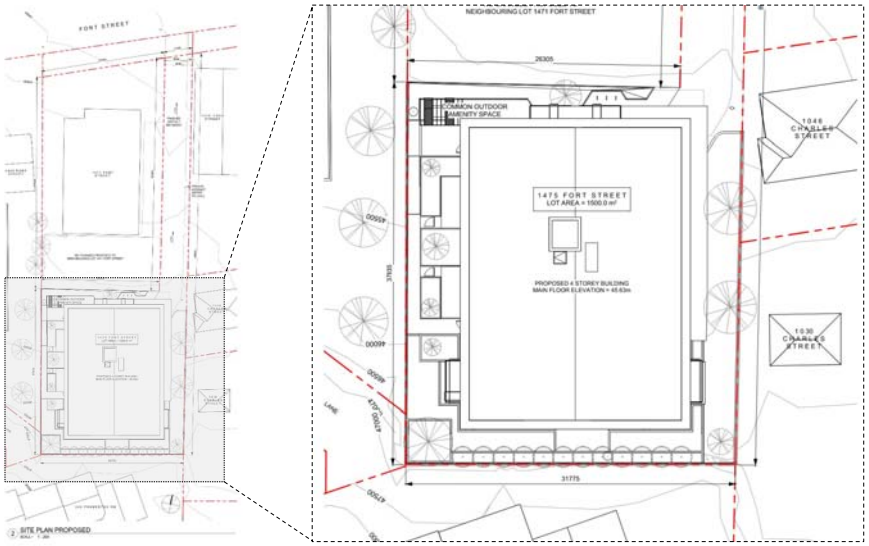
- Mailed notices sent to all owners and residents within 50m of 1475 Fort Street
- Online comment forms received via the Development Tracker
- Applicant hosted online community meeting

CITY OF VICTORIA

5

Site Plan

6



CITY OF VICTORIA

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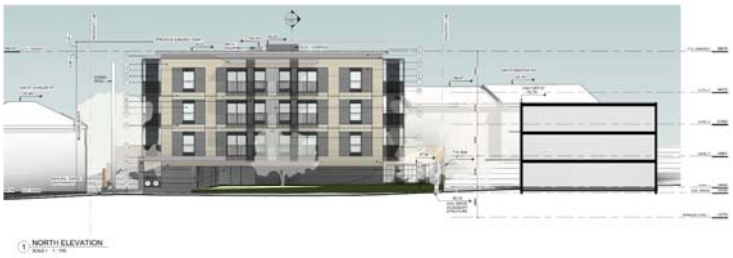
Elevations

7



CITY OF VICTORIA

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Elevations

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CITY OF VICTORIA

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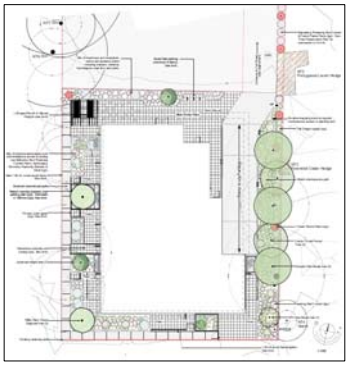
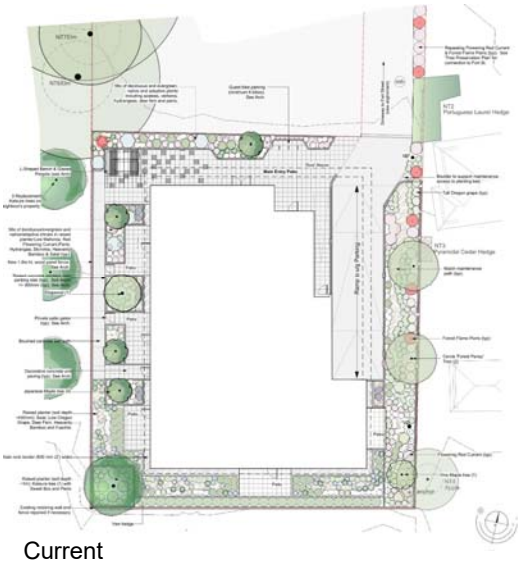
Landscape Plan

9



Previous



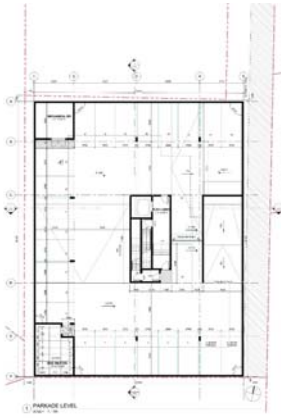
Current

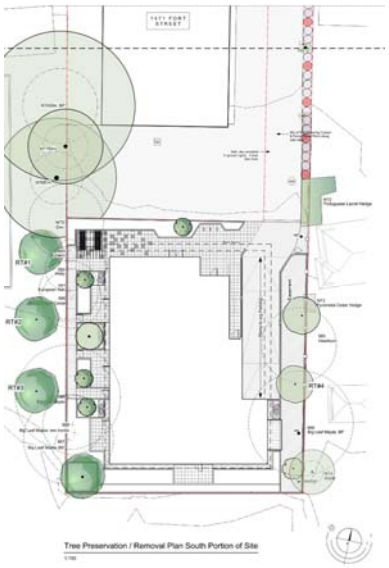
CITY OF VICTORIA

9

Tree Preservation

10





Tree Preservation / Removal Plan South Portion of Site

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10

Renderings

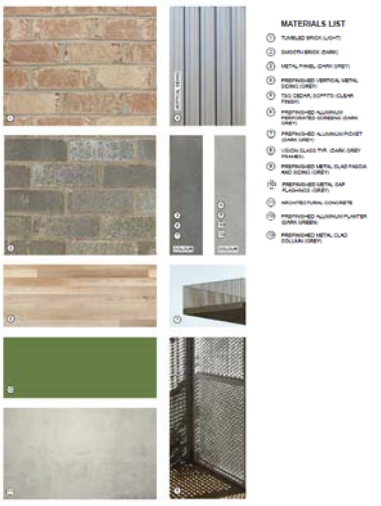
11

CITY OF VICTORIA

11

Materials

12



MATERIALS LIST

CITY OF VICTORIA

12

Mayor and Council:

As a neighbour adjacent to 1475 Fort Street this letter is to express my concerns over the process which has taken place with regards to the proposed variances at this property development.

While the actions of Lantern Properties have been put forward in other letters, I feel that a short recap is in order.

When the project was shown to the ADP the developer assured the panel that there had been consultation and that there was a positive response from the neighbours. In fact only one neighbour was actually invited to a presentation. The plans which they were shown were not the same as those going later to the city. Despite expressing concerns (which are ongoing) the neighbours were told that the variances were minor and nothing to worry about. The initial offering to the ADP was based then on a false and incomplete premise.

Subsequent interactions with Lantern have been just as problematic. Any meeting with them has been agreed to with great reluctance on their part and at one point mandated by council. This produced no meaningful dialog as the developer used an on-line platform which allowed the developer to speak but we could only type in questions and have no real interactions. The concessions which have been proposed are cosmetic at best and do not in any substantive way address our concerns regarding privacy issues, setbacks and tree canopy retention.

The fact that the report from city staff expressed concerns over parkade footprint vs tree canopy retention and were informed that Lantern did not want to change their plans and yet staff still recommend moving forward is troubling. This seems to indicate a bias on the part of the planning department in favour of developers. It appears that they are more inclined to push forward projects that are out of scale to the neighbourhood than to adhere to the approved zoning bylaws and Official Community Plan.

Alan Morton

7-949 Pemberton Road

Dear Mayor Helps and Council members,

First, I want to thank you for your consideration of neighbours' concerns at the May 28, 2020 Committee of the Whole meeting in which the proposed apartment block at 1475 Fort Street was considered. I am grateful for the direction you gave to Lantern Properties to meet with us to listen to our concerns.

On September 9, 2020, Lantern Properties hosted an online meeting, at which we shared our concerns, specifically about the extreme variances resulting in an oversized building that would:

1. Impact the privacy of surrounding homes and yards; and
2. Destroy 10 large trees at the perimeter of the property, including the soil, making it impossible for trees of that size to ever grow on the property again.

In response, Lantern made minor changes to their plans, none of which address these concerns:

1. **A slight lowering of building height by 2+ feet from about 47' to 44.5' feet.** The extreme variances on all four sides are still in place. These variances will have a permanent adverse impact on neighbours' privacy on the west, south and east sides.

2. A **shift in location of replacement trees – no plan to retain trees as neighbours requested**
   - Revised plans have eliminated the two trees that were originally proposed for the east side of the property, leaving that side with nothing to buffer the effects of a huge building 10 feet from property line.
   - Three proposed trees on the west side will actually (and problematically) be planted on a neighbouring property, with no plan to ensure the survival of the saplings.
   - A tree and hedge in planters on the south side will never mitigate the effects of a very big and tall building so close to property lines.

   The revised tree replacement plan is no improvement to the old one. It will not mitigate the loss of tree canopy, and the privacy conferred by large, mature trees. Saplings and a hedge will not address the loss of character and ambiance that existing trees provide for the community.

3. **Some changes to perforated screens.** These screens were included in the original plans and will provide more privacy for the renters of the new apartments than surrounding residents. We did not ask for screens and they will not address our concerns.

It was my understanding that your intent in directing Lantern to meet with neighbours was that Lantern would not only listen to us, but make meaningful changes in their plans to accommodate our concerns.

This has not happened.

The current design for 1475 Fort Street would benefit the developer *only*, while the surrounding neighbourhood stands to bear the cost.

Please note that I am not opposed to an apartment building being installed on this property. However, I expect our elected representatives to hold the developer accountable for designing a building that is aligned with setback bylaws, provides respectful and effective transition to lower density housing, and is a good fit with the surrounding neighbourhood.

I believe this is a reasonable expectation. Please vote to send this development back to Lantern Properties for revisions that will address our concerns.

Sincerely,
Carolina Ashe
7-949 Pemberton Road
On the south border of the proposed building at 1475 Fort Street

Dear Mayor and Councillors,

You are probably tired of hearing from us about the proposed development at 1475 Fort Street.

You have heard many times about how it will, *inter alia*:

* require a number of very large bylaw variances that would normally need to be addressed by rezoning, not variance;

* destroy many large trees and replace them with small trees whose combined carbon sink potential is less than that of each of the large trees to be removed, and that will offer minimal habitat for the many birds and other creatures presently who frequent the area;

* replace valuable social housing with up scale rental units that will never be used for social housing;

* very negatively impact the privacy, aesthetics, and property values of a number of close neighbours.

What has spurred me to write one last time is the bald faced way in which the developers claim to have made modifications that address our concerns, and how their claims seem to be accepted by city staff as an adequate response to those concerns.

The sum total of the developer's changes is:

* lowering the height of the building by a little less than 3 feet, but retaining the setback reduction from 10 meters to less than 2 meters from the property line, and about 20 feet from the closest townhouses at 949 Pemberton Road;

*Altering th location of some of the 12 small replacement trees which would replace 10 large, mature shade trees. 5 of the new tees would be in planters;

* Adding a slow growing yew hedge on the south side of the property which will not even reach the height of the existing fence between the properties for several years, and will never be more than 9 feet taller than the fence;

* Adding some "perforated metal screens" which would add to the privacy of the apartments in the new building but would do little if anything to preserve the privacy of the

townhouse owners at 949 Pemberton Road.

The proposed building is simply too big for the lot and it will do nothing to alleviate the shortage of affordable housing in our city.

Caspar Davis & Lorena Mowers
16 - 949 Pemberton Rd.
Victoria

Dear Mayor and Council,

I am writing to comment on the January 14, 2021 "Update on Development Permit with Variances Application No. 00120 for 1475 Fort Street," from The Sustainable Planning and Community Development Department to the Committee of the Whole.

In the following paragraphs I have bolded direct quotes from the report, for emphasis.

Under "Landscaping" (page 4), the report acknowledges that 9 mature trees on the west side of the property **"provide visual screening and add to the character of the area,"** noting that excavation for parking would result in the removal of the trees.

It goes on to say that **"staff have encouraged the applicant to consider reducing the parkade footprint to allow for retention of trees and/or provide better planting conditions for replacement trees that could help mitigate the impact of the site coverage building height and setback variances."**

The importance of tree retention is further stated: **"Retaining trees or adding new trees that can grow to full maturity by having access to greater soil depth would reduce privacy impacts by providing screening and would help to soften the visual appearance of the building,"** and tree retention would also **"help achieve the City's goals of protecting and enhancing the urban tree canopy, which provides ecological services such as wildlife habitat, storm water management and reducing urban heat island effects."**

So in summary, the report:

- Acknowledges the visual impact the setback variances of the proposed building would have on the community
- Repeatedly mentions the importance of large, mature trees to mitigate that impact by providing visual screening that smaller replacement trees cannot provide
- Acknowledges the City's stated goals of protecting and enhancing tree canopy
- Asks the applicant to reduce the parkade size to retain trees

Under "Parking" (Page 5), it is stated that in spite of all these considerations, and the possibility that reduced parking could be allowed, **"the applicant wishes to proceed with the proposed application that includes 26 parking spaces."**

Despite the applicant's unwillingness to pursue this compromise, the report recommends that the application proceed to public comment, citing that **"the applicant has undertaken community consultation in accordance with Council's motion and made modification to the proposal to reduce the impact on adjacent properties."**

This recommendation glosses over its own stated concerns on pages 4 and 5, with what appears to be "boilerplate" wording to justify that recommendation.

Please note that no one from the planning department reached out to the community to ask us if our concerns had been addressed. Therefore, it is unknown how City staff arrived at the conclusion that the minor adjustments put forward by the applicant are sufficient to mitigate the massive problems with this proposal – problems that the report itself so clearly articulated.

Other letters have explained why the minor tweaks offered by the applicant do not begin to address community concerns. However, it notable that even this report points out that one of the modifications offered by the applicant – a tree and hedge in planters on the south side of the building – would be impacted or removed when repairs are made to the parkade roof – totally negating any possible small privacy benefits of this modification!

It appears that Lantern Properties is being rewarded for refusing to do what the planning department asked them to do, and that – in the end - the desire to quickly increase rental stock supersedes all other concerns, no matter how valid those concerns are.

This speaks to systemic problems within the development approval process that result in bias toward the applicant, and barriers to meaningful input from the citizens who stand to be impacted by a development.

I am asking you to consider the problematic nature of this report. The planning department is not speaking for the community surrounding 1475 Fort Street in its assertion that that modifications to the applicant's plans will mitigate the impact of this proposed building.
Please send this application back to Lantern Properties and ask them to put forward a proposal that is in keeping with setback bylaws, that protects the urban forest, and that reflects the input of the neighbouring community.
Carolina Ashe
7-949 Pemberton Road
On the south border of 1475 Fort Street

Good Morning,

I am writing once again re: the proposed construction at 1475 Fort Street

I am appalled that the developer would make a statement to the effect of 'having heard the concerns of the neighbours, they have made changes.' This is untrue. Some minor changes have been made to the plans, but they do not address the concerns of neighbours. Upon reading the numerous letters being sent to Mayor and Council I believe that you will discover a pattern -- the developers have NOT listened, and/or they have NOT responded by directly addressing the concerns expressed.

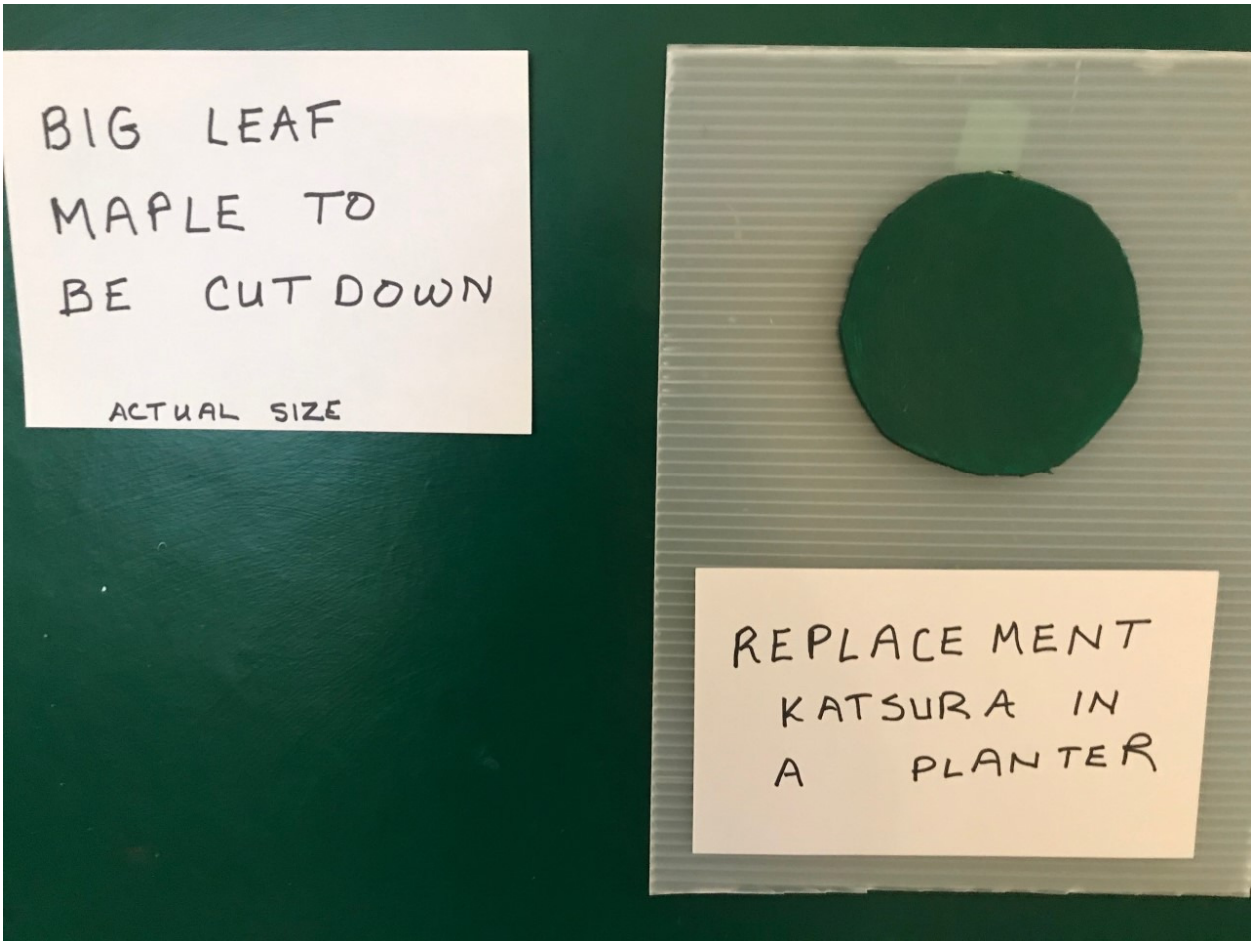
The developers are proposing to build a 4 story building with underground parking with an extremely large footprint (BIG variances) to replace a 3 story building. They repeatedly refer to a "substantial" difference in height between the 1475 site and the existing townhouse complex at 949 Pemberton Road. The difference is definitely NOT a full floor of flats, so that the proposed building will block sky, invade privacy with sight lines and noise.

Another issue that is problematic: the city requesting/suggesting a change, reduce the size of underground parking to save some of the trees on the property; the developer is not making any changes; and the city accepting that response. Are you, as Council, doing more that *talking* about the importance of the city's urban forest? or will you follow through and protect trees when you are able?

There is no doubt that the city needs affordable housing, but this proposed project does NOT address that need, in fact it removes vulnerable persons currently living in the existing building.

Please consider your goals as Council members representing all the citizens of Victoria

Thanking you in advance for reading & considering seriously the concerns of those currently living in the immediate neighbourhood,
Gretchen and Geoffrey Karlebach



Subject: **Tomorrow vote to protect urban forest NOT a parking garage**

Thank you. Jan Firstbrook a member of Community Trees Matter Network

Dear Mayor and Council:

The townhouse complex at 949 Pemberton Road, where I live in Unit 12, is immediately to the south of the proposed development at 1475 Fort Street, so is significantly impacted by the proposed development. Several of my neighbours and I have written to you earlier expressing concern about the scale and design of the proposed new building, which requires removal of several mature trees. We also raised questions about the lack of consultation, and I appreciate the fact that Council sent the proposal back to the developers after the previous CotW meeting for consultation and possible revision.

Now the proposal is coming back to the CotW, I am writing again to state that I do not consider that the views of neighbours on Pemberton Road or St. Charles Street have been sufficiently taken into account, and the modifications to the proposal have been minor and simply do not adequately address the concerns expressed in earlier correspondence and at an online meeting with the developer.

- In my view, in any growing community there MUST be a balance between the pressures of development with the needs of those already living in the vicinity. This balance is normally facilitated by zoning and bylaw regulations, such as set-backs, height limits, etc. We have to assume that these set-back and other regulations have been established not by mere whims of the Council or planning staff, but by some rationale which recognizes **the need to protect existing properties from unacceptable encroachments on their privacy** and amenities.

- We are acutely aware of the urgent need for additional housing in Victoria, and in particular the need for housing for vulnerable populations; and we know that this problem needs to be addressed by both the City and the Province. (We have no problem with VIHA housing for vulnerable people next door to us.) But this should **not** mean that developers and Council can simply ignore and over-ride established bylaws. We understand the need for increased population density, especially along transportation corridors, but putting up such a large apartment building at 1475 Fort Street, excessively close to existing properties on Pemberton Road and St. Charles Street, does not solve existing problems but does create new ones.

- The proposed apartment building at 1475 Fort has far too large a footprint for this site. We understand that developers may apply for variances if their particular proposal needs some adjustment from the existing bylaws, but **the number and particularly the scale of the variances applied for here** seem to prove the point that the proposed building is **JUST TOO BIG FOR THE SITE!**

- We understand that developers may apply for variances if a particular proposal needs some adjustment from the existing bylaws, but **the public needs to be assured that out-of-proportion and unreasonable variance requests will be rejected by the Council.** If allowed to go forward, this proposal would set an extremely bad precedent for other development proposals, suggesting that it is quite acceptable to Council for set-backs and other regulations to be largely ignored. I hope this is not the impression that the Council wishes to give!

- **If the proposal were to be more substantially revised by observing the current set-back and other bylaws, this would not only make the building more acceptable to neighbours, but it would also mitigate the major problem of removing mature trees from the area – an important issue for us which has been addressed by many of the neighbours. We need to preserve the urban tree canopy for environmental as well as aesthetic reasons, and exchanging existing mature trees for new ones which will take years to grow is not only *not* a good option, but could be rendered unnecessary with a smaller building.**

Please vote to send this proposal back to Lantern Properties for much more substantial revisions that will address our concerns in a meaningful way. Thank you for your consideration.

Sincerely,
Vanessa M. Dingley
#12-949 Pemberton Road

MINUTES OF THE
ADVISORY DESIGN PANEL MEETING
HELD WEDNESDAY JANUARY 22, 2020

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:00 PM

Present:	Sorin Birliga, Pamela Madoff (acting chair), Jason Niles, Jessi-Anne Reeves, Carl-Jan Rupp, Karen Sander, Elizabeth Balderston, Brad Forth
Absent:	Stefan Schulson, Marilyn Palmer
Absent for a Portion of the Meeting:	Elizabeth Balderston
Staff Present:	Charlotte Wain – Senior Planner, Urban Design Alec Johnston – Senior Planner Alena Hickman – Secretary

2. MINUTES

Minutes from the Meeting held December 18, 2019

Motion:

It was moved by Carl-Jann Rupp, seconded by Sorin Birliga, that the minutes from the meeting held December 18, 2019 be adopted.

Carried Unanimously

3. APPLICATIONS

3.1 Development Permit Application No. 000567 for 1230 Grant Street & 1209, 1218, 1219, 1220, 1226 North Park & 1219 Vining & 1235 Caledonia Avenue & 1211 Gladstone

The City is considering a Development Permit application to develop 5 affordable housing apartment buildings (3 town home blocks, 2 apartment buildings)

Applicant meeting attendees:

ROB WHETTER	DHK ARCHITECTS
CHARLES KIERULF	DHK ARCHITECTS
TAMARA BONNEMAISON	MERDOCH DE GREEFF INC
PAUL DE GREEFF	MERDOCH DE GREEFF INC

Leanne Taylor Senior Planner provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- design of the breezeway and amenity room in apartment two

- ground level entryways and their relationship with the street and greenway
- landscaping and open site space
- application of building materials
- any other aspects of the proposal on which the ADP chooses to comment.

Rob Whetter provided the Panel with a detailed presentation of the site and context of the proposal and Tamara Bonnemaison provided the Panel with details of the proposed landscape plan.

The Panel asked the following questions of clarification:

- how much consideration of the landscaping was based on Crime Prevention Through Environmental Design (CPTED)?
    - CPTED was a major consideration for the internal courtyards we are working with, as well as the corner of Haegert Park.
- can you access the track field from the Statutory Right of Way (SRW) that runs along the east side?
    - there is expected to be reconstruction on the track. Right now, there is a fence
- is the park open or is it divided into sections?
    - it is open
- are the trees along the greenway blocking and shading the buildings?
    - spacing of trees and greenery are still being worked out
- was onsite storm water treatment considered?
    - Yes, we focused on the rain gardens, so we have a lot of soil depth to work with. There is perforated pipe at the bottom as well, so water is not sitting at the bottom
- what is the depth of the soil on top of the parkade structure?
    - landscapers are using low seed walls so we can mound soil up to two feet and plant small trees
- where does the water go after going through the perforated pipe?
    - there is drainage mat is beyond the pipe, after which it would go into the storm drain
- how much below grade are the lower level bedrooms?
    - they are 1.2 meters below grade
- did the applicant consider raising the buildings, so the bedrooms weren't as much below grade?
    - yes
- will all units be rental?
    - yes
- will all operations for the open spaces be run by the Capital Regional Districts (CRD)?
    - no, they will be a landscape contractor and compost company that will work through all the sites. We are going to be working with community gardening as well
- how much rebate do you anticipate having on the window assemblies on the town houses?
    - there will be a couple inches of shadow line.

Panel members discussed:

- refinement of the relationship between landscape, architectural design and lighting between walkway and breezeway
- the possibility of side screening for townhouse entrances
- how ownership will take place for entries on multiunit town homes
- appreciation for the general concept of inviting the park into main site
- consideration for the landscaping layout on the greenway
- appreciation for the perspective studies
- refinement on what areas are private and what will be shared
- consideration of bicycle storage
- appreciation for the site plan and attention to the character of the Fernwood neighbourhood
- discrepancies with the presentation vs plans and the terminology of materials.

Motion:

It was moved by Carl-Jan Rupp, seconded by Brad Forth that Development Permit Application No. 000567 for 1230 Grant Street & 1209,1218,1219,1220,1226 North Park Street & 1219 Vining Street & 1235 Caledonia Avenue & 1211 Gladstone Avenue be approved with the following changes:

- refine the relationship between landscape, architectural design and lighting to improve the alignment between walkway and breezeway
- emphasize the site entrance and the main pedestrian connections throughout the site
- further refine the hierarchy of the pathways between public and private space
- confirmation of gaps within the trees along the playing field avenue as presented
- consider window assemblies that will result in shadow and light
- ensure the pedestrian routes take precedence over parking and do not inhibit views over the site
- consider simplification and revision of exterior finishes on the townhouses.

Carried Unanimously

3.2 Development Permit with Variance Application No. 00132 for 11 Chown Place

The City is considering a Development Permit with Variance Application for a new four storey multi-unit residential building.

Applicant meeting attendees:

DANIEL SMITH	10 ARCHITECT GROUP
BARRY COSGROVE	10 ARCHITECT GROUP
OLIVIA LYNE	LADR LANDSCAPE ARCHITECTS
BEV WINDJACK	LADR LANDSCAPE ARCHITECTS
DEANE STRONGITHARM	CITY SPACES CONSULTING
JAMES KEEFE	GORGE VIEW SOCIETY

ERIC MURDOCH	GORGE VIEW SOCIETY
MIKE MCAULEY	GORGE VIEW SOCIETY

Leanne Taylor provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- height and building mass
- roofline
- application of building materials
- any other aspects of the proposal on which the ADP chooses to comment.

Barry Cosgrove provided the Panel with a detailed presentation of the site and context of the proposal and Olivia Lyne provided the Panel with details of the proposed landscape plan.

The Panel asked the following questions of clarification:

- where will the pedestrian connection be located at the north and south of the site?
  - The gate on the south end will be enlarged. After the path ends, it will connect to the sidewalk paths on both sides
- is there underground parking?
  - no
- is there no underground parking because most tenants are seniors?
  - yes
- what is the distance between parking and the building?
  - 10 meters
- is the siding combustible?
  - no
- what is the lifespan of the siding?
  - it has a 50-year warranty
- is the parking at the same grade as the sidewalk?
  - yes
- how many of the existing residents are interested in living in the new building?
  - some have expressed interest in living in the new units
- have you considered for the lounge space to be a daycare facility in the future?
  - no, it has not been discussed
- how many new trees are proposed for this site?
  - approximately 16.

Panel members discussed:

- how the new buildings height benefits the overall project as a great focal point
- appreciation for keeping with the character of the Gorge neighbourhood
- the need to consider the construction of additional buildings on-site in the future
- appreciation for the thought put into materials.

Motion:

It was moved by Brad Forth, seconded by Elizabeth Balderston, that the Development Permit with Variance Application No. 00132 for 11 Chown Place be approved as presented with the following considerations:

- review of the north-south connector and its integration into the existing site circulation
- the provision of adequate screening between vehicle parking stalls and residents.

Carried 7:1

For: Elizabeth Balderston; Sorin Birliga; Jason Niles; Jessi-Anne Reeves; Pamela Madoff; Brad Forth
Opposed: Carl-Jan Rupp

Elizabeth Balderston recused herself from Development Permit with Variances Application No. 00126 for 956 Heywood Avenue application.

3.3 Development Permit with Variances Application No. 00126 for 956 Heywood Avenue

The City is considering a Development Permit with Variance application to construct a four-storey multiple dwelling building.

Applicant meeting attendees:

BIANCA BODLEY	BIOPHILIA DESIGN COLLECTIVE
D'ARCY JONES	D'ARCY JONES ARCHITECTS

Alec Johnston provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- window placement and privacy impacts
- parking entrance and street relationship
- landscaping in response to context
- any other aspects of the proposal on which the ADP chooses to comment.

D'arcy Jones provided the Panel with a detailed presentation of the site and context of the proposal and Bianca Bodley provided the Panel with details of the proposed landscape plan.

The Panel asked the following questions of clarification:

- is the west stairwell enclosed?
    - It is open air, and enclosed only at the top
- what material is proposed for the overhang?
    - metal
- are you worried about glare with the overhangs?
    - some glare is intended to spread light throughout
- what is the purpose of the screens?
    - they are operable and meant to be playful
- can you explain on the west elevation of the roof deck what the grey boxes are?
    - you are looking at the screens that would contain the hatches

- what is the surface of the wall on the first level?
    - concrete and glass
- what is the landscaping between the existing buildings currently?
    - that area was not surveyed. From the drawing it looks like a hedge
- what will the landscaping on the roof look like, and will it be irrigated?
    - combinations of plantings, such as Pampas grass. Yes, it will be irrigated
- where is the roof access for level four?
    - it is a hatch at the top of the stairs
- is there a guard on the roof garden?
    - yes.

Panel members discussed:

- window placements
- the impact on privacy of surrounding neighbours
- appreciation for the concept in the landscaping plan.

Motion:

It was moved by Jessi-Anne Reeves, seconded by Jason Niles, that Development Permit with Variances Application No. 00126 for 956 Heywood Avenue be approved with the following changes:

- consideration of the minimum side yard setbacks affecting livability to the neighbours.

Carried 6:1

For: Sorin Birliga, Jason Niles, Jessi-Anne Reeves, Carl-Jan Rupp, Brad Forth, Pamela Madoff
Opposed: Karen Sander

3.4 Development Permit with Variance Application No. 00120 for 1475 Fort Street

The City is considering a Development Permit with Variances application to construct a four-storey residential building with variances for front yard setback, rear yard setback, side yard setbacks, site coverage, parking and location of accessory buildings.

Applicant meeting attendees:

PETER JOHANNKNECHT	CASCADIA ARCHITECTS
SARA HUYNH	CASCADIA ARCHITECTS
PAUL WOODWAID	PALADON
JOSH HAYES	LANTERN PROPERTIES
BEV WINDJACK	LADR LANDSCAPE ARCHITECTS
OLIVIA LYNE	LADR LANDSCAPE ARCHITECTS

Alec Johnston provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- massing, setbacks and orientation
- response to context and physical characteristics of the site
- any other aspects of the proposal on which the ADP chooses to comment.

Peter Johannknecht provided the Panel with a detailed presentation of the site and context of the proposal, and Bev Windjack provided the Panel with details of the proposed landscape plan.

The Panel asked the following questions of clarification:

- what is the depth of the balconies?
  - 1.9 meters
- what is the feedback so far from neighbours?
  - very positive, there were some concerns regarding views into the St. Charles property. Screens were added to address those concerns
- are all the screens the same material?
  - yes, perforated aluminum for both
- Is the roof accessible for residents?
  - no there will be mechanical equipment on the roof
- is there any surface parking proposed?
  - no.

Panel members discussed:

- the proposal's success in intergrading within the Rockland neighbourhood
- appreciation for the proposed replacement trees and landscaping with lighting.

Motion:

It was moved by Carl-Jan Rupp, seconded by Sorin Birliga, that Development Permit with Variance Application No. 00120 for 1475 Fort Street be approved as presented.

Carried Unanimously

4. ADJOURNMENT

The Advisory Design Panel meeting of January 22, 2020 was adjourned at 3:45 pm.

Stefan Schulson, Chair

Richard Elliott

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

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

rockland.bc.ca

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).

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

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) <cthornton-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,

LANTERN
PROPERTIES LTD

Josh Hayes
Director of Development

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

[redacted]

[redacted]

Excellent care, for everyone,
everywhere, every time.

island health

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.

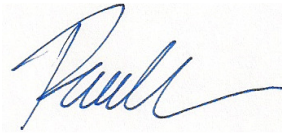
We strongly believe that having this proposed apartment building development conform to the existing zoning for this site would go a long way to addressing our concerns.

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

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

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) <cthornton-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

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 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

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) <cthornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAlto@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

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

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 mislead 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 m / 2 = 7.2 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

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 Aril 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 9th "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> 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 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 revaluate 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>
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.

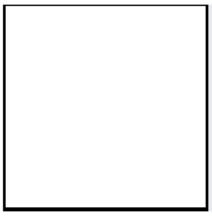
June 2019 - Rockland Neighbourhood Association Meeting (RNA)

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.

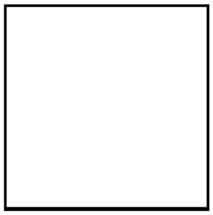
In regards to LP’s consultation with the Advisory Design Panel we understand from reviewing the minutes of this meeting that substantive issues about the project that Mayor and Council had directed the panel to review were not discussed at this meeting. The Panel was also mislead by the LP by suggesting 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



Reply Forward

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
1. Massing, setbacks and orientation – zoning variance requests Height: 20% increase over current zoning. *Based on requested height variance, setbacks would go beyond current zoning allowance by:* South: 45% East: 58% West: 46%	Variances will: • Destroy privacy of immediate neighbours with multiple windows overlooking private back yards and living spaces. • Destroy natural environment and privacy through removal of 11 mature trees at property boundaries.

2. Massing, setbacks and orientation – transition to lower density 1475 Fort Street (R3-AM-2) is adjacent on East, West and South to R1-A - lower density. Current guidelines require transition from higher to lower density buildings. - *Design Guidelines for Residential, Commercial and Industrial, July 2012/2019, Sections 1.5 & 1.6)*	Lack of transition in current design results in: • Sheer walls, 47 feet high, with no break in design, ranging from 9 to 13 feet from property lines. • Current design has no transition at all to buildings with lower density zoning on east, south and west sides.
3. Response to context and physical characteristics of site Desirable neighbourhood is characterised by a mix of apartments, townhomes and single family homes, separated by tall, mature trees. Trees contribute to enjoyment of residential living space, and Victoria's reputation as uniquely beautiful and a sought after city for visitors and residents.	Large building footprint will: • Result in permanent loss of mature trees that characterize the neighbourhood and provide visual and noise barrier between properties. • Diminish the tree cover that defines Victoria as a uniquely beautiful city. Developer's proposed replacement with miniature tree species, as proposed by developer, will not address this loss.

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 28th 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 5th 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 10th. 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 an 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.

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

rockland.bc.ca

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 where 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 where 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 where 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 projected 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 9th 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 28th, 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	**20% higher than allowed under the current R3-AM2 zoning (12 m)**
Front yard setback of 1.805 m	**17% of what is required (10.5 m)**
Side yard east setback of 3.05 m	**42% of what is required (7.2 m)**
Side yard west setback of 3.86 m	**54% of what is required (7.2 m)**
Rear yard setback of 3.96 m	**55% of what is required (7.2 m)**
Site coverage of 47.6%	**19% greater than what is allowed under the current zoning (40%)**
26 car stalls	**58% of what is required (45 stalls)**
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 9th 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 Aril 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 9th “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 28th 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

LANTERN
PROPERTIES LTD

October 6, 2020

City of Victoria

Dear Mayor and Council,

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

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.

1176 Burnaby Street, Vancouver BC, V6E1P1
[redacted]

LANTERN
PROPERTIES LTD

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.

LANTERN
PROPERTIES LTD

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 9th 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

1176 Burnaby Street, Vancouver BC, V6E1P1
[redacted]

Katie Lauriston

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 tress 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/5zHICaqI9As

Sincerely yours,

Barry Willimott

Mayor and Council:

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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 apppreciate 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.

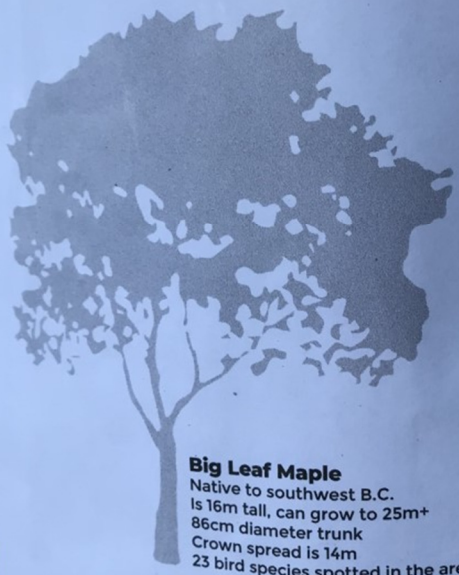
Heather Chia
Fort street resident

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** 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

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/

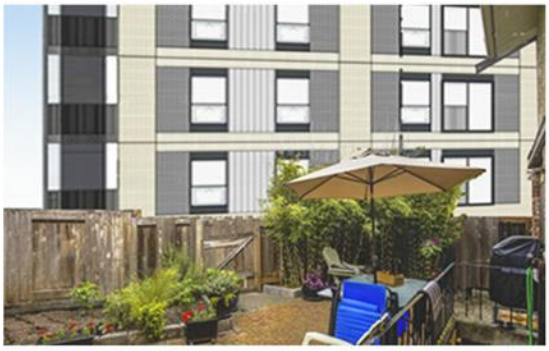
We appeal to Council to take a balanced approach in its deliberation of this proposal. Neighbours support redevelopment of the site but only if the development is commensurate with the lot size and surrounding environs, ensuring that as many of the values that we all hold as a community, are preserved.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

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

LANTERN
PROPERTIES LTD

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.

1176 Burnaby Street, Vancouver BC, V6E1P1
[redacted]

LANTERN
PROPERTIES LTD

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.

LANTERN
PROPERTIES LTD

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 9th 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 P. K. Hayes

Joshua Hayes
Director of Development

1176 Burnaby Street, Vancouver, BC, V6E1P1
[redacted]

D.1.a.a 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal**.**

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A Section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

d. An agreement to secure sixteen car share memberships, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 14.39 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres
    v. reduce the rear setback from 7.2 metres to 3.96 metres

vi. reduce the east side yard setback from 7.2 metres to 3.05 metres

vii. reduce the west side yard setback from 7.2 metres to 3.86 metres

viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

FOR (5): Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow
OPPOSED (3): Mayor Helps, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

E. LAND USE MATTERS

E.1 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

Council received a report dated May 14, 2020 from the Director of Sustainable Planning and Community Development presenting Council with an application to construct a four-storey residential rental building with multiple buildings on an existing panhandle lot. The report recommends proceeding to an opportunity for public comment.

Committee discussed the following:

- *Variations to the process which provides for additional consultation*
- *Potential delays to the project should additional consultation be imposed*
- *Height differentials between the proposal and the current surrounding context*
- *Merits of rental-only tenure buildings amidst a housing crisis.*
- *Preservation of bylaw-protected trees on and around the site*

Moved By Councillor Alto
Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
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    i. reduce the vehicle parking from 45 stalls to 26 stalls;
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vi. reduce the east side yard setback from 7.2 metres to 3.05 metres

vii. reduce the west side yard setback from 7.2 metres to 3.86 metres

viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.

Amendment to the Amendment:

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

~~**Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.**~~

That Council request that the applicant undertake a CALUC community meeting that includes mail notice to owners and occupiers within 50 metres of the subject property, and staff provide a further report to Committee of the Whole based on this process along with a revised motion reflecting any changes to the proposal

FOR (3): Councillor Isitt, Councillor Dubow, and Councillor Young
OPPOSED (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton Joe

DEFEATED (3 to 4)

On the amendment:

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young
OPPOSED (1): Councillor Alto
CARRIED (6 to 1)

On the main motion as amended:

Moved By Councillor Alto
Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal**.**

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development

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vi. reduce the east side yard setback from 7.2 metres to 3.05 metres

vii. reduce the west side yard setback from 7.2 metres to 3.86 metres

viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow
OPPOSED (1): Councillor Young

CARRIED (6 to 1)

Committee recessed at 10:50 a.m., and reconvened at 10:58 a.m.

Committee of the Whole Report
For the Meeting of May 28, 2020

To:	Committee of the Whole	**Date:**	May 14, 2020
From:	Karen Hoese, Director, Sustainable Planning and Community Development		
Subject:	**Development Permit with Variances Application No. 00120 for 1475 Fort Street**		

RECOMMENDATION

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development

b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development

c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
    i. reduce the vehicle parking from 45 stalls to 26 stalls;
    ii. reduce the visitor parking from 3 stalls to 2 stalls;
    iii. increase the building height from 12 metres to 14.39 metres;
    iv. reduce the front setback from 10.5 metres to 1.81 metres
    v. reduce the rear setback from 7.2 metres to 3.96 metres
    vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
    vii. reduce the west side yard setback from 7.2 metres to 3.86 metres
    viii. increase the site coverage from 40 percent to 47 percent

ix. allow for an accessory structure to be located in the front yard rather than the rear yard

3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1475 Fort Street. The proposal is to construct a four-storey residential rental building with multiple units on an existing panhandle lot. The variances are related to increased site coverage and height, reduced parking and setbacks, and siting of an accessory structure.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Design Guidelines for Development Permit Area 7B(HC) – Corridors Heritage, which encourage human-scaled development that enhances the heritage character of the area
- the proposal is generally consistent with the Rockland Neighbourhood Plan which identifies the site for multi-unit development and encourages high quality architecture that reflects the character of the neighbourhood and relates to the lower-scale residential buildings to the south
- all trees on the subject lot and the one tree with shared ownership would be removed, including three bylaw protected trees, and replaced with ten new trees, including six bylaw replacement trees
- the applicant is willing to provide a 0.72m statutory Right-of-Way along Fort Street to help achieve a standard secondary arterial roadway width
- a housing agreement and a covenant are proposed to secure the rental tenure of the dwelling units in perpetuity
- the variances related to reduced setbacks and height are considered supportable as the proposed development would have minimal impacts on the adjacent properties in terms of privacy impacts and shading and there would be no impact on the public realm along Fort Street
- the proposed parking variance is considered sufficient to meet the parking demand for this development given the rental tenure, the provision of additional bicycle parking, and the site location in close proximity to a large urban village and frequent transit along Fort Street

- the variance to allow an accessory structure in the front yard is considered supportable as the proposed location would have minimal impact on adjacent properties
- the variance to allow for increased site coverage is considered supportable as the remaining open site space will be extensively landscaped to provide outdoor amenity space for the residents and add privacy screening between adjacent properties.

BACKGROUND

Description of Proposal

The proposal is to construct a four-storey residential rental building with approximately 32 rental units on an existing panhandle lot.

The proposal includes the following major design components:

- a contemporary four-storey building with underground parking
- a mix of one and two bedroom units
- bicycle storage rooms located in the underground parking level and on the ground floor, close to the main entrance.

Exterior materials include:

- tumbled and smooth brick
- metal panels
- vertical seam metal siding
- cedar soffits
- perforated aluminium screens and aluminium pickets
- metal fascia and flashing
- architectural concrete.

Landscape elements include:

- raised metal planters with a mix of shrubs and ornamental trees
- six stall bike rack located near the main entrance
- 1.8m high wood panel perimeter fence
- private patios for the ground floor units
- a common outdoor amenity area located at the north side of the building with a pergola.

The proposed variances are related to:

- reducing the vehicle parking from 45 stalls to 26 stalls;
- reducing the visitor parking from 3 stalls to 2 stalls;
- increasing the building height from 12 metres to 14.39 metres;
- reducing the front setback from 10.5 metres to 1.81 metres

- reducing the rear setback from 7.2 metres to 3.96 metres
- reducing the east side yard setback from 7.2 metres to 3.05 metres
- reducing the west side yard setback from 7.2 metres to 3.86 metres
- increasing the site coverage from 40 percent to 47 percent
- allowing for an accessory structure to be located in the front yard rather than the rear yard.

Affordable Housing

The applicant proposes the creation of 32 new residential rental units which would increase the overall supply of market rental housing in the area. A Housing Agreement and a Section 219 Covenant are also being proposed to secure the rental tenure of the building in perpetuity.

Tenant Assistance Policy

The proposal is to demolish an existing multi-unit building which had been leased to the Vancouver Island Health Authority (VIHA). The lease has now expired, however, VIHA is still currently using the building to provide temporary housing to VIHA clients until they are able to find longer term accommodation. Given the current occupancy of the building is not subject to the Residential Tenancy Act, the Tenant Assistance Policy does not apply to this proposal.

Sustainability

A number of sustainability features are outlined in the Architect's letter dated June 12, 2019 (revised September 13, 2019), including the following:

- electrical installation to accommodate future solar panels and future electric vehicle and bicycle charging stations
- LED lighting throughout the building and site
- heat recovery ventilation system for the building
- high efficiency plumbing fixtures and water heating system.

Active Transportation

The Application proposes 45 long term bicycle parking stalls and six short term bicycle parking stalls, which support active transportation.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit Application.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed common outdoor amenity space is designed to be accessible.

Existing Site Development and Development Potential

The site is presently developed as a three storey building with 11 dwelling units. In addition to multiple dwellings, the R3-AM-2 Zone permits the following uses:

- single family dwellings with a garden suite or secondary suit, subject to the regulations of the R1-B Zone
- two family dwellings, churches, public buildings, hospitals or schools, subject to the regulations of the R-2 Zone
- college fraternity buildings
- Class A or Class B rest homes.

Data Table

The following data table compares the proposal with the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	R3-AM-2 Zone
Site area (m^2) – minimum	1500	920
Density (Floor Space Ratio) – maximum	1.43:1	1.6:1
Total floor area (m^2) – maximum	2139.29	N/A
Lot width (m) – minimum	31.78	N/A
Height (m) – maximum	**14.39***	12.00
Storeys – maximum	4	4
Site coverage (%) – maximum	**47***	40
Open site space (%) – minimum	38	30
Setbacks (m) – minimum		
Front (north)	**1.81***	10.50
Rear (south)	**3.96***	7.2 (1/2 building height)
Side (east)	**3.05***	7.2 (1/2 building height)
Side (west)	**3.86***	7.2 (1/2 building height)
Parking – minimum	**26***	45 31 (Schedule C for rental building)

Zoning Criteria	Proposal	R3-AM-2 Zone
Visitor parking included in the overall units – minimum	**2***	3
Bicycle parking stalls – minimums		
Short Term	6	6
Long Term	45	39

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on June 25, 2019 the Application was referred for a 30-day comment period to the Rockland CALUC. A letter dated April 22, 2020 is attached to this report.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw,* it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The subject site is designated as Urban Residential in the *Official Community Plan* (OCP, 2012), which envisions low and mid-rise multi-unit buildings. The OCP also identifies the site within Development Permit Area 7B(HC) – Corridors Heritage, which supports high quality architecture, landscape and urban design that is human-scaled, responsive to its heritage context and helps to enhance the pedestrian experience along Fort Street. The design guidelines for this DPA that are applicable to this site are the *Advisory Design Guidelines for Buildings, Signs and Awnings* and the *Guidelines for Fences, Gates and Shutters*.

A number of multi-storey apartment buildings exist in the immediate vicinity that vary in design and contextual sensitivity. Consistent with the Design Guidelines, the proposed design respects the character of the established area and responds to the diversity of building types through form and massing that provides coherence and unity in relation to the adjacent properties. Without being imitative, the form and character of the design draws on the traditional character of the Rockland neighbourhood with the use of brick as a predominant building material and a design that speaks to natural, warm, and high-quality materials, strong horizontal emphasis, and a variety of texture and colour. Parking is provided underground and landscaped planting areas around the building's perimeter would enhance the residential character of the building, help with privacy screening and transition with adjacent properties.

Rockland Neighbourhood Plan

The Rockland Neighbourhood Plan supports new multi-unit residential development along the Fort Street corridor that relates in terms of scale to the residential properties to the south. Excellence in architectural design that is compatible with the historic character of Rockland is encouraged. The proposed development is considered consistent with these policies.

Regulatory Considerations

Although the proposed development complies with the R3-AM-2 Zone in terms of use and density, there are several variances required to facilitate the development:

- increase the building height from 12m to 14.39m
- increase the site coverage from 40% to 47%
- reduce the front setback from 10.5m to 1.81m
- reduce the rear yard, east side yard and west side yard setbacks from 7.2m (half the building height) to 3.96m, 3.05m and 3.86m, respectively
- reduce the vehicle parking from 45 stalls to 26 stalls. Note: the parking requirements in this zone are higher than the requirements under Schedule C (31 stalls)
- allow for an accessory structure (pergola) to be located in the front yard rather than the rear yard.

Setbacks

The variances related to reduced setbacks and height are considered supportable as the proposed development would have minimal impacts on the adjacent properties in terms of privacy impacts and shading and no impact on the public realm along Fort Street. There are no balconies on the south elevation to minimize overlook on the neighbouring townhouse development. Vertical metal screens have been added to the balconies on the east and west elevations to further reduce the potential for overlook.

Parking

The parking requirements for this site are embedded in the R3-AM-2 Zone, which requires 1.3 stalls per dwelling unit for a total of 45 parking stalls. However, Schedule C of the *Zoning Regulation Bylaw* was updated in 2018 and now correlates parking requirements to location (Core, Village/Centre or Other Area), as well as, tenure and unit size. When assessed against Schedule C, the parking requirement for this site, located in "Other Area", would be 31 stalls.

A Parking Study, dated September 12, 2019, was provided with this Application. Given the site is within 30m of the Stadacona Large Urban Village, the study recommends assessing the proposal against the Schedule C parking requirements for "Village/Centre". Based on the proposed unit sizes, this would result in a parking requirement of 25 stalls, one less than the proposed 26 stalls. The proposed parking is considered sufficient to meet the parking demand for this development given the proposed rental tenure and the site location in close proximity to the Stadacona Village as well as frequent transit along Fort Street.

Accessory Structure

The variance to allow an accessory structure in the front yard is considered supportable as the proposed location would have minimal impact on adjacent properties and no impact on the public realm along Fort Street.

Site Coverage
The variance to allow for increased site coverage is considered supportable as the remaining open site space will be extensively landscaped to provide outdoor amenity space for the residents and add privacy screening with adjacent properties

Advisory Design Panel Review

The application was referred to the Advisory Design Panel (ADP) on January 22, 2020. The ADP was asked to comment on the overall building and landscape design, with particular attention to the following aspects of the proposal:

- massing, setbacks and orientation
- response to context and physical characteristics of the site

The ADP voted unanimously to recommend to Council that the Application be approved as presented. The meeting minutes are attached for reference.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, and therefore falls under *Tree Preservation Bylaw No. 05-106* (consolidated June 1, 2015). The tree inventory for the proposal, outlined in the attached Arborist Report dated April 5, 2019, includes 17 trees potentially impacted by the proposed development: ten onsite, six offsite and one tree with shared ownership. All trees on the subject lot and the one tree with shared ownership are proposed for removal, including three bylaw protected trees. Tree removals are required for excavation of the underground parkade. The applicant is proposing to plant 10 new trees, including six bylaw replacement.

CONCLUSIONS

The proposed development is generally consistent with the applicable Design Guidelines and includes high-quality building materials and landscape finishes. The form and character of the building add to the character of the Fort Street Corridor and the potential impact of the variances has been mitigated through building design and landscaping. Therefore, staff recommend for Council's consideration that Council advance the Application to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00120 for the property located at 1475 Fort Street.

Respectfully submitted,

Alec Johnston
Senior Planner
Development Services Division

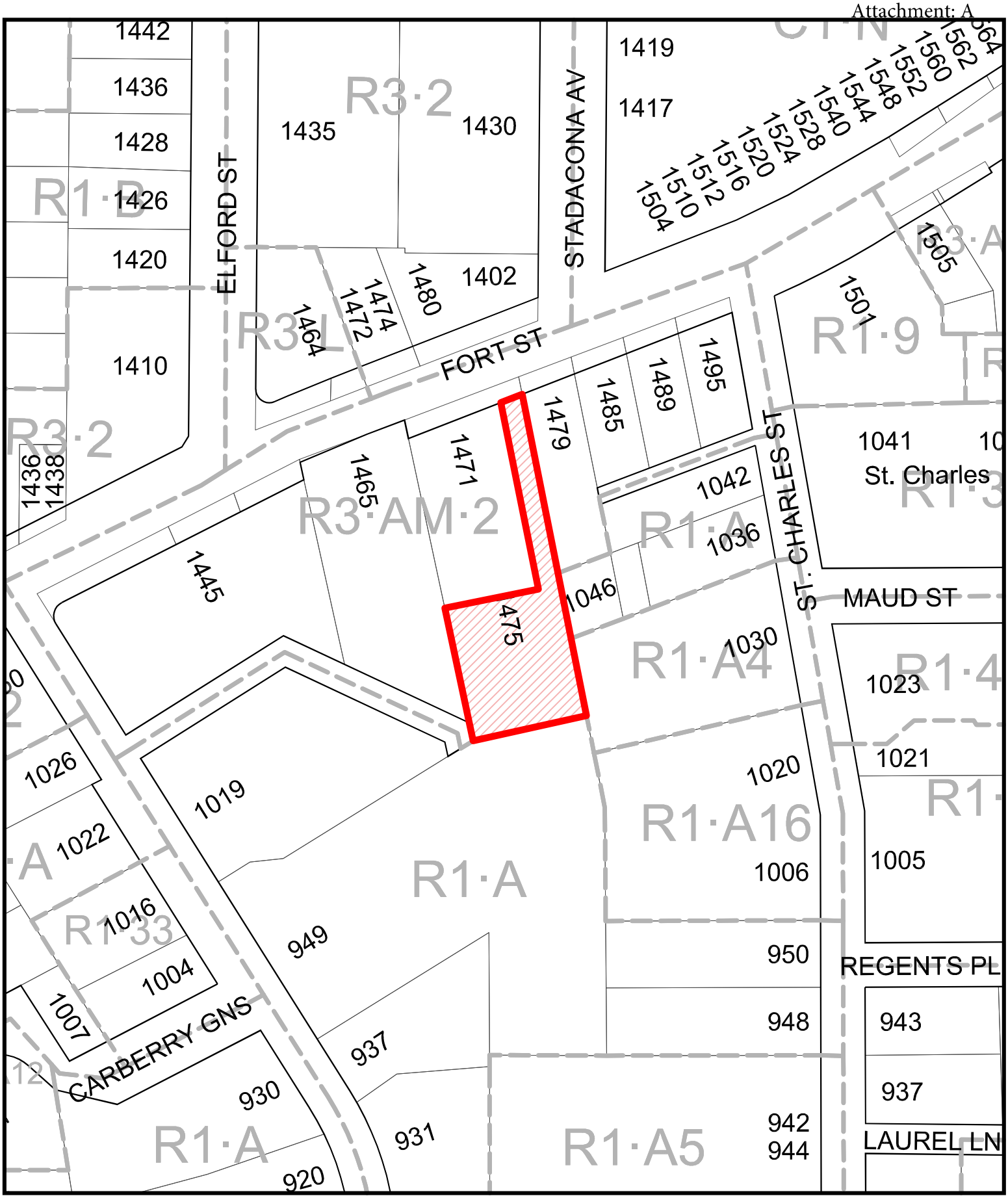
Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: 21 May, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 8, 2020
- Attachment D: Letter from applicant to Mayor and Council dated June 12, 2019 (revised September 13, 2019)
- Attachment E: Letter from the owner, Lantern Properties, to Mayor and Council
- Attachment F: Community Association Land Use Committee Comments dated April 22, 2020
- Attachment G: Arborist Report dated April 5, 2019
- Attachment H: Letter from the owner of 1465 Fort Street regarding tree replacement dated September 13, 2019
- Attachment I: Parking Impact Assessment dated September 12, 2019
- Attachment J: Correspondence (Letters received from residents).



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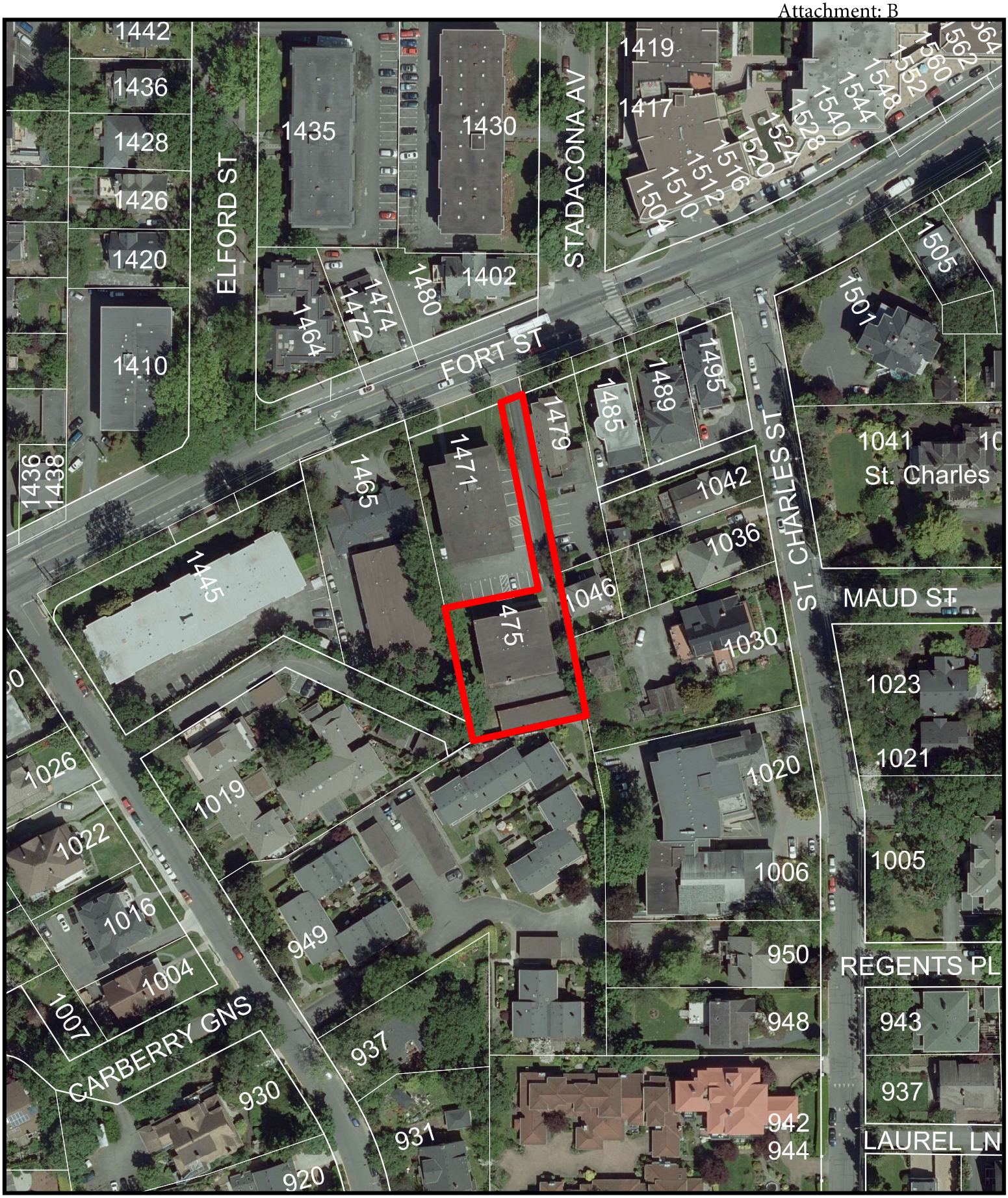
1475 Fort Street

Development Permit with Variance #00120

CITY OF VICTORIA



N

1475 Fort Street

Development Permit with Variance #00120

CITY OF VICTORIA

Attachment:C

CITY OF VICTORIA
Revisions
Received Date:
April 8, 2020

1475 FORT STREET - HADERA APARTMENTS

VIEW FROM FREWING LANE

DRAWING LIST:

Architectural

A000	COVER
A001	SURVEY + PROJECT DATA
A002	BUILDING CODE REVIEW
A003	3D VIEWS
A004	MATERIALS
A101	SITE PLANS - DEMOLITION & PROPOSED
A201	FLOOR PLANS
A202	FLOOR PLANS
A301	ELEVATIONS
A302	ELEVATIONS
A401	BUILDING + SITE SECTIONS
A501	SHADOW STUDY

Civil

C-1	CONCEPTUAL SITE SERVICING PLAN

Landscape

L-1	LANDSCAPE CONCEPT PLAN
L-2	TREE PRESERVATION PLAN

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LANTERN PROPERTIES LTD

DP SUBMISSION REV 1.1

APRIL 02, 2020

Project #	1618
Sheet #	A000
Date	APRIL 02, 2020
Revision	3 APRIL 02, 2020

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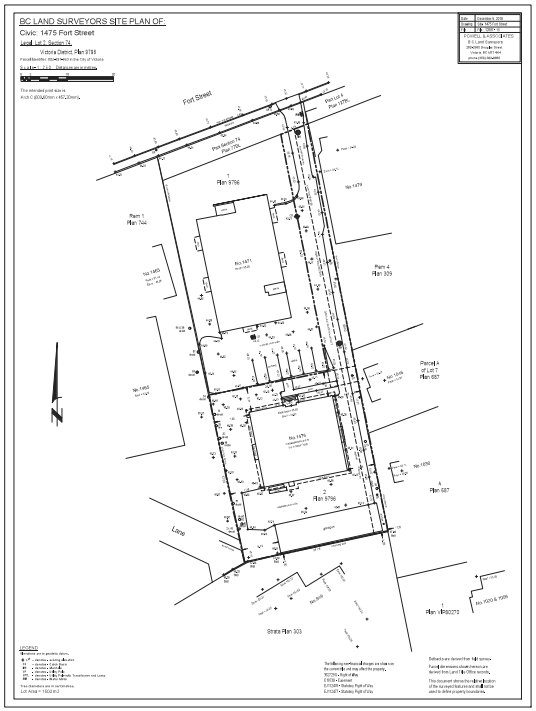
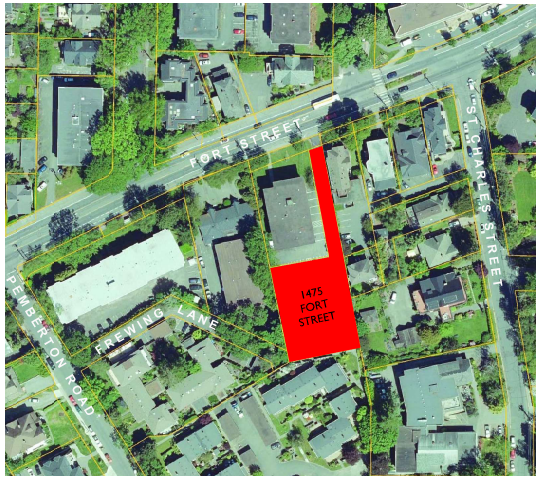
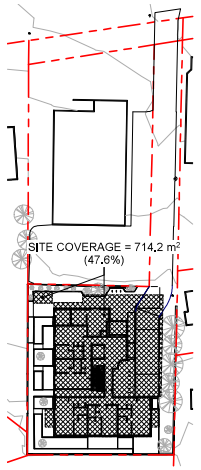


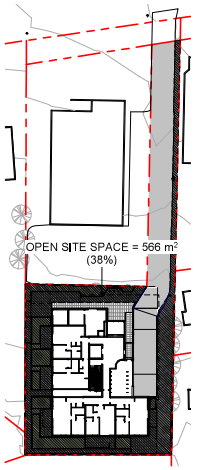
1 Existing Survey
SCALE = 1 : 500



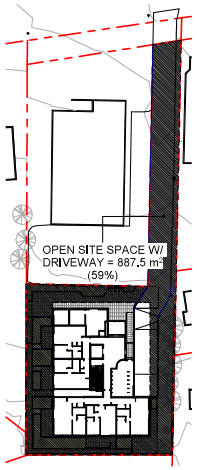
4 SITE LOCATION PLAN
SCALE = 1 : 1000



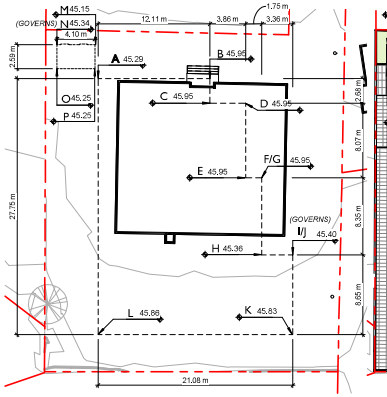
5 SITE COVERAGE
SCALE = 1 : 500



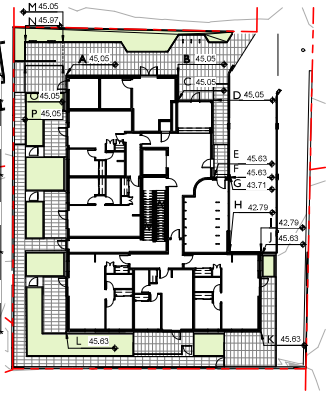
6 OPEN SITE SPACE
SCALE = 1 : 500



7 WITH DRIVEWAY
SCALE = 1 : 500



2 NATURAL GRADE REFERENCE PLAN
SCALE = 1 : 250



3 FINISHED GRADE REFERENCE PLAN
SCALE = 1 : 250

PROJECT DATA

ZONING ANALYSIS: R3-AM-2: MID RISE MULTIPLE DWELLING DISTRICT

	ZONE ALLOWANCE	PROPOSED	VARIANCE
SITE AREA:	920 m²	1,500 m²	N
FSR (BONUS FOR ENCLOSURE):	1.6:1	1.42:1	N
OPEN SITE SPACE (MIN):	30%	38%	N
OPEN SITE SPACE WITH DRIVEWAY (MIN):	50%	59%	N
SITE COVERAGE (MAX):	40%	48%	Y
NUMBER OF STOREYS:	4	4	N
ALLOWABLE HEIGHT:	12 m	14.39 m	Y
SETBACK - FRONT YARD :	10.5 m	1.805 m	Y
SETBACK - SIDE YARD WEST:	7.20 m	3.86 m	Y
SETBACK - SIDE YARD EAST:	7.20 m	3.05 m	Y
SETBACK - REAR YARD:	7.20 m	3.96 m	Y
# OF UNITS:	N/A	32	N/A
MINIMUM UNIT AREA:	33 m²	40 m²	N
MINIMUM NUMBER OF CAR STALLS:	45	26	Y
LONG TERM BICYCLE PARKING:	39	45	N
SHORT TERM BICYCLE PARKING:	6	6	N
ACCESSORY GARDEN STRUCTURE:	NOT LOCATED IN F.Y.	PROPOSED IN F.Y.	Y

OWNER:
Lantern Properties Ltd.

ARCHITECT:
Cascadia Architects Inc.

CIVIC ADDRESS:
1475 Fort Street
Victoria BC V8S 1Z4

LEGAL ADDRESS:
Lot 2, Section 74,
Victoria District, Plan 9798
Parcel Identifier: 005-397-863

PROJECT DESCRIPTION:
New residential building including:
• 4 storeys residential
• 1 storey below grade parking garage

RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	32
UNIT TYPE	26 1 BDRM, 6 2 BDRM
GROUND ORIENTED UNITS	5
MINIMUM UNIT FLOOR AREA (m²)	40 m²
TOTAL RESIDENTIAL FLOOR AREA (m²)	2,139.29 m²

CALCULATIONS:

SITE COVERAGE CALCULATION:

MAIN STRUCTURE	703.5 m²
ACCESSORY STRUCTURE	10.7 m²
LOT AREA:	1,500.0 m²
TOTAL (STRUCTURE) / LOT AREA	714.2 m² / 1,500.0 m²
SITE COVERAGE	***0.476 = 47.6%***

SITE COVERAGE ACCESSORY STRUCTURE CALCULATION:

ACCESSORY STRUCTURE	10.7 m²
LOT AREA:	1,500.0 m²
TOTAL (ACCESSORY) / LOT AREA	10.7 m² / 1,500.0 m²
SITE COVERAGE	***0.007 = 0.7%***

OPEN SITE SPACE CALCULATION:

MAIN BUILDING	612.5 m²
PARKING & DRIVEWAY	321.7 m² +
TOTAL	934 m²
LOT AREA / BUILDING & PARKING	1,500.0 m² - 934 m²
OPEN SITE SPACE	566 m²
OPEN SITE SPACE / LOT AREA	566 m² / 1,500.0 m²
OPEN SITE SPACE	***0.38 = 38%***

OPEN SITE SPACE WITH DRIVEWAY CALCULATION:

MAIN BUILDING	612.5 m²
LOT AREA / MAIN BUILDING	1,500.0 m² - 612.5 m²
OPEN SITE SPACE	887.5 m²
OPEN SITE SPACE / LOT AREA	887.5 m² / 1,500.0 m²
OPEN SITE SPACE w/ DRIVEWAY	***0.59 = 59%***

FSR CALCULATION:

FLOOR AREA LEVEL 1	419.60 m²
FLOOR AREA LEVEL 2	573.23 m² +
FLOOR AREA LEVEL 3	573.23 m² +
FLOOR AREA LEVEL 4	573.23 m²
TOTAL (STRUCTURE)	2,139.29 m²
LOT AREA	1,500.00 m²
TOTAL (STRUCTURE) / LOT AREA	2,139.29 m² / 1,500.00 m²
FLOOR SPACE RATIO	***1.42:1***

VEHICLE PARKING CALCULATION:

TOTAL UNITS	= 32
ZONE REQUIRED PARKING / UNIT	= 1.4
	44.8
REQUIRED PARKING STALLS:	*45 STALLS*
PROVIDED PARKING STALLS:	***26 STALLS***

BICYCLE PARKING CALCULATION:
USE: MULTIPLE DWELLING

5 UNITS < 45 m² (*1.00)	= 5
27 UNITS > 45 m² (*1.25)	= 33.75
LONG TERM SPACES	38.75
32 TOTAL UNITS (*0.1) SHORT TERM SPACES	= 3.2 = 6
REQUIRED LONG TERM SPACES	*39*
PROVIDED LONG TERM SPACES	***45***
REQUIRED SHORT TERM SPACES	*6*
PROVIDED SHORT TERM SPACES	***6***

MAIN STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS:

A: 45.05m
B: 45.05m
C: 45.05m
D: 45.05m
E: 45.63m
F: 45.63m
G: 43.71m
H: 42.79m
I: 42.79m
J: 45.40m (NATURAL)
K: 45.63m
L: 45.63m

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN		TOTALS
POINTS A & B:	((45.05 + 45.05) / 2) *45.05*	x 12.11m	=	545.56
POINTS B & C:	((45.05 + 45.05) / 2) *45.05*	x 2.66m	=	120.73
POINTS C & D:	((45.05 + 45.05) / 2) *45.05*	x 3.86m	=	173.89
POINTS D & E:	((45.05 + 45.63) / 2) *45.34*	x 8.07m	=	365.89
POINTS E & F:	((45.63 + 45.63) / 2) *45.63*	x 1.75m	=	79.85
POINTS G & H:	((43.71 + 42.79) / 2) *43.25*	x 8.35m	=	361.14
POINTS H & I:	((42.79 + 42.79) / 2) *42.79*	x 3.36m	=	143.77
POINTS J & K:	((45.40 + 45.63) / 2) *45.52*	x 8.65m	=	393.70
POINTS K & L:	((45.63 + 45.63) / 2) *45.63*	x 21.08m	=	961.88
POINTS L & A:	((45.63 + 45.05) / 2) *45.34*	x 27.75m	=	1,258.19
		= 97.66 m	**=**	**4,404.60**

GRADE CALCULATION:

4,404.60 / 97.66m (perimeter of building) **= 45.10 m**

ACCESSORY STRUCTURE - AVERAGE GRADE CALCULATION:

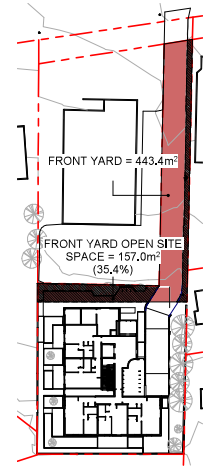
GRADE POINTS:

M: 45.05m
N: 45.34m (NATURAL)
O: 45.05m
P: 45.05m

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN		TOTALS
POINTS M & N:	((45.05 + 45.34) / 2) *45.20*	x 4.10m	=	185.32
POINTS N & O:	((45.34 + 45.05) / 2) *45.20*	x 2.59m	=	117.07
POINTS O & P:	((45.05 + 45.05) / 2) *45.05*	x 4.10m	=	184.71
POINTS P & M:	((45.05 + 45.05) / 2) *45.05*	x 2.59m	=	116.68
		= 13.38m	**=**	**603.78**

GRADE CALCULATION:

603.78 / 9.28m (perimeter of building) **= 45.12 m**



9 FY OPEN SITE SPACE
SCALE = 1 : 500

FRONT YARD OPEN SITE SPACE:

FY OPEN SITE SPACE	157.0 m²
FRONT YARD	443.4 m² /
FY OPEN SITE SPACE	***0.354 = 35.4%***

NO.	DESCRIPTION	DATE
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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HADERA APARTMENTS | 1475 Fort Street
Victoria BC

Sheet / Layout
SURVEY + PROJECT DATA

Date
APRIL 02, 2020

Scale
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Project #
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Revision
SEPT 13, 2019
2

Sheet #
A001

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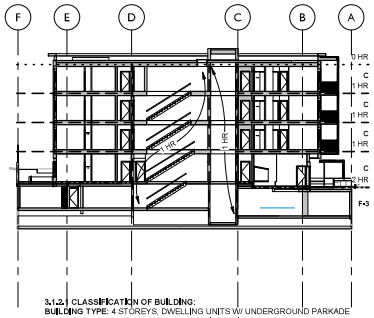


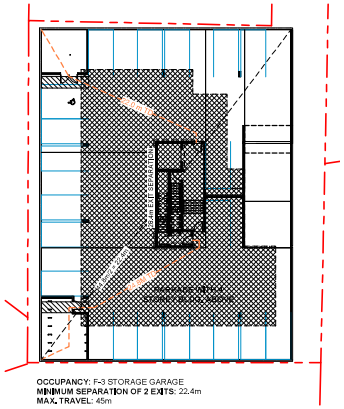
3.1.2. CLASSIFICATION OF BUILDING:
BUILDING TYPE: 4 STOREYS, DWELLING UNITS W/ UNDERGROUND PARKADE
STOREY 1 THROUGH 4: GROUP C (DWELLING UNITS)
UNDERGROUND: F-3 STORAGE GARAGE

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
COMBUSTIBLE CONSTRUCTION
FLOOR ASSEMBLIES: 1 hr
LOAD BEARING WALLS, COLUMNS, & ARCHES: 1 hr
MEZZANINES: 1 hr (N/A)
ROOF ASSEMBLIES: 0 hr

3.5.3.1. ELEVATOR HOISTWAYS
1 hr FRR as per TABLE 3.5.3.1.

3.2.1.2. STORAGE GARAGE CONSIDERED AS A SEPARATE BUILDING
2 hr FRR as per 3.2.1.2.1

8 CODE REVIEW - BUILDING SECTION
SCALE = 1 : 250



OCCUPANCY: F-3 STORAGE GARAGE
MINIMUM SEPARATION OF 2 EXITS: 22.4m
MAX. TRAVEL: 45m

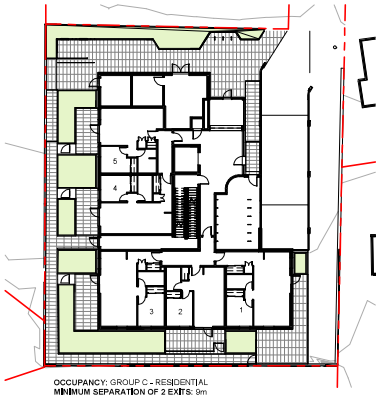
Net Area: 904 m²
Storage Garage: 46 sq.m/person
904/46 = 20 people

OCCUPANT LOAD: 20 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 20 = 160mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 20 = 122mm

1 CODE REVIEW PARKADE LEVEL
SCALE = 1 : 250



OCCUPANCY: GROUP C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

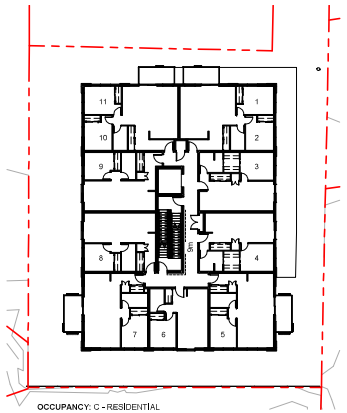
5 Bedrooms x 2 people/bedroom = 10 people

OCCUPANT LOAD: 10 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 10 = 80mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 10 = 61mm

2 CODE REVIEW LEVEL 1
SCALE = 1 : 250



OCCUPANCY: C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

11 bedrooms x 2 people/bedroom = 22 people

OCCUPANT LOAD: 22 people

MINIMUM EXIT WIDTH:
STAIRS:
8mm/person x 22 = 176mm

RAMPS/CORRIDORS/PASSAGEWAYS:
6.1mm/person x 22 = 134mm

3 CODE REVIEW 2/3/4 TYPICAL
SCALE = 1 : 250

BUILDING CODE REVIEW:

BUILDING CODE ANALYSIS:

REFERENCED DOCUMENT:
British Columbia Building Code 2018, Part 3

SECTION 3.1. GENERAL:

3.1.2.1. CLASSIFICATION OF BUILDINGS:
Group C: Residential Occupancy Levels 1-4
Group F-3: Low-Hazard Industrial Occupancy 1 Level (U/G)

3.2.1.2. STORAGE GARAGE CONSIDERED AS SEPARATE BUILDING:
2 hr FRR required as per 3.2.1.2.1

3.1.17. OCCUPANT LOAD:
See Code Review Plans A002

SECTION 3.2. BUILDING FIRE SAFETY:
Parkade Level
Gross Floor Area: 904 m²

Level 1: 412 m²
Level 2/3/4: (3x) 544 m²
Gross Floor Area: 2,044 m²

Building Area: 544 m²

3.2.2.51. GROUP C, UP TO 4 STOREYS, SPRINKLERED
- Maximum allowable building area not more than 1,800 m²
- Combustible construction
- Floor assemblies not less than 1hr
- Sprinklered - YES

3.2.3. SPATIAL SEPARATION AND EXPOSURE PROTECTION *(Table 3.2.3.1.-D)*
See Limiting Distance Key Elevations A002

SECTION 3.3. SAFETY WITHIN FLOOR AREAS:

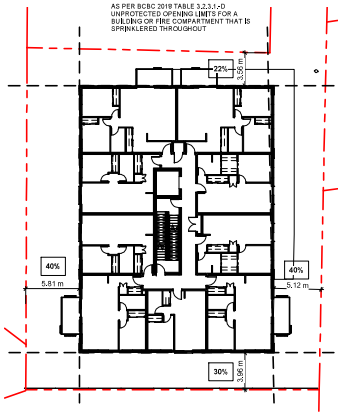
3.3.4.2. FIRE SEPARATIONS
Suites of residential occupancy shall be separated from each other and the remainder of the building by a fire separation having a fire resistance rating not less than 1hr

SECTION 3.4. EXITS:

3.4.2.1 MINIMUM NUMBER OF EXITS
Minimum number of exits: 2 per floor

3.4.2.5 LOCATION OF EXITS:
Max. Travel Permitted (residential use): 30m
Max. Travel Permitted (F3 use): 45m

3.4.2.3. DISTANCE BETWEEN EXITS
one half the maximum diagonal dimension of the floor area, but need not be more than 9m for a floor area having a public corridor.



9 CODE REVIEW - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	103.26 m² / 358.43 m²
EAST ACTUAL UNPROTECTED OPENING:	0.288 = **28.8%**
LIMITING DISTANCE:	5.12 m (5 m)
ALLOWABLE UNPROTECTED OPENING:	40%

4 EAST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	56.46 m² / 268.50 m²
NORTH ACTUAL UNPROTECTED OPENING:	0.210 = **21.0%**
LIMITING DISTANCE:	3.56 m (3 m)
ALLOWABLE UNPROTECTED OPENING:	22%

5 NORTH ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	87.52 m² / 358.75 m²
WEST ACTUAL UNPROTECTED OPENING:	0.244 = **24.4%**
LIMITING DISTANCE:	5.7 m (5 m)
ALLOWABLE UNPROTECTED OPENING:	40%

6 WEST ELEVATION - LIMITING DISTANCE KEY
SCALE = 1 : 250

UNPROTECTED OPENING: / **EXPOSING BUILDING FACE:**	56.79 m² / 262.44 m²
SOUTH ACTUAL UNPROTECTED OPENING:	0.216 = **21.6%**
LIMITING DISTANCE:	3.96 m (3 m)
ALLOWABLE UNPROTECTED OPENING:	22%

7 SOUTH ELEVATION - LIMITING DISTANCE KEY
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NO.	DESCRIPTION	DATE
1	Development Permit Application	JUNE 12, 2019

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Sheet Name
BUILDING CODE REVIEW

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Project #
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1
JUNE 12, 2019

Sheet #
A002

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VIEW FROM FREWING LANE

VIEW FROM FORT STREET

VIEW FROM PANHANDLE

VIEW OF LOBBY / PARKADE ENTRANCE

NO.	DESCRIPTION	DATE
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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3D VIEWS

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APRIL 02, 2020

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1618

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SEPT 13, 2019

2

Sheet #

A003

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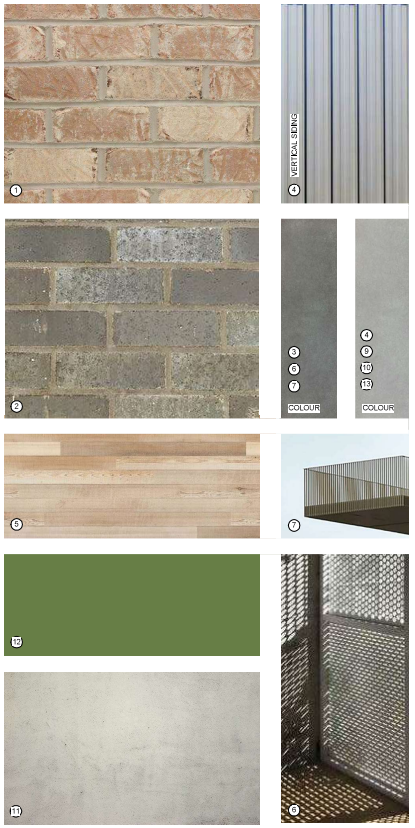

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
5. T&G CEDAR; SOFFITS (CLEAR FINISH)
6. PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
7. PREFINISHED ALUMINUM PICKET (DARK GREY)
8. VISION GLASS TYP. (DARK GREY FRAMES)
9. PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
10. PREFINISHED METAL CAP FLASHINGS (GREY)
11. ARCHITECTURAL CONCRETE
12. PREFINISHED ALUMINUM PLANTER (DARK GREEN)
13. PREFINISHED METAL CLAD COLUMN (GREY)

NO.	DESCRIPTION	DATE
2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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Project

DP SUBMISSION REV 1.1

LANTERN PROPERTIES LTD

HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet | name

MATERIALS

Date

APRIL 02, 2020

Scale

As indicated

Project #

1618

Revision

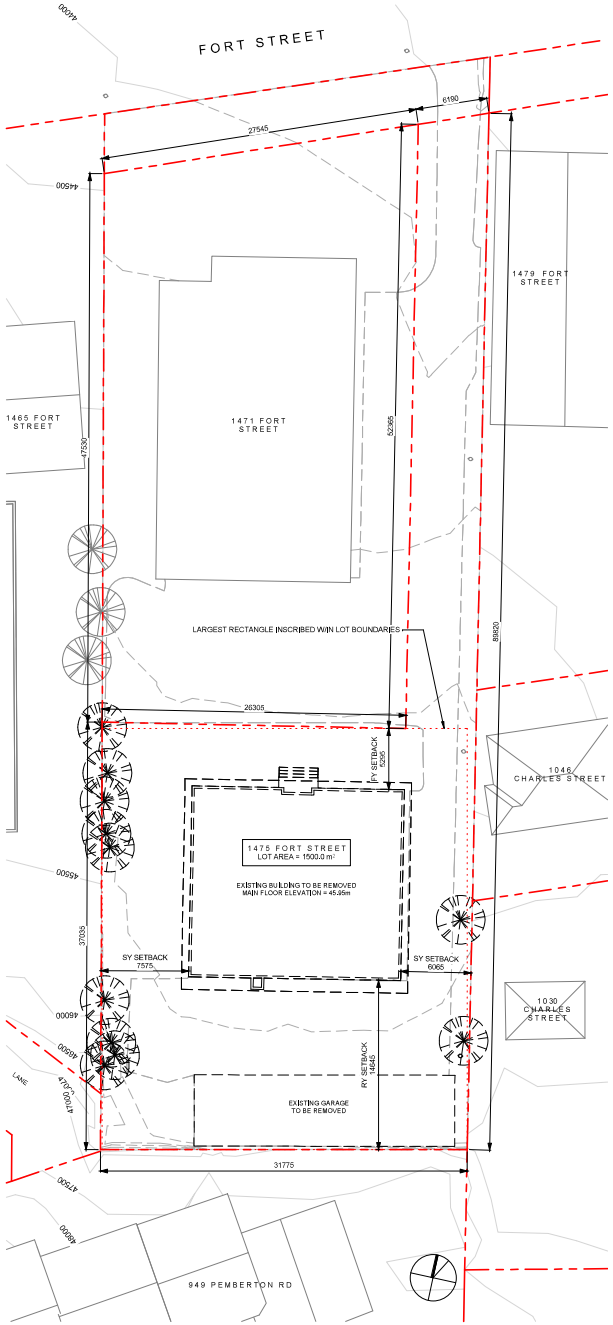
SEPT 13, 2019

2

Sheet #

A004

4/8/2020 12:35:13 PM



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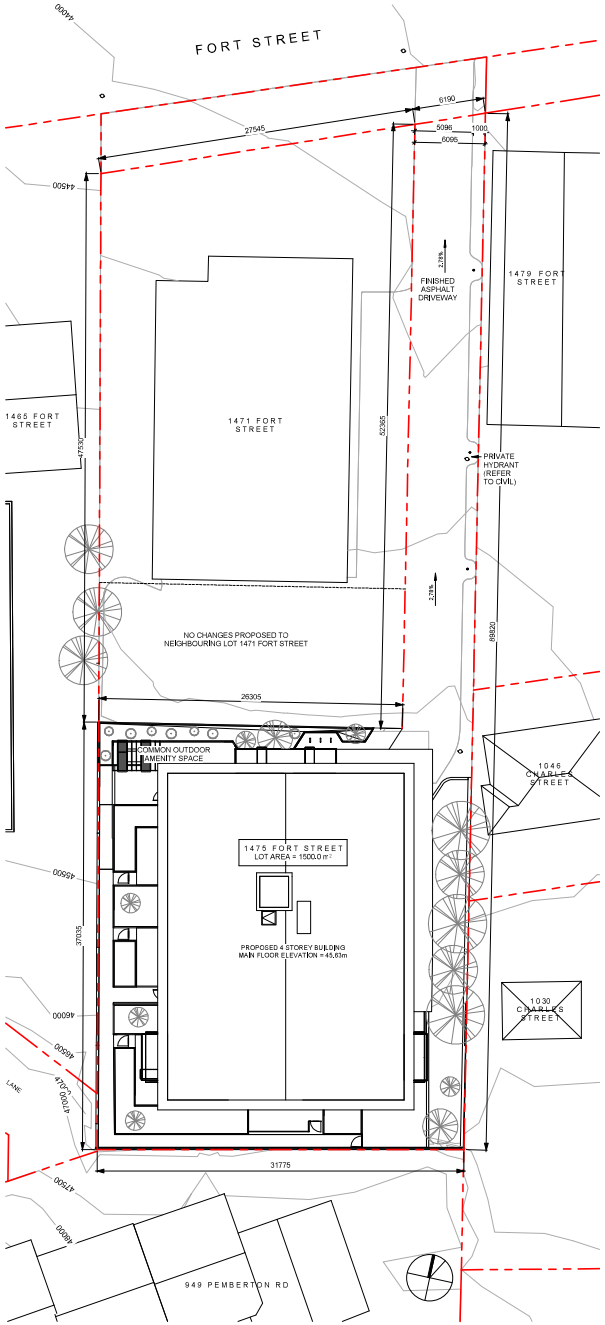

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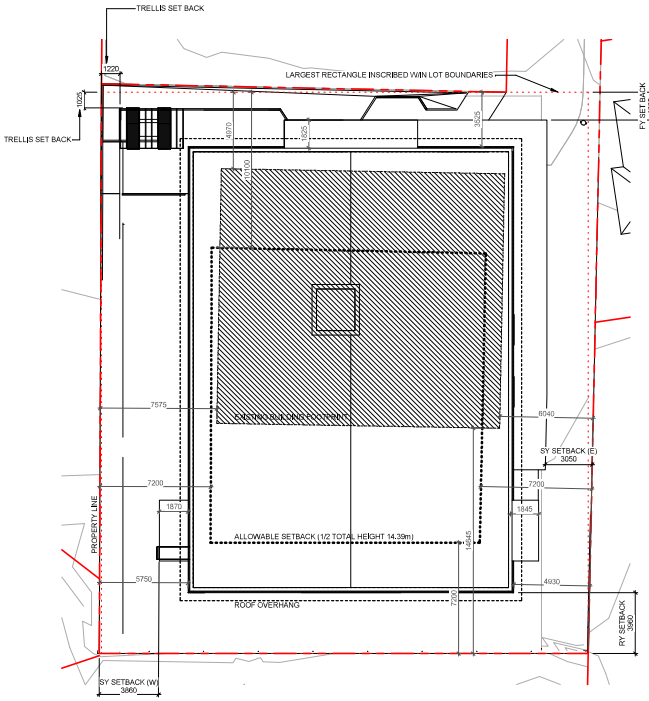

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1	DP Revision 1	SEPT 13, 2019
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LANTERN PROPERTIES LTD

HADERA APARTMENTS | 475 Fort Street
Victoria BC

Sheet / Space
SITE PLANS - DEMOLITION & PROPOSED

Date
APRIL 02, 2020

Scale
As indicated

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A101

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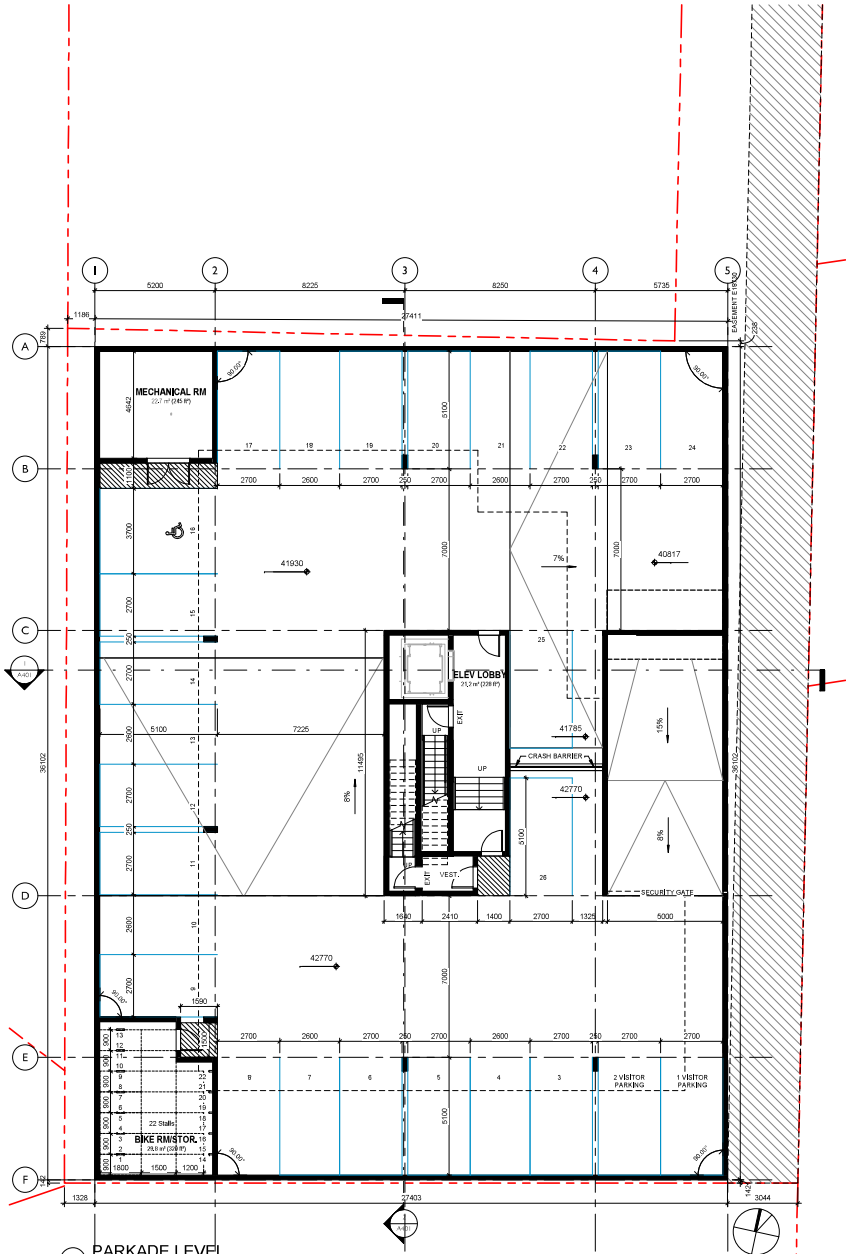

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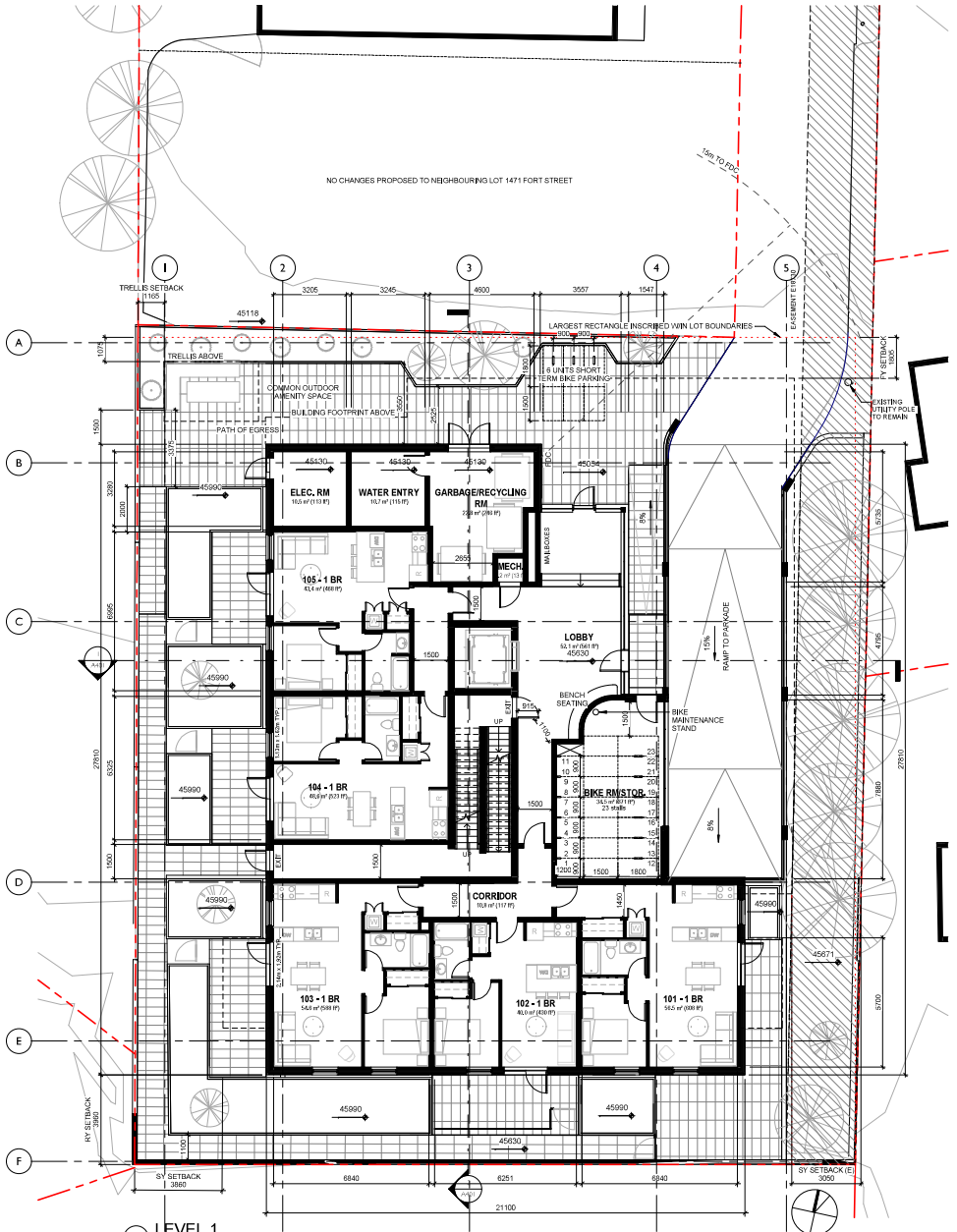

2 LEVEL 1
SCALE = 1 : 100

NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
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DP SUBMISSION REV 1.1
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street
Victoria BC

Sheet Name
FLOOR PLANS

Date
APRIL 02, 2020

Scale
1 : 100

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A201

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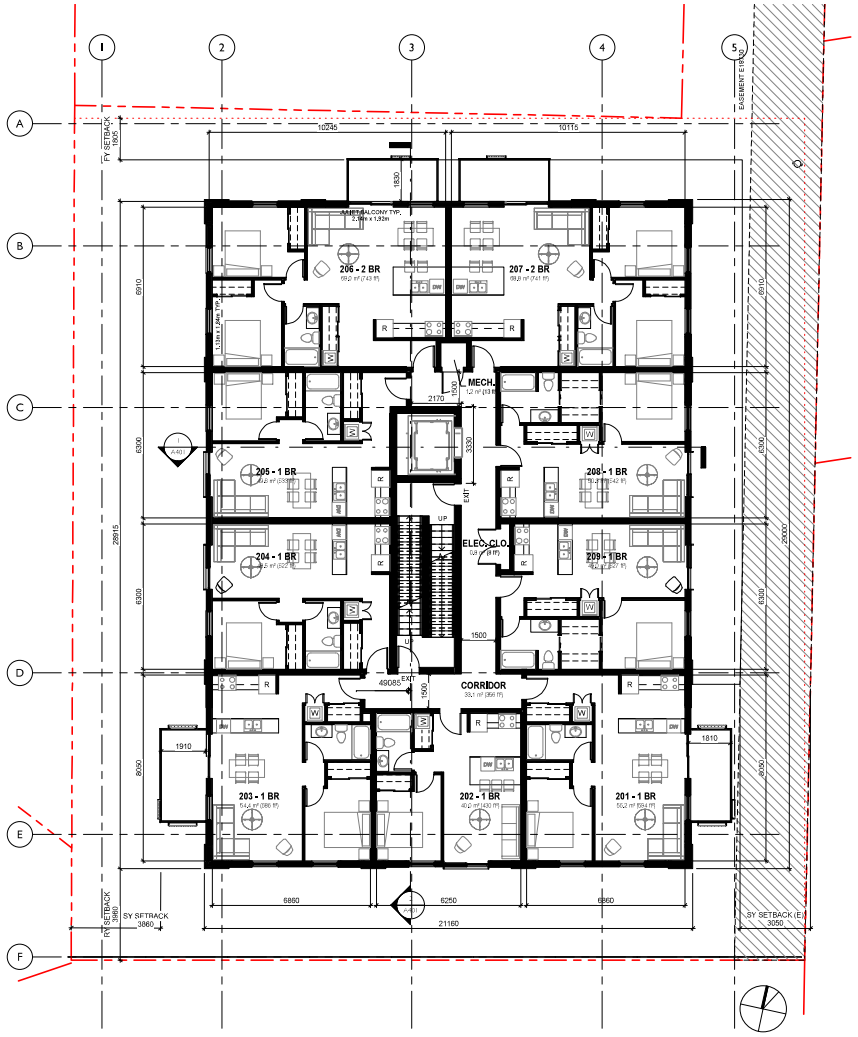

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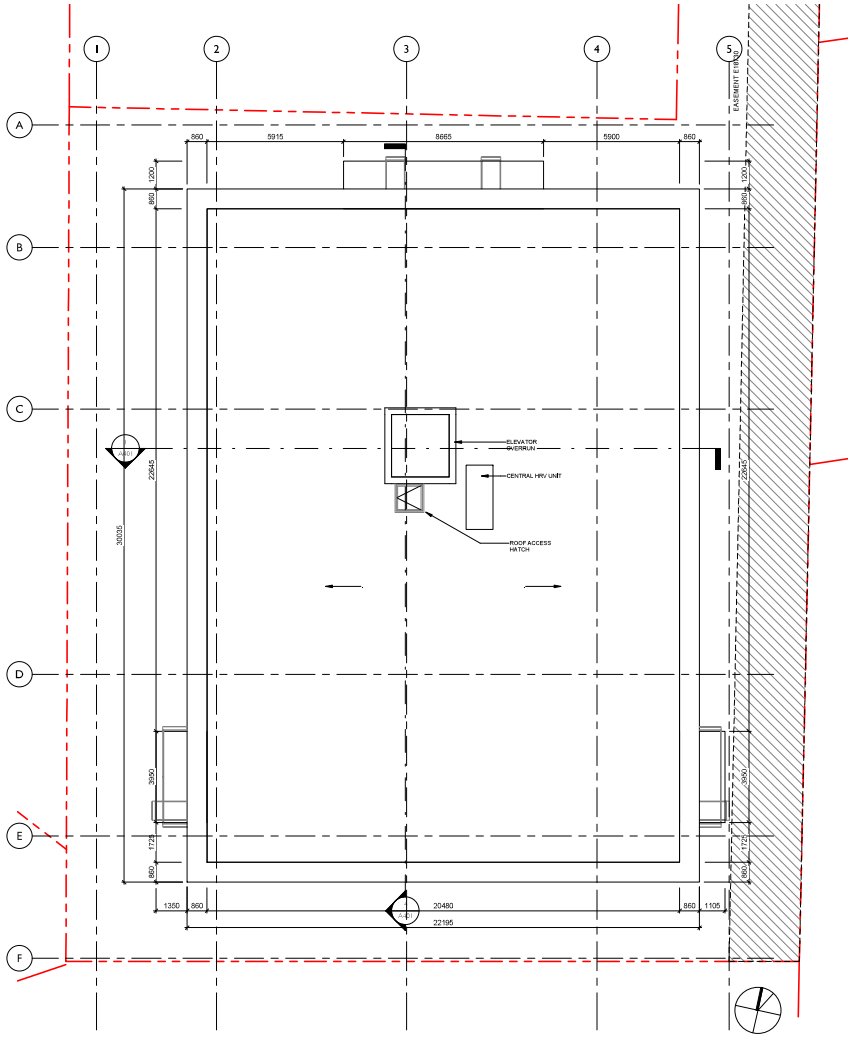

2 ROOF PLAN
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2	DP Revision 1	SEPT 13, 2019
1	Development Permit Application	JUNE 12, 2019

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LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
FLOOR PLANS

Date
APRIL 02, 2020

Scale
1 : 100

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A202

4/8/2020 12:35:41 PM

1 NORTH ELEVATION
SCALE = 1 : 100

2 EAST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
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0	DP Revision 1.1	APRIL 02, 2020
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DP SUBMISSION REV 1.1
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
ELEVATIONS

Date
APRIL 02, 2020

Scale
As indicated

Project #
1618

Revision
APRIL 02, 2020
3

Sheet #
A301

4/8/2020 12:36:24 PM

1 SOUTH ELEVATION
SCALE = 1 : 100

2 WEST ELEVATION
SCALE = 1 : 100

MATERIALS LIST

1. TUMBLED BRICK (LIGHT)
2. SMOOTH BRICK (DARK)
3. METAL PANEL (DARK GREY)
4. PREFINISHED VERTICAL METAL SIDING (GREY)
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Project
DP SUBMISSION REV 1.1
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
ELEVATIONS

Date
APRIL 02, 2020

Scale
As indicated

Project #
1618

Revision
APRIL 02, 2020
3

Sheet #
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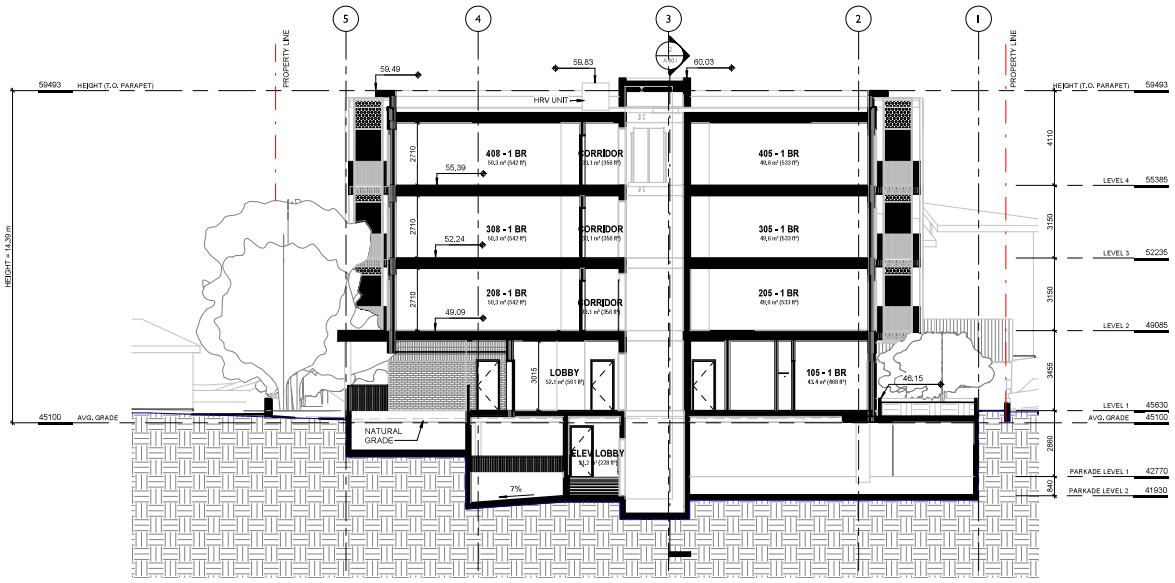

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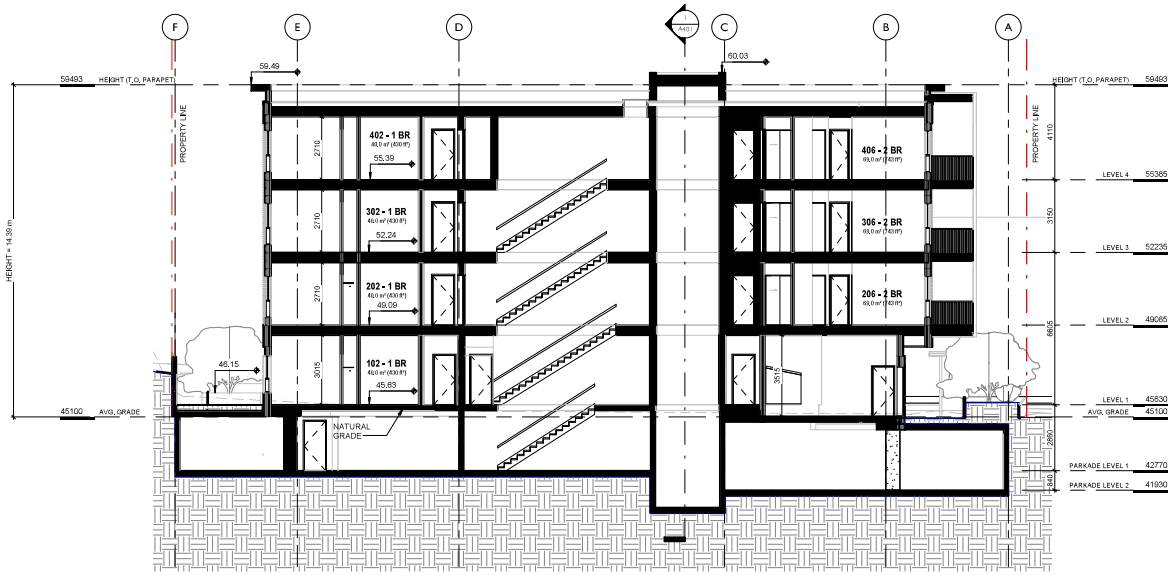

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NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
0	Development Permit Application	JUNE 12, 2019

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Project
DP SUBMISSION REV 1.1
LANTERN PROPERTIES LTD
HADERA APARTMENTS | 475 Fort Street Victoria BC

Sheet Name
BUILDING + SITE SECTIONS

Date
APRIL 02, 2020

Scale
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Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A401

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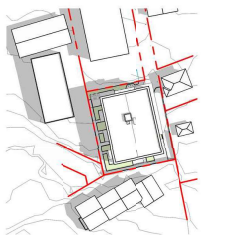

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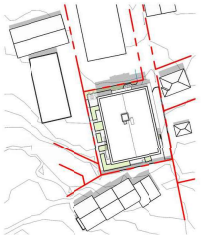

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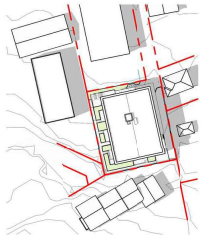

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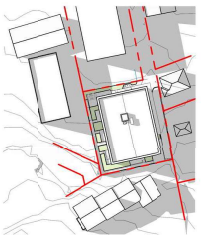

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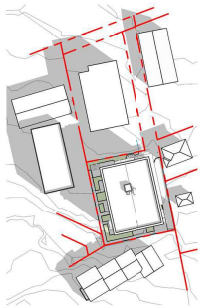

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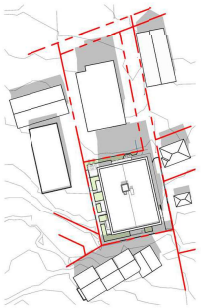

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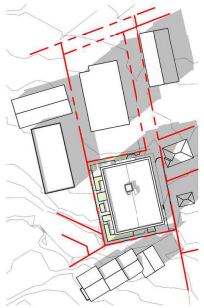

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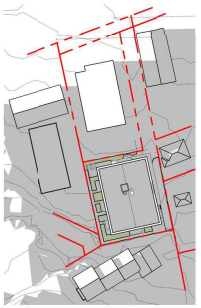

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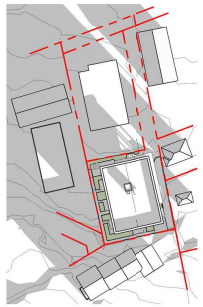

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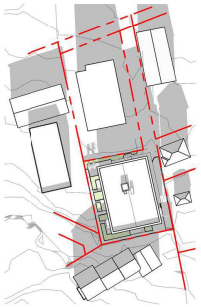

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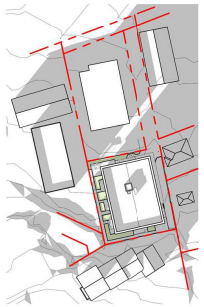

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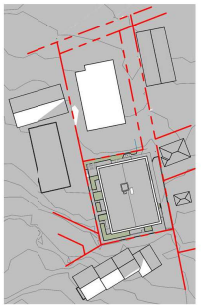

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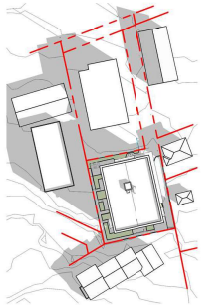

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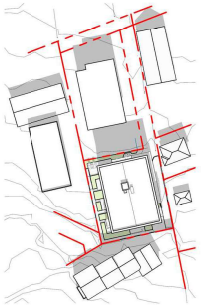

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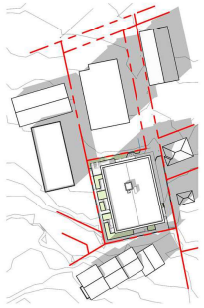

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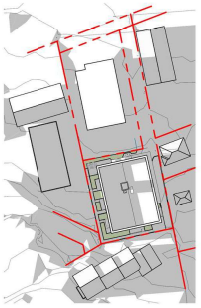

16 SPRING EQUINOX - 6PM
SCALE = 1 : 1000

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1	DP Revision 1	SEPT 13, 2019
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Project
DP SUBMISSION REV 1.1

LANTERN PROPERTIES LTD

HADERA APARTMENTS | 475 Fort Street
Victoria BC

Sheet Name
SHADOW STUDY

Date
APRIL 02, 2020

Scale
1 : 1000

Project #
1618

Revision
SEPT 13, 2019
2

Sheet #
A501

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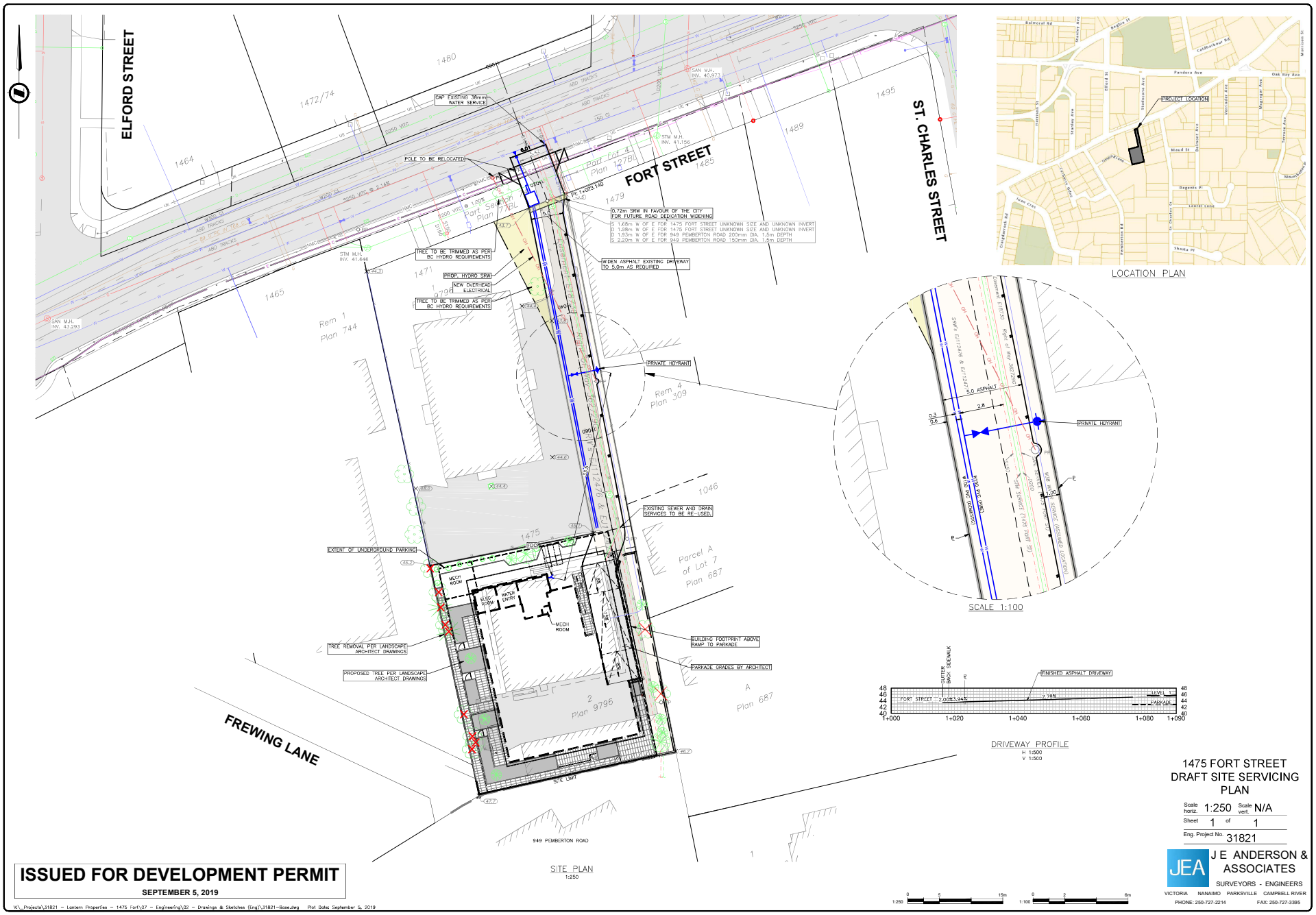


ISSUED FOR DEVELOPMENT PERMIT

SEPTEMBER 5, 2019

1475 FORT STREET DRAFT SITE SERVICING PLAN

Scale horiz. 1:250 Scale vert. N/A

Sheet 1 of 1

Eng. Project No. 31821

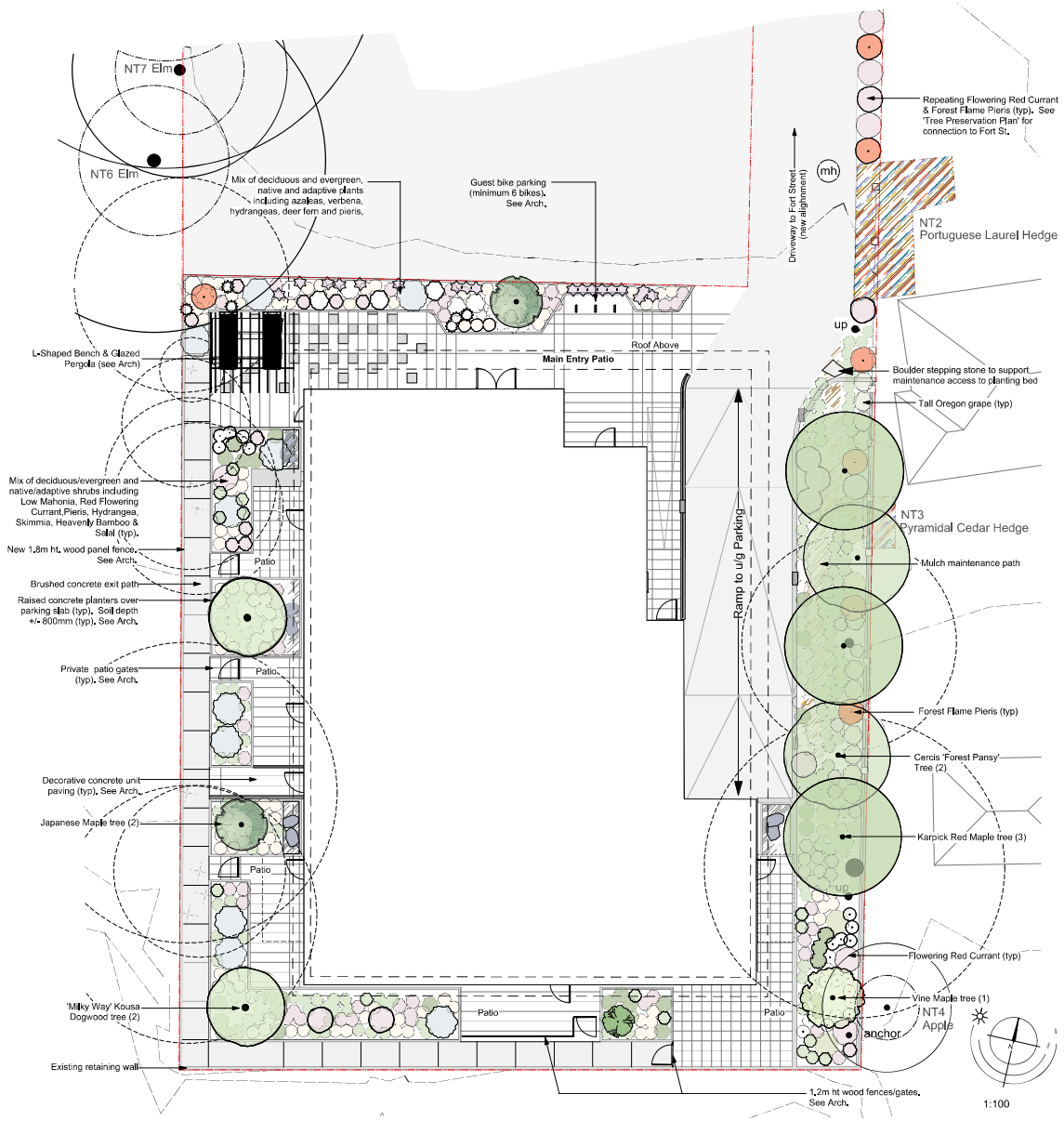
J E ANDERSON & ASSOCIATES

SURVEYORS - ENGINEERS

VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER

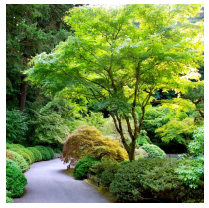
PHONE: 250-727-2214 FAX: 250-727-3395

W:_Projects\31821 - Lantern Properties - 1475 Fort\07 - Engineering\02 - Drawings & Sketches (Eng)\31821-Base.dwg Plot Date: September 5, 2019



Reference Images for Proposed Trees

'Forest Pansy' Redbud (early spring flowers)



Standard Green Japanese Maple

Milky Way Dogwood (late spring flowers)

Vine Maple (spring flowers and autumn samaras)

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AcC	1	Acer circinatum	Vine Maple	#15 pot; 2m ht min;
AcP	2	Acer palmatum	Japanese Maple	5cm cal
AcK	3	Acer rubrum 'Karpick'	Karpick Red Maple	4cm cal
CerFP	2	Cercis Canadensis 'Forest Pansy'	Forset Pansy Redbud	4cm cal; #15 pot
CorMW	2	Cornus kousa 'Milky Way'	Milky Way Dogwood	#20 pot

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
FatJ	1	Fatsia japonica	Japanese Fatsia	#7 pot
HyMB	12	Hydrangea macrophylla 'Blaumeise'	Teller Blue Lacecap Hydrangea	#7 pot
PiFF	12	Pieris 'Forest Flame'	Forest Flame Pieris	#7 pot

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
MaAq	11	Mahonia aquifolium	Tall Oregon Grape	#5 pot
RiSaKE	31	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#7 pot
SarR	6	Sarcococca ruscifolia	Sweet Box	#5 pot

Small Shrubs

ID	Quantity	Botanical Name	Common Name	Size
AzJH	10	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
GaSh	31	Gaultheria shallon	Salal	#1 pot
HyMTP	64	Hydrangea macrophylla 'Teller's Pink'	Teller's Pink Hydrangea	#3 pot
MaNe	181	Mahonia nervosa	Low Oregon Grape	#1 pot
NaHD	27	Nandina domestica 'Harbour Dwarf'	Harbour Dwarf Heavenly Bamboo	#2 pot
PiP	100	Pieris japonica 'Prelude'	Pieris 'Prelude'	#1 pot
SkJ	7	Skimmia japonica	Skimmia	#1 pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
BlS	21	Blechnum spicant	Deer Fern	#1 pot
VerB	18	Verbena bonariensis	Tall Verbena	#1 pot

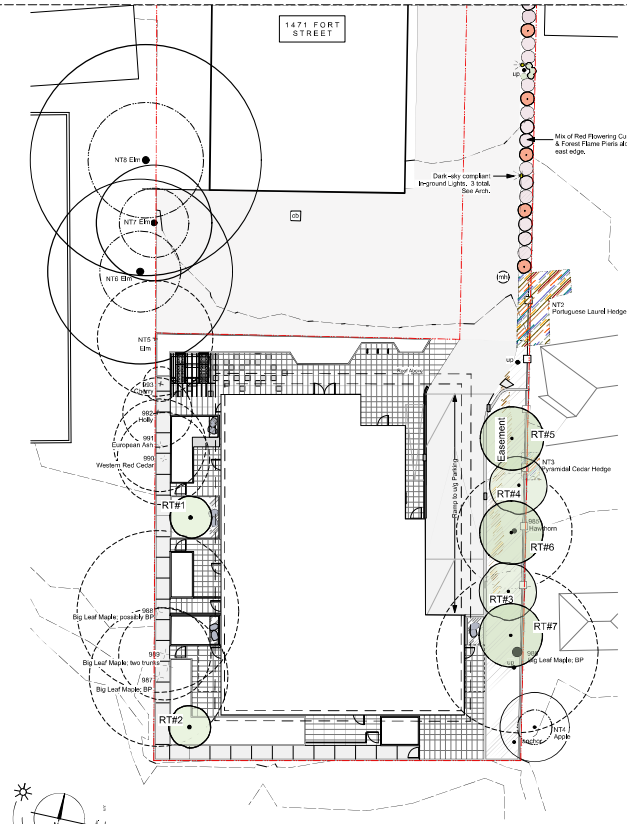
Notes:
1. **All work to be completed to current Canadian Landscape Standard**
2. **All soft landscape to be irrigated with an automatic irrigation system**
3. **LADR's work is limited to plant selections and soft lanscape.**

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Landscape Concept Plan

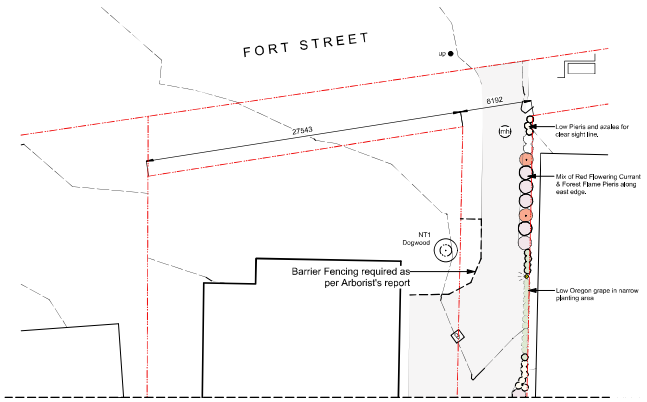
LADR LANDSCAPE ARCHITECTS
#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019



Tree Preservation / Removal Plan South Portion of Site

1:200



Tree Preservation / Removal Plan North Portion of Site

1:200

Tree Removal Key

	Tree Removed
BP	By-law Protected
	Critical Root Zone
NT5 / 988	Tree ID as per Arborist's Report
	Tree Retained
RT#1	Replacement Tree

Project Consulting Arborist is Noah Borges at **Talbot Mackenzie and Associates**
Contact: 250-479-8733
Email: tmtreehelp@gmail.com

Tree Replacement Summary:

1) Eleven trees are being removed; two are by-law protected and one may be by-law protected (as per arborist report). A minimum of 6 trees are required to replace the 3 by-law (or potentially by-law) protected trees (2:1 replacement).
2) Ten trees are proposed for this project. Seven qualify as replacement trees:
RT#1 & RT#2 are Cornus kousa 'Milky Way'.
RT#3 & RT#4 are Cercis canadensis 'Forest Pansy
RT# 5, RT#6 & RT#7 are Acer rubrum 'Karpick'
3) The following work to be supervised by the project arborist:
Locating barrier (tree protection) fencing. Locating work zones, supervising excavation within critical root zones of trees to be retained, and reviewing and advising of any pruning requirements for machine clearances.
Arborist to also review the arborist report with the site supervisor, prior to beginning work on site.

Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Tree Preservation Plan

LADR LANDSCAPE ARCHITECTS
#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

Project No: 1914 June 6, 2019

CASCADIA ARCHITECTS
DAMANT + JOHANNKNECHT

June 12th, 2019
Revised September 13, 2019

City of Victoria
No.1 Centennial Square
Victoria BC
V8W 1P6

Attn.: Mayor & Council

Re: 1475 Fort Street Development Permit Application

Cascadia Architects is pleased to submit this Development Permit application for 1475 Fort Street on behalf of Lantern Properties Ltd. (the 'Applicant') for the construction of *a four-storey 32 unit rental apartment building.* The details of the proposal described in this application carefully respond to the relevant OCP Design Guidelines, Development Permit Area Design Guidelines, and its existing R3-AM-2 zone. In preparing this application, the design team has received preliminary input from City planning and engineering staff, and specialist consultants including a certified arborist and civil and geotechnical engineers.

The consultation and review process to date include the following meetings:

- Pre-Planning Meeting City of Victoria (March 24, 2019)
- Open House with local neighbours (March 24, 2019)
- Introductory Meeting with Fire Prevention Officer (April 09, 2019)
- A review of preliminary height and setbacks with residents of 1030 St Charles St. (May 30, 2019)
- Meeting with the Rockland Neighbourhood Association (June 10, 2019)

Description of the Proposal:

The 1475 Fort Street parcel is 1500 sq.m in total area and is currently occupied by a 3 storey apartment building and associated at grade parking structure, both of which are deemed to be nearing the end of their life cycles. It is a panhandle lot as defined by the City of Victoria, and has a panhandle driveway which accesses Fort Street along the east property line of 1471 Fort, a property also owned by the Applicant.

The existing building on the site is currently leased to the Vancouver Island Health Authority, *and as such the tenant assistance policy is not applicable to this redevelopment.*

The current zoning of the site is R3-AM-2 – up to 4 storeys and 1.6:1 allowable FSR. It is located within the Development Permit Area 7B (HC): Heritage Corridor and is designated 'urban

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A Corporate Partnership

Principals

GREGORY DAMANT
Architect AIBC, LEED AP

PETER JOHANNKNECHT
Architect AIBC, LEED AP,
Interior Architect AKNW Germany

residential' in the Official Community Plan. The proposal is located in the Rockland neighbourhood.

The site itself is relatively flat, however, it sits significantly lower than the adjacent 949 Pemberton Road townhouses located to the south, and Frewing Lane to the southwest. There are a wide range of mature trees on and surrounding the site, and a service right of way from Fort Street to the Pemberton Road townhouses along the east property line.

The property is characterized primarily by its unique panhandle shape, which effectively pulls the building away from the Fort Street corridor, recessing it behind the 1471 Fort Street 4 storey apartment building and nestling it into the surrounding Rockland neighbourhood, an eclectic mix of townhouses, multi unit residential dwellings and single family homes.

Project Benefits and Amenities:

This project will bring 32 new units of rental housing stock to the City. The proposal will add much needed rental housing to the Rockland neighbourhood, and will enhance the quality of the public realm along the Fort Street corridor via the quality of its design, materials, and detailing.

Design and development guidelines:

The building reflects the intent of the current zoning, with a height of 4 storeys, underground resident parking, and a density (FSR) of 1.42:1. It takes its massing and material finish cues from the historic character of the neighbourhood, which provides the fundamental design concept that drives the project. This proposal strives to bridge between its historic context and a modern future for the Fort Street corridor, avoiding a pastiche or imitation of the past, but carefully referencing it through material selection and organization of massing on site. This approach is in keeping with the Rockland Neighbourhood Plan, providing strong architectural design that is compatible in character and quality with the Rockland environment.

The building is simple and uncomplicated and utilizes a refined material palette of light and dark brick, metal panels, aluminum pickets, and perforated screens. The base of the building is clad in dark brick, grounding it and visually reducing the building's mass. The second to fourth storeys are characterized by a clear hierarchy of materials, with strong horizontal and vertical light brick banding surrounding inset dark brick, and grey vertically oriented metal panels. These metal panels are matched in finish to a projecting roof overhang at the fourth storey and above the entrance to the underground parkade at the northeast corner of the building and the entrance to the site.

The entrance is set back from the face of the building, providing visual interest oriented towards Fort Street, and softened with cedar soffits. Dark green aluminum planters surround the building, punctuating the landscaping and providing textural contrast to the building itself, adding a further feature of visual interest. Perforated metal screens create a higher filigree of architectural expression to the balconies and provide some privacy screening between the proposal and the neighbouring sites.

The building draws on historical inspiration in a site specific response to achieve an elegant and timeless expression. It is comprised of high-quality exterior finishes which are durable and capable of weathering gracefully on all four facades, to the qualitative benefit of the public realm along the Fort Street corridor as well as the sightlines from adjacent residences. The design complements the mature landscaping and historic architectural character of the Rockland neighbourhood.

The primary design initiatives which reference the **Official Community Plan** can be summarized as follows:

- This proposal contributes a meaningful amount of in-fill rental housing stock within walking distance of services, amenities, and the City's downtown core.
- By placing new residential density in direct proximity to transit routes, and within cycling distance of downtown, new development can increase transportation choice and relieve vehicle dependence.
- The project seeks to preserve and enhance the sense of the neighbourhood's unique identity. The Rockland neighbourhood is characterized in many areas by atypical lots and variegated relationships between buildings and streets. The articulated façade treatment and contrasting colours and textures incorporated into the building's design create depth and visual interest from a distance, accentuating the lot's unique configuration and the orientation of the building upon it.
- This proposal introduces five ground oriented units, improving the contextual relationship between the building and the historic residential neighbourhood with ample ground oriented housing in which it is situated, elevating the pedestrian experience of the site.
- *As a rental residential development*, this proposal provides long term stable rental housing in the City of Victoria, upgrading and regenerating the city's existing rental housing stock, and encouraging a mix of new residents and a socio-economically inclusive community.

Additionally, the project responds to several relevant priorities laid out in **Development Permit Area 7B (HC): Heritage Corridor (Fort Street)**

- Fort Street is a corridor with the capacity for the intensification of multi unit residential development. The site is currently being utilized in a multi unit residential capacity. Through increased floor area and an additional fourth storey, this use is intensified in keeping with DPA 7B and OCP guidelines.
- Intensified multi-unit residential use in this location will promote pedestrian and bicycle use along Fort Street.
- Through thoughtful design and high-quality, durable building materials, this proposal supports the revitalization of Fort Street, and provides a sensitive response to its historic context, enhancing visual interest along the arterial.
- The exterior finishes and traditional massing achieve a cohesive design with the site's historic context and enhances the experience of the Fort Street corridor.

The proposal also reflects the following tenets of the referenced **Downtown Core Area Plan** guidelines**:**

- Due to its unique panhandle lot configuration, the building is not directly physically connected to the Fort Street frontage. The entrance to the building is oriented to the northeast corner of the site, visually connecting it to Fort Street and improving the building's relationship to the sidewalk.
- The grade difference between the site and its adjacent southern neighbours effectively reduces the impact of its height, and provides a sensitive transition between the R3-AM-2 and the R1-A zone as well as the Urban Residential and Traditional Residential Urban Place Designations moving away from Fort Street and into the Rockland residential area.
- The second storey cantilevers over the main level entrance, creating a continuous covered area along the street frontage and providing residents and users of the site with continuous shelter from the rain and other elements.

- The expression of the roof over the parkade ramp and lobby entrance distinguishes the entrance from the rest of the building, while the lobby entrance itself is recessed, providing visual articulation to the street facing north frontage of the building.
- A bike storage room, with generous glazing, is located next to the lobby and can be accessed from the outdoor by a separate entrance and ramp. The same ramp will act as the accessible entrance to the elevator lobby and can be used for moving days.

Transportation and Infrastructure:

The project is well situated and fully serviced by City of Victoria infrastructure. Schools, parks and recreation facilities are all located within walking distance of the site. In addition, the nearby work and shopping opportunities available both downtown and in the Stadacona Village, Oak Bay Avenue Village, Jubilee Village, and North Park Village make this site suitable for an increased population density. This population will be well serviced with regard to transportation options, including immediate proximity to major Transit routes on Fort Street and Pandora Avenue as well as vehicle and bicycle parking and storage provisions.

The project will include *24 resident and 2 visitor underground parking stalls* accessed from the driveway at the northeast corner of the body of the panhandle lot.

The long term bicycle parking spaces have been separated into two designated and secure bicycle rooms, one adjacent to the lobby at grade, and the other located in the underground parkade. The required 6 short term bicycle parking spaces are placed at the entrance to the building, semi protected from the elements by a projecting overhang, and screened by a raised feature planter.

Green Building Features:

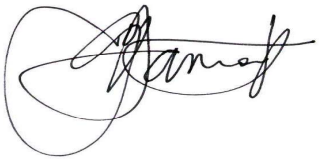
The following is a list of green building initiatives that will be deployed within the project:

- Exterior materials are highly durable, and detailing will suit life-span management of components.
- Solar Ready Conduit from Electrical Room to roof.
- LED lighting throughout.
- Low-VOC paint in all interior areas.
- Low-flow plumbing fixtures used throughout all units.
- Secure, heated bike storage at parkade and main level.
- Rough-in electrical for future electric bicycle charging locations within bicycle storage.
- Rough-in electrical for future electric vehicle charging stations.
- Heat Recovery Ventilation for the building.
- High efficient centralized domestic hot water boiler system.
- Meeting the BC Energy Step Code level 1 requirements.

In preparing this development permit application package the team has carefully considered community concerns, the relevant OCP objectives, and the Development Permit Area Design Guidelines. The design is respectful of neighbouring properties and proposes an elegant and timeless architecture that responds to the unique character of the location. We believe that it will add to the strength and character of the Fort Street corridor and the Rockland neighbourhood, and we look forward to presenting this project to ADP and Council. If you have any questions or require further clarification of any part of this application, please do not hesitate to contact our office.

Sincerely,

CASCADIA ARCHITECTS INC.



Peter Johannknecht, Architect AIBC, RAIC, LEED AP
Principal

Gregory Damant, Architect AIBC, RAIC, LEED AP
Principal

LANTERN
PROPERTIES LTD

Dear Mayor and Council,

Lantern Properties Ltd. is a multigenerational, multi-family rental housing operator and developer founded in 1962 by Arthur & Arlene Hayes. Lantern's first property was a low-rise concrete apartment building in the Ambleside neighbourhood of West Vancouver. Since then, Lantern has steadily grown its portfolio to include properties in several east and west-side Vancouver neighborhoods, as well as Victoria. Lantern has never sold an asset in its roughly 50-year history.

Lantern's first investment in Victoria was in the Rockland neighbourhood in 1976, when the founder built a 48-suite rental building at 1180 Fort Street. Other acquisitions occurred in the 1990's in James Bay, and Lantern bought the subject 1471/1475 Fort Street property in 2016. It is a two-lot site with two buildings. Lantern invested in upgrades to the landscaping and storm drainage, balcony repair and window replacement on both sites. A recent evaluation of the condition of 1475 determined that the building is approaching the end of its life and further investment would not be prudent. The redevelopment of 1475 will allow Lantern to provide the community with a safer and more energy efficient building, as well as providing more rental housing on this currently underutilized site. Lanterns investment in the site illustrates its long-term commitment to serving the communities in which it operates.

Best Wishes,
Lantern Properties Ltd.

1176 Burnaby Street, Vancouver BC, V6L1Y1
604-998-2290 866-288-1991 jeff.hayes@lanprop.com lanprop.com

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

Attachment : F

rockland.bc.ca

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).

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

Talbot Mackenzie & Associates
Consulting Arborists

1475 Fort St, Victoria

Construction Impact Assessment &

Tree Preservation Plan

Prepared For: Lantern Properties Ltd
#101-1176 Burnaby St
Vancouver, BC
V6E 1P1

Prepared By: Talbot, Mackenzie & Associates
Noah Borges – Consulting Arborist
ISA Certified: #PN-8409A
TRAQ – Qualified

Date of Issuance: April 5, 2019

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com

Talbot Mackenzie & Associates
Consulting Arborists

Jobsite Property: 1475 Fort St, Victoria

Date of Site Visit: June 6, 2018

Site Conditions: Existing multi-storey residential building with panhandle driveway. No ongoing construction activity.

Summary: Ten trees will require removal for construction of the underground parkade. Assuming excavation will occur up to the property line, roots from trees NT2-4 and NT6 are likely to be encountered. As NT2 and NT3 are located adjacent to the east fence line, their health may be significantly impacted. We recommend the project arborist supervise all excavation within the critical root zones of these four trees and prune any roots severed back to sound tissue at the edge of excavation.

Scope of Assignment:

- To inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to demolish the existing building and construct a new multi-storey housing complex with underground parking
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The by-law protected trees with their identification numbers were labelled on the attached Site Plan. The conclusions reached were based on the information provided within the attached plans from Cascadia Architects (dated 02/12/19).

Limitations: No exploratory excavations have been requested and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Servicing plans were not available for comment. We recommend the project arborist review servicing plans once they become available to evaluate the proposed impacts to any trees to be retained.

Summary of Tree Resource: Seventeen trees were inventoried, three of which are by-law protected. There is a row of large elm trees along the west fence line on the neighbouring property.

Trees to be Removed: Ten trees will require removal as a result of construction-related impacts:

- **Trees #985-993 and NT5** are within or immediately adjacent to the footprint of the underground parkade. We assume excavation will occur up to the property line along the west property line.

  We anticipate large, structural roots from **Elm NT5** (56cm DBH, under shared ownership with west neighbour) will be severed during excavation, resulting in significant health and structural impacts.

Potential Impacts on Trees to be Retained and Mitigation Measures

- **Dogwood NT1** (5cm DBH): This tree is located 3m from the existing driveway. We do not anticipate its health will be impacted by the proposed construction but recommend barrier fencing be erected at the edge of the driveway around the tree up to the property line to avoid accidental mechanical injury and unnecessary soil compaction within its CRZ.

- **Portuguese Laurel hedge NT2** (stems up to ~15cm DBH) and **Pyramidal Cedar hedge NT3** are located on neighbouring properties to the east (1479 Fort St and 1046 St. Charles St). Assuming excavation for construction of the underground parkade occurs up to the east fence line, roots from both of these hedges will be encountered. Half the CRZs of the cedar stems and the laurel stems growing along the fence will be severed, potentially resulting in significant health impacts (particularly to the cedar hedge). We recommend the project arborist prune any roots severed back to sound tissue at the time of excavation and that the neighbours be informed of the proposed impacts to their trees.

- **Apple NT4** (~25cm DBH) is located on the property of 1030 St. Charles St, approximately 1.5m from the fence line. Assuming excavation for construction of the underground parkade occurs up to the east fence line, we anticipate roots from this tree will be impacted, potentially resulting in minor health impacts. We recommend the project arborist prune any roots severed back to sound tissue at the time of excavation and that the neighbour be informed of the proposed impacts to their tree.

- **Elm NT6** (~60cm DBH) is under the ownership of #1465 Fort St and is located approximately 4m from the northwest property corner. We anticipate some roots from this tree may be encountered if excavation occurs up to the property corner, but its health will not be significantly impacted. No clearance pruning will be required, as the aboveground portions of the building are 5.5m from the west property line.

- **Arborist Supervision**: All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:

    - Excavation within the CRZ of trees NT2-4 and NT6

- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:

    - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
    - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
    - Placing two layers of 19mm plywood.
    - Placing steel plates.

- **Demolition of the Existing Buildings:** The demolition of the existing multi-storey building and garage, and any services that must be removed or abandoned, must take the critical root zone of the trees to be retained into account. If any excavation or machine access is required within the critical root zones of trees to be retained, it must be completed under the supervision and direction of the project arborist. If temporarily removed for demolition, barrier fencing must be erected immediately after the supervised demolition. We do not anticipate that any trees to be retained will be impacted by the demolition of the existing structures.

- **Mulching**: Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.

- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.

- **Scaffolding:** This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see "Minimizing Soil Compaction" section).

- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.

- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

    - Locating the barrier fencing
    - Reviewing the report with the project foreman or site supervisor
    - Locating work zones, where required
    - Supervising any excavation within the critical root zones of trees to be retained
    - Reviewing and advising of any pruning requirements for machine clearances

- **Review and site meeting**: Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.

Thank you,

Neal Borgan

Noah Borges
ISA Certified #PN-8409A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 2-page tree resource spreadsheet, 1-page site plan with trees, 2-page building plans, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

1475 Fort Street
Tree Resource Spreadsheet

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
985	Hawthorn	*Crataegus spp.*	43	10	5.0	Good	Good	Fair/poor	Under utility lines. Previously topped. Water sprouts. Codominant union at 1.5m	N	X
986	Big Leaf Maple	*Acer macrophyllum*	86 below unions	14	10.0	Moderate	Fair	Poor	Tridominant union at 1m. Large pruning wounds. Fill around base. Crossing/rubbing limbs. Swelling at base. Epicormic growth	Y	X
987	Big Leaf Maple	*Acer macrophyllum*	~50, 45	12	9.0	Moderate	Good	Fair/poor	Possibly shared with neighbour. Codominant union at base. Damaged surface roots. Asymmetric crown due to competition with adjacent maple	Y	X
988	Big Leaf Maple	*Acer macrophyllum*	58	14	7.0	Moderate	Good	Fair	* Possibly by-law protected *. Sweep at base, corrected. Large pruning wounds.	N	X
989	Big Leaf Maple	*Acer macrophyllum*	~45	8	5.5	Moderate	Good	Fair	Codominant union at 5m	N	X
990	Western Red Cedar	*Thuja plicata*	40	8	6.0	Poor	Fair/poor	Fair	Declining top	N	X
991	European Ash	*Fraxinus excelsior*	29	8	3.5	Moderate	Good	Fair/poor	Codominant union at 6m	N	X
992	Holly	*Ilex aquifolium*	24	6	2.5	Good	Good	Fair/poor	Multiple leaders	N	X
993	Cherry	*Prunus spp.*	12	3	1.5	Moderate	Fair	Fair/poor	Second stem cut at base	N	X
NT1	Dogwood	*Cornus spp.*	5	2	1.0	Poor	Good	Fair	Neighbour's. 3m from driveway	N	Retain
NT2	Portuguese Laurel hedge	*Prunus lusitanica*	Multistem	3	1.5	Good	Good	Fair	Neighbour's. Adjacent to fence, stems up to ~15cm DBH	N	Retain
NT3	Pyramidal Cedar hedge	*Thuja spp.*	Multistem	1	1.5	Poor	Good	Good	Neighbour's. Adjacent to fence	N	Retain
NT4	Apple	*Malus spp.*	~25	6	3.0	Moderate	Good	Fair	Neighbour's. 1.5m from fence	N	Retain

Prepared by:
Talbot Mackenzie & Associates
ISA Certified and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: tmtreehelp@gmail.com

1475 Fort Street
Tree Resource Spreadsheet

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
NT5	Elm	*Ulmus spp.*	56	10	6.5	Moderate	Good	Fair	Under shared ownership with neighbour. Adjacent to fence. Overhangs 6m. Asymmetric due to competition	N	X
NT6	Elm	*Ulmus spp.*	~60	16	7.0	Moderate	Good	Fair	Neighbour's. 1m from fence. Deadwood. Roots likely uplifting pavement.	N	Retain
NT7	Elm	*Ulmus spp.*	~50	10	6.0	Moderate	Good	Fair	Neighbour's. Adjacent to fence. Ivy. Deadwood	N	Retain
NT8	Elm	*Ulmus spp.*	~60, 40	20	10.0	Moderate	Fair	Fair/poor	building clearance (1471 Fort St). Codominant union at base. Significant epicormic growth. Large pruning wounds	Y	Retain

Prepared by:
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ISA Certified and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: tmtreehelp@gmail.com

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1475 Fort Street

Legal Lot 2, Section 74,
Victoria District, Plan 9796

Parcel Identifier: 005-397-863 in the City of Victoria

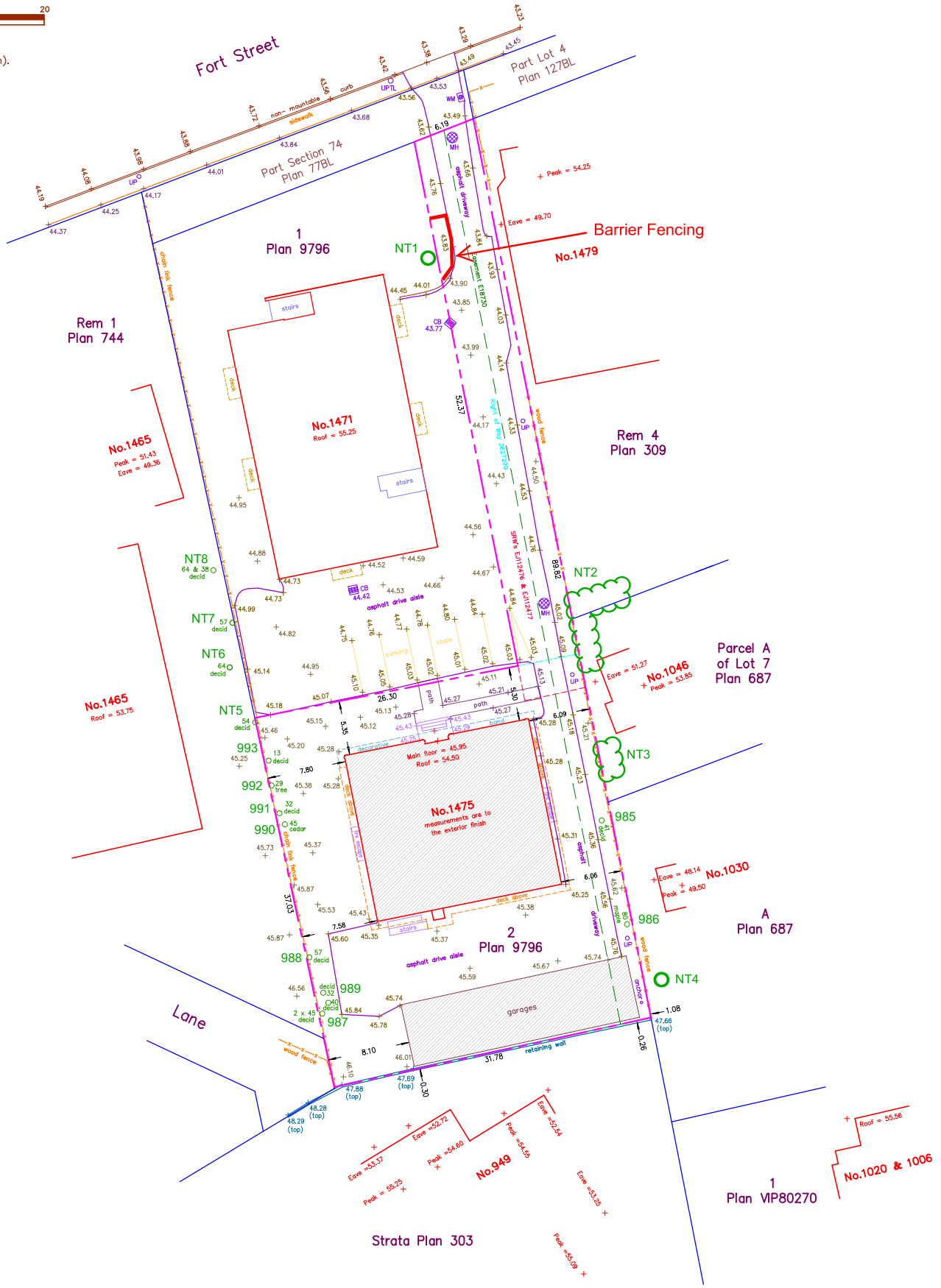
Scale - 1 : 250 Distances are in metres.

0 2 10 20

The intended print size is
Arch C (609.60mm x 457.20mm).

Date	December 5, 2018
Drawing	Site- 1475 Fort Street
File	File : 12897 - 15

POWELL & ASSOCIATES
B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 382-8855



LEGEND

Elevations are to geodetic datum.

+ 44.44 – denotes – existing elevation
CB – denotes – Catch Basin
MH – denotes – Manhole
UP – denotes – Utility Pole
UPTL – denotes – Utility Pole with Transformer and Lamp
WM – denotes – Water Meter

Tree diameters are in centimetres.

Lot Area = 1500 m2

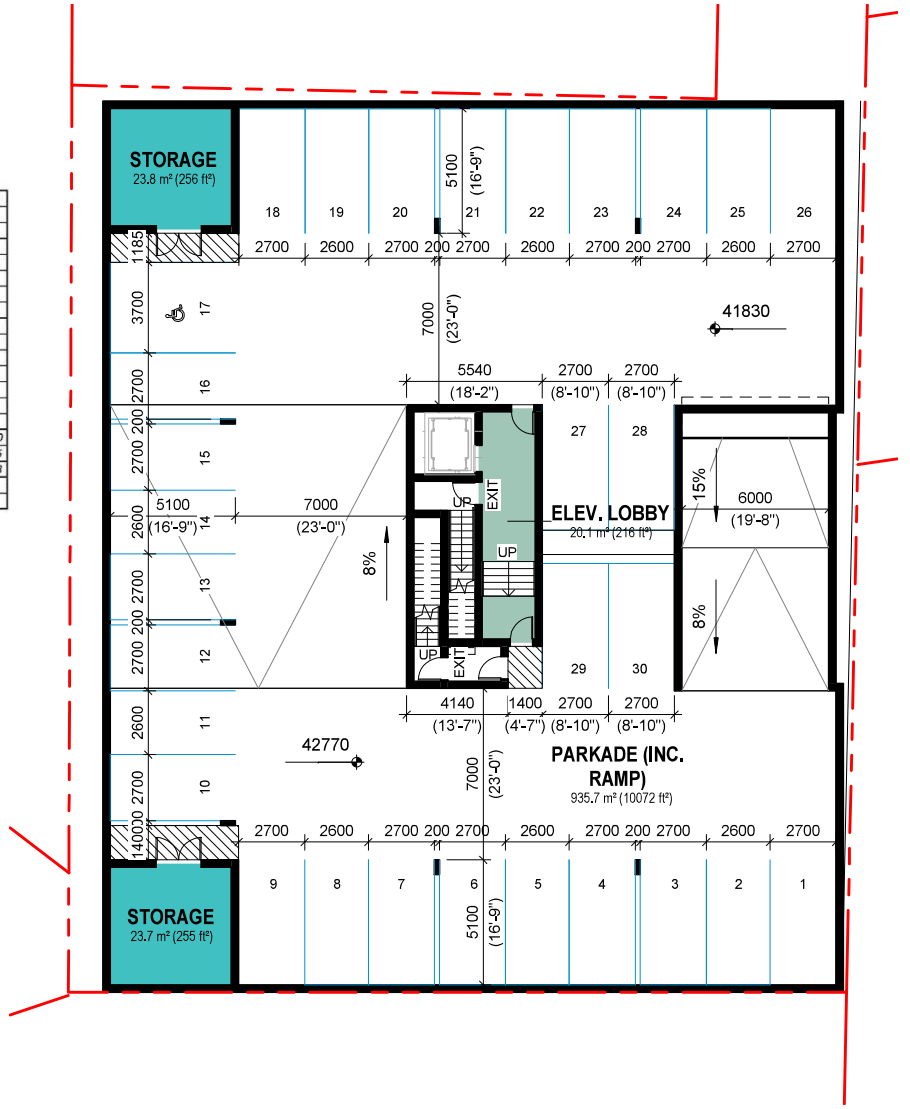
The following non-financial charges are shown on the current title and may affect the property.
362729G – Right of Way
E18730 – Easement
EJ112476 – Statutory Right of Way
EJ112477 – Statutory Right of Way

Setbacks are derived from field survey.

Parcel dimensions shown hereon are derived from Land Title Office records.

This document shows the relative location of the surveyed features and shall not be used to define property boundaries.

VERSION 5.7 (4 STOREY W/ UNDERGROUND PARKING)	ZONE ALLOWANCE	PROPOSED	VARIANCE	VISITOR STALLS	UNITS >45sqm	UNITS <45sqm	AFF. >45sqm	AFF. <45sqm
LOT AREA:	920M2	1500m2	N					
FSR:	1.6:1	1.44	N					
OPEN SITE SPACE (MIN):	30%	33.99%	N	*ASSUMES 3 VISITOR STALLS AT GRADE				
OPEN SITE SPACE WITH DRIVEWAY (MIN):	50%	56.90%	N					
SITE COVERAGE (MAX):	40%	40.65%	N					
# OF STOREYS:	4	4	N					
ALLOWABLE HEIGHT:	12M	12.90M	Y					
SETBACK - FRONT YARD	6.45M	3.56M	Y					
SETBACK - SIDE YARD W.	6.45M	5.68M	Y					
SETBACK - SIDE YARD E.	6.45M	4.97M	Y					
SETBACK - REAR YARD	6.45M	4.00M	Y					
# OF UNITS	N/A	33	N/A					
MINIMUM UNIT AREA:	33M2	39M2	N					
MINIMUM # OF CAR STALLS (APARTMENT):	32.1	33	N	3.3	2.25	21.6	0	0
MINIMUM # OF CAR STALLS (AFFORDABLE):	18	N/A	N	3.3	0	0	1.2	13.5
COMBINED APARTMENT/AFFORDABLE	29.25	N/A	N	3.3	2.25	21.6	3	3
LONG TERM BICYCLE PARKING:	39.75	40	N					
SHORT TERM BICYCLE PARKING:	6	6	N					



CASCADIA ARCHITECTS

OPTION 5.7 PLAN & DATA

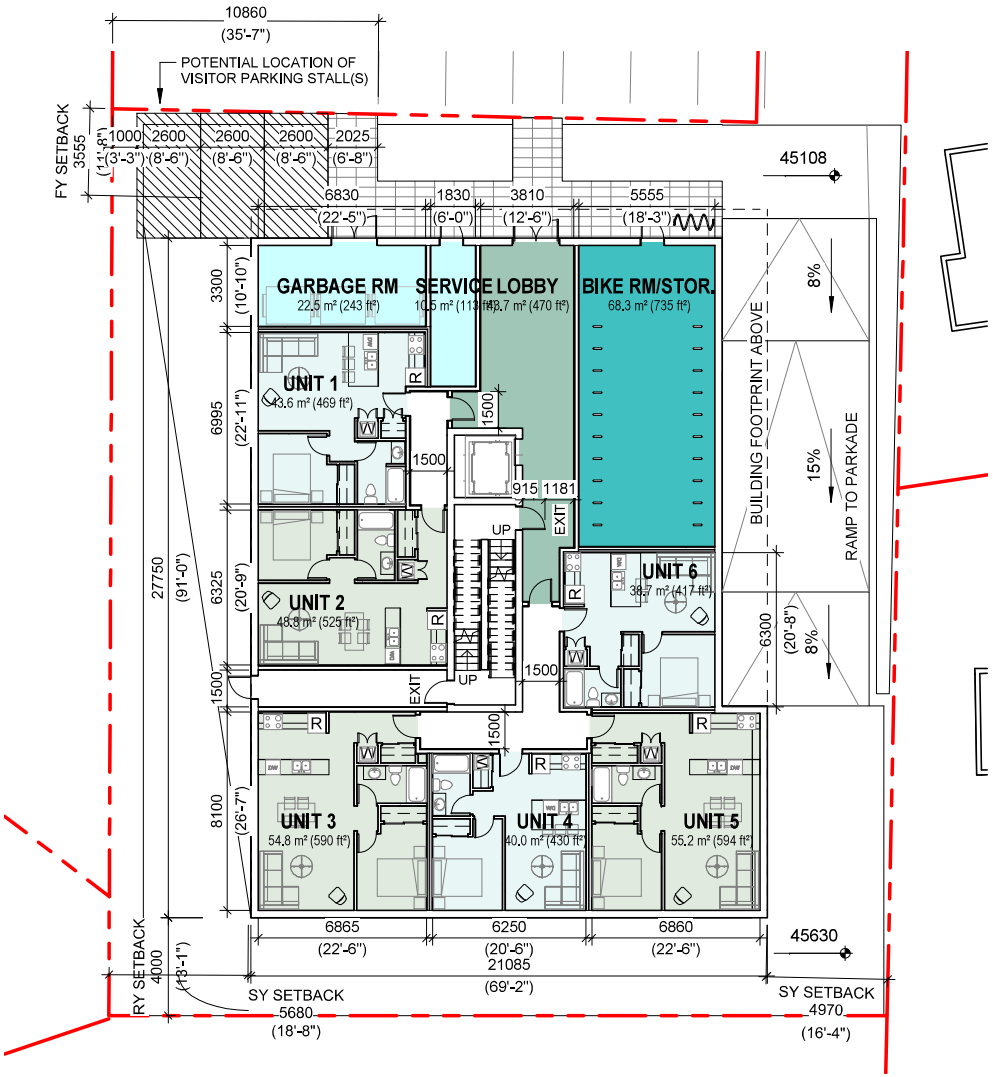
LANTERN PROPERTIES LTD

1475 FORT STREET

02/12/19

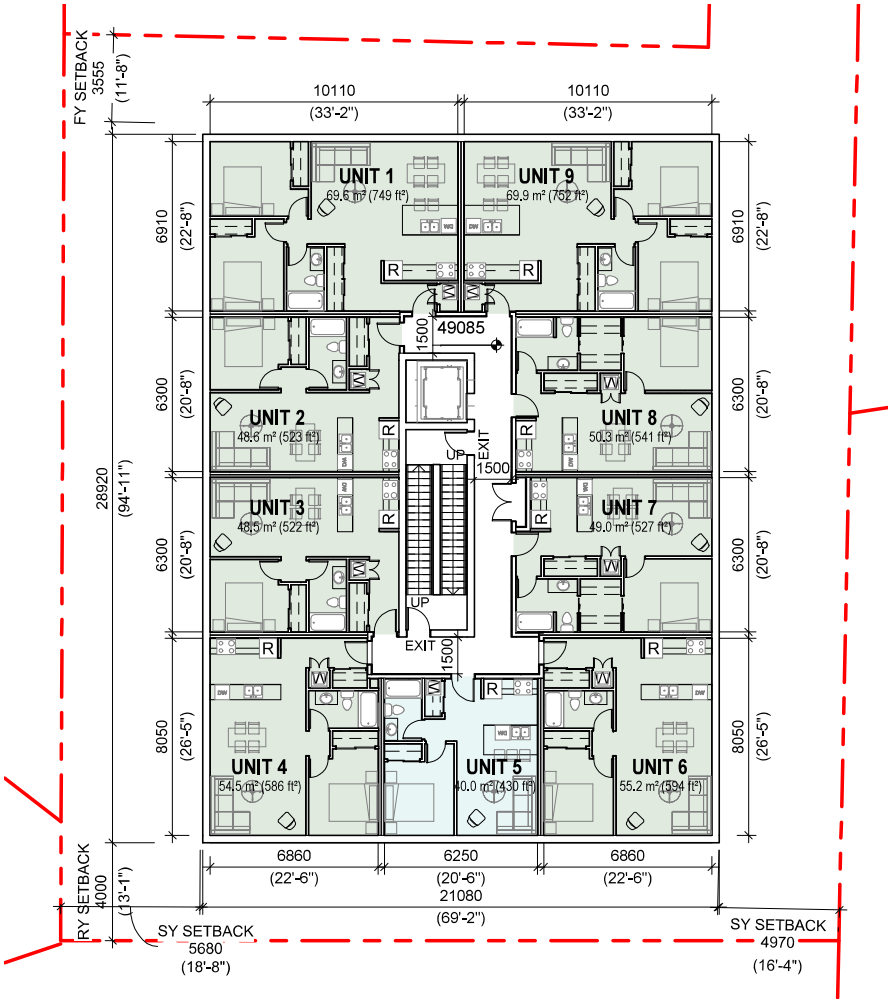
1 : 200

ASK 01



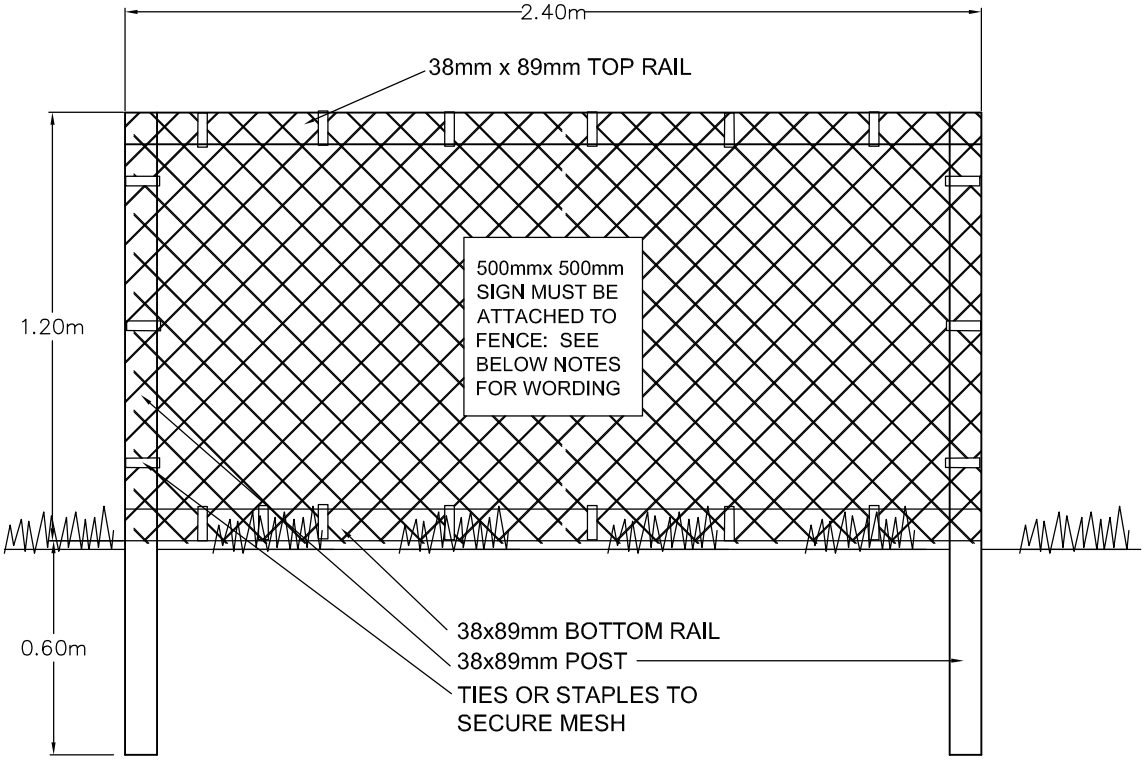
1 LOBBY LEVEL

SCALE = 1 : 200



2 TYPICAL UNIT LAYOUT

SCALE = 1 : 200



TREE PROTECTION FENCING

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH"ZIP" TIES OR GALVANIZED STAPLES.

2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

Talbot Mackenzie & Associates
Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com

Tree Resource Spreadsheet Methodology and Definitions

Tag: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.
* Measured over ivy
~ Approximate due to inaccessibility or on neighbouring property

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

Critical Root Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

Health Condition:

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

Retention Status:

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

Devon
PROPERTIES

September 13, 2019

VIA E-MAIL: jeff.hayes@lanprop.com

Lantern Properties Ltd.
1176 Burnaby Street
Vancouver, BC V6L 1Y1

Attention: Jeff Hayes, Managing Director

Dear Jeff:

Re: Chalet Apartments - 1465 Fort Street, Victoria BC – Tree Removal

I am in receipt of your letter dated September 5, 2019.

Please accept this letter as confirmation that you may proceed with replacing the subject trees with juvenile specimens at your cost. The owner of the property at 1465 Fort Street is in agreement with this project.

Should you have any questions or wish to discuss further, please contact our office at 250-595-7000.

Regards,

DEVON PROPERTIES LTD.

Alexandra Creighton
Vice-President, Residential Properties

AC/sc

Pierre-Paul Angelblazer

From: Bill Stroll [redacted]
Sent: May 20, 2020 1:54 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; DaveMcWalter@gmail.com; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: Proposed development at 1475 Fort Street Follow Up

Dear Mayor and city councillors

I wrote to you February 13 regarding my concerns of the proposed Lantern Properties development at 1475 Fort Street. In that email I noted a lack of information and consultation, and questionable variances the developer had proposed. Although a meeting did take place between Strata 303 owners, the Rockland Neighbourhood Association and Lantern Properties these matters still remain troublesome.

Despite zoning bylaws, the new structure would occupy almost 50% of the site, up from the current 30% and that the setback, with the height addition of another storey would only be a couple of feet from our property line. Furthermore, there will be a loss of affordable housing as all units will be available only at market value. I request council insist on public consultation before this redevelopment moves forward.

Bill Stroll
3 - 949 Pemberton Road

Pierre-Paul Angelblazer

From: Sandra Jones [redacted]>
Sent: May 20, 2020 7:13 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); bisett@victoria.ca; Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the proposed design affecting the adjacent community.
A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
#6 -949 Pemberton Road

Pierre-Paul Angelblazer

From: [redacted]
Sent: May 21, 2020 1:03 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: 'Strata 303'; 'Gillian Lawson'; cmorissette@telus.net; 'brodeurc'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Lorena and Caspar'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; 'Bill McKechnie'; stevewilliams89@hotmail.com; 'Dave McWalter'; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'; inquiries@lanprop.com; [redacted]
Subject: Variance request 1475 Fort St

Dear Mayor and Council

- I live adjacent to the north property line of the proposed development at 1475 Fort St. I only became aware of the proposal recently while talking to my neighboring strata owners.
- The existing 3 story building (which is to be replaced) has a rear yard setback of approximately 50ft. The proposal in question calls for a four story building with a setback of only 12ft. to our property line.
- No amount of hedging or visual barrier will prevent the 3rd or 4th story occupants of the new building from looking directly into our backyard/windows, nor will it reduce the inevitable noise from the apartments particularly during the summer months when windows and balcony doors are open
- In my opinion this project is a huge overreach for the size of the lot and involves clearcutting the whole project site. It makes sense that the development be commensurate with the size of this panhandle lot.

I appeal to Council to take the appropriate steps when reviewing this project to ensuring the project is aligned with current zoning, with perhaps minor changes, instead of the major variances being requested
Thank you,
B. McKechnie
949 Pemberton Rd.
[redacted]

Pierre-Paul Angelblazer

From: Alan Morton [redacted]
Sent: May 20, 2020 11:18 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; DaveMcWalter@gmail.com; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street

Dear Mayor and Council:

As one of the residents of 949 Pemberton Road I have some concerns with the proposed redevelopment at 1475 Fort Street, which is adjacent to my townhome complex.

While the lack of consultation has been frustrating, I find the misrepresentation and lack of transparency regarding ultimate goals to be very concerning. There seems to be a steady shift of goal posts in what is being asked for.

From the time of the BC Land Surveyors site plan and Arborists' report the proposal has gone from:
- 12.9m to 14.39m in height
- 28 market rentals and 4 affordable units to all 32 market rental
- 26 resident parking underground and 3 grade level to all underground in order to ask for a front setback variance of just under 2m as opposed to 10m

The initial letter to council from the developer in June 12, 2019 stated that 1475 Fort is significantly lower than 949 Pemberton and that they are providing a "sensitive transition" between the R1 and R3 zoning. There is a grade difference but it is only 6 feet. Therefore, the proposal for a building face that is 13 feet from and 41 feet above the adjoining property line would seem to be in opposition to the concept of a transition as outlined in the Design Guidelines-Multiuse Residential Commercial Industrial, 1.6.1 and 1.6.2.

I feel that the lack of transparency, unwillingness to work with the community to address concerns, and the desire to push through massive variances despite zoning bylaws and Design Guidelines will cloud future interactions with this developer and architect.

Alan Morton
7-949 Pemberton Road

Pierre-Paul Angelblazer

From: Russ Scruggs [redacted]
Sent: May 20, 2020 3:24 PM
To: Jeremy Loveday (Councillor); Marianne Alto (Councillor); Lisa Helps (Mayor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); cthorton-joe@victoria.ca; Alec Johnston
Cc: inquiries@lanprop.com
Subject: Redevelopment of 1475 Fort Street

To the Mayor and Victoria city Councillors,

We are residents of 1019 Pemberton Road strata.
It was recently brought to our attention by our neighbours to the south; 949 Pemberton Road that Lantern Properties of Vancouver has put forward a proposal to demolish the building; 1475 Fort Street and build a new rental property.
As owners of one of the 9 Units of Strata VIS 740 we have concerns with the proposed new development as the proposed new structure will be a significant expansion of both footprint and height of the building.

- R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
- R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
- R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23’7”); the proposed building would be 3.6 m (12 ft) from our property line.

As for the process itself; there has been a lack of transparency and sharing of information with the two stratas who will be grossly impacted.
Lantern Properties has claimed that notices were distributed to the two neighbouring stratas but the owners of the units of both stratas have all said this is not the case.

The current structure is indeed in need of replacement but this new building will be in short an overbuild relative to the site, neighbours, blue sky and it will displace the current residents living there; VIHA assisted individuals.
The current council is looking for ways to "densify" the city with affordable rental units but this is not the way to achieve that means.
The new building footprint will result in the removal of a green belt of trees needed for reduction in sound and sight for neighbours; quality of daily life in the area.
We trust the city council and city planners will challenge this redevelopment as it currently stands relative to the proposal documents on the city site.

Regards,
Candace and Russ Scruggs

Pierre-Paul Angelblazer

From: Norman Spector [redacted]
Sent: May 18, 2020 6:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor)
Cc: Alec Johnston; Peter Johanknnecht; Lantern Properties
Subject: Re: 1475 Fort Street

Dear Madam Mayor and Council:

I am writing in regard to the above development proposal by Lantern Properties.

While walking my dog, I have been observing a similar development in the neighbourhood at 1201 Fort Street by Abstract Development for well-nigh two years.

In this case, there have been regular traffic stoppages as construction vehicles have entered and exited the site; indeed, the lane closest to the sidewalk seems to have been taken over on a semi-permanent basis by the developer.

In the case of the proposed Lantern Properties development, Fort Street is significantly narrower at the driveway where construction vehicles would be entering and exiting the site for an extended period of time. Consequently, stoppages and blockages are a much more problematic issue.

Since Fort Street is a major traffic artery for public transit, cyclists and private cars--including for Camosun and U Vic students--I would hope you'd give serious consideration to the transportation issue in assessing the developer's proposal

Yours faithfully

Norman Spector

Pierre-Paul Angelblazer

From: Caspar Davis [redacted]
Sent: May 20, 2020 12:58 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; DaveMcWalter@gmail.com; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: Proposed Development at 1475 Fort Street

Importance: High

Dear Mayor Helps and Council,

I live in a townhouse complex at 949 Pemberton Road, directly south of Lantern Properties' proposed development at 1475 Fort Street. I understand that their application is going to come before the Committee of the Whole on May 28.

This development proposes to replace a run down social housing apartment building with a much larger and taller market rental building. This building would also come within 12 feet of our property line. It would represent a very significant expansion of both the footprint and height of the building, and flouts the zoning bylaw, requiring major variances whose nature would compound their impact:

R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23'7"); the proposed building would be 3.6 m (12 ft) from our property line.

The inappropriateness of the requested variances is compounded by the fact that the property line between us and them is a zoning border and the City's Guidelines call for "respect of character of established areas, of design transition and respect of privacy". The proposed building would have a sky-blotting wall with windows looking directly into bedrooms in our complex from as little as 30 feet away.

We would welcome an appropriate redevelopment at 1475 Fort but what is proposed would have a severe impact on our privacy and would severely limit the light for several of our units. It also does away with social housing in favour of more market housing, and it calls for the demolition of several mature trees which significantly enhance our daily enjoyment of life, in addition to providing valuable habitat for the birds and other wildlife of our neighbourhood.

Moreover, the developer, has acted very badly. They claim to have distributed a notice to all of our units as well as to those next door at 1019 Pemberton Road, but none of us ever received such a notice. We learned about the proposed development only when it came up in a conversation between one of our owners and Pam Madoff. After we approached Lantern, they finally deigned to give us a meeting with the architects, who responded to our concerns by saying that many Europeans are used to living much closer together. They didn't mention the fact that most European towns grew organically over centuries, or that for much of that time raw sewage frequently flowed in the gutters.

Lantern's conduct stands in stark contrast to that of our neighbours to the southeast, who are also proposing redevelopment. Those neighbours got in touch with us early in the process, before completing the design, and hosted a Zoom meeting in which they sought our input as they showed us how they had created the plan with consideration to

our sight lines and had reduced the height as their proposed building approaches our border.

Lantern's proposed design egregiously flaunts the zoning requirements, and they have not even pretended to take our very legitimate concerns seriously. Their design should not be approved

Caspar Davis and Lorena Mowers
#16 - 949 Pemberton Road

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Pierre-Paul Angelblazer

From: Jo Anna Hope <[redacted]>
Sent: May 21, 2020 8:01 AM
To: Alec Johnston; Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); inquiries@lanprop.com; Jeremy Loveday (Councillor); Marianne Alto (Councillor); Lisa Helps (Mayor); Sharmarke Dubow (Councillor); Sarah Potts (Councillor)
Subject: Fwd: 1475 Fort Street Development Permit Application

Dear Mayor and Council,

I reside at #15-949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. I recognize that the existing building on that site needs replacement so do not oppose redevelopment. I appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, I do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, I am concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – I understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so I will not reiterate all of these concerns, but I do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement, and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit of the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary—12 feet, I understand. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings and would most likely have a negative affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties and provide habitat for many species of bird and other small beings. I am concerned about the unnecessary loss of existing trees. I also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

I request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:
-- The lack of consultation with us at an appropriate time in the planning and design process;
-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

I hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Jo Anna Hope
15-949 Pemberton Road
--

PLEASE NOTE, my new email address: [redacted]

LANTERN
PROPERTIES LTD

1176 Burnaby Street, Vancouver BC, V6E1P1

lanprop.com

LANTERN

PROPERTIES LTD

1176 Burnaby Street, Vancouver BC, V6E1P1

lanprop.com

Pierre-Paul Angelblazer

From: Barbara Bolli <[redacted]>
Sent: May 19, 2020 12:16 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; DaveMcWalter@gmail.com; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: 1475 Fort Street: Proposed Development
Attachments: 1474 Fort Street DPV 00120.pdf; Fwd: Record of March 5 Meeting between Lantern/Cascadia and Strata 303; Fwd: 1475 Update

Importance: High

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 revaluate 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

Pierre-Paul Angelblazer

From: Christine Morissette [redacted]
Sent: May 19, 2020 3:47 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; [redacted]; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street development

Dear Mayor and Council:

We are homeowners who live adjacent to a proposed development at 1475 Fort Street. We are writing to express our concerns regarding three aspects of this development:

1. The request for significant variances on size and height of the new building The existing building on this property takes up 30% of the area, whereas the new building is slated to take up nearly 50%, as well as an additional story in height. This will place the new building within two meters of our strata's boundary fence, and along with one more story, will significantly reduce the privacy of our units that face the fence. The variances requested will also necessitate the removal of eleven mature trees, greatly reducing the urban canopy for which this neighbourhood is known.

2. The lack of consultation with adjacent property owners At no time were any of the 16 homeowners at 949 Pemberton Road ever informed about or consulted on this development by the developer. It is our understanding that this consultation is required by the City of Victoria. To add insult to injury, the developer continues to insist that we all were, in fact, consulted.

3. The loss of affordable housing, particularly for vulnerable citizens When this development was first proposed, it was implied there would be some affordable housing to meet the City's current needs. While we applaud the commitment to rentals, we now understand they will be available only at market value. Furthermore, the current building housed people with mental health conditions overseen by VIHA. So in the stroke of a pen, the new development will prevent low income and other vulnerable citizens from accessing housing at this location.

We trust that going forward, the considerations of adjacent property owners will play a role in the approval process for the development at 1475 Fort Street.

Christine Morissette and Chantal Brodeur
#13 - 949 Pemberton Road
Victoria BC

Pierre-Paul Angelblazer

From: Vanessa Dingley [redacted]
Sent: May 21, 2020 12:59 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: Strata 303; Gillian Lawson; cmorissette; brodeurc; Carolina Ashe; vdingley; Lorena and Caspar; [redacted] Miranda Worthy; Sandy Jones; [redacted] Ken Bailey; megan bermand; Bill McKechnie; Steve Williams; Dave McWalter; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; [redacted] Bill Stroll; Barbara Bolli
Subject: 1475 Fort Street Development Permit Application

We are resident owners of one of the 16 townhouses at 949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. We recognize that the existing building on that site needs replacement so we do not oppose redevelopment. We appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, we do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, we are concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – we understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so we will not reiterate all of these concerns. But we do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were both told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3

- **3. Request for Excessive Variances and Need for Buffer Zone Between Properties**:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement; and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole

benefit the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings, and could negatively affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties. We are concerned about the unnecessary loss of existing trees. We also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

We request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:
-- The lack of consultation with us at an appropriate time in the planning and design process;
-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

- We hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Vanessa and John Dingley
12-949 Pemberton Road

Pierre-Paul Angelblazer

From: Carolina Ashe [redacted]
Sent: May 20, 2020 7:20 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: Strata 303; Gillian Lawson; [redacted]; Carolina Ashe; Vanessa Dingley; Lorena and Caspar; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill McKechnie; [redacted]; Dave McWalter; Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs; inquiries@lanprop.com
Subject: 1475 Fort Street building proposal

Dear Mayor and Council,

On February 25, 2020, I sent you a letter expressing initial concerns with a development proposal at 1475 Fort Street, which abuts 949 Pemberton Road, where I live. In my previous letter, I mentioned my concerns about lack of consultation and transparency on the part of the developer. In spite of a meeting with the developer (initiated by a resident of 949 Pemberton Road), along with a follow-up email, the developer continues to show no interest in addressing concerns brought forward by residents.

Following are additional concerns:

Design guidelines: 1981 vs 2019

- It is my understanding that the 1981 *Advisory Design Guidelines for Buildings, Signs, and Awnings* has been referenced in respect to the proposal for 1475 Fort Street.
- These antiquated guidelines are cursory, incomplete, and do not address what can be expected in a new build for 2020.
- The *Design Guidelines for: Residential, Commercial and Industrial, 2012/2019 (2012/2019 Design Guidelines)*, supersede the 1981 guidelines and provide much more comprehensive and current direction for transition between the two zones. Sections 1.1, 1.2, 1.5 and 1.6., in particular, are applicable to this proposal.
- It is reasonable to expect that the *2012/2019 Design Guidelines* will be referenced in the review of this application.

Impact of variances on properties bordering 1475 Fort Street

- The current site plans show the view of the building from the perspective of passers-by on Fort Street.
- The view is very different for neighbours living on the other sides.
- Residents at 949 Pemberton Road will no longer see the sky and trees when they step outside their back doors. Instead, they will be confronted with a massive wall, 12 to 13 feet from the property line, and reaching more than 40 feet above them.
- With the removal of mature trees, the residents of both 949 and 1019 Pemberton Road will have no visual or sound buffer from this large block-shaped building that will virtually fill its entire lot.
- It is difficult to put into words the detrimental ecological impact of the removal of mature trees which stand at the border between 1475 Fort Street and other properties, not to mention the loss of visual and sound buffer that these trees provide.

Parking

- The proponent is requesting a variance which will reduce the number of required parking stalls from 45 (for residents and visitors) to 26. While bicycle parking stalls will be available, it cannot be assumed that all occupants of the building, as well as their visitors, will not own cars.
- There is already a dearth of on-street parking in the neighbourhood. One of the nearest possibilities, Pemberton Road, is already congested with parked cars on both sides.

Summary

I understand that there is a shortage of rental apartments in Victoria and am not opposed to a new rental building replacing the old one at 1475 Fort Street. However, this proposal presents a case of extreme overreach in an apparent attempt to squeeze as many profitable, market rental units as possible into a small parcel of land, regardless of cost to surrounding neighbours, and to the environment.

What I am asking for

- I am asking that you apply whole systems thinking in your review of this development. Please consider not only the economic goals of the developer, but also the social, environmental and economic impacts of this development on the entire neighbourhood.
- Please visit the building site. See for yourself what the impact of this proposed building will be if the requested variances and removal of trees are approved.
- Please talk to the residents who have spent many hours researching this situation and reaching out to you.

I am trusting that if you do these things, you will ask the proponent to redraw plans that:

- are in keeping with current zoning bylaws, with only minor variances, if any;
- are aligned with relevant sections of *2012/2019 Design Guidelines*; and
- address and incorporate the concerns of neighbours who have been, and continue to reach out to the City and to the proponent.

Thank you,

Carolina Ashe
Unit 7, 949 Pemberton Road

Pierre-Paul Angelblazer

From: Barbara Bolli <[redacted]>
Sent: May 21, 2020 2:16 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com
Cc: 'Strata 303'; 'Gillian Lawson'; 'Christine Morissette'; 'Chantal Brodeur'; 'Carolina Ashe'; 'Vanessa Dingley'; 'Caspar Davis'; 'Bill Stroll'; 'Jo Anna Hope'; 'Miranda Worthy'; 'Sandy Jones'; 'Alan Morton'; 'Ken Bailey'; 'megan bermand'; Bill; 'Steve Williams'; [redacted]; 'Jessica Sluymer'; 'Jan Klizs'; 'Bob June'; 'Paul Lecavalier'; 'Russ Scruggs'
Subject: 1475 Fort St: Proposed Development Application

Mayor and Council:

I am a resident of a strata on 949 Pemberton Rd which borders a proposed development at 1475 Fort St. Much correspondence, including my own letter of February 12, 2020, has been written to Mayor and Council expressing strong concerns with this proposed development, the conduct of the developer and the very inadequate process in which it is being reviewed. As such, I will not repeat these concerns here. I do, however, want to strongly recommend that in order to demonstrate that a fair and reasonable assessment of this proposed project is undertaken, the Committee of the Whole needs to ensure the following:

- **That the project is in keeping with current zoning bylaws**
- **That it is aligned with relevant sections of *2012/2019 Design Guidelines* and NOT the dated *1981 Advisory Design Guidelines for Buildings, Signs, and Awnings* which has been referenced in respect to the proposal for 1475 Fort Street**
- **That the Advisory Design Panel is directed to reassess the development plans given that the developer misled the ADP when it advised the panel that neighbours response to the project was "positive" when the strata complexes at 949 and 1019 Pemberton Rd had not been made aware of the project by the developer**
- **That a thorough analysis of the implications of the project with respect to parking is undertaken as there is limited parking available at the proposed apartment complex and a dearth of parking in the neighbourhood**
- **That the arborist's impact assessment report is updated to reflect the scaled-up project design**
- **That there is clear demonstration of meaningful/tangible consideration of and response to concerns/input of neighbours**
- **That an onsite visit is conducted to understand the real on-the-ground impacts of this project**
- **That there is clear demonstration that the costs of this project through loss of privacy, increased noise, decreased property values, significant tree and habitat loss and adverse impacts to the general ambiance of the neighbourhood through the erection of an oversized building on too small a lot is NOT born by adjacent neighbors**

Consider this as the committee's due diligence check list as the proposal application is reviewed. I look forward to reviewing the Committee's response to the application and its consideration of this check list. If followed, I am

confident that the Committee will support the construction of a building that complements the neighbourhood rather than erodes it.

Sincerely,
Barbara Bolli

Pierre-Paul Angelblazer

From: Strata 303 [redacted]
Sent: May 18, 2020 12:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; Lantern Properties; Peter Johanknnecht
Cc: Alan Morton; Barbara Bolli; Bill McKechnie; Bill Stroll; Carolina Ashe; Caspar Davis; Chantal Brodeur; Christine Morissette; Erik Solbakken; Gillian Lawson; Jan Klizs; Jay Nefsky; Jessica Sluymer; Jo Anna Hope; John and Vanessa Dingley; Miranda Worthy; Norman Spector; Sandy Jones; Steve Williams; Strata 303; Paul Lecavalier; [redacted]; megan bermand; Ken Bailey
Subject: 1475 Fort Street

This letter is a follow up to a letter sent February 10, 2020 by our then Strata Chair, Christine Morissette, expressing concerns about the above-mentioned development.

Our concerns remain the following:

- **LACK OF CONSULTATION**
  From the beginning, there has been poorly conceived community consultation on the part of the developer and architects. We realize that a variance request does not oblige the developer to consult with surrounding neighbours, however in this case the developer/architects have repeatedly presented themselves as having sought feedback from the community. That is simply not the case. No one in our strata, or the strata next door at 1019 Pemberton Road received the letter purported to have been distributed for an open house on March 24, 2019. Subsequent requests to see a copy of that letter and a distribution list have been ignored. At the January 22, 2020 meeting of the ADP, in reply to a question from the panel asking about the feedback so far from neighbours, the developer completely misrepresented the situation by stating that the feedback had been very positive. In fact, no feedback had ever been solicited from us. After hearing of the proposed development from a third party, **we requested** a meeting with the developer/architect which was held on March 5, 2020.
- **EXCESSIVE VARIANCE REQUESTS**
  The proposed plan asks for substantial variances on all four sides plus a height variance. We see this request as an overreach. Our understanding is that variance requests deal with minor changes but the proposed changes are anything but minor. The site coverage of the current building is 30% and the proposed plan calls for a 46.9% site coverage. The result is a massive rebuild with significant loss of privacy to strata homeowners to the south and an unfortunate loss of mature trees in the area. Although the architects acknowledged these facts during the March 5 meeting, their only response was a seeming willingness to add more shrubbery.
- **NON-COMPLIANCE WITH GUIDELINES**
  The current development plan does not comply with Section 1.6 of the **City of Victoria Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012 (updated December 2019)** which require that privacy issues be addressed and that a stepped transition be employed between two zones when one is a multi-unit.
- **LOSS OF TREES**
  Visitors to our city always remark on our magnificent trees. The City even has an Urban Forest Master Plan. We know as a society how important it is to maintain our tree canopy. This proposed development would lead to the loss of 11 mature trees with the consequent loss of habitat, visual beauty, and sound barrier. This is not in keeping with our city's image or the best interests of the neighbourhood.

We acknowledge the need for rental housing in Victoria. This development was originally billed as offering some low rental units but, along the way, that feature has been abandoned. The result is that the residents of the 11 current low rental units will be displaced to allow for 32 units to be rented out at market rates.

The developer in question did a fine job of renovating an adjacent building on the property and the plans for this building appear to include attractive materials. The existing building on this site is in poor shape and we have no objection to a new building being erected in its place. However, we feel that any new building should be one where only minor variances are required, not the major ones being sought in this project, and where the transitions between this building and its neighbours are as outlined in the current city guidelines.

We wish to extend an invitation to the Mayor and Councillors to visit our strata to see the proposed development from our vantage point.

Gillian Lawson
Chair, Strata 303
949 Pemberton Road

Pierre-Paul Angelblazer

From: Alec Johnston
Sent: May 26, 2020 8:53 AM
To: Pierre-Paul Angelblazer
Subject: FW: Proposed Development at 1475 Fort Street

Additional correspondence for 1475 Fort.

Thanks,
Alec

-----Original Message-----
From: Sandra Jones <[redacted]>
Sent: May 20, 2020 7:13 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; bisett@victoria.ca; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; inquiries@lanprop.com
Cc: Strata 303 <[redacted]>
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the proposed design affecting the adjacent community.
A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
#6 -949 Pemberton Road

Katie Lauriston

From: Alec Johnston
Sent: May 25, 2020 8:42 AM
To: Victoria Mayor and Council
Cc: Katie Lauriston
Subject: FW: Redevelopment of 1475 Fort Street

From: Russ Scruggs [redacted]
Sent: May 20, 2020 3:24 PM
To: Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Lisa Helps (Mayor) <LHelps@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; cthorton-joe@victoria.ca; Alec Johnston <ajohnston@victoria.ca>
Cc: inquiries@lanprop.com
Subject: Redevelopment of 1475 Fort Street

To the Mayor and Victoria city Councillors,

We are residents of 1019 Pemberton Road strata.
It was recently brought to our attention by our neighbours to the south; 949 Pemberton Road that Lantern Properties of Vancouver has put forward a proposal to demolish the building; 1475 Fort Street and build a new rental property.
As owners of one of the 9 Units of Strata VIS 740 we have concerns with the proposed new development as the proposed new structure will be a significant expansion of both footprint and height of the building.

- R3-AM2 maximum site coverage for the main building is 30%; the proposed building would cover 46.9%.
- R3-AM2 maximum height is 12 meters (39.5 ft); the proposed building would be 14.39 meter (47 ft) high;
- R3-AM2 setback is one half of the building height, i.e. 7.2 meters (23’7”); the proposed building would be 3.6 m (12 ft) from our property line.

As for the process itself; there has been a lack of transparency and sharing of information with the two stratas who will be grossly impacted.
Lantern Properties has claimed that notices were distributed to the two neighbouring stratas but the owners of the units of both stratas have all said this is not the case.

The current structure is indeed in need of replacement but this new building will be in short an overbuild relative to the site, neighbours, blue sky and it will displace the current residents living there; VIHA assisted individuals.
The current council is looking for ways to "densify" the city with affordable rental units but this is not the way to achieve that means.
The new building footprint will result in the removal of a green belt of trees needed for reduction in sound and sight for neighbours; quality of daily life in the area.
We trust the city council and city planners will challenge this redevelopment as it currently stands relative to the proposal documents on the city site.

Regards,
Candace and Russ Scruggs

Katie Lauriston

From: Alec Johnston
Sent: February 11, 2020 8:55 AM
To: Katie Lauriston
Subject: FW: proposed development at 1475 Fort Street

For the file. DPV No. 00120.

Thanks,
Alec

From: Strata 303 [redacted]
Sent: February 10, 2020 2:48 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted]; Paul Lecavalier [redacted]
Subject: proposed development at 1475 Fort Street

Dear City of Victoria Council members,

I'm writing to you as Chair of Strata 303, located at 949 Pemberton Road. I'm writing on behalf of our 16 homeowners regarding the development of a 33 unit apartment building proposed for 1475 Fort Street. Our strata complex is located immediately behind the proposed development site. We understand that the developer submitted a Development Permit Application in June 2019. However, we were unaware of the proposed development until this month, February 2020, when a member of the City's Advisory Design Committee advised one of our homeowners about the project.

I'm writing to express the concern of all our homeowners regarding the lack of consultation for this development, the variance of setback for the building, and the difficulty of obtaining a meeting with the developer to look at the architectural plans and drawings.

When we contacted the project manager of Lantern Properties for a consultation, they insisted we had already been consulted, even though not one of our 16 homeowners has been approached. We have since learned that a neighbouring strata that also borders the development site was not consulted. The proposed development will have as much impact on that strata as it will on ours. Is that why we were never consulted, but residents of St. Charles, who do not border the development, were?

A Strata 303 representative has contacted the project manager on several occasions, only to receive delay tactics, today finally culminating in the offer to meet during the last week of this month. Representatives from both stratas have a desire to attend this meeting, though coming so late in the process, it is neither transparent nor timely.

One of our greatest concerns about the proposed development is the request for a variance of setback from 20 feet to ten feet to the property line of our homeowners. This will have a significant impact on strata owners whose units open to to the development site. Construction noise and debris will find its way to the front yards of homeowners, and the variance of setback will permanently affect the privacy of these same units. The variance, if approved by

Council, will be entirely to the advantage of the developer, and entirely to the disadvantage of the homeowners whose units have been in place for 45 years.

We are asking Council to advise us at what stage in the process the Development Permit Application sits, and how we, as the homeowners most affected by the development, can best provide our feedback. We await your response.

Christine Morissette, Chair
Strata 303

From: Sandra Jones [redacted]
Sent: May 20, 2020 7:12 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); bisett@victoria.ca; Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]
Cc: Strata 303
Subject: Proposed Development at 1475 Fort Street

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 Fort Street proposed development by Lantern Properties.

I appreciate the need for and focus on more rental units. However, this should not be at the expense of and disadvantage to homeowners in surrounding properties. In line with
that these are the points to be addressed:

- The proposed development, which is considerably larger than the existing building, would result in a significant loss of privacy to units bordering this development due to the increased height and close proximity to
the property line. There would only be 12 feet between our border and their four storey building. There has been lack of consultation, lack of transparency, and lack of concern for the impact and consequences of the
proposed design affecting the adjacent community.
A more thorough process in examining the facts, and more rigorous public consultation and review for these consequences to homeowners is needed.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is needed. Some of the trees are over 60 feet in height. The proposed building plan would destroy these trees
and only allow for very small trees to be planted as the area allotted is much smaller and would never allow for large tree regrowth.

- The use of the variance process by this developer needs to be questioned. Variances this extreme demand a very different process. It is my understanding that a variance is there to deal with existing acceptable
community development without major changes to that. A re-zoning application would have been more appropriate to a building design with such variances.

I want to be reassured that Mayor and Council is committed to upholding the integrity of this neighbourhood. We need you to work with us. We need to work together to maintain the beauty of this neighbourhood
and living conditions including privacy of its residents.

I hope the deeply held values for communication, community engagement and consideration, environmental preservation, and working together are upheld and developed when considering this proposal.

Sandra Jones
[redacted]

From: Carolina Ashe [redacted]
Sent: May 25, 2020 4:06 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted] Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: Strata 303 [redacted] Gillian Lawson [redacted] brodeurc [redacted] Carolina Ashe [redacted] Vanessa Dingley [redacted] Lorena and Caspar [redacted] Bill Stroll [redacted] Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill McKechnie [redacted] Dave McWalter [redacted] 'Jessica Sluymer' [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted]
Subject: 1475 Fort Street Proposal - tree loss

Dear Mayor and Council,

Attached please find a letter for your consideration at the Committee of the Whole meeting on May 28, 2020, regarding the proposed development at 1475 Fort Street.

Thank you,

Carolina Ashe and Alan Morton

Dear Mayor and Council,

We have each written previous letters expressing concerns about the development at 1475 Fort Street. This letter specifically addresses the irreversible damage that will result from the removal of 11 trees to accommodate the extreme variances requested for this proposed development.

To the left is a photograph of three Big Leaf Maples, standing approximately 50 feet tall. These magnificent trees are among those slated for removal, should the building permit be granted. They are a vital part of an urban ecosystem supporting a surprising number of birds, which we have identifited year after year:

American Robin	House Finch
Anna's Hummingbird	Hutton's Vireo
Bewick's Wren	Merlin
Brown Creeper	Northern Flicker
Bushtit	Purple Finch
Chestnut-backed Chickadee	Rose-breasted Nuthatch
Cooper's Hawk	Spotted Towhee
Dark-eyed Junco	Song Sparrow
Downey Woodpecker	Stellar`s Jay
Fox Sparrow	Varied Thrush
Golden-crowned Sparrow	White-crowned Sparrow

Where will the birds go if these trees are removed? There is a disturbing pattern of sacrificing trees for densification, as one urban ecosystem after another is felled for townhouse and apartment developments, pushing the birds that depend upon the trees to compete for ever-shrinking habitat. In addtiion to habitat loss, the carbon sequestration, water-filtering, and benefit to people that these large trees provide cannot be replicated by patio shrubs or tiny saplings.

We understand the need to create homes for all. We do not understand why it is taking place at the expense of the environment. It *is* possible to find a balance. Victoria is at risk of losing the natural surroundings that have contributed to its reputation as a uniquely beautiful and livable city.

We ask that your decision reflect not only the viewpoints of the developer, but also those who love Victoria and call it "home" .

Sincerely,

Carolina Ashe and Alan Morton

From: Grace Golightly [redacted]
Sent: May 22, 2020 12:00 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Re: 1475 Fort Street

Dear Mayor and councillors,

From what I understand, creating underground parking, which is bigger than the building envelope, is expected to "necessitate" removing a number of these mature trees during development of this site.

I greatly appreciate the City's focus on planting more trees, and encouraging homeowners to do so as well. However, with climate change breathing down our necks, retaining the mature trees we already have would actually do us more good right now.

This area is very walkable and bikeable, with easy access to transit. There is really no good reason to sacrifice mature trees, merely to allow cars to sit underground at this site. It is simply what has become normal. But it is well past time to come up with a new normal.

These trees provide incredible eco-services (oxygen, carbon sequestration, air purifying, reducing floodwater, etc.) as well as beauty that raises people's spirits and reduces their stress levels. Saplings cannot come anywhere close to providing the same things -- and won't, for decades.

Car shares could be made available instead of some of the parking. There are many tenants or buyers who would be interested in the proposed units, even without the parking.

I understand there is also concern about some of the remaining tenants, and that they may not be protected by normal rental protections. I believe you are all caring people who would not want to see vulnerable people destabilized or made homeless in this situation. I hope they are given time and support to find equally supportive and affordable housing.

Sincerely,
Grace Golightly

From: Vanessa Dingley [redacted]
Sent: May 21, 2020 12:58 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted] Gillian Lawson [redacted] cmorissette [redacted] brodeurc [redacted] Carolina Ashe [redacted] vdingley [redacted] Lorena and Caspar [redacted] johope66 [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] alanmorton61 [redacted] Ken Bailey [redacted] megan bermand [redacted] Bill McKechnie [redacted] Steve Williams [redacted] McWalter [redacted] Jessica Sluymer [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted]>; rscruggs56 [redacted] Bill Stroll [redacted] Barbara Bolli [redacted]
Subject: 1475 Fort Street Development Permit Application

We are resident owners of one of the 16 townhouses at 949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. We recognize that the existing building on that site needs replacement so we do not oppose redevelopment. We appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, we do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, we are concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – we understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so we will not reiterate all of these concerns. But we do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were both told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

- **3. Request for Excessive Variances and Need for Buffer Zone Between Properties**:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and

setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement; and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit the developer, and this is most unjust. Apparently, the height variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings, and could negatively affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties. We are concerned about the unnecessary loss of existing trees. We also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

We request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:

-- The lack of consultation with us at an appropriate time in the planning and design process;

-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

- We hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Vanessa and John Dingley
[redacted]

From: Nancy Macgregor [redacted]
Sent: May 21, 2020 4:42 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Development application 1475 Fort Street

Dear Mayor Helps and Councillors,

I began my concern about this development with the need to protect trees in Victoria. On this site are ten mature trees that will be removed. Only two of these trees qualified as protected when this application first came to the city, but since that time seven tree would fit that category. Most of the trees being removed are along the western boundary of the property, shared by the neighbour. Large big leaf maples, red cedar and European Ash grace the edges, and on the east Hawthorn and Maple. These trees will be removed in order to allow for underground parking which extends outside the building envelope.

While parking spaces have been decreased due to a walking distance to the city centre and a great bus service on Fort and Yates St, and bike spaces with a heated bike room for repairs incorporated on site, more could be done.

Diminishing the tree canopy here is a sad loss not just to tenants of this apartment but to neighbours and to the tree canopy of the city. Fort St. lost a significant number of mature, diverse and exceptional trees in 2019 at 1201 Fort St.

With each development we are chipping away at the urban forest that makes this city unique and prepares us for climate change days ahead. Hearing the birds again is a lesson from Covid 19, not to be forgotten.

By offering shares in a car share company or investing in the eco pass bus pass program, less parking would be needed, saving more trees. The city could also improve the regulations around how many cars we need per unit of housing.

My greater concern is about the human family, the tenants of 1475 Fort St. housed by VIHA, some waiting for alternate housing to be found, since this lease to VIHA has expired. There is also a current lease by VIHA at 1471 Fort St, a building owned by the same developer.

This is an issue that needs Provincial work, to house the vulnerable in our society. But at present , we have a situation that adds stress to people who deserve to have a place of healing, a home, that does not require them to move on until they can do so with confidence. For that reason, I request that the Mayor and Council delay this development until VIHA is able to find appropriate housing for these citizens, and that they may know that their tenancy is secure. In this time of Covid 19, Bonnie Henry asks us to "be calm, be kind, and be safe". Let us heed her words and take our time to recover. We may expect a 2nd wave of this pandemic. Let us not impose more stress on our health care workers, and those seeking stability and a safe home.

Thank you for your consideration, Nancy Macgregor

From: Jo Anna Hope [redacted]
Sent: May 21, 2020 8:00 AM
To: Alec Johnston <ajohnston@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; [redacted] Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Lisa Helps (Mayor) <LHelps@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>
Subject: Fwd: 1475 Fort Street Development Permit Application

Dear Mayor and Council,

I reside at #15-949 Pemberton Road, a complex immediately south of the site at 1475 Fort Street, where a Development Permit Application has been submitted to the City. I recognize that the existing building on that site needs replacement so do not oppose redevelopment. I appreciate the fact that Lantern Properties quite recently greatly improved the adjacent property at 1471 Fort Street with landscaping, etc., thereby enhancing the neighbourhood.

However, I do have several serious concerns about this proposal:

1. Loss of low-income rental housing:
While recognizing the great need in general for rental housing in Victoria, and for higher densities along transportation corridors, I am concerned that low-income rental is going to be lost. If this cannot be replaced by new low-income rentals, it should at least be focused on the needs of moderate-income tenants – I understand that some of the excessive variances requested (see below) are related to marketing to higher-income renters.

2. Procedural Issues/Lack of Consultation:

- Previous correspondence from residents of 949 Pemberton has addressed the serious problem of the lack of consultation with us so I will not reiterate all of these concerns, but I do find particularly egregious the fact that both the Advisory Design Panel and the Rockland Neighbourhood Association were told that there had been consultation with neighbours when in fact this was only with a very select few neighbours on St. Charles Street, while those of us at 949 Pemberton were completely unaware of the development proposals, and it was pure coincidence that we found out about it through Pam Madoff, a member of the ADP, in January! Since we, and those at 1019 Frewing Lane, are the most directly impacted – this is completely unacceptable and the process needs to be reviewed and improved.

3. Request for Excessive Variances and Need for Buffer Zone Between Properties:
The overall look of the proposed building, quality, use of materials, etc., seems pleasant enough, but it needs to be substantially scaled back with regard to site coverage, building height and setbacks because the variances requested give it too large a footprint for the site and would allow it to seriously impinge on us as neighbours. *The whole point of having established requirements for setbacks is surely to protect neighbours from such impingement, and the reasons for height limits are similarly to protect neighbours.* While a small modification in these requirements to accommodate a particular need might be acceptable (as was the height variance requested and approved for 1016 Pemberton Road a few years ago), the *scale* of the variances requested in this case makes a mockery of the setback regulations! Why have regulations if they are going to be so wantonly over-ridden? If approved, they would be completely over-riding the neighbours' quality of life for the sole benefit of the developer, and this is most unjust. Apparently, the height

variance is being requested to accommodate high ceilings for the higher-end market – really not acceptable if it negatively affects the neighbours.

We do not agree with the architects' claim that this building would provide a sensitive transition between the larger buildings on Fort Street and the residential area to the south because the massing of the building is simply too great on the south side, especially if it were to be so close to the boundary—12 feet, I understand. Perhaps stepped-back levels of the proposed building might make it more acceptable to those in the two-storey townhouses so close by? That would provide a much better transition. The current proposal creates serious privacy issues for neighbours in the existing dwellings and would most likely have a negative affect their property values.

The current proposal would also make necessary the removal of several existing mature trees which create a much-needed buffer zone between the two properties and provide habitat for many species of bird and other small beings. I am concerned about the unnecessary loss of existing trees. I also feel very strongly that if there is to be infill which increases density in a historic neighbourhood such as this, there must be compensating buffer zones – this seems to be a fundamental component of good urban design. A properly landscaped buffer zone would benefit the residents of the proposed building as well as the residents of 949 Pemberton and 1019 Frewing Lane.

CONCLUSION:

I request that the Committee of the Whole give this proposal serious and careful scrutiny, bearing in mind:
-- The lack of consultation with us at an appropriate time in the planning and design process;
-- The truly excessive variances being requested which, if approved, would negatively impact the neighbours at 949 Pemberton Road.

I hope that you will request that the proposal be re-submitted with a revised design at a reduced and more appropriate scale, without excessive variances, and providing landscaping as an effective buffer zone between our properties.

Thank you for your consideration.

Jo Anna Hope
[redacted]
--

PLEASE NOTE, my new email address: [redacted]

From: bmckechnie41@gmail.com <bmckechnie41@gmail.com>
Sent: May 21, 2020 1:03 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>
Cc: 'Strata 303' 'Gillian Lawson' 'brodeurc' 'Carolina Ashe' 'Vanessa Dingley' 'Lorena and Caspar' 'Jo Anna Hope' 'Miranda Worthy' 'Sandy Jones' 'Alan Morton' 'Ken Bailey' 'megan bermand' 'Bill McKechnie' 'Dave McWalter' 'Jessica Sluymer' 'Jan Klizs' 'Bob June' 'Paul Lecavalier'
Subject: Variance request 1475 Fort St

Dear Mayor and Council

- I live adjacent to the north property line of the proposed development at 1475 Fort St. I only became aware of the proposal recently while talking to my neighboring strata owners.
- The existing 3 story building (which is to be replaced) has a rear yard setback of approximately 50ft. The proposal in question calls for a four story building with a setback of only 12ft. to our property line.
- No amount of hedging or visual barrier will prevent the 3rd or 4th story occupants of the new building from looking directly into our backyard/windows, nor will it reduce the inevitable noise from the apartments particularly during the summer months when windows and balcony doors are open
- In my opinion this project is a huge overreach for the size of the lot and involves clearcutting the whole project site. It makes sense that the development be commensurate with the size of this panhandle lot.

I appeal to Council to take the appropriate steps when reviewing this project to ensuring the project is aligned with current zoning, with perhaps minor changes, instead of the major variances being requested
Thank you,
B. McKechnie

From: Barbara Bolli [redacted]
Sent: May 21, 2020 2:15 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca[redacted]
Cc: 'Strata 303' [redacted] 'Gillian Lawson' [redacted] 'Christine Morissette' [redacted] 'Chantal Brodeur' [redacted] 'Carolina Ashe' [redacted] 'Vanessa Dingley' [redacted] 'Caspar Davis' [redacted] 'Bill Stroll' [redacted] 'Jo Anna Hope' [redacted] 'Miranda Worthy' [redacted] 'Sandy Jones' [redacted] 'Alan Morton' [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill [redacted] 'Steve Williams' [redacted] 'Jessica Sluymer' [redacted] 'Jan Klizs' [redacted] 'Bob June' [redacted] 'Paul Lecavalier' [redacted] 'Russ Scruggs' [redacted]
Subject: 1475 Fort St: Proposed Development Application

Mayor and Council:

I am a resident of a strata on 949 Pemberton Rd which borders a proposed development at 1475 Fort St. Much correspondence, including my own letter of February 12, 2020, has been written to Mayor and Council expressing strong concerns with this proposed development, the conduct of the developer and the very inadequate process in which it is being reviewed. As such, I will not repeat these concerns here. I do, however, want to strongly recommend that in order to demonstrate that a fair and reasonable assessment of this proposed project is undertaken, the Committee of the Whole needs to ensure the following:

- **That the project is in keeping with current zoning bylaws**
- **That it is aligned with relevant sections of *2012/2019 Design Guidelines* and NOT the dated *1981 Advisory Design Guidelines for Buildings, Signs, and Awnings* which has been referenced in respect to the proposal for 1475 Fort Street**
- **That the Advisory Design Panel is directed to reassess the development plans given that the developer misled the ADP when it advised the panel that neighbours response to the project was "positive" when the strata complexs at 949 and 1019 Pemberton Rd had not been made aware of the project by the developer**
- **That a thorough analysis of the implications of the project with respect to parking is undertaken as there is limited parking available at the proposed apartment complex and a dearth of parking in the neighbourhood**
- **That the arborist's impact assessment report is updated to reflect the scaled-up project design**
- **That there is clear demonstration of meaningful/tangible consideration of and response to concerns/input of neighbours**

- **That an onsite visit is conducted to understand the real on-the-ground impacts of this project**
- **That there is clear demonstration that the costs of this project through loss of privacy, increased noise, decreased property values, significant tree and habitat loss and adverse impacts to the general ambiance of the neighbourhood through the erection of an oversized building on too small a lot is <u>NOT</u> born by adjacent neighbors**

Consider this as the committee's due diligence check list as the proposal application is reviewed. I look forward to reviewing the Committee's response to the application and its consideration of this check list. If followed, I am confident that the Committee will support the construction of a building that complements the neighbourhood rather than erodes it.

Sincerely,
Barbara Bolli

From: Paul Lecavalier [redacted]
Sent: May 19, 2020 10:47 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; cthorton-joe@victoria.ca <cthorton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; ajohnston@vistoria.ca <ajohnston@vistoria.ca>
Subject: Major concerns regarding 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 concern with the proposed apartment building development at 1475 Fort Street.

This proposed development, which is immediately to the North-East of our Strata lot, calls for the removal of a number of mature trees along the western and southern boundaries of the development lot. The removal of these trees will have a considerable negative impact on our Strata in that it removes a very effective visual and noise barrier between the two properties.

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

- I agree that new rental development at relatively high density is needed in Victoria and Fort Street is a good location for such development.
- The new building being proposed will be of good quality and will improve the overall character of the area.
- 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 negatively (views, noise etc.) and ultimately lower their property values.
- 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.
- If it is not possible to save these trees given the proximity of the new construction, then the developer and /or the City MUST PROVIDE a buffer area with the appropriate attenuation measures to compensate for the lost tree cover.
- This buffer area will benefit the medium density townhouse developments immediately adjacent (south and south-west) to the proposed development site and will benefit the eventual tenants of the new apartment building by providing much needed greenery.
- IT IS EXTREMELY IMPORTANT that the City always insist that such buffer areas be included in any redevelopment plans calling for the insertion of higher density developments into existing built-up areas. This will be crucial in getting neighbouring property owners to accept these new projects.

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 [redacted]

From: Janet Simpson [redacted]
Sent: May 20, 2020 10:33 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: re 1475 Fort Street (COW May 28th)

Dear Mayor and Council,

I would like to express my grave concerns over the proposed development on this site.

There is currently an apartment building here that could accommodate many renters. Demolishing it and hauling all the materials off to the landfill should be the last resort. The site is large enough for an addition to provide more accommodation.

But the current proposal is to tear everything down and build something which unreasonably exceeds what is permitted by the zoning. In fact, the excess and the impact on neighbours warrants a rezoning.

The ask for a 17% increase in site coverage (especially in what is a panhandle situation), and a reduction of 100% of the setbacks is basically a request to take down every significant tree on the property. Many of these trees are Big leaf maples and Wester red cedars. They are all at least 60-70 feet high. Eleven of these trees would be removed.
This would be an unconscionable violation of the City's expressed intent to protect and enhance our tree canopy. These trees are on the perimeter of the property and, with the appropriate and necessary adherence to the site coverage and setback regulations, would not interfere with the development of the site.

Sincerely,
Janet Simpson

[redacted]

From: Carolina Ashe [redacted]
Sent: May 20, 2020 7:20 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>
Cc: [redacted] brodeurc [redacted] Carolina Ashe Vanessa Dingley [redacted] Lorena and Caspar Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton Ken Bailey [redacted] megan bermand McKechnie [redacted] Dave McWalter [redacted] Jessica Sluymer Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted] Russ Scruggs [redacted]
Subject: 1475 Fort Street building proposal

Dear Mayor and Council,

On February 25, 2020, I sent you a letter expressing initial concerns with a development proposal at 1475 Fort Street, which abuts 949 Pemberton Road, where I live. In my previous letter, I mentioned my concerns about lack of consultation and transparency on the part of the developer. In spite of a meeting with the developer (initiated by a resident of 949 Pemberton Road), along with a follow-up email, the developer continues to show no interest in addressing concerns brought forward by residents.

Following are additional concerns:

Design guidelines: 1981 vs 2019

- It is my understanding that the 1981 *Advisory Design Guidelines for Buildings, Signs, and Awnings* has been referenced in respect to the proposal for 1475 Fort Street.
- These antiquated guidelines are cursory, incomplete, and do not address what can be expected in a new build for 2020.
- The *Design Guidelines for: Residential, Commercial and Industrial, 2012/2019 (2012/2019 Design Guidelines)*, supersede the 1981 guidelines and provide much more comprehensive and current direction for transition between the two zones. Sections 1.1, 1.2, 1.5 and 1.6., in particular, are applicable to this proposal.
- It is reasonable to expect that the *2012/2019 Design Guidelines* will be referenced in the review of this application.

Impact of variances on properties bordering 1475 Fort Street

- The current site plans show the view of the building from the perspective of passers-by on Fort Street.
- The view is very different for neighbours living on the other sides.
- Residents at 949 Pemberton Road will no longer see the sky and trees when they step outside their back doors. Instead, they will be confronted with a massive wall, 12 to 13 feet from the property line, and reaching more than 40 feet above them.

- With the removal of mature trees, the residents of both 949 and 1019 Pemberton Road will have no visual or sound buffer from this large block-shaped building that will virtually fill its entire lot.
- It is difficult to put into words the detrimental ecological impact of the removal of mature trees which stand at the border between 1475 Fort Street and other properties, not to mention the loss of visual and sound buffer that these trees provide.

Parking

- The proponent is requesting a variance which will reduce the number of required parking stalls from 45 (for residents and visitors) to 26. While bicycle parking stalls will be available, it cannot be assumed that all occupants of the building, as well as their visitors, will not own cars.
- There is already a dearth of on-street parking in the neighbourhood. One of the nearest possibilities, Pemberton Road, is already congested with parked cars on both sides.

Summary

I understand that there is a shortage of rental apartments in Victoria and am not opposed to a new rental building replacing the old one at 1475 Fort Street. However, this proposal presents a case of extreme overreach in an apparent attempt to squeeze as many profitable, market rental units as possible into a small parcel of land, regardless of cost to surrounding neighbours, and to the environment.

What I am asking for

- I am asking that you apply whole systems thinking in your review of this development. Please consider not only the economic goals of the developer, but also the social, environmental and economic impacts of this development on the entire neighbourhood.
- Please visit the building site. See for yourself what the impact of this proposed building will be if the requested variances and removal of trees are approved.
- Please talk to the residents who have spent many hours researching this situation and reaching out to you.

I am trusting that if you do these things, you will ask the proponent to redraw plans that:

- are in keeping with current zoning bylaws, with only minor variances, if any;
- are aligned with relevant sections of *2012/2019 Design Guidelines*; and
- address and incorporate the concerns of neighbours who have been, and continue to reach out to the City and to the proponent.

Thank you,

Carolina Ashe
[redacted]

From: Bill Stroll [redacted]
Sent: May 20, 2020 1:54 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted] Gillian Lawson [redacted] Christine Morissette [redacted] Chantal Brodeur [redacted] Ashe [redacted] Dingley [redacted] Caspar Davis [redacted] Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton [redacted] Ken Bailey [redacted] megan bermand [redacted] Bill [redacted] Steve Williams [redacted] Jessica Sluymer [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted] Russ Scruggs [redacted]
Subject: Proposed development at 1475 Fort Street Follow Up

Dear Mayor and city councillors

I wrote to you February 13 regarding my concerns of the proposed Lantern Properties development at 1475 Fort Street. In that email I noted a lack of information and consultation, and questionable variances the developer had proposed. Although a meeting did take place between Strata 303 owners, the Rockland Neighbourhood Association and Lantern Properties these matters still remain troublesome.

Despite zoning bylaws, the new structure would occupy almost 50% of the site, up from the current 30% and that the setback, with the height addition of another storey would only be a couple of feet from our property line. Furthermore, there will be a loss of affordable housing as all units will be available only at market value. I request council insist on public consultation before this redevelopment moves forward.

Bill Stroll
[redacted]

From: Alan Morton [redacted]
Sent: May 20, 2020 11:18 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: Strata 303 [redacted] Gillian Lawson [redacted] Christine Morissette [redacted] Chantal Brodeur [redacted] Carolina Ashe [redacted] Vanessa Dingley [redacted] Caspar Davis [redacted] Bill Stroll [redacted] Jo Anna Hope [redacted] Miranda Worthy [redacted] Sandy Jones [redacted] Alan Morton [redacted] Ken Bailey [redacted] megan bermand [redacted] Bill [redacted] Steve Williams [redacted] Jessica Sluymer [redacted] Jan Klizs [redacted] Bob June [redacted] Paul Lecavalier [redacted] Russ Scruggs [redacted]
Subject: 1475 Fort Street

Dear Mayor and Council:

As one of the residents of 949 Pemberton Road I have some concerns with the proposed redevelopment at 1475 Fort Street, which is adjacent to my townhome complex.

While the lack of consultation has been frustrating, I find the misrepresentation and lack of transparency regarding ultimate goals to be very concerning. There seems to be a steady shift of goal posts in what is being asked for.

From the time of the BC Land Surveyors site plan and Arborists' report the proposal has gone from:
- 12.9m to 14.39m in height
- 28 market rentals and 4 affordable units to all 32 market rental
- 26 resident parking underground and 3 grade level to all underground in order to ask for a front setback variance of just under 2m as opposed to 10m

The initial letter to council from the developer in June 12, 2019 stated that 1475 Fort is significantly lower than 949 Pemberton and that they are providing a "sensitive transition" between the R1 and R3 zoning. There is a grade difference but it is only 6 feet. Therefore, the proposal for a building face that is 13 feet from and 41 feet above the adjoining property line would seem to be in opposition to the concept of a transition as outlined in the Design Guidelines-Multiuse Residential Commercial Industrial, 1.6.1 and 1.6.2.

I feel that the lack of transparency, unwillingness to work with the community to address concerns, and the desire to push through massive variances despite zoning bylaws and Design Guidelines will cloud future interactions with this developer and architect.

Alan Morton
[redacted]

From: Christine Morissette [redacted]
Sent: May 19, 2020 3:46 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]
Cc: Strata 303; Gillian Lawson; Christine Morissette; Chantal Brodeur; Carolina Ashe; Vanessa Dingley; Caspar Davis; Bill Stroll; Jo Anna Hope; Miranda Worthy; Sandy Jones; Alan Morton; Ken Bailey; megan bermand; Bill; Steve Williams; [redacted] Jessica Sluymer; Jan Klizs; Bob June; Paul Lecavalier; Russ Scruggs
Subject: 1475 Fort Street development

Dear Mayor and Council:

We are homeowners who live adjacent to a proposed development at 1475 Fort Street. We are writing to express our concerns regarding three aspects of this development:

1. The request for significant variances on size and height of the new building

The existing building on this property takes up 30% of the area, whereas the new building is slated to take up nearly 50%, as well as an additional story in height. This will place the new building within two meters of our strata's boundary fence, and along with one more story, will significantly reduce the privacy of our units that face the fence. The variances requested will also necessitate the removal of eleven mature trees, greatly reducing the urban canopy for which this neighbourhood is known.

2. The lack of consultation with adjacent property owners

At no time were any of the 16 homeowners at 949 Pemberton Road ever informed about or consulted on this development by the developer. It is our understanding that this consultation is required by the City of Victoria. To add insult to injury, the developer continues to insist that we all were, in fact, consulted.

3. The loss of affordable housing, particularly for vulnerable citizens

When this development was first proposed, it was implied there would be some affordable housing to meet the City's current needs. While we applaud the commitment to rentals, we now understand they will be available only at market value. Furthermore, the current building housed people with mental health conditions overseen by VIHA. So in the stroke of a pen, the new development will prevent low income and other vulnerable citizens from accessing housing at this location.

We trust that going forward, the considerations of adjacent property owners will play a role in the approval process for the development at 1475 Fort Street.

Christine Morissette and Chantal Brodeur
[redacted]

From: Miranda Worthy [redacted]
Sent: May 19, 2020 12:18 PM
To: Barbara Bolli [redacted] Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; [redacted]
Cc: 'Strata 303' [redacted] 'Gillian Lawson' [redacted] 'Christine Morissette' [redacted] 'Chantal Brodeur' [redacted] 'Carolina Ashe' [redacted] 'Vanessa Dingley' [redacted] 'Caspar Davis' [redacted] 'Bill Stroll' [redacted] 'Jo Anna Hope' [redacted] 'Sandy Jones' [redacted] 'Alan Morton' [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill [redacted] 'Steve Williams' [redacted] Sluymer' [redacted] 'Jan Klizs' [redacted] 'Bob June' [redacted] 'Paul Lecavalier' [redacted] 'Russ Scruggs' [redacted]
Subject: RE: 1475 Fort Street: Proposed Development

Good afternoon,

The below email thread has been forwarded for the Property Owner's review and action.

If I can be of further assistance or you have questions, please let me know.

COVID -19 Announcement Updated April 29,2020:

Please be advised, our **office is open** for business at regular hours (9-5 M-F) with measures in place as per the recommendations of government and health authorities. Our staff continues to self-isolate as much as possible, on a rotating schedule for office hours. Many of us are still working remotely, but checking our emails regularly and available. Emergency calls (250-478-9141) will continue to be answered after hours.
Any **maintenance** requests which are non-emergent will be deferred until further notice, pending availability of contractors.

We remain deeply grateful for the positive, understanding and cooperative spirit we have encountered to date.

~ Stay safe, stay health and if you can stay home ~

Sincerely,

Miranda A. Worthy
[redacted]

IMPORTANT NOTICE!
This email is confidential, may be legally privileged and is for the intended recipient only. Access, disclosure, copying and distribution or reliance on any of, by anyone else is prohibited and may be a criminal offence. Please delete if obtained in error and e-mail confirmation to the sender.

From: Barbara Bolli [redacted]
Sent: May 19, 2020 12:16 PM
To: mayor@victoria.ca; jloveday@victoria.ca; sdubow@victoria.ca; bisitt@victoria.ca; spotts@victoria.ca; gyoung@victoria.ca; cthornton-joe@victoria.ca; malto@victoria.ca; ajohnston@victoria.ca; [redacted]
Cc: 'Strata 303' [redacted] 'Gillian Lawson' [redacted] 'Christine Morissette' [redacted] 'Chantal Brodeur' [redacted] 'Carolina Ashe' [redacted] 'Vanessa Dingley' [redacted] 'Caspar Davis' [redacted] 'Bill Stroll' [redacted] 'Jo Anna Hope' [redacted] Miranda Worthy [redacted] 'Sandy Jones' [redacted] 'Alan Morton' [redacted] 'Ken Bailey' [redacted] 'megan bermand' [redacted] Bill [redacted] 'Steve Williams' [redacted] 'Jessica Sluymer' [redacted] 'Jan Klizs' [redacted] 'Bob June' [redacted] 'Paul Lecavalier' [redacted] 'Russ Scruggs' [redacted]
Subject: 1475 Fort Street: Proposed Development
Importance: High

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 revaluate 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
[redacted]

From: Norman Spector [redacted]
Sent: May 18, 2020 6:27 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor)
Cc: Alec Johnston; Peter Johanknnecht; Lantern Properties
Subject: Re: 1475 Fort Street

Dear Madam Mayor and Council:

I am writing in regard to the above development proposal by Lantern Properties.

While walking my dog, I have been observing a similar development in the neighbourhood at 1201 Fort Street by Abstract Development for well-nigh two years.

In this case, there have been regular traffic stoppages as construction vehicles have entered and exited the site; indeed, the lane closest to the sidewalk seems to have been taken over on a semi-permanent basis by the developer.

In the case of the proposed Lantern Properties development, Fort Street is significantly narrower at the driveway where construction vehicles would be entering and exiting the site for an extended period of time. Consequently, stoppages and blockages are a much more problematic issue.

Since Fort Street is a major traffic artery for public transit, cyclists and private cars--including for Camosun and U Vic students--I would hope you'd give serious consideration to the transportation issue in assessing the developer's proposal

Yours faithfully

Norman Spector

From: Strata 303 [redacted]
Sent: May 18, 2020 12:26 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; Lantern Properties [redacted] Peter Johanknnecht [redacted]
Cc: Alan Morton [redacted] Barbara Bolli [redacted] Bill McKechnie [redacted] Bill Stroll [redacted] Carolina Ashe [redacted] Caspar Davis [redacted] Chantal Brodeur [redacted] Christine Morissette [redacted] Erik Solbakken [redacted] Gillian Lawson [redacted]>; Jan Klizs [redacted] Jay Nefsky [redacted] Jessica Sluymer [redacted] Jo Anna Hope [redacted] John and Vanessa Dingley [redacted] Miranda Worthy [redacted] Norman Spector [redacted] Sandy Jones [redacted] Steve Williams [redacted] Strata 303 [redacted] Paul Lecavalier [redacted] megan bermand [redacted] Ken Bailey [redacted]
Subject: 1475 Fort Street

This letter is a follow up to a letter sent February 10, 2020 by our then Strata Chair, Christine Morissette, expressing concerns about the above-mentioned development.

Our concerns remain the following:

- **LACK OF CONSULTATION**

  From the beginning, there has been poorly conceived community consultation on the part of the developer and architects. We realize that a variance request does not oblige the developer to consult with surrounding neighbours, however in this case the developer/architects have repeatedly presented themselves as having sought feedback from the community. That is simply not the case. No one in our strata, or the strata next door at 1019 Pemberton Road received the letter purported to have been distributed for an open house on March 24, 2019. Subsequent requests to see a copy of that letter and a distribution list have been ignored. At the January 22, 2020 meeting of the ADP, in reply to a question from the panel asking about the feedback so far from neighbours, the developer completely misrepresented the situation by stating that the feedback had been very positive. In fact, no feedback had ever been solicited from us. After hearing of the proposed development from a third party, **we requested** a meeting with the developer/architect which was held on March 5, 2020.

- **EXCESSIVE VARIANCE REQUESTS**

The proposed plan asks for substantial variances on all four sides plus a height variance. We see this request as an overreach. Our understanding is that variance requests deal with minor changes but the proposed changes are anything but minor. The site coverage of the current building is 30% and the proposed plan calls for a 46.9% site coverage. The result is a massive rebuild with significant loss of privacy to strata homeowners to the south and an unfortunate loss of mature trees in the area. Although the architects acknowledged these facts during the March 5 meeting, their only response was a seeming willingness to add more shrubbery.

- **NON-COMPLIANCE WITH GUIDELINES**

  The current development plan does not comply with Section 1.6 of the **City of Victoria Guidelines for Multi-Unit Residential, Commercial and Industrial, July 2012 (updated December 2019)** which require that privacy issues be addressed and that a stepped transition be employed between two zones when one is a multi-unit.

- **LOSS OF TREES**

  Visitors to our city always remark on our magnificent trees. The City even has an Urban Forest Master Plan. We know as a society how important it is to maintain our tree canopy. This proposed development would lead to the loss of 11 mature trees with the consequent loss of habitat, visual beauty, and sound barrier. This is not in keeping with our city's image or the best interests of the neighbourhood.

We acknowledge the need for rental housing in Victoria. This development was originally billed as offering some low rental units but, along the way, that feature has been abandoned. The result is that the residents of the 11 current low rental units will be displaced to allow for 32 units to be rented out at market rates.

The developer in question did a fine job of renovating an adjacent building on the property and the plans for this building appear to include attractive materials. The existing building on this site is in poor shape and we have no objection to a new building being erected in its place. However, we feel that any new building should be one where only minor variances are required, not the major ones being sought in this project, and where the transitions between this building and its neighbours are as outlined in the current city guidelines.

We wish to extend an invitation to the Mayor and Councillors to visit our strata to see the proposed development from our vantage point.

Gillian Lawson
[redacted]

TRANSPORTATION PLANNERS AND ENGINEERS

MEMO

DATE: September 12, 2019
PROJECT NO: 04-19-0028
PROJECT: 1475 Fort Street
SUBJECT: Parking Study

TO: Josh Hayes, Lantern Properties Ltd
FROM: Simon Button, P.Eng.

1. INTRODUCTION

Lantern Properties Ltd is seeking to redevelop 1475 Fort Street (see **Figure 1**) into a 4-storey residential rental building. The project is seeking a development permit within the existing R3-AM-2 Zone. The building will contain 32 market rental units. The residences are supported by 26 vehicle parking spaces (24 for residents and 2 for visitors). This equates to a parking supply rate of 0.81 spaces/unit (0.75 spaces/unit for residents and 0.06 spaces/unit for visitors). The following memo presents our assessment of the suitability of the parking supply.

Figure 1: Site Location

2. BYLAW VEHICLE PARKING REQUIREMENT

The R3-AM-2 Zone requires 1.3 parking spaces per dwelling unit for dwelling units not subject to strata title ownership. This rate equates to 42 parking spaces for the proposed 32 dwelling units. This Bylaw rate is not consistent with current parking patterns and recent parking studies undertaken by the City of Victoria (2017 Off-street Parking Review).

3. SCHEDULE C PARKING REQUIREMENTS

If the proposed development were a rezoning, it would be subject to the parking requirements in Schedule C of the Zoning Bylaw No. 80-159. **Table 1** summarizes the minimum parking supply rates from Schedule C relevant for this study.

Table 1: Bylaw Minimum Vehicle Parking Supply Rates (Parking Spaces/Unit)

RENTAL APARTMENT SIZE	VILLAGE/CENTRE	OTHER AREA	VISITOR
< 45 m^2	0.60	0.75	0.1
45 m^2 < 70 m^2	0.70	0.90	
> 70 m^2	1.10	1.30	

The minimum parking rates are based on location. As shown in **Figure 2**, the site would fall into the 'Other Areas' category however it is almost across the street (30 metres) from the Stadacona Village area. Although the property is outside of the Village's Bylaw limits, as the properties surrounding the village (including the proposed site) redevelop, the geographic size of the village will likely expand to incorporate the development site. There is also no discernible difference in mobility access (walkability, cycling and transit opportunities) between the site and the village boundary 30 metres away. As such, Bunt views the Village/Centre minimum parking requirements be considered appropriate for the site.

Figure 2: Proximity to Off-Street Parking Sub-Areas

Table 2 summarizes the Schedule C minimum vehicle parking requirement for the two relevant location definitions.

Table 2: Schedule C Minimum Vehicle Parking Supply (Parking Spaces)

RENTAL APARTMENT SIZE	UNITS	RESIDENTS - *VILLAGE/CENTRE*	RESIDENTS - *OTHER AREAS*	VISITOR
< 45 m^2	5	3	4	3
45 m^2 < 70 m^2	27	19	24	
> 70 m^2	0	0	0	
TOTALS	**32**	**22**	**28**	**3**

The Schedule C vehicle parking requirement equates to 25 to 29 parking spaces depending on the chosen location (Village/Centre versus Other Areas). The proposed parking supply of 26 spaces is in the middle of this range.

4. RESIDENT PARKING DEMAND

Bunt previously researched vehicle ownership rates in market rental apartment buildings in the James Bay and Fairfield neighbourhoods. The data presented in **Table 3** was derived from three key sources of information:

- Vehicle ownership information acquired from ICBC;
- Data collected in the field during resident and visitor peak parking periods; and,
- Information gathered from building manager interviews.

Table 3: Market Rental Apartment Vehicle Ownership

NAME AND ADDRESS	STUDIO UNITS	1 BDR UNITS	2 BDR UNITS	ON-SITE RESIDENT PARKING SPACES	ON-SITE VISITOR PARKING SPACES	PARKING STALL COST (MONTHLY)	VEHICLE OWNERSHIP RATE
805 Academy Close	0	10	0	0	0	N/A	0.70
360 Douglas Street, Goodacre Towers N. & S.	55	81	61	152	32	$15 - $20	0.68
240 Douglas Street, Beacon Tower Apartments	0	44	16	42	0	$30	0.73
151 St. Andrews, Beacon Park Apartments	3	10	62	90	5	$35	0.81
575 Marifield Ave, Kirkcauldy Apartments	7	28	8	28	3	$20	0.53
562/566 Simcoe Street	6	78	24	75	12	$20	0.54
576 Simcoe Street, Park Plaza	3	27	7	35	1	$0	0.55
160 Government Street, Weybridge Manor	N/A	N/A	N/A	23	3	N/A	0.63
890 Academy Close	12	30	13	33	0	$10-$15	0.63
505 Quadra Street, Beacon Arms	2	21	11	26	1	$15-$30	0.68
955 Humbolt Street	0	37	6	40	3	$45	0.72
976 Humbolt Street	6	13	4	15	0	$45	0.52
						AVERAGE	0.66

The apartment buildings were almost all occupied with an average occupancy of 98.5%. The data indicates that the vehicle ownership rate (i.e. residential parking demand) of the 12 rental apartment buildings was 0.66 vehicles per unit. The majority of the sites would fall into the

Schedule C "Other Areas" location. These parking ownership rates are approximately 40% lower than bylaw minimum supply rates for "Other Areas" location and 10% below the proposed resident parking supply of 0.75 spaces/unit.

The data illustrates the impact of unit size as the highest vehicle occupant buildings have a higher proportion of two-bedroom units. The proposed development includes 75% one-bedroom units and 25% two-bedroom units.

5. VISITOR PARKING DEMAND

Bunt's experience for municipalities across Greater Victoria and Vancouver suggest a visitor parking supply rate of 0.05 to 0.08 spaces/unit is appropriate for residential developments. This recommendation stems from the Metro Vancouver Residential Apartment Parking Study[1] which found that visitor parking demand never exceeded 0.06 vehicles per dwelling unit during the study period. Similar peak visitor parking rates have been observed at buildings in Victoria and Saanich.

The proposed supply of 0.06 visitor spaces/unit lands in the middle of Bunt's recommended range.

6. SUMMARY

Table 4 summarizes the Bylaw required vehicle parking supply, comparable rates and the proposed supply. The proposed supply is between the two Schedule C requirements and exceeds the vehicle ownerships compiled by Bunt. Overall, Bunt considers the proposed parking supply to be suitable for the proposed development.

Table 4: Summary

	UNIT	MARKET RENTAL RESIDENTS	VISITOR
R3-AM-2 Zone	spaces/unit	1.30	(included in residents)
Schedule C – Village	spaces/unit	0.60 – 0.70	0.10
Schedule C – Other Areas	spaces/unit	0.75 – 0.90	0.10
Vehicle Demand	vehicles/unit	0.66	0.05 – 0.08
PROPOSED SUPPLY		**0.82**	**0.06**

[1] The visitor parking demand results from the Metro Vancouver Residential Parking Study was obtained from suburban sites in Burnaby, Port Coquitlam and Richmond which had varying levels of transit service. The visitor parking demand was not correlated with proximity to the Frequent Transit Network; in fact the site with the worst transit service had the lowest peak visitor parking demand of 0.02 visitor vehicles per dwelling. Therefore the results from the Metro Vancouver Residential Parking Study are seen as applicable to the proposed development.

Lucas De Amaral

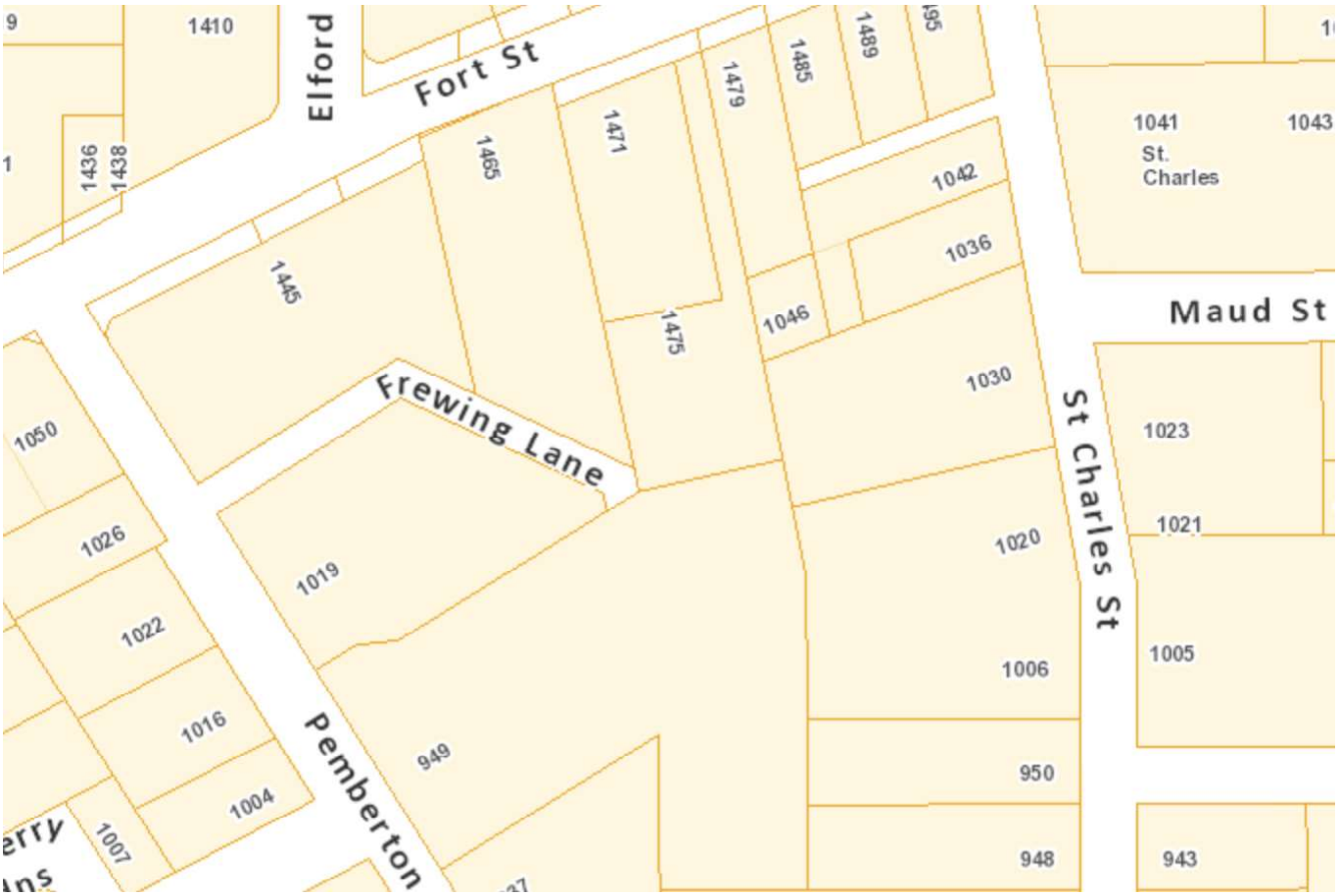
From: Lantern Properties [redacted]
Sent: February 26, 2020 10:47 AM
To: Carolina Ashe
Cc: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted] megan bermand
Subject: Re: Proposed Development at 1475 Fort Street

Hi Carolina,

The voluntary meeting was only for properties adjoining 1475 Fort St. As you can see in the image attached from VicMap, Frewing Lane separates 1475 Fort St and 1019 Pemberton Rd.

Looking forward to the second meeting at Cascadia's office on March 5th.

Thanks,
Josh.



On Feb 25, 2020, at 2:56 PM, Carolina Ashe [redacted] wrote:

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

Lack of Consultation

- The architect's letter of June 12th, 2019 states there was an open house on March 24th – which we were unaware of – and that they have "carefully considered community's concerns." This belies the fact that the neighbours most immediately affected at 949 and 1019 Pemberton have not been consulted.
- The developer has refused to share important documents that will help us better understand the proposed development. While the developer has consented to meet with our strata, lack of consultation and transparency to date has not set the stage for a trusting relationship.

The proposal requests setback and height variances. The combined effects would have a profoundly negative impact on neighbouring homes, which may not be evident by reviewing the architect's drawings alone. Initial concerns are listed below.

Loss of privacy

- If both the height and southern setback variances are approved, the new building will be only 12 feet from the perimeter fence of 949 Pemberton, and 27 feet from nearest townhomes.

Windows on the 2nd, 3rd and 4th stories will overlook private back yards, and will face directly into bedroom windows.

- Sightlines from townhomes will be blocked by the size and very close proximity of the new building.

Environmental destruction

- Approval of all setback variances would result in a large building footprint requiring removal of virtually all mature trees – 11 in total - resulting in:
  - elimination of much-needed visual screens and noise absorption.
  - permanent damage to the unique character and liveability of the neighbourhood, as the landscape plan lists only a few small replacement trees and shrubs that would only benefit residents of 1475 Fort Street.
  - permanent loss of trees that birds and other wildlife rely on for food and shelter.

Safety/structural concern

- There is a retaining wall about 5 ½ feet high between 1475 Fort Street and 949 Pemberton Road. We have no assurance that blasting for the underground parkade will not damage the integrity of this wall, especially if the southern variance is approved, bringing the building to within 12 feet of the retaining wall.

Victoria's Official Community Plan (OCP) embraces values that emphasise citizen engagement and whole systems thinking, "including the environmental, social and economic dimensions for urban life and development." (Value 3.1) We believe that the development proposal for 1475 Fort Street stands in opposition to those values, in that it appears to benefit only the developer, at the economic and social expense of surrounding neighbours, and at great cost to the environment.

As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

Lucas De Amaral

From: Gillian Lawson [redacted]
Sent: February 26, 2020 1:33 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Cc: Strata 303 [redacted]
Subject: 1475 Fort Street proposed development

To: Mayor and Council,

I am writing to address the proposed development at this address. I live at 949 Pemberton Road in a strata complex that borders the back of the development site.
My concerns are as follows:

1. Despite the developer's protestations to the contrary, no one in our strata received any notice of the proposed development even though we share a border and will be significantly affected.

2. The project drawings indicate that the proposed building would be significantly closer to the the strata property line than is the case with the current building. If the requested variances are allowed they would result in a significant loss of privacy and natural light to the units of our strata that border the development site.

3. The proposed encroachment of the new building would likely require the removal of mature trees which would adversely affect the character of the neighbourhood, not to mention animal habitat.

4. Our property is separated from the development site by an approximately 5 foot retaining wall. As the development proposal calls for an underground parkade, we are concerned that any blasting required for the construction of this parkade will compromise the integrity of this wall.

While I share the general concern that there is insufficient rental accommodation in our city, I do not believe that efforts to correct this should lead to a situation of reduced liveability for current homeowners. I think there must be a compromise here and I am counting on the Mayor and Council to seek that compromise.

Sincerely,

Gillian Lawson
Unit 1 - 949 Pemberton Road

Sent from my iPad

Lucas De Amaral

From: Carolina Ashe [redacted]
Sent: February 25, 2020 2:57 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted]; Carolina Ashe
Subject: Proposed Development at 1475 Fort Street

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

Lack of Consultation

- The architect's letter of June 12th, 2019 states there was an open house on March 24th – which we were unaware of – and that they have "carefully considered community's concerns." This belies the fact that the neighbours most immediately affected at 949 and 1019 Pemberton have not been consulted.
- The developer has refused to share important documents that will help us better understand the proposed development. While the developer has consented to meet with our strata, lack of consultation and transparency to date has not set the stage for a trusting relationship.

The proposal requests setback and height variances. The combined effects would have a profoundly negative impact on neighbouring homes, which may not be evident by reviewing the architect's drawings alone. Initial concerns are listed below.

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- Sightlines from townhomes will be blocked by the size and very close proximity of the new building.

Environmental destruction

- Approval of all setback variances would result in a large building footprint requiring removal of virtually all mature trees – 11 in total - resulting in:
  - elimination of much-needed visual screens and noise absorption.
  - permanent damage to the unique character and liveability of the neighbourhood, as the landscape plan lists only a few small replacement trees and shrubs that would only benefit residents of 1475 Fort Street.
  - permanent loss of trees that birds and other wildlife rely on for food and shelter.

Safety/structural concern

- There is a retaining wall about 5 ½ feet high between 1475 Fort Street and 949 Pemberton Road. We have no assurance that blasting for the underground parkade will not damage the integrity of this wall, especially if the southern variance is approved, bringing the building to within 12 feet of the retaining wall.

Victoria's Official Community Plan (OCP) embraces values that emphasise citizen engagement and whole systems thinking, "including the environmental, social and economic dimensions for urban life and development." (Value 3.1) We believe that the development proposal for 1475 Fort Street stands in opposition to those values, in that it appears to benefit only the developer, at the economic and social expense of surrounding neighbours, and at great cost to the environment.

As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

Katie Lauriston

From: Alec Johnston
Sent: February 25, 2020 3:15 PM
To: Katie Lauriston
Subject: FW: Proposed Development at 1475 Fort Street

More correspondence for 1475 Fort.

Thanks,
Alec

From: Carolina Ashe <cmashe123@gmail.com>
Sent: February 25, 2020 2:57 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>; inquiries@lanprop.com; Strata 303 <strata303@gmail.com>
Cc: Alan Morton [redacted]; Bill McKechnie <[redacted]; Bill Stroll [redacted]; Carolina Ashe [redacted]; Lorena and Caspar [redacted]; [redacted]; Erik Solbakken [redacted]; Gillian Lawson [redacted]; Jan Klizs [redacted] Jay Nefsky [redacted] Jessica Sluymer [redacted]; Jo Anna Hope [redacted]; Vanessa Dingley <[redacted]; Miranda Worthy [redacted]; Norman Spector <[redacted]; Sandy Jones [redacted]; [redacted]; Strata 303 <strata303@gmail.com>; Ken Bailey [redacted]; megan bermand [redacted]; [redacted] Bill McKechnie [redacted] Carolina Ashe [redacted]
Subject: Proposed Development at 1475 Fort Street

Re: Proposed development of apartment building at 1475 Fort Street

Our townhome at 949 Pemberton Road borders this site.

We are not opposed to the development of this site, and we recognize that there is a need for more rental apartments in the city. However, we have some concerns.

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As stated previously, we are not opposed to the development of a rental apartment building at 1475 Fort Street. We are asking that all stakeholder views be respectfully considered, resulting in a plan that reflects not only the developer's goals, but also the needs and concerns of immediate neighbours – a win-win for all.

We wish to be actively engaged in the consultation process for this proposal, and are asking for direction as to how we can do this.

We look forward to hearing from you,

Alan Morton and Carolina Ashe
Unit 7, 949 Pemberton Road

[redacted]

From: Kenneth Bailey [redacted]
Sent: February 14, 2020 10:35 AM
To: Lisa Helps (Mayor); mayor@victoria.c
Subject: Re: Proposed Development of a 33 unit apartment building at 1475 Fort St. Victoria

Dear Mayor Helps and Council,

As a resident at 949 Pemberton Rd., Victoria I and my wife wish to add our expressions of concern regarding the proposed Development of a 33 unit apartment building directly behind our residence at #10. We feel that such a building will have a very Negative impact on the quality of life we have enjoyed for some twenty years. We certainly will lose our privacy and be forced To face significant increases in noise levels due to much extra traffic coming and going during construction and upon completion.

Additionally, we foresee even great difficulty in accessing Fort Street from Pemberton Rd. which is difficult enough already.

We strongly urge you and the Council give this matter the attention it deserves.

Yours sincerely,
Kenneth Bailey

Lucas De Amaral

From: Bill Stroll [redacted]
Sent: February 13, 2020 1:18 PM
To: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; inquiries@lanprop.com; Strata 303; Lisa Helps (Mayor); [redacted]
Subject: Proposed development at 1475 Fort Street

Dear Mayor and city councillors,

We own a townhouse at 949 Pemberton Road and are writing about our concerns over a lack of information and consultation with Lantern Properties regarding the proposed rental development on Fort Street.

We are in favour of a new rental development on condition of meeting the concerns of our strata, however no residents in our 16 unit townhouse strata nor our neighbouring strata at 1019 Pemberton Road have been contacted by the developer. We are worried about the possible impact to our retaining wall that borders the proposed development if blasting takes place for a planned underground parking lot. If a study been done on the potential effects of this, can this information be released to us? Further, we understand that the developer has requested a variance to allow 10-12 feet from their proposed 4 story building to our retaining wall. Is this a usual amount of space between properties in Victoria? Before this project moves foward the City should have these answers. We also welcome the opportunity to get more information from the developer.

Sincerely,

Bill Stroll
3-949 Pemberton Road

[redacted]

From: [redacted]
Sent: February 12, 2020 2:41 PM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston; [redacted] 'Strata 303'
Cc: 'Alan Morton'; 'Barbara Bolli'; 'Bill McKechnie'; 'Bill Stroll'; 'Carolina Ashe'; 'Caspar Davis'; 'Chantal Brodeur'; 'Christine Morissette'; 'Erik Solbakken'; 'Gillian Lawson'; 'Jan Klizs'; 'J Nefsky'; 'Jessica Sluymer'; 'Jo Anna Hope'; 'Vanessa Dingley'; 'Miranda Worthy'; 'Sandy Jones'; [redacted]; 'Steve Williams'; 'Strata 303'; 'Ken Bailey'; 'megan bermand'
Subject: Proposed Development: 1475 Fort Street

Re: Proposed development of a 33 unit apartment building at 1475 Fort Street

Dear Mayor and Council,

I reside at 9-949 Pemberton Rd in a 16 unit strata complex which is located immediately adjacent to the back of the above referenced development site. Although the developer made a Development Permit Application to the City of Victoria in June 2019, the strata only became aware of the proposal in late January when Pam Madoff had contacted a strata member about the Design Advisory Committee's recent review of the project. In advance of a meeting with the developer to review the design, I would like to offer the following comments about the proposal and in particular the developer's engagement process to date:

Preliminary comments of the project design

- While I will reserve providing detailed comments on the design until after the developer's presentation, I think it is important for Mayor and Council to appreciate at this juncture the context of our concerns about the inadequacy of the developers notification/consultation with the strata about this development. Based on the project drawings located on the City of Victoria website, it appears that the proposed building will have negative impacts on our strata. The proposal involves a large footprint relative to the size of the development site. The setback variances requested are significant. As example, the set back requested at the rear of the property would bring the building to within 10-12 feet of the strata property line. Some of the strata units will lose privacy and the viewscape will be impacted by the building. Mature tress would need to be removed to accommodate the large footprint of the structure and the requested setbacks – reducing privacy, creating habitat loss and generally impacting the ambiance of the Rockland community. It may also exacerbate traffic congestion on Fort Street where congestion has recently increased substantially.

Notification/Consultation

- The developer has not adequately explained why the strata was not notified of this project. The developer has apologized for this oversight but at the same time states that notifications were issued. Although the City of Victoria's Development Permit process encourages but does not require proponents to consult neighbours, there is a strong expectation that property owners located immediately adjacent to a development or, are potentially impacted by a project in some way, be consulted by the developer in a timely and transparent manner. By not doing so, developers set up the basis for a poor relationship with neighbours.

- I understand that the developer had advised the Design Advisory Committee that all neighbours had been consulted about the project. As stated above, this is not the case. Had even one of the 16 members of the strata been notified of the project, this would have been brought to the immediate attention of our Council.

- I am befuddled by the developer's approach to notifying and engaging neighbours about the project. We understand that the proponent did notify and engage with some neighbours about the project including two neighbours on St Charles Street. Why not engage 949 Pemberton Rd and the strata at 1019 Pemberton Rd? And why did the developer not attempt to connect with the Strata Council when it became evident that not a single property owner at 949 Pemberton St had contacted the developer – especially given that the developer must have known full well that homeowners in the complex are the most likely to be impacted by this proposal.

Information Sharing

- I am disappointed at the developer's refusal to provide requested project related documents including the design drawing, the geotechnical report and the application. Although drawings are available on line, those produced/printed by the developer are friendlier to use. We are interested in reviewing the geotechnical report as there is a substantial retaining wall between the two properties which we want to ensure is not affected in the construction process. An on-site visit has also been declined by the developer. While I understand that these are not commonly undertaken, a willingness of the developer to support this shows good will and enables property owners to have a clearer understanding of the project and its implications for their properties. This developer's comment that the company only shares documents with the City is an unfortunate approach to collaborating with neighbours.

Developer's Presentation

- We initially declined an opportunity for a project presentation in hopes that this would compel the developer to step up and share information mentioned above. As this turned out to not be the case, the developer was approached to schedule another presentation. The developer responded that a presentation could not be offered until early March – and has not committed to a date. I am concerned about whether this is going to impact our timely review and input to this project.

Development Permit Application Process

- I think it is fair to conclude that there is need for improvements in the PDA process to ensure that there is adequate public notification and meaningful engagement by developers with respect to their development proposals. The current process is clearly not consistent with other levels of governments requirements for public involvement in developments. The scope and scale of this project warrants a process that ensures that developers engage the public in an open, transparent and timely manner and provides access to information so that the publics' perspectives can help inform and influence decisions. The current process involving formal public input at the end of the process does not make much sense and does not set up conditions for win/win developments.

  One further thought. What is the value of the input provided by the Rockland Neighbour Association and the Design Advisory Committee in absence of proper consultation with neighbours? Moreover, how can these entities properly assess a project when a site visit/neighbourhood reconnaissance has not been undertaken?

I am not opposed to this project. The current building needs replacement. There is a paucity of rental accommodation in the city. But at the end of the day, the scale of this project needs to be commensurate with the development site and surrounding neighbouring properties as well as take into account all potential impacts to a range of interests and values.

Thank you.

Barbara Bolli

jloveday@victoria.ca
sdubow@victoria.ca
bisitt@victoria.ca

spotts@victoria.ca
gyoung@victoria.ca
cthornton-joe@victoria.ca
malto@victoria.ca
ajohnston@victoria.ca
[redacted]
[redacted]
List all members of Strata Council/ owners
1019 Pemberton Rd contact?

Subject: Proposed Development: 1475 Fort Street
Date: February 12, 2020 at 4:41:09 PM CST
To: <mayor@victoria.ca>, <jloveday@victoria.ca>, <sdubow@victoria.ca>, <bisitt@victoria.ca>, <spotts@victoria.ca>, <gyoung@victoria.ca>, <cthornton-joe@victoria.ca>, <malto@victoria.ca>, <ajohnston@victoria.ca>,

Re: Proposed development of a 33 unit apartment building at 1475 Fort Street

Dear Mayor and Council,

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- I understand that the developer had advised the Design Advisory Committee that all neighbours had been consulted about the project. As stated above, this is not the case. Had even one of the 16 members of the strata been notified of the project, this would have been brought to the immediate attention of our Council.

- I am befuddled by the developer's approach to notifying and engaging neighbours about the project. We understand that the proponent did notify and engage with some neighbours about the project including two neighbours on St Charles Street. Why not engage 949 Pemberton Rd and the

strata at 1019 Pemberton Rd? And why did the developer not attempt to connect with the Strata Council when it became evident that not a single property owner at 949 Pemberton St had contacted the developer – especially given that the developer must have known full well that homeowners in the complex are the most likely to be impacted by this proposal.

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One further thought. What is the value of the input provided by the Rockland Neighbour Association and the Design Advisory Committee in absence of proper consultation with neighbours? Moreover, how can these entities properly assess a project when a site visit/neighbourhood reconnaissance has not been undertaken?

I am opposed to this project as it stands and as it has been presented . . . or no . . . to the affected neighbourhood. At the end of the day, the scale of this project needs to be commensurate with the development site and surrounding neighbouring properties as well as take into account all potential impacts to a range of interests and values.

Sincerely,

Jo Anna Hope
#15-949 Pemberton Road
Victoria BC
V8S 3Rt

Lucas De Amaral

From: Paul Lecavalier [redacted]
Sent: February 11, 2020 11:57 AM
To: Lisa Helps (Mayor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); cthorton-joe@victoria.ca; gyoug@victoria.ca; Marianne Alto (Councillor); inquiries@victoria.ca; ajhonston@victoria.ca
Cc: [redacted] samantha walls; Russ Scruggs; Shirley Anderson
Subject: Proposed development on Fort Street

Dear City of Victoria Council members

I am the president of Strata 740 at 1019 Pemberton Road. I am writing to state the support of our strata members with the email sent to you by Christine Morisette of Strata 303 on February 10th, 2020.
No household in our Strata has been consulted with regards this development, which I find strange since the variance being requested will directly impact us a we are an adjacent property.
We would appreciate the opportunity of meeting with City officials to discuss this matter.

Thank you

Paul Lecavalier
President, Strata 740

Lucas De Amaral

From: josh.hayes [redacted]
Sent: February 11, 2020 3:20 PM
To: Lisa Helps (Mayor)
Cc: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Alec Johnston
Subject: Fwd: 1475 Fort St
Attachments: 1475 Letter to Mayor and Council .pdf

Dear Mayor & Council,

I am forwarding this email from Strata 303 to make mayor and council aware I've offered two dates to hold an information meeting and they were both declined until the list of items below were sent to Strata 303. I am not sure how things such as Geotechnical reports would be relevant to a strata council—I've explained to the Strata that all relevant information can be found on the City's website.

Furthermore, the reason I am unable to meet until the end of month is because I am leaving the country for my grandfather's 98th birthday. Lantern is committed to holding a second meeting for the neighbours and will notify mayor and council once this has taken place.

Please feel free to contact me by email or phone with any questions.

Thanks,
Josh.

LANTERN
PROPERTIES LTD

Josh Hayes
Director of Development

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

Begin forwarded message:

From: Joshua Hayes [redacted]
Subject: 1475 Fort St
Date: February 11, 2020 at 2:51:02 PM PST
To: mayor@victoria.ca
Cc: jloveday@victoria.ca, sdubow@victoria.ca, bisitt@victoria.ca, spotts@victoria.ca, gyoung@victoria.ca, cthornton-joe@victoria.ca, malto@victoria.ca, Alec Johnston <ajohnston@victoria.ca>

Dear Mayor & Council,

Please see the attached letter regarding the Strata 303 email.

If you have any questions, please don't hesitate to contact me.

Best,
Josh.

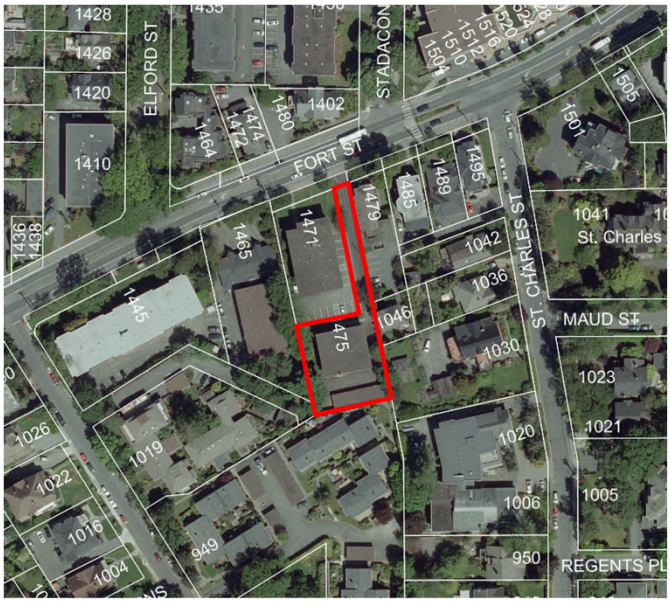
1

Development Permit with Variances Application for 1475 Fort Street

1

Aerial View

2



2

Subject Property

3

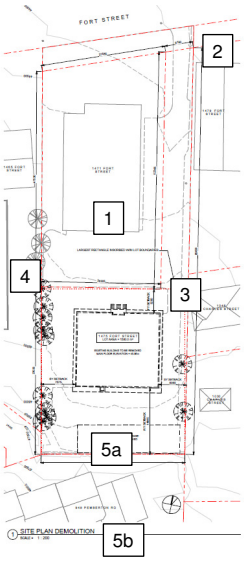
1475 Fort Street 1471 Fort Street

1475 Fort Street

3

Neighbouring Properties

4



1

2

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4

5a

5b

4

Neighbouring Properties

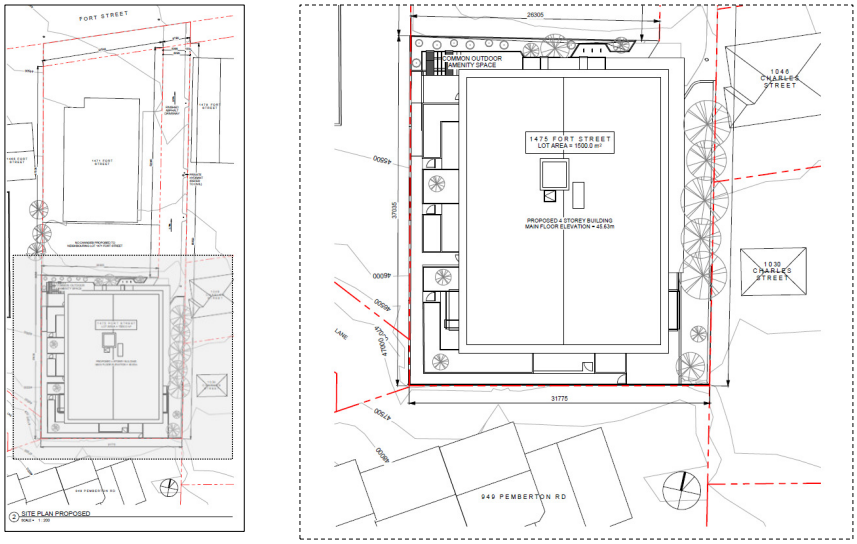
5

CITY OF VICTORIA

5

Site Plan

6

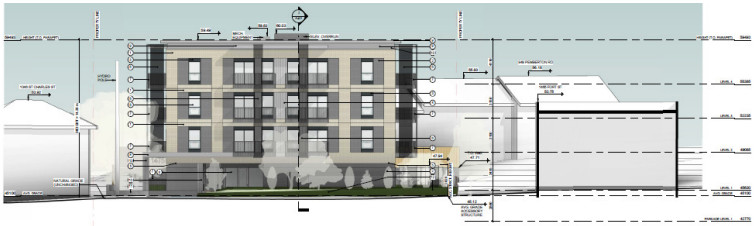


CITY OF VICTORIA

6

Elevations

7



1 NORTH ELEVATION
SCALE = 1:100

2 EAST ELEVATION
SCALE = 1:100

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7

Elevations

8

1 SOUTH ELEVATION
SCALE = 1:100

2 WEST ELEVATION
SCALE = 1:100

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8

Materials

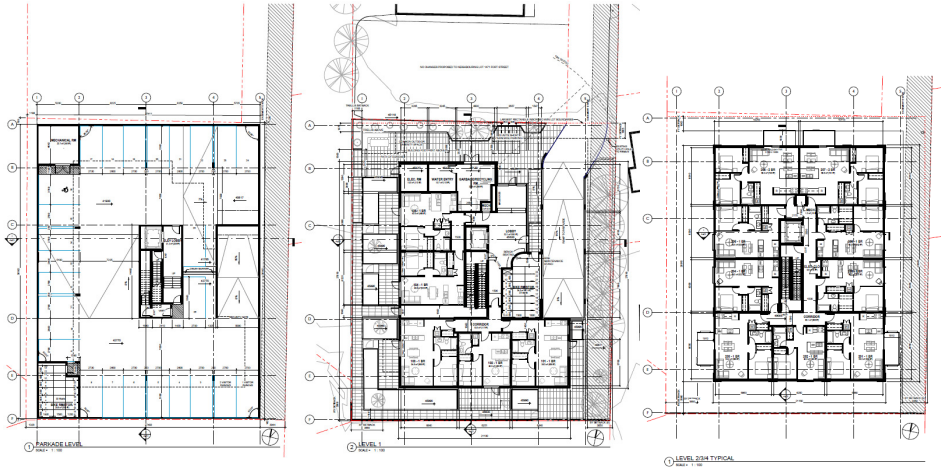
9

CITY OF VICTORIA

9

Floor Plans

10

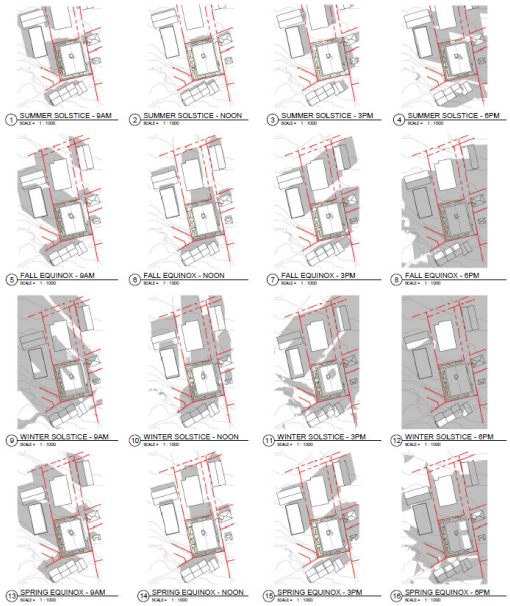


CITY OF VICTORIA

10

Shadow Study

11

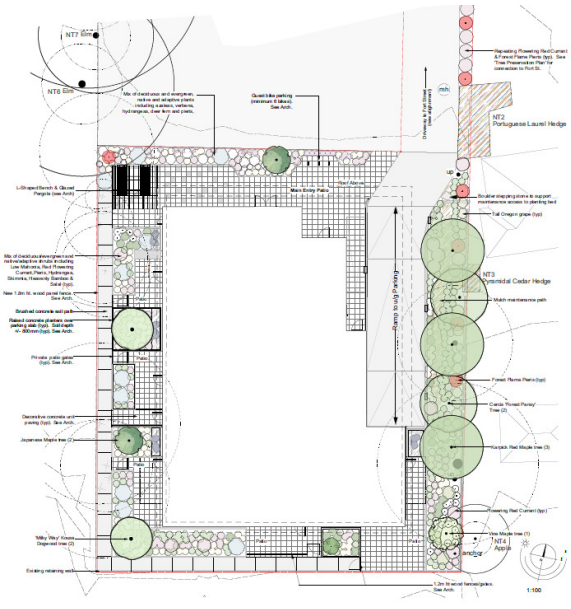


CITY OF VICTORIA

11

Landscape Plan

12



CITY OF VICTORIA

12

Renderings

VIEW FROM FRYING LANE

VIEW FROM FORT STREET

VIEW FROM PANHANDLE

VIEW OF LOBBY / PARKADE ENTRANCE

CITY OF VICTORIA

BRITISH
COLUMBIA

VIA EMAIL

January 26, 2021

Her Worship Lisa Helps and Council
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Mayor Helps and Members of Council:

As the Minister responsible for Housing, I am pleased to offer my support for the proposed Hadera housing development at 1475 Fort Street.

The Province of British Columbia is committed to making life more affordable for renters. This includes our work to deliver on our 10-year housing plan, *Homes for B.C.*, as well as our actions to deliver a freeze on rent increases until the end of 2021 and limit rent increases to the rate of inflation. This also involves working with communities to help them meet their affordable housing needs.

We know that the Capital Regional District (CRD) has a significant need for more affordable rental housing. I do not think it would be an exaggeration to describe the current lack of availability of rental housing at reasonable income levels in many parts of the province as a crisis. Based on the latest Canadian Mortgage and Housing Corporation numbers, Victoria's rental vacancy rate remains below 1 per cent. A significant part of the solution to this crisis, a solution which is not unique to the Victoria, is increasing the availability of purpose-built rental housing. Your decision today is an example of how individual councils can help with important provincial work to address the crisis.

The Hadera development, led by Lantern Properties in partnership with Paladon Development Group, is consistent with the goals of the *Victoria Housing Strategy Phase Two: 2019-2022*, which seeks to improve affordability, stability and choice for renters in Victoria:

www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Housing~Strategy/The%20Victoria%20Housing%20Strategy_Phase%20Two_FINAL%20Web.pdf

…/2

Ministry of Attorney General
Office of the Attorney General
Mailing Address:
PO Box 9044 Stn Prov Govt
Victoria BC V8W 9E2
Email: [redacted]
Telephone: [redacted]
Facsimile:

The Hadera project seeks to add 32 new units of rental housing to the Fort Street corridor, with four of these units set at affordable rental rates. These units will be close to transit and offer a range of active transportation connections. I am confident that this development will help the City of Victoria and the Province work toward our shared goal of improving affordability for renters, and also contribute to the goals laid out in Clean BC through the building's energy-efficient and environmentally conscious design.

Thank you for your consideration of this project. This is the type of project we need to see more of across the region. I look forward to our continued work together to address Victoria's housing needs.

Yours truly,

David Eby, QC
Attorney General and
Minister Responsible for Housing

pc: Ms. Grace Lore, MLA

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

Rockland NEIGHBOURHOOD ASSOCIATION

Land Use Committee

rockland.bc.ca

January 23, 2021

Mayor and Council
City of Victoria

Re: 1475 Fort Street, DPV00120

There is much to be concerned about the 1475 Fort Street project and issues that require clear answers. The affected neighbours of 1475 Fort Street have communicated their concerns clearly and forcefully. The City promises a thorough hearing delivering through its endorsement of the IAP2 process. Will we see the individual's concerns thoroughly addressed by the project proponents and Development Services?

This building has significantly reduced setbacks from the RE-AM2 zone of 50% of building height. The neighbors to the south have a massive wall a mere 4 m. /13 ft. from their property line where 6.5 m. / 21 ft. is required in by zoning. The third and fourth floors of the building are very invasive. How can this invasion of privacy be justified?

We are told this project is being developed under the old *1981/03 Advisory Design Guidelines* which do state that massing and scale, adjacent properties and major building elements to each other and adjacent buildings be taken into consideration.

Unfortunately, this project does not consider the more nuanced – and current! – *2012/19 Design Guidelines for Multi-Unit Residential* which provide 1.2 *"Where new development is directly abutting lands in a different OCP Urban Place Designation …… the design should provide a transition between areas in way that respond to established form and character."* Additional Guidelines 1.5, 1.6, 1.6.1 provide direction to transition in form and massing and 1.6.2 design to address privacy are not considered; apparently because the city has not developed neighborhood plans in a timely matter and they do not include the newest edition in Neighborhood Plans. Is it not responsible nor logical that the 2012/19 guidelines are not considered in the design of this building – why should neighbours have to bear the impact of this nonsensical omission in the process? Why can there not be an amendment to the OCP directly instituting the updated guidelines rather than waiting indefinitely for the individual Neighborhood Plans to be updated? In the meantime, real life decision that have significant impact to residents are being made in the absence of current guidelines that the City developed in the first place!

The size and scale of this project creates considerable afternoon and evening shading on the properties to the east reducing the possible afternoon enjoyment of their backyards. Likewise, there is significant morning shading to the property to the west. Reduced mass would reduce these impacts. Were the shadow impacts on abutting neighbors considered and what changes were made to reduce those impacts?

The project requires the removal of ten significant trees including two protected Big Leaf Maples; according to the report to council this is being done to enable lot-encompassing underground parking for enhanced rental opportunities. We are now left with a proposed site reduced to potted planting where large, mature trees currently stand. While expensive, why was multi-tiered parking under the building proper not required if the proponent's goal is to enhance rental values and the city's supposed goal is to retain our remaining critical natural habitat? Where is the weighing of long-term societal benefit vs short term financial gain?

This projected moved ahead as a Development Permit with Variance rather than a Rezoning, resulting in an abbreviated public consultation process even though it required a change in density without the parking to support that increase in density. R3-AM2 requires parking for 45 vehicles. Schedule C enables 36 space for rental sites. This project never offered the required parking. How is it that the density of 1.6:1 could be allotted on undelivered parking rather than the zoned 1.2:1 and bypass a rezoning? After enquiries to planning and the city solicitor it appears that decision was made as a city privilege. What specifically in the Local Government Act enabled this process when changes to uses or density specifically require a rezoning as stated in the city's Citizens Guide to the Rezoning Process, Para. 1. - What is a rezoning?

We trust the questions we have raised will be answered comprehensively and that the COTW will carefully consider the adequacy of the responses. In the end, this proposal requires the destruction of truly affordable rental accommodation and has a significantly negative impact to surrounding neighbors. The neighbors are supportive of a 4-storey development but they wish to see a project that is of suitable scope to provide a sensitive transition to the surrounding Traditional Neighbourhood.

Regards,

Bob June
Chair, Land Use Committee
Rockland Neighbourhood Association

1475 Fort Street (Rockland)

All feedback received from August 10 to September 18, 2020

Submitter's Name
Matt Pope

Submitter's Position
Oppose

Submitter's Address
1036 St Charles St

Timestamp of Submission
2020-08-25 17:30

Additional Comments
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 m / 2 = 7.2 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 Name
gretchen karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Road, Victoria

Timestamp of Submission
2020-09-03 17:41

Additional Comments
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 Name
Gretchen Karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Rd

Timestamp of Submission
2020-09-03 17:49

Additional Comments
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 Name
Gretchen Karlebach

Submitter's Position
Oppose

Submitter's Address
#9 1019 Pemberton Road

Timestamp of Submission
2020-09-03 17:55

Additional Comments
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 Name
Caspar Davis & Lorena Mowers

Submitter's Position
Oppose

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

Timestamp of Submission
2020-09-15 18:05

Additional Comments
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 Name
Dee Hoyano

Submitter's Position
Oppose

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

Timestamp of Submission
2020-09-15 18:50

Additional Comments
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 Name
Alan Morton

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
7-949 Pemberton Road

Timestamp of Submission
2020-09-16 20:14

Additional Comments
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 Name
Christine Morissette

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
13 - 949 Pemberton Road

Timestamp of Submission
2020-09-16 23:22

Additional Comments
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 Name
Bill McKechnie

Submitter's Email
[redacted]

Submitter's Position
Oppose

Submitter's Address
9-949 Pemberton Rd

Timestamp of Submission
2020-09-17 4:20

Additional Comments
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 [redacted]

Submitter's Name
Barry Willimott

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
1030 St. Charles Street, Victoria, B.C.

Timestamp of Submission
2020-09-17 21:48

Additional Comments
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 Aril 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 9th “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

Submitter's Name
Vanessa Dingley

Submitter's Position
Oppose

Submitter’s Email
[redacted]

Submitter’s Address
#12 -949 Pemberton Road, Victoria, V8S 3R5

Timestamp of Submission
2020-09-18 2:47

Additional Comments
Despite many letters from neighbours having been submitted, I remain extremely concerned about the scale of the proposed development at 1475 Fort, adjacent to our townhouse complex. While understanding the urgent need for rental housing in Victoria, I do not think that this should enable developers to disregard existing setback and height requirements; they exist for a reason and should be respected. I appreciate the information given at the recent CALUC webinar, but this does not

reassure me that sufficient changes will be made to make the proposed development acceptable in the neighbourhood. I also remain concerned about the loss of mature trees.

Submitter's Name
Ken and Tamara Bailey

Submitter's Position
Oppose

Submitter's Address
10-949 Pemberton Rd

Timestamp of Submission
2020-09-18 18:35

Additional Comments
Dear Mayor and Council,
We live at 10-949 Pemberton Rd which is adjacent to the proposed apartment building proposed by Lantern Properties at 1475 Fort St.

As you know, the existing apartment building provides supportive housing for a vulnerable population. Where do these people go if Council approves this project? VIHA will certainly not be able to afford the rents associated with this high end building. Support for this proposal would be a big trade-off in favour of the developer with the losers being those that need much needed supportive housing (as well as surrounding neighbours and the environment.) Where are the City's priorities on this very important issue? What are the social and economic implications of not providing proper housing for vulnerable people in our City? We can see right now in Victoria that these are huge.

Lantern Properties' original design proposal included four affordable housing units. These have been removed from the current design proposal. The developer says that these were excluded as they are not economic for the project. We suggest that the City discuss its interest in supporting affordable and, or, supportive housing with the developer. Maybe the developer has to downsize his profit. Perhaps a renovation of the existing building may be a way of being economic for the developer at the same time as meeting the City's interest in supporting housing for the less prosperous members of our community. (By the way, many developers have upgraded existing buildings for rental purposes in Victoria and have done so successfully).

We are opposed to Lantern's design as proposed. Please send this design back to the developer to come up with a building which is better suited to the lot size, the environment and the community. It is on the record that Lantern Properties is a landholding company and only interested in developing and managing rental properties. Because of this, we can expect that this company will not bring a strata development proposal back to Council, a concern that was brought up by a couple of Councillors at the May 28 CotW meeting. And, in any event, Council can also decline any strata proposal that includes requests for excessive variances such as that proposed by Lantern.

Sincerely Yours,

Ken and Tamara Bailey

Submitter's Name
Carolina Ashe

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
7-949 Pemberton Road

Timestamp of Submission
2020-09-18 18:47

Additional Comments
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 28th 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 livability 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

Submitter's Name
Jo Anna Hope

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
15-949 Pemberton Road, Victoria BC

Timestamp of Submission
2020-09-18 19:53

Additional Comments
Mayor Helps and Councillors,
I am writing about the application for a 4 story apartment block at 1475 Fort Street. My townhouse complex borders this property. The proposed building cannot fit on this site without clear-cutting all the mature trees that all sand at the perimeter of the lot. I do not see how this can be considered a

good idea when the effects of climate change are literally hitting us in the face. As I write this letter, smoke from wildfires is covering the entire continent.
We know that the elimination of trees has been a major contribution to the climate crisis we are now facing. This has been happening over a long period of time. It may seem that the 1475 Fort Street development is small in comparison to other situations where many more trees have been lost. But humanity has created our climate crisis, one decision at a time – one tree here, a dozen trees there. It all adds up.
The only way we can hope to mitigate the effects of past actions is to start making decisions that will help the planet to heal.
I am asking you to send this application back to the developer with the message to redesign an apartment building that observes the zoning bylaws.
This will save 11 mature trees. It is the right thing to do.
Jo Anna Hope
15-949 Pemberton Road, Victoria

Submitter's Name
Cynthia Pacheco

Submitter's Position
Oppose

Submitter's Address
11-949 Pemberton Road Victoria

Timestamp of Submission
2020-09-18 21:06

Additional Comments
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

Submitter's Name
Barbara Bolli

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
9-949 Pemberton Rd

Timestamp of Submission
2020-09-18 22:39

Additional Comments
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 Councilors' 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 Councilors 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 Councilors 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 Councilors' 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

Submitter's Name
Sandra Jones

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
6-949 Pemberton Road

Timestamp of Submission
2020-09-18 23:52

Additional Comments
Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road. I am expressing my concern about the proposed development at 1475 Fort Street by Lantern Properties because it will harm the natural environment in the neighbourhood.

I am so concerned that I have taken the time to paint the numerous birds that have been observed to inhabit the mature trees on this lot, in particular the Big Leaf maples. These birds and their ecosystem, of which we as neighbours and the city are a part, is what is at stake. These mature trees provide a substantial canopy and support a sensitive ecosystem from which we all benefit. As we all know, they remove carbon dioxide, reduce storm water, modify temperature and noise, and improve air quality. Research clearly indicates that an urban forest contributes to human health and well-being which is crucial in our era of pandemic and climate change.

We have experienced climate change effects this week with the toxic air from the fires in California, Oregon, and Washington. The mature trees are judiciously sequestering carbon and reducing air pollution by capturing particulate matter.

I hope you will consider:

- Lantern's current design with excessive variances and removal of all mature periphery trees destroys the beauty of our neighbourhood, the privacy of our homes and the habitat of the birds.

- Replacement trees will not make up for what is lost as they will not grow to anything of the size of these mature trees. 1-1 replacement is over an underground parking lot.

- The proposed development plan does not reflect meaningful consideration and input of the people most impacted by their plans. Lantern has not been required to consider ecosystems, or meet standards that reflect the integrity and environmental concerns of the people they affect.

Mayor and Council, I ask that this proposal be denied and sent back for redesign to a building that protects our urban forest and in doing so assists Victoria in climate recovery.

Sincerely,

Sandra Jones
#6-949 Pemberton Road
Victoria, BC
[redacted]

Submitter's Name
Gillian Lawson

Submitter's Position
Oppose

Submitter's Address
1-949 Pemberton Road, Victoria, BC V8S 3R5

Timestamp of Submission
2020-09-19 1:14

Additional Comments

I'm writing to express my frustration with the process employed to consider this development proposal. You will already be aware of the misgivings our neighbourhood has concerning this development. We have tried every way we can think of to alert city council and city staff to our concerns. We felt encouraged when, in the May 28 CotW meeting, the developer was directed to engage in a CALUC with the neighbourhood. Even with the unusual circumstances of the pandemic, we heard in the June 11 CotW than an in-person CALUC should still be possible and that the developer would be ill-advised to ignore the option of an in-person meeting.
We offered two venues for an in-person CALUC but the developer turned us down and opted for an online version. This venue was a webinar hosted by an urban planner of their choice. So, instead of a properly constituted CALUC meeting moderated by the neighbourhood association, we had an event, hosted by an apologist for the developer, which severely limited our participation. Not only was the developer allowed to dictate the terms of the meeting, they were also permitted to describe it as a "project upgrade meeting" ie, one they were initiating voluntarily. Not so. They wouldn't have done this if City Council had not directed them to do so.
In addition to a developer unwilling to engage, we also appear to be dealing with city staff who are disinterested in our concerns. At the ADP meeting of January 22 2020, a senior planner was in attendance yet, according to the minutes, the meeting failed to address in any way the significant variances asked for by the developer even though that was specifically what the panel was asked to address. At the CotW meeting on May 28, city staff described the impact of the proposed development on adjacent properties as minimal and suggested that the new trees would contribute to the urban canopy, conveniently ignoring the 11 mature trees that would be removed. I'm disappointed that city employees would fail so abysmally at looking out for the concerns of the citizens who pay their salaries.
Where does this leave the average citizen? How can we make our position clear in a process that seems stacked against us? I certainly hope that, when this project returns for further consideration by City Council, we can count on the support of our elected councillors.
Gillian Lawson
Unit 1 – 949 Pemberton Road

Submitter's Name
Russ Scruggs

Submitter's Position
Oppose

Submitter's Email
[redacted]

Submitter's Address
#2 1019 Pemberton Road

Timestamp of Submission

2020-09-19 1:17

Additional Comments
Dear Mayor and Council,

We are writing you as residents at 1019 Pemberton Road; a small townhouse complex adjacent to the proposed redevelopment of the Lantern Properties 1475 Fort Street property.
My wife and I have been signatories to neighbourhood group letters written and sent on to council over the past two months raising concerns and objections to this proposal as it sits with the city; development permit application with variances.
Our concerns are with:
1. the project:
• inclusion of extraordinary variances in order to accommodate the new building; building height, set back reduction.
• a request for almost 50% reduction in parking spaces with the new building – excavation required will extend footprint on 3 sides of the property
• removal of old growth trees both on the developer's property and risk to the root system of trees on neighbouring properties
• displacement of bird populations with the removal of the tree canopy
• privacy of neighbouring properties reduced with the tree removal

2. the process:
• the developer, architect and city planning representatives have stated that the adjacent neighbours have been consulted over the course of the development permit application process and support the project – this is not true.
• while we understand the challenge to host the requested CALUC meeting during this time of COVID protocol, but the on-line meeting held September 9th was poorly moderated and not a truly representative platform whereby neighbouring residents could properly voice and debate this project.
§ we were told that the meeting was recorded, and we encourage council members to listen to the proceeding to better grasp the cumbersome proceedings of the meeting and the concerns the neighbours of the proposed redeveloped property at 1475 Fort Street have.

We ask that Mayor, Council and the Victoria City Planning Department reject the development application (city folder DVP00120) applied for by Lantern Properties; June 12, 2019 and for the company to resubmit an application for redevelopment of the property with a building that maintains the green scape of the neighbourhood and meets the design criteria of the zoning bylaws.

Regards,
Russ and Candace Scruggs

[redacted]

From: Darion Jones [redacted]
Sent: Friday, February 12, 2021 2:39 PM
To: Public Hearings
Subject: Support of 1475 Fort Street

Date: February 12, 2021

I'm a resident of Victoria, and I'm writing to express my support of the project located at **1475 Fort Street, Victoria, B.C.**

I'm supportive of the project as I feel there is a lack of quality rental housing in this city, especially close to downtown and close to transit, shops and restaurants. We must be more pro-active with climate change in all our communities, so a project that is forward thinking by enabling more people to affordably live close to where they work, providing a walkability factor close to the amenities and services they need. Downtown Victoria needs accommodation that supports diversity, and a livable healthy sense of community for workers, residents, and visitors. A strong downtown core is important to the health and sustainable growth of a modern city.

I encourage you to vote in favor of this project.

Thank you,

Darion Jones
3817 Beachview Place
Victoria, BC V8P5N8

February 14, 2021

I'm a resident of Victoria, Fernwood specifically. I'm writing to express my support of the project located at **1475 Fort Street, Victoria, B.C.**

I'm supportive of the project because there is a lack of quality rental housing in Victoria and the current building has come to the end of its life. It would be great to have 28 new market units and 4 new affordable units in this neighbourhood. All neighbourhoods should be accommodating growth and improvement. Diversity leads to vibrant communities and Rockland has limited housing options that do not adequately meet the City's initiative for diverse neighborhoods and sustainable housing. When possible, future growth should be around transit (vehicle and non-vehicle) (existing and proposed) and this project does just that. It seems that the developers of this project have been listening to their neighbours and keeping the historical context of the neighbourhood in mind with their plans and revisions.

I encourage you to vote in favor of this project.

Thank you,

Cathy Hunt
1234 Pembroke Street
Victoria, B.C.
V8T1J8
[redacted]

LANDLORDBC

Vancouver
1210 - 1095 West Pender
Vancouver BC V6E 2M6
[redacted]

Victoria
830B Pembroke Street
Victoria BC V8T 1H9
[redacted]

June 4th, 2021

Mayor and Council
City of Victoria
Sent via email: publichearings@victoria.ca

Subject: 1475 Fort Street

Dear Mayor and Council,

I am writing today on behalf of all LandlordBC members, rental housing owners and managers, in support of the application to develop a new purpose-built rental housing building at 1475 Fort Street which would provide long-term rental housing to families of all sizes and ages. This project is the first step to addressing the rental crisis in Victoria by ensuring that families of all sizes are able to obtain adequate housing in a fast-growing community. With the amount of economic uncertainty facing many families in British Columbia due to the COVID-19 pandemic, rental housing will continue to be the only option for many of our residents. Ensuring therefore that we continue to enable new rental housing to be built to meet demand is critical for diverse and robust communities.

As the CEO of Landlord BC, I have been in constant contact with all levels of government, asking them to create an environment that ensures the success of the rental housing sector.

The 1475 Fort Street application will increase the total number of available rental housing units in this neighbourhood from 11 to 32, creating an additional 22 rental units that can be occupied by local families. Housing is an issue that affects all members of the community, so it is important that housing options in a community reflect the make-up of our neighbourhoods.

LandlordBC enthusiastically supports the approval of this rental housing application and encourages Mayor and Council to consider these factors in your decision. Purpose-built market rental housing is one of the most secure forms of long-term rental housing, especially for families looking for affordable places to live. Given the region's overall housing market, LandlordBC anticipates the demand for market rental to increase even more than it has over the last decade. This is an urgent concern that needs to be addressed in a timely manner by all levels of government and I urge City councils to do their part.

Thank you for your consideration.

Sincerely,

D. Hutniak

David Hutniak
CEO, Landlord BC

To Whom It May Concern,

My name is Garry Muir and I am located at 590 Cottyn Way in the beautiful city of Victoria. I have resided in Victoria for well over forty years and have had the privilege of watching the city change and grow throughout these years.

However, the issues of housing affordability and housing availability are ones that I am keenly aware of. I am the owner of three rental buildings in Victoria, one of which is located at, 1913 Duchess Street, less then five minutes away from the location for this application. In addition to owning these rental buildings, I also manage a lot of onsite plumbing work for many major landlords in Victoria.

Between my own buildings and my plumbing portfolio, it is obvious how little vacancy there is across the city. My buildings have long waitlists and the moment there is a vacancy posted there is a line-up of potential tenants at the door. When I am onsite for plumbing work, it is very rare that I am working in a vacant suite.

I'm personally glad to see that the aging rental building on this property is being replaced with a new building that will provide almost three times as many units in this neighbourhood. I hope that council recognizes the importance of these types of investments to build new rental and I hope that council approves this application.

I appreciate your time,

Garry Muir

Hi Lisa – in your deliberations of this project at the CotW meeting tomorrow – " **Appropriately scaled multi-tenanted development**" should be the primary criteria for Council's review of this project. We support redevelopment - but only with a design that is commensurate with the property size and surrounding environs.

Thank you!
Barbara

From: Barbara Bolli
Sent: January 19, 2021 11:27 AM
To: 'mayor@victoria.ca' <mayor@victoria.ca>; 'Lisa Helps (Mayor)' <LHelps@victoria.ca>; 'gyoung@victoria.ca' <gyoung@victoria.ca>; 'stephen.andrew@victoria.ca' <stephen.andrew@victoria.ca>; 'bisitt@victoria.ca' <bisitt@victoria.ca>; 'jloveday@victoria.ca' <jloveday@victoria.ca>; 'malto@victoria.ca' <malto@victoria.ca>; 'cthornton-joe@victoria.ca' <cthornton-joe@victoria.ca>; 'sdubow@victoria.ca' <sdubow@victoria.ca>; 'spotts@victoria.ca' <spotts@victoria.ca>
Cc: 'Bob June'
Subject: 1475 Fort Street Development Proposal: Lantern Properties

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

Mayor and Council,

I would like to thank you for taking the time to discuss this proposal at council. While there are various things that I would like to comment on, I will address only one at this point.

When Councilor Thornton-Joe referred to a picture of the current and proposed view from 1030 St. Charles which was provided by residents and asked staff if it was accurate she was told no. Staff said that they did not have that anything showing that view and that the one shown by Councilor Thornton-Joe was out of scale. That statement is misleading as an almost identical view is provided by the developer in their revised plans posted on the Tracker.

This lends credence to the statement in my previous letter that there is a bias in the planning department and the information given to council is not neutral.

Alan Morton

Dear Mayor and Council,

I live on the east side of 1475 Fort Street, and am writing in regards to the proposed development of a four-story apartment building.

As one of the neighbours living closest to this property, I am very concerned about the impact this development will have on my privacy and enjoyment of my home. The proposal is requesting extreme variances on all four sides. The variance request of 3.05 metres on the east side is less than half of the 6.46 metres that is required in bylaws.

If this variance is approved, the hedge inside my yard will be impacted, according to the April 5, 2019 report from the arborist, Talbot Mackenzie and Associates. I found this out from neighbours, who informed me of the development proposal. Until that time, I had no idea that a development was even under consideration. Lantern Properties did not grant me the courtesy of notifying me about the development or the risk to my privacy hedge.

As you might imagine, in addition to damaging my hedge, a 45 foot tall building with windows and balconies overlooking my home and yard just 10 feet away from the property line will have an impact on my family's quality of life.

City bylaws governing building setbacks exist for a reason. I believe that it is reasonable for my neighbours and I to ask that you direct the developer to design a building that respects those bylaws, thereby respecting the rights of the community to enjoy their homes.

Yours truly,

Dee Hoyano

ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

Land Use Committee

rockland.bc.ca

June 6, 2021

Mayor and Council
City of Victoria

Re: 1475 Fort Street, DVP 00120

Mayor and Council:

The Rockland Neighborhood Association and the Neighbors of the redevelopment at 1475 Fort Street understand the R3-AM2 zoning of the property allowing a 4-storey rental unit. We support such a building.

What is not appropriate is a building of this size with setbacks reduced by a third, no thoughtful transition to Traditional Neighborhood and the loss of Bylaw Protected trees. The zoning specifically requires the setbacks to be 50% of building height for a reason; to lessen the impact on the neighbors. These variances have a large impact on all the surrounding neighbor's privacy and enjoyment of home.

There are significant questions of the process by which this project moved forward.

- How did it move forward as a Variance rather than a Rezoning, given the change in density?
- How was it appropriate to allow a density uplift based on parking capacity when that parking capacity was never contemplated?
- How was it able to move forward when the lack of neighborhood notice was noted?
- How was it able to move forward after the misrepresentation of neighborhood support at the ADP was noted?
- How was it able to move forward with no ADP input when the Planer noted council was seeking advise on, <u>including massing, setbacks and orientation</u>? (12/22/20 ADP minutes are clear.)
- How did this move forward under the outdated 1982/03 Advisory Design Guidelines with no acknowledgement of the pending 2012/19 Design Guidelines with their emphasis on transitions.

We now have a 42+ft. tall apartment being proposed to be built a mere 13ft. from its nearest neighbor's lot line. We have a big box with no structural setbacks to lessen that impact. We have a big box which requires bylaw Protected Trees to be removed. We need to see better.

Bob June, co-chair
RNA LUC

Dave McWalter, co-chair
RNA LUC

[redacted]

From: island carpet cleaning [redacted]
Sent: Monday, June 7, 2021 8:41 PM
To: Public Hearings
Subject: 1475 Fort Street - Jeff Hayes' Project

Victoria City Council,

My name is Ronald Gould and I am currently a renter living at 1662 Donnelly Ave. I am writing today about the 1475 Fort Street application, which I am in support of given how much our community needs more rental options.

I am a long-term resident of Victoria and have seen this issue progressively worsen over the years, with no clear solution in sight. As the older rental housing buildings in Victoria continue to decline and age, it is getting more difficult for renters looking for stable, quality, and affordable rental units in the area.

Victoria is notorious for its extremely high real estate prices, and the rental market is progressively getting worse as rental prices are continuing to increase past the rate of inflation. Because of the low vacancy rates, landlords will continue to increase rents making it almost impossible to find a decent rental unit at a decent price. This application could ultimately be one small part of the solution, as a net gain in 21 rental units (32 new rental homes total) would help families in the neighbourhood find a better place to live.

As our population continues to grow, I think it is critical that City council addresses the housing issue to support those who are choosing to live and support their families in this community. Purpose-built rental that cannot be converted to condos was not being built for many decades which has exacerbated our housing crisis. I hope that council appreciates how important this type of housing is for our community and approves this application.

Thank you for your time,

Ronald Gould

--
Ron Gould
Island Carpet & Upholstery Cleaning
[redacted]

Hello,

Many years ago, I was a student at the University of Victoria. I remember the challenges finding an apartment to live in during that time and cannot imagine what it would be like today. Fast forward to now and I own a rental building just 10 minutes from the Fort St. proposal, at 635 Battery Street.

As a past resident and now the owner of a rental building in Victoria, I am writing to you in support of the application at 1475 Fort Street.

When vacancies in my buildings come up, the speed at which they are re-tenanted is incredible. It is rare to see any downtime between renters and we often are left with a huge waitlist of people hoping to get into the next apartment. I can tell you based on my own experience how many people are obviously having a very challenging time finding a suitable apartment to rent. This probably means that they are forced to rental overpriced or rundown rentals or condos that provide little security. I hope that council recognizes what a significant rental apartment shortage the city has and makes an effort in meeting the needs of local renters.

Best,

Bayan Ferzandi

[redacted]

From: David Sander [redacted]
Sent: Tuesday, June 8, 2021 9:51 AM
To: Public Hearings
Subject: 1475 Fort St.

Dear Mayor and Council,

I write to lend my support to Lantern Properties and their development permit application seeking approval for the construction of 32 rental units on Fort Street. As a past resident of Victoria with family still living in the City I know how hard it is to find decent accommodation. I lived in Victoria in the early 2000's and recall how challenging it was then to find rental housing. I remember going to a rental showing only to find 20 – 30 other applicants also walking through the apartment at the same time. I didn't bother submitting an application but later found out a friend of a friend had landed the pad. I enquired how he managed to get it and learned that he came back the next day with a home made pie for the landlord and begged for the apartment. The point of the story is that tenants need more options. This took place in 2002 and the rental housing crisis has only worsened since that time. It was pretty bad then. I must have made 20+ applications before a landlord finally said yes to me and I was not a risky prospect, just young.

Over the last decade I have come to know the Hayes family and Lantern Properties, I know them to be first class landlords who carry themselves with integrity and respect for their tenants. Their words have meaning and they do what they say they will do. I believe that if their application is successful they will build a high quality rental building the City will be proud of and one that will fit in with the community for decades to come. I do find the renderings of the building attractive and can see the intent is to use high quality materials. Once built I believe the building will be welcomed by the community and celebrated by the tenants that will come to live there.

Thank you for your consideration and please support Lantern's application to add much needed secured rental housing to the City's housing stock.

Best regards,
David Sander

Sent from Mail for Windows 10

[redacted]

From: Victoria Mayor and Council
Sent: Wednesday, June 9, 2021 10:24 AM
To: Public Hearings
Subject: Fw: 1475 Fort Street
Attachments: Before and After-1@ 0.0.1-2.jpg; East Side for EMAIL.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

From: [redacted]
Sent: June 8, 2021 8:47 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>
Subject: 1475 Fort Street

I am writing about my strong concerns about the scale of the development at 1475 Fort St and the extreme variances that are before Council for decision on Thursday, June 10. You may be aware that the proposed structure takes up almost the entire area of a postage size lot. 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. The few concessions provided by the developer have been minor and do not address concerns identified.

To be clear, my neighbours and I support redevelopment or refurbishment of the existing structure but there must be a more sensitive transition in between the larger buildings fronting on Fort St and the residential area to the south. Or as Lisa Helps calls it " appropriately scaled multi-tenanted housing". We further urge Council to ensure that this high end apartment also includes opportunities for marginalized community members who live in the current building at 1475 Fort under the care of VIHA.

If you haven't already done so, we urge you to go on site and view the development site in advance of Thursday. Please send this project back to the developer to come up with a design that is compatible the size of the lot and the neighbourhood.

Thank you,
Barbara Bolli
9-949 Pemberton Rd
Victoria BC

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

[redacted]

From: Victoria Mayor and Council
Sent: Wednesday, June 9, 2021 10:23 AM
To: Public Hearings
Subject: Fw: Public Hearing Notice: 1475 Fort St
Attachments: IMG_20210603_201926.jpg; IMG_20210603_201955 (003).jpg

Follow Up Flag: Follow up
Flag Status: Flagged

From: [redacted]
Sent: June 8, 2021 1:39 PM
To: Alec Johnston [redacted] Alison Meyer [redacted]
Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Stephen Andrew (Councillor) <stephen.andrew@victoria.ca>; 'Bob June' [redacted] 'Carolina Ashe' [redacted]
Subject: Public Hearing Notice: 1475 Fort St

Reference is made to the City's Public Hearing notice posted for the proposed development at 1475 Fort St. We note that you can not see the sign if you are walking/driving northwest on Fort St. Moreover the sign is so small and lost on the larger apartment sign that only the most observant person walking on the sidewalk would notice it. It is certainly not possible to see that there is a notice if you are driving in a vehicle. The condition of the sign is also in poor condition. This hardly suffices for public notification.

Barbara Bolli

SARONA
APARTMENTS
1471/1475 FORT STREET
NO VACANCY

[redacted]

From: Victoria Mayor and Council
Sent: Wednesday, June 9, 2021 11:33 AM
To: Public Hearings
Subject: Fw:

From: Jay Blue [redacted]
Sent: June 9, 2021 11:05 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>
Cc: Marianne Alto (Councillor) <MAlto@victoria.ca>; Stephen Andrew (Councillor) <stephen.andrew@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; 303, [redacted]
Subject:

June 9, 2021

Dear Mayor and Council,

We are writing to ask you *not* to approve the proposal for a new apartment building at 1475 Fort Street. The proposal's request for large variances on all four sides, as well as a height variance, clearly indicates that this proposed building is out of proportion to the lot.

The building site, which is situated on a panhandle lot, is bordered on the east by single family dwellings, and on the south and west by 2-story townhomes. The proposed building would loom like a monolith over a neighbourhood that is characterized by low density housing, trees, and private yards.

If this proposal is approved, the developer is the only one who will gain, through maximized use of space for monetary profit. The people in the neighbourhood will pay the price through loss of privacy, loss of trees cover, and loss of neighbourhood character and continuity.

We are not opposed to a four-story apartment building on this site. We are simply asking you to tell the proponent to design a building that adheres to current zoning setback bylaws, as well as guidelines regarding transition to lower-density housing. This would result in a plan that will work for everyone.

Thank you,

Bill Stroll and Jay Nefsky

#3 - 949 Pemberton Rd

Victoria, BC

[redacted]

From: Victoria Mayor and Council
Sent: Wednesday, June 9, 2021 10:22 AM
To: Public Hearings
Subject: Fw: Upcoming Housing Approvals

Follow Up Flag: Follow up
Flag Status: Flagged

From: David Berry [redacted]
Sent: June 7, 2021 5:16 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Upcoming Housing Approvals

Hi all,

I want to write in support of the 415 435 Michigan St development and the 1475 Fort St developments. As you all know, we have a dier housing affordability crisis in Victoria and as we saw from last week's voting down of 931 Mclure, it isn't being taken seriously by the majority city council.

The only issue I see with these developments is they aren't large enough to support 3 bedroom family housing. City council is encouraging many 1 and 2-bed housing developments in the core of the city (which is great), but is leaving a major hole for any family wanting to stay in Victoria. Please support these developments and support more housing in Victoria. If there is a worry about how expensive these units are, look at the city-enforced parking requirements, and the city-enforced rezoning process, and the price of materials in the construction industry. Also, all of the 50-year-old affordable apartments were once the new expensive apartments when they were built. We need more housing for there to ever be affordable housing.

Thank you
David Berry

Thank you
David Berry

[redacted]

From: Victoria Mayor and Council
Sent: Wednesday, June 9, 2021 10:25 AM
To: Public Hearings
Subject: Fw: 1475 Fort Street: Development Permit with Variances Application No. 00120

From: domenico paterna [redacted]
Sent: June 8, 2021 1:51 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; stephen.andrew@vitctoria.ca <stephen.andrew@vitctoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>
Subject: 1475 Fort Street: Development Permit with Variances Application No. 00120

Dear Mayor and Council,

I am a new resident of 949 Pemberton Road, and I love living in such a beautiful neighbourhood, full of mature trees. What a shock to learn that a developer wants to remove many of those trees to place a large apartment building on a tiny lot. The trees are all on the edges of the property. If the building was scaled properly and built within zoning bylaws, the trees could be saved.

I do not understand why the city would even consider approving a building that requires large variances on all four sides. While it is understandable that a developer might ask for a small variance from time to time, this situation is extreme. If this proposal is approved, then why do we bother having setback bylaws and building guidelines at all?

Certainly a balance can be found. I am not opposed to an apartment building being erected on this site. All I am asking is that it be sized appropriately for the building site and for the surrounding neighbourhood.

Please do not approve this proposal. If you do, it will send the message to developers that “anything goes,” and that preserving neighbourhood character and nature have become things of the past.

Domenico Paterna

May 25, 2020

Dear Mayor Helps and Councillors,

I am writing to express my concern about the proposed development application at 1475 Fort St.

The proposed development is requesting three variance permits that will have a negative impact on tree canopy cover and the loss of many mature trees on the perimeter. By excavating up to the property line on both the east and west borders, it will remove mature elms and big leaf maples which will be replaced by a few small Japanese maples and dogwood trees. The replacement trees are small as there is not sufficient soil volume to replace with larger trees. The trees that are to be retained may be damaged by blasting , scaffolding and irrigation lines as outlined in the arborist report.

The trees that are to be removed constitute 488 diameters (DBH) of mature trees with a large canopy. The trees that are being retained constitute 186 diameters (DBH).
This is a loss of 300 DBH and large canopy cover. One maple tree (58 DBH) can sequester 2.4 kg of carbon/year and the reduce water run off by 484 litres. Plus remove air pollution . The lifetime CO2 equivalent of carbon is 3000 Kg. (itree.org) This is how ONE mature maple tree benefits the city.
The replacement trees at 4 cm times 4 trees represent 16 DBH.

If the variance permit applications are denied , the building could be built AND at the same time, preserve the magnificent mature tress that provide the benefits of carbon sequestration, reduce water run off and of course, retain the canopy cover.

The Fort St area has suffered the loss of many mature diverse trees. This development does not need to extend to the property lines and decimate the mature perimeter trees. The underground parking and the building envelope requiring 3 variances **should not be approved.**

How can the city maintain a stable canopy cover if it allows a developer to build so close to the property line? The regulations state 7.2 metres from the fence line and the developer is requesting from 2.8 to 3,8 metres. This will remove 300 DBH of mature trees.

Please consider the impact of this decision on the canopy cover of the urban forest in regards to climate change. Please visit the site and look up into the marvellous canopy of the elms and maples.

Sincerely,

Jan Firstbrook
1309 Balmoral Rd
Victoria, BC
[redacted]

[redacted]

From: Victoria Mayor and Council
Sent: Wednesday, June 9, 2021 10:24 AM
To: Public Hearings
Subject: Fw: 1475 Fort Street: Development Permit with Variances Application No. 00120

From: maria monachino [redacted]
Sent: June 8, 2021 1:54 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; stephen.andrew@vitctoria.ca <stephen.andrew@vitctoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>
Subject: 1475 Fort Street: Development Permit with Variances Application No. 00120

Dear Mayor and Council,

I am a new resident of 949 Pemberton Road, and I love living in such a beautiful neighbourhood, full of mature trees. What a shock to learn that a developer wants to remove many of those trees to place a large apartment building on a tiny lot. The trees are all on the edges of the property. If the building was scaled properly and built within zoning bylaws, the trees could be saved.

I do not understand why the city would even consider approving a building that requires large variances on all four sides. While it is understandable that a developer might ask for a small variance from time to time, this situation is extreme. If this proposal is approved, then why do we bother having setback bylaws and building guidelines at all?

Certainly a balance can be found. I am not opposed to an apartment building being erected on this site. All I am asking is that it be sized appropriately for the building site and for the surrounding neighbourhood.

Please do not approve this proposal. If you do, it will send the message to developers that “anything goes,” and that preserving neighbourhood character and nature have become things of the past.

Maria Monachino

--

Maria Monachino
Victoria B.C.
Canada

June 9th, 2021

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

Re: Letter of Support for 1475 Fort Street

Dear Mayor and Council:

I am writing to you today to voice my support for the proposed development at 1475 Fort Street as I believe the building to be of high-quality design that fits the neighbourhood and that the project helps meet the needs of a diverse, growing population.

With existing rental stock in the area aging, I am pleased to see a new, high quality development come to upper Fort that will provide additional rental stock. I believe that a building of this size and quality will fit the upper Fort Street area well and contribute to the peaceful, quiet environment of the neighbourhood through the improved landscaping and common amenity space.

It is important that a community's housing mix meets the needs of that community, and Victoria is in significant need of purpose-built rental housing. I am pleased that this project will bring 21 additional units that will become long-term, secure rental homes for families of all ages, and that the project will not require displacement of current long-term residents.

As a UVic student, and a young person who is looking to start a life in Greater Victoria, I am pleased to see projects like this increase the region's housing supply. I thank council, in advance, for their consideration not only of the current residents of Greater Victoria but also of the needs and challenges of the city's future residents and workers, a cohort now represented by students and children. I ask you to support this project in full.

Sincerely,

Rowan Damant
215 Beechwood Avenue
Victoria, BC V8S 3W6

[redacted]

From: Bill McKechnie [redacted]
Sent: Wednesday, June 9, 2021 5:33 PM
To: Public Hearings
Cc: Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); lisa.helps@victoria.ca; Stephen Andrew (Councillor)
Subject: FW:

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mayor and Council

I live in a townhouse at 949 Pemberton. Our property line borders the proposed development at 1475 Fort.

I have read the letters of concerns written by the neighbors regarding the project and strongly agree with them.

The simple matter is that this proposed project is too massive for the size of the lot. It has been treated as a simple variance when it should have been treated as a rezoning proposal with all the protocols in place for the neighborhood reaction and dialogue with Lantern Properties. The implications of this project are enormous and precedent for the neighborhood. They include for example:

- Removal of vegetation and most of the very large and mature trees on the perimeter of the property. These will never be replaced because of the underground parking lot which reaches to the perimeter of the property (with a minor exception). The planting of small trees in pots is not compensation for this impact.
- Environmental impacts – avian species are abundant in our neighborhood. As such, the loss of these trees and vegetation is a huge loss.
- Removal of cost effective housing from Victoria's inventory (VIHA will not be able to afford the rents in this building regardless of what Lantern would have the City think)
- Thirty-two apartment units crammed into this small space with almost no outdoor space, limited parking and views directed to neighbours 27 to 14 feet ft away!
- A 42 foot building towering over neighbouring residents and setbacks of 27 and 10 feet creating loss of neighbourhood ambiance, character and privacy for the neighbours (What about enforcing the bylaws??).
- No transition zone from large buildings on Fort St to residences at the south and east.
- A flawed referral to the ADP and no proper assessment done of this project.
- A development process marred by poor process, Covid requirements and an unprincipled developer.

Please send this proposal to Lantern Properties to develop a project that addresses the concerns raised here and by neighbours

Respectfully,

Bill McKechnie

[redacted]

Dear Mayor and Council:

Please say “no” to the proposal for 1475 Fort Street.

The Big Leaf Maple, pictured below, is one of 10 mature trees at the edges of the property that will be cleared for the proposed monolith.

This tree is approximately 50 feet high with a crown spread of 45 feet. Its replacement, a Katsura, will take decades to grow to maturity and will never attain this size and spread.

The tree replacement plan is wholly inadequate to mitigate mature tree loss. Loss of trees will magnify the already significant impact of the proposed building on neighouring homes.

You are this neighbourhood’s elected representatives.

We count on you to do what we cannot do – make a decision to protect the environment, the neighbourhood, and the character of our city.

Please say “no” to this proposal and direct Lantern Properties to submit a design that works for everyone – not just the developer.

Yours sincerely,

Carolina Ashe
7-949 Pemberton Road

[redacted]

From: Cindy & Eric Tang [redacted]
Sent: Wednesday, June 9, 2021 4:38 PM
To: Public Hearings
Subject: 1475 Fort Street

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mayor and Council,

Our names are Cindy Au and Eric Tang, and we are writing to you today to show our support for the proposed rental building at 1475 Fort Street. We are a young family of 4 and have lived in Victoria for almost 3 years at 4329 Faithwood Road. We feel as though more needs to be done to ensure future generations are able to secure adequate rental housing at an affordable price in Victoria.

We are fortunate to own our home, but understand that finding reasonably priced housing is a struggle for many. When our children grow up, we will like them to be able to easily find affordable, well-built housing; however, that will not be possible if new supply of rental housing is not added to the market on a consistent basis.

We firmly believe that this proposal is the right contribution to the community. As the population continues to increase and the rental housing stock continues to age, the need to invest in new rental is imperative.

We hope that the Mayor and Council understand our concerns and approve this project, keeping in mind the needs of future generations.

Thank you,

Cindy Au & Eric Tang

[redacted]

From: Cynthia Pacheco [redacted]
Sent: Thursday, June 10, 2021 12:12 PM
To: Public Hearings
Cc: Ben Isitt (Councillor); Stephen Andrew (Councillor); Marianne Alto (Councillor); lisa.helps@victoria.ca; Jeremy Loveday (Councillor); Geoff Young (Councillor)
Subject: Fwd: Proposed development at 1475 Fort Street

Good morning,

I sent this email June 9, 2021 regarding the proposed development at 1475 Fort St and I would like to add current photos as well as photos of what our patios will look like if the council votes to allow this to happen.

If this proposal is approved the people in the neighboring houses and townhouses will pay a high price in that they will be losing their privacy, trees and neighbourhood character and continuity.

We are not against a new development but we stand firm that the new development should be constructed following the existing zoning setback bylaws.

Thank you,
Cynthia Pacheco
Unit 11-949 Pemberton Road

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

From Upstairs Window

From Patio

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

From Upstairs Window

From Patio

---------- Forwarded message ---------
From: **Cynthia Pacheco** [redacted]
Date: Wed, Jun 9, 2021 at 10:02 PM
Subject: Proposed development at 1475 Fort Street
To: <publichearings@victoria.ca>
Cc: <malto@victoria.ca>, <stephen.andrew@victoria.ca>, <lisa.helps@victoria.ca>, mayor@victoria.ca'; 'gyoung@victoria.ca'; 'cthornton-joe@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'sdubow@victoria.ca'; 'spotts@victoria.ca'; Lisa Helps (Mayor) ; <jloveday@victoria.ca>, mayor@victoria.ca'; 'gyoung@victoria.ca'; 'cthornton-joe@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'sdubow@victoria.ca'; 'spotts@victoria.ca'; Lisa Helps (Mayor) ; <spotts@victoria.ca>, mayor@victoria.ca'; 'gyoung@victoria.ca'; 'cthornton-joe@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'sdubow@victoria.ca'; 'spotts@victoria.ca'; Lisa Helps (Mayor) ; <bisitt@victoria.ca>, mayor@victoria.ca'; 'gyoung@victoria.ca'; 'cthornton-joe@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'sdubow@victoria.ca'; 'spotts@victoria.ca'; Lisa Helps (Mayor) ; <gyoung@victoria.ca>, mayor@victoria.ca'; 'gyoung@victoria.ca'; 'cthornton-joe@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'sdubow@victoria.ca'; 'spotts@victoria.ca'; Lisa Helps (Mayor) ; <cthornton-joe@victoria.ca>

Dear Mayor and Council,

I live at #11 – 949 Pemberton Rd which is directly adjacent to 1475 Fort St. I am writing to express my concern about the many significant variances requested by the developer.

As the project is currently proposed, the building will almost take up the whole lot resulting in many residents at 949 Pemberton no longer able to see the sky when they step outside their back doors. Instead they will face a massive wall, 10 to 13 feet from the property line and reaching more than 40 feet above them. Vegetation and mature trees will be permanently removed to accommodate an underground parking lot. The visual and sound barrier which separates this property and provides

natural beauty and wildlife/avian habitat from other neighbours' will be lost. Permanent social housing will be lost.

I ask Council to consider the following questions as it deliberates the outcome of this proposal:

- Is Council prepared to ensure that this project is in keeping with current zoning bylaws, with only minor variances, if any?
- Will Council ensure that this project provides a balancing of interests and benefits for all stakeholders – that includes the public, neighbours, current residents and the developer? Right now the project largely benefits the developer.

Sincerely Yours,

Cynthia Pacheco

[redacted]

From: Cynthia Pacheco [redacted]
Sent: Wednesday, June 9, 2021 10:03 PM
To: Public Hearings
Cc: Marianne Alto (Councillor); Stephen Andrew (Councillor); lisa.helps@victoria.ca; Jeremy Loveday (Councillor); Sarah Potts (Councillor); Ben Isitt (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor)
Subject: Proposed development at 1475 Fort Street

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mayor and Council,

I live at #11 – 949 Pemberton Rd which is directly adjacent to 1475 Fort St. I am writing to express my concern about the many significant variances requested by the developer.

As the project is currently proposed, the building will almost take up the whole lot resulting in many residents at 949 Pemberton no longer able to see the sky when they step outside their back doors. Instead they will face a massive wall, 10 to 13 feet from the property line and reaching more than 40 feet above them. Vegetation and mature trees will be permanently removed to accommodate an underground parking lot. The visual and sound barrier which separates this property and provides natural beauty and wildlife/avian habitat from other neighbours' will be lost. Permanent social housing will be lost.

I ask Council to consider the following questions as it deliberates the outcome of this proposal:

- Is Council prepared to ensure that this project is in keeping with current zoning bylaws, with only minor variances, if any?
- Will Council ensure that this project provides a balancing of interests and benefits for all stakeholders – that includes the public, neighbours, current residents and the developer? Right now the project largely benefits the developer.

Sincerely Yours,

Cynthia Pacheco

[redacted]

From: Gretchen Karlebach [redacted]
Sent: Thursday, June 10, 2021 10:23 AM
To: Public Hearings
Subject: re: 1475 Fort Street

Dear Mayor and Council,

As a neighbour to the west & directly affected by this proposal, I want to express my continued shock at the flawed process, and the many unaddressed concerns re: the proposed construction at 1475 Fort Street. Although we recognize the need for affordable family housing in Victoria, this construction with "high end details" will most likely *not* be "affordable" for many families.

WHY has Council agreed to let the developer move forward with this project when the process has failed from the beginning?
-- neighbours were NOT informed of the proposed project
-- neighbours were NOT invited to information sessions
-- online meeting was insulting as developer & architect did NOT respond to neighbours' serious concerns & questions
-- the developers' claim is UNTRUE, on the contrary, the neighbours as a group are NOT positive & supportive of the project

WHY has Council allowed this project to continue requesting *extreme* variances and NOT be sent back for rezoning?
-- the developer & architect have NOT listened to the concerns of those directly affected, as demonstrated by continued pushing of all boundaries
-- immediate neighbours to the south will be looking straight up at a 42 foot building only a few feet from their property line
-- the proposed footprint is far too large for the site, as indicated by the amount of variances requested
-- 10 mature, well established trees, 8 of them city protected, will be removed as a result of pushing to the property lines on all 4 sides

WHY is Council expecting the neighbours to be the ones to compromise? --- with loss of privacy, loss of trees & wildlife habitat, loss of sky, increased noise, decrease of home values, change of neighbourhood ambiance, ... for the financial gain of the developer??

Thank you for seriously considering all the many valid concerns & problems presented this evening. We look forward to hearing answers to our questions. I sincerely hope that we have assisted Council in recognizing the flaws of this proposal, and as a result Council will not approve & allow it to go forward.

gretchen & geoffrey karlebach

[redacted]

From: Janene Scordo [redacted]
Sent: Thursday, June 10, 2021 9:21 AM
To: Public Hearings
Subject: 1475 Fort Street

Dear Victoria City Council,

We're writing today to support the application for a four-storey rental building at 1475 Fort Street.

We've lived in this community for many years and have chosen to raise our two sons here as well. It's because of them that we feel compelled to comment on housing issues in the city. We are very concerned for how our city will look when it is time for our children to move out on their own. Rental prices are through the roof and if we are having trouble finding affordable housing at our age, how do we expect our kids to manage? We rented for 5.5 years before owning our current home, so we understand the challenges many families are facing right now. Rental apartments are hard to find and often old and dated. There are limited options and it takes a lot of legwork to find something that suits your family's needs.

It is important that we consider the futures of the children who live in this community and are making decisions that are not only beneficial for us but beneficial for them as well.

Thank you for your time,

Janene and Ashton Scordo

--
Janene Scordo CPA,CA

[redacted]

From: Lorena Mowers [redacted]
Sent: Thursday, June 10, 2021 9:46 AM
To: Public Hearings
Cc: Ben Isitt (Councillor); Lisa Helps (Mayor); Charlayne Thornton-Joe (Councillor); Jeremy Loveday (Councillor); Geoff Young (Councillor); Sarah Potts (Councillor); Marianne Alto (Councillor); Sharmarke Dubow (Councillor); Stephen Andrew (Councillor)
Subject: Proposed Development at 1475 Fort Street

Death by a Thousand Cuts

Victoria's urban forest is the soul of the city.

It is a fantastic aesthetic - and thus economic - asset.

It is an antidepressant and mood enhancer for everyone.

It is an important carbon sink and local climate modifier.

It provides habitat for a multitude of birds and other wildlife.

And it is under constant attack as developers seek to monetize every square foot of the city.

Everyone pays lip service to the urban forest, but almost every day someone aspires to remove "just a few" trees in order to make a new building. 5 trees here, 7 there, 11 somewhere else - it soon adds up to a massive loss to one of the most important of the city's assets.

The developers of 1475 Fort want to remove 11 large trees and replace them with mini trees, most of them in pots, whose total combined biomass, carbon sequestration, and habitat potential will ever equal even one of the big trees removed.

Just as the province's unique old growth forests will be irreparably lost if the tiny remaining fraction is not preserved, so Victoria's urban forest will disappear unless council acts seriously to protect this vital aesthetic, economic, emotional, climatic, and environmental asset.

Every big tree that's felled diminishes the lives of everyone in the city and the CRD. A few here and a few there soon add up to a greatly diminished city.

There are many reasons why the over-development of 1475 Fort Street is a bad idea, but the loss of trees is one of the most important.

Lorena Mowers
16 - 949 Pemberton Road
Victoria

[redacted]

From: Raymond Dubhe [redacted]
Sent: Wednesday, June 9, 2021 3:58 PM
To: Public Hearings
Subject: Application - 1475 Fort Street

Follow Up Flag: Follow up
Flag Status: Completed

Mayor and Council,

I am writing today to show my support for the application at 1475 Fort Street that is before council in the coming days. I live close to the building at 1180 Fort St. and I have had the opportunity to work in this building, doing small mechanical projects such as installing household appliances and even installing a fence around the property. I have never had any issues with tenants in the area, as they are all respectful of each other, their neighbours, and the space they occupy. Based on my experience I think that more rental homes would fit in very well here.

I have noticed that one of the biggest challenges faced by tenants is the lack of available rental suites in Victoria. As the existing buildings get older I can only imagine that this issue will get worse over time if the City does not get more aggressive at encouraging more rental buildings.

Proposals like this are really important since they are modest in size and replace old buildings that don't warrant more investment and upgrades. Victoria is growing and I'm sure that the need for rental homes will be even greater in the not so distant future. In my opinion it's critical that Council takes this into consideration when reviewing the application. The 32 rental homes proposed here are definitely a positive contribution to our city I am hoping Council sees this as an opportunity to promote more rental housing development projects across the city.

Thank you for your time,

Raymond Dubhe

[redacted]

From: Sandra Jones [redacted]
Sent: Thursday, June 10, 2021 12:43 PM
To: Public Hearings
Subject: 1475 Fort Street proposed development- pdf file enclosed
Attachments: Birds in Big leaf Maples.pdf

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the proposed 1475 development. I oppose this development as proposed.

Please find the enclosed pdf of birds inhabiting the bylaw protected big leaf maples on this site that the proposed development would destroy. Carbon capture by

mature trees is crucial in times of climate change, as well being home to all other inhabitants of this ecological system.

Is Council willing to ensure sustainable and protective measures for the ecology of our neighbourhood which in the big picture is of benefit to all of Victoria's eco-system?

Sincerely,

Sandra Jones
Unit 6-949 Pemberton Road.

From: **Sandra Jones** [redacted]
Subject: B rds n B g eaf Map es
Date: September 18, 2020 at 1:48 PM
To: Caro na Ashe [redacted]

SJ

[redacted]

From: Sandra Jones [redacted]
Sent: Thursday, June 10, 2021 12:18 PM
To: Public Hearings
Subject: 1475 Fort Street Proposed Development

Dear Mayor and Council,

I am a homeowner at 949 Pemberton Road in a complex that runs adjacent to the 1475 For Street proposed development by Lantern Properties.
I am strongly opposed to the plans/large variances/tree removal as outlined so far for the following reasons:

-The proposed development , which is considerably larger than the existing building, despite some recent modifications by the developer, would result in significant loss of privacy, blue sky, and sun to units bordering this development due to the large size, height and close proximity to the property line.

- Regard for our neighbourhood with its mature bylaw protected trees and their unquestionable ecological footprint is crucial and needed. The proposed plan would destroy these peripheral mature trees. Only small plantings would grow as the area allowed is insignificant for large tree growth. As well many of the roots systems of other trees on the border could be compromised.

-Q: Is Council committed to upholding the integrity, tree canopy, privacy and health/well-being of our neighbourhood and the people in it?

-Q: Would Council be willing to arrive at a win/win solution considering all stakeholders and not just the Developer's best interests?

-Q: Are the deeply held values for communication, community engagement and consideration, environmental preservation in fhe face of climate change, being upheld by Council when
considering this proposal?

Sincerely,
Sandra Jones
#6- 949 Pemberton Road

[redacted]

From: tamarabailey [redacted]
Sent: Wednesday, June 9, 2021 6:25 PM
To: Public Hearings
Subject: 1475 Fort St - Public Hearing

Follow Up Flag: Follow up
Flag Status: Completed

Mayor and Council,
I am a resident of #10-949 Pemberton Rd, immediately behind the proposed development at 1475 Fort St. These are my concerns:

- Far too many and extensive variance requests. This project should have been a rezoning application.
- A proposed apartment building which is far too large for the size of the property. This is not downtown Victoria!! The building set backs range from 13 feet to 10 feet. The 42 foot height of the building towers over the adjacent residences.
- The proposed underground parking lot ensures that most of the existing vegetation including large and beautiful trees will be removed and can not be replaced due to soil depths limited by the underground parking lot.
- Contrary to the city planner and the developers window overlay – tenant will have a clear view into adjacent residences windows
- The APD was misled by the developer who stated that neighbours were happy with the proposal when in fact only one neighbour had been engaged by the proponent. And that neighbour has never supported this project.
- The ADP never responded to the City's requested information on setbacks, orientation and massing.
- The lack of meaningful engagement with neighbours. Yes, we understand under this application that the proponent was not required to engage but it is not unreasonable and pretty standard practice on major developments for proponents to connect proactively with affected neighbours and to provide information on request.
- Existing social housing will be eliminated. VIHA will not be able to afford the rents here.

Why does the city have bylaws in place if they don't enforce them without clear justification?
If the City is so concerned about the lack of social housing why does it not require the developer to include this requirement into their project? It is the right thing to do.

This proposal needs to go back to the developer to design a project which reduces impacts, provides benefits not just for the developer, is in keeping with the size of this property and which respects existing bylaws .

Sincerely Yours,
Tamara Bailey

Sent from my iPad

From: [redacted]
To: Public Hearings
Subject: 1475 Fort St – Letter
Date: June 10, 2021 1:57:57 PM

Dear City of Victoria Mayor and Council,

I'm writing to you to support the proposed rental project at 1475 Fort Street and I encourage council to vote in favour of the application.

I am currently a student at the University of Victoria School of Music. Victoria has a large amount of young students looking for rental housing. I can speak to this firsthand by how hard it can be for students to find a decent place to live, listings sometimes get taken within hours of being posted and a lot of what is out there is very expensive for what it is.

I ask the City of Victoria to support young people by approving the 1475 Fort St project and other rental projects that come before council for approval.

Thank you.

Adam Swartz

Previous home 1393 Harrop rd. Victoria BC, Canada

From: [redacted]
To: Public Hearings
Subject: Public Hearing on Proposal at 1475 Fort Street
Date: June 10, 2021 1:30:34 PM

To whom it concerns,

I am a long-time resident and homeowner in the city of Victoria. I am fully behind the managed expansion of our fine city through processes like this one. We need more density, done in a managed and thoughtful way.

I am writing in strong support of the proposed project at 1475 Fort Street.

The project is a great use of the existing footprint; the new 4-storey rental building will deliver MUCH needed rental stock to the city and to a neighborhood that needs it most. By increasing the number of units from 11 to 32, it provides moderately more capacity and yet stays within the style and density patterns of the surrounding areas.

I have reviewed the design as available on the web, and I believe this will enhance the public space along Fort street, and vastly improve the common open spaces for residents.

Thank you.

Darius Millar

Darius Millar
[redacted]

From: [redacted]
To: Public Hearings
Subject: 1475 Fort Street
Date: June 10, 2021 1:40:24 PM

To whom it may concern,

I am writing to express my support for the redevelopment and allocation of purpose built rental housing at 1475 Fort Street.

As a Victoria resident, and particularly as a resident of the downtown, I am very much aware of the lack of rental housing. I very much support efforts and activities to increase availability of purpose built rental housing, and welcome the diversity this supports within our communities.

Sincerely,

Kim Meyer
309-562 Yates Street
Victoria V8W 1K8

--

Kim **Meyer**
CELL [redacted] • **E-MAIL** [redacted]

From: [redacted]
To: Public Hearings
Subject: 1475 Fort Street - Call to Attention
Date: June 10, 2021 1:10:08 PM

Dear Mayor and Council,

We are writing to you as residents at 1019 Pemberton Road, Victoria to raise our concerns with the proposed redevelopment adjacent to us at 1475 Fort Street.

The proposed redeveloped building as per the plans submitted by Lantern Properties is too large relative to the property footprint on which it will be built. The new development will impact the environmental values and livability of the Area with the destruction of the mature tree canopy that provides privacy and peace to us here.
My wife and I would like to raise our concerns and objections to this proposal and the process as it sits with the city; **development permit application with variances**.
Our concerns are with:

1. **the project:**
   - request for **extraordinary variances** in order to accommodate the new building; building height, set back reduction.
   - a request for almost 50% reduction in parking spaces with the new building – excavation required will extend footprint on 3 sides of the property
   - removal of old growth trees both on the developer's property and risk to the root system of trees on neighbouring properties
   - displacement of bird populations with the removal of the tree canopy
   - privacy of neighbouring properties reduced with the tree removal

2. **the process**:
   - the developer, architect and city planning representatives have stated that the adjacent neighbours have been consulted over the course of the development permit application process and support the project – this is not true.

- while we understand the challenge to host the requested CALUC meeting during this time of COVID protocol, but the on-line meeting held September 9th was poorly moderated and not a truly representative platform whereby neighbouring residents could properly voice and debate this project.
    - we were told that the meeting was recorded, and we encourage council members to listen to the proceeding to better grasp the cumbersome proceedings of the meeting and the concerns the neighbours of the proposed redeveloped property at 1475 Fort Street have.

We ask that Mayor, Council and the Victoria City Planning Department reject the development application (city folder DVP00120) applied for by Lantern Properties; June 12, 2019 and for the company to resubmit an application for redevelopment of the property with a building that maintains the green scape of the neighbourhood and meets the design criteria of the zoning bylaws.

Regards,

Russ and Candace Scruggs

NO. 21-057

HOUSING AGREEMENT (1475 FORT STREET) BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 1475 Fort Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

1 This Bylaw may be cited as the "HOUSING AGREEMENT (1475 FORT STREET) BYLAW (2021)".

Agreement authorized

2 The Director of Sustainable Planning and Community Development is authorized to execute the Housing Agreement:

(a) substantially in the form attached to this Bylaw as Schedule A;

(b) between the City and Lantern Properties Ltd., Inc. No. C0816000 or other registered owners from time to time of the lands described in subsection (c); and

(c) that applies to the lands known as 1475 Fort Street, Victoria, BC, legally described as:

PID: 005-397-863
Lot 2, Section 74, Victoria District, Plan 9796.

READ A FIRST TIME the	27th	day of	May	2021
READ A SECOND TIME the	27th	day of	May	2021
READ A THIRD TIME the	27th	day of	May	2021
ADOPTED on the		day of		2021

CITY CLERK MAYOR

Schedule A

HOUSING AGREEMENT
(Pursuant to section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square
Victoria, B.C. V8W 1P6

(the "**City**")

AND:

LANTERN PROPERTIES LTD. (INC. NO. C0816000)
101 – 1176 Burnaby Street
Vancouver, BC V6E 1P1

(the "**Owner**")

WHEREAS:

A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.

B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.

C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1475 Fort Street, Victoria, B.C. and legally described as:

PID: 005-397-863
Lot 2, Section 74, Victoria District, Plan 9796

(collectively, the "**Lands**").

D. The Owner has applied to the City to develop the Lands to permit 32 housing units within the Development in accordance with this Agreement.

E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"**Business Day**" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"**Development**" means the new 32 unit building consisting of residential housing and related facilities on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the 32 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "**Dwelling Unit**" means any of such residential dwelling units located on the Lands;

"Immediate Family" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"**Non-owner**" means a person other than a Related Person or the Owner;

"**Owner**" includes a person who acquires an interest in the Lands or any part of the Lands or the Development and is thereby bound by this Agreement, as referred to in section 7.3;

"**Related Person**" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is:

(a) a corporation or society:

(i) an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society; or

(ii) an Immediate Family of a person to whom paragraph (i) applies, or

(b) an individual, an Immediate Family of the registered or beneficial owner;

"**Strata Corporation"** means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act,* a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation.

"**Tenancy Agreement**" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

2.1 The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing in perpetuity, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit provided that so long as the Vancouver Island Health

Authority rents Dwelling Units for non-market housing, these units do not require a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit and the Owner leasing the Dwelling Units to Vancouver Island Health Authority shall be deemed to be in compliance with the terms of this Agreement.

3.0 NO RESTRICTIONS ON RENTALS

3.1 The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

3.2 Without limiting the generality of section 3.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

4.0 REPORTING

4.1 The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Community Development, within thirty (30) days of the Director's written request, a report in writing confirming that:

(a) all Dwelling Units are being rented to Non-owners or are vacant, and

(b) all other requirements of this Agreement are being complied with by the Owner and the Development,

along with such other information as may be requested by the Director from time to time.

4.2 The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

4.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

5.1 Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

6.1 The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.

6.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

7.0 GENERAL PROVISIONS

7.1 NOTICE. If sent as follows, notice under this Agreement is considered to be received:

(a) upon confirmation of delivery by Canada Post if sent by registered mail,

(b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and

(c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

City of Victoria
#1 Centennial Square
Victoria, BCV8W 1P6

Attention: Director of Sustainable Planning and
Community Development
Fax: 250-361-0386
Email: khoese@victoria.ca

and in the case of the Owner, addressed to:

Lantern Properties Ltd.
101 – 1176 Burnaby Street
Vancouver, BC V6E 1P1

Attention: Jeff Hayes
Fax: 866-288-1991
Email: jeff.hayes@lanprop.com

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

(d) notice sent by the impaired service is considered to be received on the date of delivery, and

(e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

7.2 TIME. Time is of the essence of this Agreement.

7.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

7.4 WAIVER. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

7.5 HEADINGS. The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.

7.6 LANGUAGE. Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.

7.7 LEGISLATION. Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

7.8 EQUITABLE REMEDIES. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement

7.9 CUMULATIVE REMEDIES. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

7.10 ENTIRE AGREEMENT. This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

7.11 FURTHER ASSURANCES. Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

7.12 AMENDMENT. This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

7.13 LAW APPLICABLE. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

7.14 NO DEROGATION FROM STATUTORY AUTHORITY. Nothing in this Agreement shall:

(a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or

(b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

7.15 SEVERABILITY. If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

7.16 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

7.17 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

7.18 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF VICTORIA by its authorized signatory:

_____

Karen Hoese, Director of Sustainable Planning and Community Development

Date signed:_____

LANTERN PROPERTIES LTD.)
by its authorized signatory(ies):)
)
)
)
)
Print Name: Jeff Hayes)

Date signed: APRIL 21, 2021