

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1a Report from the October 26, 2023 COTW Meeting

F.1.aa 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road: Update to Rezoning Application No. 00729 and associated Official Community Plan Amendment (Vic West)

Moved By Councillor Kim
Seconded By Councillor Coleman

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 12, 2023, for 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set no later than January 18, 2024 once the following conditions are met:
 - a. Revised rezoning package noting a maximum of one storey for any new structures within DA-1 (heritage building area).
 - b. Submission of revised Design Guidelines to simplify the content and give more flexibility to future building designs.
 - c. Updated Seismic Assessment on each of the heritage structures.
 - d. Updated Heritage Conservation Strategy, to be consistent with the contents of the design guidelines and masterplan.
 - e. Submission of a Sewage Attenuation Report for the entire development to determine the sanitary, storm and water requirements.
 - f. Submission of an updated Traffic Impact Assessment, to reflect mode share trends in trip generation rates, a multi-modal level of service assessment of the new site access, and trip assignments consistent with the masterplan to determine the transportation requirements.
 - g. Updated Transportation Demand Management (TDM) that includes a commitment to the BC Transit EcoPASS

and ProPASS programs, and further details on the proposed e-bicycle share.

3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. A Master Development Agreement that secures the following:
 - i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway; public park features be installed as part of DA-3 Development Permit (amenities sequencing F) or before.
 - ii. Adaptable features within 20% of the residential units.
 - iii. Housing Agreements to secure both the affordable housing and purpose-built rental sites.
 - iv. The provision of at least 483m² of floor area for a childcare centre, for a minimum period of twenty years; and that the proponent offer as right of first refusal, the ability of the Vic West Community Association to serve as operator.
 - v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors; That the applicant request a Noise Exposure Forecast (NEF) from Transport Canada, operator of the Victoria Harbour Airport, as per Transport Canada Policy TP1247 and to make public a development disclosure statement regarding the NEF and its request to Transport Canada, prior to the first Development Permit Application.
 - vi. TDM measures to the satisfaction of the Director of Engineering and Public Works, including:
 - a. 10 car share co-op vehicles and associated EV spaces
 - b. 5 free-floating car share EV spaces
 - c. Car share memberships for all residential units and commercial businesses
 - d. 10% of required bicycle parking designed for oversized for cargo bicycles
 - e. 50% of required bicycle parking with access to an electric outlet
 - f. Bicycle and mobility scooter maintenance and wash stations for all residential buildings

- g. End-of trip facilities with showers and lockers for buildings with non-residential use
- h. Rain canopies for short-term bicycle and mobility scooter parking
- i. TDM marketing and promotion
- j. E-bike share program
- k. Transit pass program
- l. Active transportation network improvements.
- vii. Provision of the following public realm improvements to the satisfaction of the Director of Engineering and Public Works:
 - a. The detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the intersection of Esquimalt Road and the new site access (just east of the Stores building) with intersection configuration and frontage on Esquimalt Road determined by the Director of Engineering and Public Works following the submission of a revised Traffic Impact Assessment.
 - b. The detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the Intersection of Esquimalt Road and Sitkum Road.
 - c. The detailed design, supply, and installation of traffic signal upgrades at Catherine Street and Esquimalt Road with curb realignment, required hardware (poles, bases, junction boxes, conduits, loops, etc.) and software upgrades to adjacent traffic signals that may be required due to lane configuration changes.
 - d. The detailed design, supply, and installation of a new pedestrian crossing including bulb outs, signage, wheelchair ramps, traffic calming, and lighting to improve pedestrian safety and visibility on both sides of Kimta Road at Lime Bay Park.
 - e. The detailed design, supply, and installation of a relocated multi-use pathway crossing to align with the E&N rail trail, including all works on both sides of Catherine Street and at the intersection of Kimta.
 - f. The detailed design, supply, and installation of any required upgrades to rail facilities and rail crossings.
 - g. Wheelchair ramps, tactile indicators, sidewalk alignment changes, and associated pedestrian accessibility improvements

- viii. Interim landscaping or fencing throughout the construction of the development.
 - ix. The proposed Heritage Rehabilitation Work.
 - x. Sewage attenuation if required.
 - xi. The cash-in-lieu contribution for a community space in Victoria West.
 - xii. Wind studies that are due prior to approval of any Development Permit.
 - xiii. Protection, preservation, restoration and maintenance of an existing Garry Oak rocky knoll, labeled as the 'Garry oak Gateway' with a site area of approximately 539m² in accordance with the site plan, and construction adjacent to the Garry oaks follow the recommendations in the arborist report dated October 3, 2023 and prepared by Talmak Urban Forestry Consultants Ltd, to minimize impacts on the protected Garry oak trees and associated ecosystem
 - xiv. Soil cells and adequate soil volumes, tree grates, guards, irrigation and drainage for all trees on and off site where planted in hardscape conditions
 - xv. A Statutory Right of Way (SRW) of 7m, running parallel to the rail corridor, for the purpose of public enjoyment and active transportation mobility opportunities such as, but not limited to, pathways, planting areas (trees, grass etc.), seating and lighting to the satisfaction the Director of Engineering and Public Works.
 - xvi. A Statutory Right of Way (SRW) and covenant of 10m for the purpose of preserving the re-aligned rail corridor for highest and best transportation use, including but not limited to passenger rail, to the satisfaction the Director of Engineering and Public Works.
 - xvii. Statutory Rights of Way (SRW) on portions of the subject lands adjacent to Esquimalt Road, Catherine Street, and Kimta Road, to accommodate accessible sidewalks, treed boulevards, to the satisfaction of the Director of Engineering and Public Work.
 - xviii. Statutory Rights of Way (SRW) on portions of the subject lands adjacent to Esquimalt Road to accommodate a transit plaza area to the satisfaction the Director of Engineering and Public Works
- b. Satisfaction of outstanding items for the proposed development as directed by Council on May 18, 2023, including any additional legal agreements or provisions in the Master Development Agreement that are required to address those items, assessing and meeting fire demand water requirements, utility relocations and

confirmation of and commitment to the BC Transit EcoPASS and ProPASS programs.

4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. That subject to adoption of the zoning bylaw amendment, Council authorize the excavation and occupancy encroachments in Sitkum Park (200 Kimta Road) during construction of immediately adjacent development areas at the fee of \$15/day for each 13 square meters of encroachment and \$750/day for each square metre of excavation face supported by anchor rods, with form and contents satisfactory to the City Solicitor, the Director of Engineering and Public Works, and the Director of Parks, Recreation and Facilities.
6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

CARRIED UNANIMOUSLY

F. **LAND USE MATTERS**

F.1 **251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road: Update to Rezoning Application No. 00729 and associated Official Community Plan Amendment (Vic West)**

Moved By Councillor Coleman
Seconded By Councillor Gardiner

MOTION TO CLOSE THE OCTOBER 26, 2023 COMMITTEE OF THE WHOLE MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

The Committee of the Whole meeting was closed to the public at 10:10 a.m.

The Committee of the Whole meeting was reopened to the public at 10:26 a.m.

Committee recessed at 10:27 a.m. and reconvened at 10:37 a.m.

Committee received a report dated October 12, 2023 from the Director of Sustainable Planning and Community Development regarding an Update to Rezoning Application and associated Official Community Plan Amendment for the properties located at 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road in order to amend the Master Development Agreement (MDA) and the CD-12 District to increase the density from 2.0:1 Floor Space Ratio (FSR) to 4.58:1 FSR and to increase the height from approximately 23 storeys up to approximately 32 storeys and recommending that it move forward to a Public Hearing.

Moved By Mayor Alto
Seconded By Councillor Caradonna

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report

- dated October 12, 2023, for 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set not later than January 18, 2024 once the following conditions are met:
 - a. Revised rezoning package noting a maximum of one storey for any new structures within DA-1 (heritage building area).
 - b. Submission of revised Design Guidelines to simplify the content and give more flexibility to future building designs.
 - c. Updated Seismic Assessment on each of the heritage structures.
 - d. Updated Heritage Conservation Strategy, to be consistent with the contents of the design guidelines and masterplan.
 - e. Submission of a Sewage Attenuation Report for the entire development to determine the sanitary, storm and water requirements.
 - f. Submission of an updated Traffic Impact Assessment, to reflect mode share trends in trip generation rates, a multi-modal level of service assessment of the new site access, and trip assignments consistent with the masterplan to determine the transportation requirements.
 - g. Updated Transportation Demand Management (TDM) that includes a commitment to the BC Transit EcoPASS and ProPASS programs, and further details on the proposed e-bicycle share.
 3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. A Master Development Agreement that secures the following:
 - i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway.
 - ii. Adaptable features within 20% of the residential units.
 - iii. Housing Agreements to secure both the affordable housing and purpose-built rental sites.
 - iv. The provision of 483m² of floor area for a childcare centre, for a minimum period of ten years.
 - v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors.
 - vi. TDM measures to the satisfaction of the Director of Engineering and Public Works, including:
 - a. 10 car share co-op vehicles and associated EV spaces
 - b. 5 free-floating car share EV spaces
 - c. Car share memberships for all residential units and commercial businesses
 - d. 10% of required bicycle parking designed for oversized for cargo bicycles
 - e. 50% of required bicycle parking with access to an electric outlet

- f. Bicycle maintenance and wash stations for all residential buildings
 - g. End-of trip facilities with showers and lockers for buildings with non-residential use
 - h. Rain canopies for short-term bicycle parking
 - i. TDM marketing and promotion
 - j. E-bike share program
 - k. Transit pass program
 - l. Active transportation network improvements.
- vii. Provision of the following public realm improvements to the satisfaction of the Director of Engineering and Public Works:
- a. The detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the intersection of Esquimalt Road and the new site access (just east of the Stores building) with intersection configuration and frontage on Esquimalt Road determined by the Director of Engineering and Public Works following the submission of a revised Traffic Impact Assessment.
 - b. The detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the Intersection of Esquimalt Road and Sitkum Road.
 - c. The detailed design, supply, and installation of traffic signal upgrades at Catherine Street and Esquimalt Road with curb realignment, required hardware (poles, bases, junction boxes, conduits, loops, etc.) and software upgrades to adjacent traffic signals that may be required due to lane configuration changes.
 - d. The detailed design, supply, and installation of a new pedestrian crossing including bulb outs, signage, wheelchair ramps, traffic calming, and lighting to improve pedestrian safety and visibility on both sides of Kimta Road at Lime Bay Park.
 - e. The detailed design, supply, and installation of a relocated multi-use pathway crossing to align with the E&N rail trail, including all works on both sides of Catherine Street and at the intersection of Kimta.
 - f. The detailed design, supply, and installation of any required upgrades to rail facilities and rail crossings.
 - g. Wheelchair ramps, tactile indicators, sidewalk alignment changes, and associated pedestrian accessibility improvements.
- viii. Interim landscaping or fencing throughout the construction of the development.
- ix. The proposed Heritage Rehabilitation Work.
- x. Sewage attenuation if required.
- xi. The cash-in-lieu contribution for a community space in Victoria West.
- xii. Wind studies that are due prior to approval of any Development Permit.

- xiii. Protection, preservation, restoration and maintenance of an existing Garry Oak rocky knoll, labeled as the 'Garry oak Gateway' with a site area of approximately 539m² in accordance with the site plan, and construction adjacent to the Garry oaks follow the recommendations in the arborist report dated October 3, 2023 and prepared by Talmak Urban Forestry Consultants Ltd, to minimize impacts on the protected Garry oak trees and associated ecosystem
 - xiv. Soil cells and adequate soil volumes, tree grates, guards, irrigation and drainage for all trees on and off site where planted in hardscape conditions
 - xv. A Statutory Right of Way (SRW) of 7m, running parallel to the rail corridor, for the purpose of public enjoyment and active transportation mobility opportunities such as, but not limited to, pathways, planting areas (trees, grass etc.), seating and lighting to the satisfaction the Director of Engineering and Public Works.
 - xvi. A Statutory Right of Way (SRW) and covenant of 10m for the purpose of preserving the re-aligned rail corridor for highest and best transportation use, including but not limited to passenger rail, to the satisfaction the Director of Engineering and Public Works.
 - xvii. Statutory Rights of Way (SRW) on portions of the subject lands adjacent to Esquimalt Road, Catherine Street, and Kimta Road, to accommodate accessible sidewalks, treed boulevards, to the satisfaction of the Director of Engineering and Public Work.
 - xviii. Statutory Rights of Way (SRW) on portions of the subject lands adjacent to Esquimalt Road to accommodate a transit plaza area to the satisfaction the Director of Engineering and Public Works.
- b. Satisfaction of outstanding items for the proposed development as directed by Council on May 18, 2023, including any additional legal agreements or provisions in the Master Development Agreement that are required to address those items, assessing and meeting fire demand water requirements, utility relocations and confirmation of and commitment to the BC Transit EcoPASS and ProPASS programs.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
 5. That subject to adoption of the zoning bylaw amendment, Council authorize the excavation and occupancy encroachments in Sitkum Park (200 Kimta Road) during construction of immediately adjacent development areas at the fee of \$15/day for each 13 square meters of encroachment and \$750/day for each square metre of excavation face supported by anchor rods, with form and contents satisfactory to the City Solicitor, the Director of Engineering and Public Works, and the Director of Parks, Recreation and Facilities.
 6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Amendment:

Moved By Councillor Caradonna
Seconded By Councillor Kim

- 3.a. A Master Development Agreement that secures the following:
- i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway.
 - ii. Adaptable features within 20% of the residential units.
 - iii. Housing Agreements to secure both the affordable housing and purpose-built rental sites.
 - iv. The provision of 483m² of floor area for a childcare centre, for a minimum period of ~~ten~~ **twenty** years; **and that the proponent offer as right of first refusal, the ability of the Vic West Community Association to serve as operator.**
 - v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors.
 - vi. TDM measures to the satisfaction of the Director of Engineering and Public Works, including:

Amendment to the amendment:

Moved By Councillor Gardiner
Seconded By Mayor Alto

- 3.a. A Master Development Agreement that secures the following:
- i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway.
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 - iv. The provision of **at least** 483m² of floor area for a childcare centre, for a minimum period of ~~ten~~ **twenty** years; **and that the proponent offer as right of first refusal, the ability of the Vic West Community Association to serve as operator.**
 - v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors.
 - vi. TDM measures to the satisfaction of the Director of Engineering and Public Works, including:

CARRIED UNANIMOUSLY

On the amendment as amended:

- 3.a. A Master Development Agreement that secures the following:

- i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway.
- ii. Adaptable features within 20% of the residential units.
- iii. Housing Agreements to secure both the affordable housing and purpose-built rental sites.
- iv. The provision of **at least 483m²** of floor area for a childcare centre, for a minimum period of ~~ten~~ **twenty** years; **and that the proponent offer as right of first refusal, the ability of the Vic West Community Association to serve as operator.**
- v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors.
- vi. TDM measures to the satisfaction of the Director of Engineering and Public Works, including:

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Caradonna

Seconded By Councillor Kim

- 3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. A Master Development Agreement that secures the following:
 - i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway; **public park features be installed as part of DA-3 Development Permit (amenities sequencing F) or before.**
 - ii. Adaptable features within 20% of the residential units.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Gardiner

Seconded By Councillor Thompson

- 3.a.vi TDM measures to the satisfaction of the Director of Engineering and Public Works, including:
 - a. 10 car share co-op vehicles and associated EV spaces
 - b. 5 free-floating car share EV spaces

- c. Car share memberships for all residential units and commercial businesses
- d. 10% of required bicycle parking designed for oversized for cargo bicycles
- e. 50% of required bicycle parking with access to an electric outlet
- f. Bicycle **and mobility scooter** maintenance and wash stations for all residential buildings
- g. End-of trip facilities with showers and lockers for buildings with non-residential use
- h. Rain canopies for short-term bicycle **and mobility scooter** parking
- i. TDM marketing and promotion
- j. E-bike share program
- k. Transit pass program
- l. Active transportation network improvements.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Gardiner

Seconded By Councillor Caradonna

- 3.a.v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors; **a noise exposure forecast (NEF) As per Transport Canada Policy TP1247 be obtained and made public.**

Committee recessed for lunch at 11:49 a.m. and reconvened at 1:04 p.m.

Amendment to the amendment:

Moved By Councillor Gardiner

Seconded By Councillor Loughton

- 3.a.v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors; **a noise exposure forecast (NEF) As per Transport Canada Policy TP1247 be obtained and made public. That the applicant request a Noise Exposure Forecast (NEF) from Transport Canada, operator of the Victoria Harbour Airport, as per Transport Canada Policy TP1247 and to make public a development disclosure statement regarding the NEF and its request of Transport Canada, prior to the first Development Permit Application.**

CARRIED UNANIMOUSLY

Council, by unanimous consent, approved the amendment:

- 3.a.v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors; **That the applicant request a Noise Exposure Forecast (NEF) from Transport Canada, operator of the Victoria Harbour Airport, as per Transport Canada Policy TP1247 and to make public a development disclosure statement regarding the NEF and its request of Transport Canada, prior to the first Development Permit Application.**

On the main motion as amended:

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 12, 2023, for 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set no later than January 18, 2024 once the following conditions are met:
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water requirements, utility relocations and confirmation of and commitment to the BC Transit EcoPASS and ProPASS programs.

4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. That subject to adoption of the zoning bylaw amendment, Council authorize the excavation and occupancy encroachments in Sitkum Park (200 Kimta Road) during construction of immediately adjacent development areas at the fee of \$15/day for each 13 square meters of encroachment and \$750/day for each square metre of excavation face supported by anchor rods, with form and contents satisfactory to the City Solicitor, the Director of Engineering and Public Works, and the Director of Parks, Recreation and Facilities.
6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 26, 2023

To: Committee of the Whole **Date:** October 12, 2023

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: **Update to Rezoning Application No. 00729 for 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road and associated Official Community Plan Amendment**

RECOMMENDATION

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 12, 2023, for 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set once the following conditions are met:
 - a. Revised rezoning package noting a maximum of one storey within for any new structures within DA-1 (heritage building area).
 - b. Submission of revised Design Guidelines to simplify the content and give more flexibility to future building designs.
 - c. Updated Seismic Assessment on each of the heritage structures.
 - d. Updated Heritage Conservation Strategy, to be consistent with the contents of the design guidelines and masterplan.
 - e. Submission of a Sewage Attenuation Report for the entire development to determine the sanitary, storm and water requirements.
 - f. Submission of an updated Traffic Impact Assessment, to reflect mode share trends in trip generation rates, a multi-modal level of service assessment of the new site access, and trip assignments consistent with the masterplan to determine the transportation requirements.
 - g. Updated Transportation Demand Management (TDM) that includes a commitment to the BC Transit EcoPASS and ProPASS programs, and further details on the proposed e-bicycle share.
3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. *A Master Development Agreement that secures the following:*

- i. The proposed public amenities including park improvements, unobstructed access over the proposed public spaces and ongoing maintenance of the public amenities including those attributed to the rail corridor and multi-use pathway.
- ii. Adaptable features within 20% of the residential units.
- iii. Housing Agreements to secure both the affordable housing and purpose-built rental sites.
- iv. The provision of 483m² of floor area for a childcare centre, for a minimum period of ten years.
- v. Noise and nuisance mitigation measures, including noise studies and rail studies at the Development Permit stage by engineers with the relevant expertise, to ensure livability and safety for occupants and visitors.
- vi. TDM measures to the satisfaction of the Director of Engineering and Public Works, including:
 - 10 car share co-op vehicles and associated EV spaces
 - 5 free-floating car share EV spaces
 - Car share memberships for all residential units and commercial businesses
 - 10% of required bicycle parking designed for oversized for cargo bicycles
 - 50% of required bicycle parking with access to an electric outlet
 - Bicycle maintenance and wash stations for all residential buildings
 - End-of trip facilities with showers and lockers for buildings with non-residential use
 - Rain canopies for short-term bicycle parking
 - TDM marketing and promotion
 - E-bike share program
 - Transit pass program
 - Active transportation network improvements.
- vii. Provision of the following public realm improvements to the satisfaction of the Director of Engineering and Public Works:
 - The detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the intersection of Esquimalt Road and the new site access (just east of the Stores building) with intersection configuration and frontage on Esquimalt Road determined by the Director of Engineering and Public Works following the submission of a revised Traffic Impact Assessment.
 - The detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the intersection of Esquimalt Road and Sitkum Road.
 - The detailed design, supply, and installation of traffic signal upgrades at Catherine Street and Esquimalt Road with curb realignment, required hardware (poles, bases, junction boxes, conduits, loops, etc.) and software upgrades to adjacent traffic signals that may be required due to lane configuration changes.
 - The detailed design, supply, and installation of a new pedestrian crossing including bulb outs, signage, wheelchair ramps, traffic calming, and lighting to improve pedestrian safety and visibility on both sides of Kimta Road at Lime Bay Park.
 - The detailed design, supply, and installation of a relocated multi-use pathway crossing to align with the E&N rail trail, including all works on both sides of Catherine Street and at the intersection of Kimta.
 - The detailed design, supply, and installation of any required upgrades to rail facilities and rail crossings.

- Wheelchair ramps, tactile indicators, sidewalk alignment changes, and associated pedestrian accessibility improvements.
- viii. Interim landscaping or fencing throughout the construction of the development.
 - ix. The proposed Heritage Rehabilitation Work.
 - x. Sewage attenuation if required.
 - xi. The cash-in-lieu contribution for a community space in Victoria West.
 - xii. Wind studies that are due prior to approval of any Development Permit.
 - xiii. Protection, preservation, restoration and maintenance of an existing Garry Oak rocky knoll, labeled as the 'Garry oak Gateway' with a site area of approximately 539m² in accordance with the site plan, and construction adjacent to the Garry oaks follow the recommendations in the arborist report dated October 3, 2023 and prepared by Talmak Urban Forestry Consultants Ltd, to minimize impacts on the protected Garry oak trees and associated ecosystem
 - xiv. Soil cells and adequate soil volumes, tree grates, guards, irrigation and drainage for all trees on and off site where planted in hardscape conditions
 - xv. *A Statutory Right of Way (SRW) of 7m, running parallel to the rail corridor, for the purpose of public enjoyment and active transportation mobility opportunities such as, but not limited to, pathways, planting areas (trees, grass etc.), seating and lighting to the satisfaction the Director of Engineering and Public Works.*
 - xvi. *A Statutory Right of Way (SRW) and covenant of 10m for the purpose of preserving the re-aligned rail corridor for highest and best transportation use, including but not limited to passenger rail, to the satisfaction the Director of Engineering and Public Works.*
 - xvii. *Statutory Rights of Way (SRW) on portions of the subject lands adjacent to Esquimalt Road, Catherine Street, and Kimta Road, to accommodate accessible sidewalks, treed boulevards, to the satisfaction of the Director of Engineering and Public Work.*
 - xviii. *Statutory Rights of Way (SRW) on portions of the subject lands adjacent to Esquimalt Road to accommodate a transit plaza area to the satisfaction the Director of Engineering and Public Works.*
- b. *Satisfaction of outstanding items for the proposed development as directed by Council on May 18, 2023, including any additional legal agreements or provisions in the Master Development Agreement that are required to address those items, assessing and meeting fire demand water requirements, utility relocations and confirmation of and commitment to the BC Transit EcoPASS and ProPASS programs.*
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
 5. That subject to adoption of the zoning bylaw amendment, Council authorize the excavation and occupancy encroachments in Sitkum Park (200 Kimta Road) during construction of immediately adjacent development areas at the fee of \$15/day for each 13 square meters of encroachment and \$750/day for each square metre of excavation face supported by anchor rods, with form and contents satisfactory to the City Solicitor, the Director of Engineering and Public Works, and the Director of Parks, Recreation and Facilities.
 6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application and a concurrent Official Community Plan Amendment. Relevant rezoning considerations include the proposal to increase the density and add amend the Master Development Agreement.

Enabling Legislation

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

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 966 of the *Local Government Act*, Council may enter into a Heritage Revitalization Agreement which may include terms and conditions agreed to by the owner, including terms regarding the phasing and timing of the commencement of actions required by the agreement, and which may vary or supplement the applicable Zoning Regulations or a Development Permit or Heritage Alteration Permit.

EXECUTIVE SUMMARY

The purpose of this report is to update Council on the Official Community Plan Amendment Application (OCP) and concurrent Rezoning Application for the properties located at 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road. The proposal is to amend the Master Development Agreement (MDA) and the CD-12 District to increase the density from 2.0:1 Floor Space Ratio (FSR) to 4.58:1 FSR and to increase the height from approximately 23 storeys up to approximately 32 storeys.

At the Committee of the Whole (COTW) meeting of May 4, 2023, Council passed a motion to advance the application, subject to the applicant fulfilling the conditions outlined in the motion (below). The applicant has revised the application in response to the motion. Additionally, the results of the Official Community Plan Amendment consultation are presented and attached for Council's information. Some information required by the previous Council motion was not provided at the time of writing this report. Wording in the revised motion addresses this shortfall.

BACKGROUND

Description of Proposal

The application was considered by COTW on May 4, 2023, and came before Council on May 18, 2023, where the following resolution was ratified:

1. *That Council instruct staff to explore the possibility of amending the Official Community Plan, 2012 (OCP) for the properties identified in Rezoning and OCP Amendment Applications No. 00729 located at 251 Esquimalt Road, 355 Catherine Street and 200-210 Kimta Road (Roundhouse Lands) to increase the density and height envisioned for the site and establish new design guidelines.*
2. *That Council consider who is affected by the proposed changes to the Official Community Plan, and determine that the following persons, organizations and authorities will be affected:*
 - a. *Those within a 200m radius of the subject properties;*
 - b. *The Capital Regional District*
 - c. *The Township of Esquimalt*
 - d. *The Songhees Nation*
 - e. *The Esquimalt Nation*
 - f. *The School District 61; and*
 - g. *The Island Corridor Foundation.*
3. *That Council provide an opportunity for consultation pursuant to section 475 of the Local Government Act for a period of 90 days, and direct the Director of Sustainable Planning and Community Development to:*
 - a. *mail a notice of the proposed OCP Amendment to the persons and organizations noted above and invite them to provide written comments on the proposed amendments to Council for their consideration and/or ask questions of staff; and*
 - b. *post a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written comments to Council for their consideration.*
4. *That Council direct staff to advance the Rezoning Amendment Application, concurrent with the OCP consultation process, and take into consideration feedback received through that process, and work with the applicant to:*
 - a. *Continue to refine the master plan, utilizing updated architectural modelling, shadow studies, near and distant view analysis, heritage considerations, financial analysis, wind studies, as well as any other studies or material deemed necessary by the Director of Sustainable Planning and Community Development in order to recommend for Council's consideration densities, heights, building massing and other urban design criteria that can be reasonably accommodated on the site and update all application documents including the Master Plan and Roundhouse at Bayview Place Design Guidelines accordingly.*
 - b. *Continue to refine the master plan, including frontage works and necessary statutory rights-of-way refinements, rail re-alignment, rail set-backs, transit passes as a part of the planned TDM program, sewer attenuation, water demand for fire protection, storm drain relocation, as well as any other studies or material deemed necessary by the Director of Engineering and Public Works and update all applicable documents accordingly.*
 - c. *Continue to refine the master plan, to support a healthy urban forest and make park improvements through locating trees away from underground structures and the rail corridor, establishing soil volumes and setbacks, establishing maintenance standards, finalizing the value and level of detail of off-site park improvements, as well as any other*

- studies or material deemed necessary by the Director of Parks, Recreation and Facilities and update all applicable documents accordingly.*
- d. *Establish a phasing plan and regulatory scheme that will ensure:*
- i. a timely rail re-alignment;*
 - ii. the early transfer to an acceptable affordable housing operator of the new development site intended for non-profit housing located at the corner of Esquimalt Road and Catherine Street;*
 - iii. the multi-modal path is constructed and that provisions are made if necessary to accommodate a temporary connection from Saghalie Road to Catherine Street;*
 - iv. that heritage revitalization and rehabilitation of the Roundhouse buildings and structures are undertaken early to mid-phase of the development;*
 - v. that interim edge conditions are managed throughout the multi-phase build-out to mitigate impact to the surrounding neighbourhood, as well as to mitigate impact internal to the site and to the multi-modal path and/or interim connections.*
- e. *Determine what amendments to existing legal agreements, new legal agreements and other regulatory tools are required in order to secure community amenities and to facilitate the orderly development of the site.*
- 5. That the final FSR sit at approx. 4.4 and with consideration of the inclusion of the equivalent of approximately 3 additional floors of affordable housing on the affordable housing site, if desired by the housing provider, and an additional 3 floors on the purpose built rental building.*
 - 6. That staff explore with the proponent the possibility of increasing the on-site amenities such as a daycare, small library and health clinic or other amenity.*
 - 7. That staff explore the potential for additional amenities for kids and teens in the centralized public space, including the possibility of play structures, grass, an interactive water feature or other play features.*
 - 8. Direct staff to work with the applicant to ensure heritage buildings are maintained at a reasonable cost and prioritize seismic safety and adaptive use in their restoration.*
 - 9. Direct staff to work with the proponent to explore the possibility of event space in the car shop building, or elsewhere in the development, that could be used for events like public events, weddings, conferences or types of large gatherings.*
 - 10. That the above recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

UPDATE

The following sections will provide a summary of the OCP referral and then provide an update on the required legal agreements and plan revisions.

Official Community Plan Referral

Notification of the proposed Official Community Plan Amendment was mailed to properties within a 200m radius of the subject properties and to the Capital Regional District, Township of Esquimalt, Songhees Nation, Esquimalt Nation, School District 61 and Island Corridor Foundation on June 6, 2023, and a posting of a notice on the City's website, inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to

Council for their consideration was carried out. The comment period ended on August 4, 2023 and out of 2483 notifications mailed out, 157 responses were received (some of which were from the same authors), which is a 6.3% response rate (Attachment C). One response was received from the Capital Regional District (Attachment D). In addition, the City has continued to receive correspondence since the comment period ended (Attachment E).

The majority of responses were from those in opposition to the proposal, but there were also responses from those in support and those undecided. Within the responses for those in support, there were comments regarding:

- increase in housing, including rental and affordable housing
- proximity to downtown and ability for this to be a walkable development
- potential to increase the vibrancy of the area
- new retail, services and amenities in the area
- remediation and redevelopment of a contaminated 'brownfield' site
- rehabilitation of the heritage buildings.

The responses for those opposed identified the following areas of concern:

- too much density and the impact this will have on surrounding services and infrastructure
- the increased number and height of proposed buildings
- increased shadowing
- impact on the skyline and public views, including spacing between buildings
- impact on the heritage buildings and that the heritage rehabilitation is in the later phases of the development
- lack of public and green spaces to accommodate the increased density
- inconsistency with current neighbourhood and OCP policies
- narrow setbacks
- increased traffic and impact to existing roadways and street parking
- roadway through the site would negatively impact pedestrians
- impact of construction to neighbouring properties throughout the development
- track record of the developer.

A number of letters reference the possibility of three to five hotels, which is inaccurate. Although the location of a hotel is not determined, the future zoning would only allow for one building to be a hotel.

The above is a broad and simplified summary of the correspondence received. The individual correspondence received represents a wider range of comments with many falling across the support/opposition spectrum.

Revised Application

The applicant has submitted a revised application package in response to the Council motion.

Below are the main changes for Council's consideration.

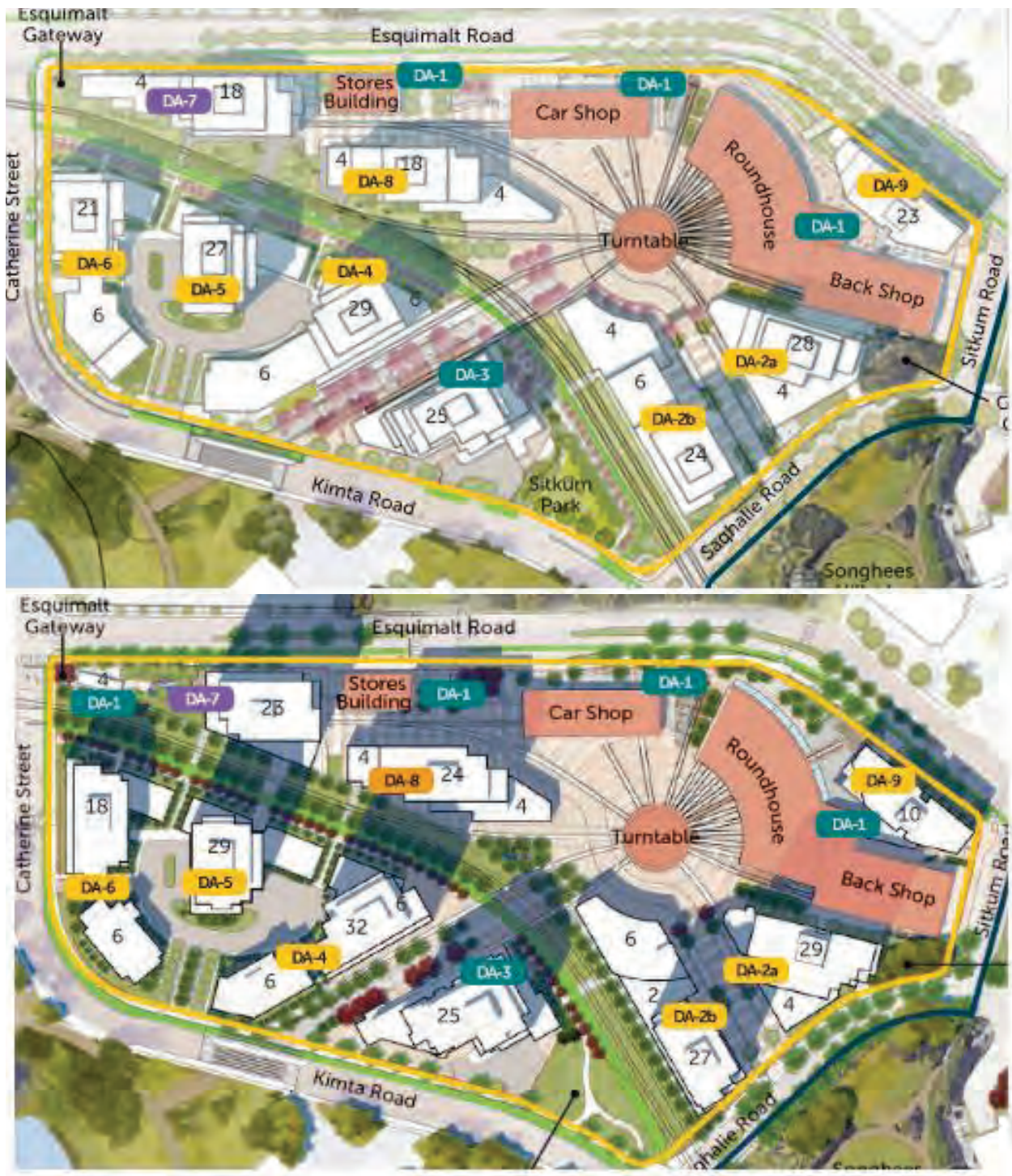


Figure 1: Proposal presented to Committee of the Whole on May 5, 2023 (left), compared to the current proposal (right)

Density

The original proposal that went before Committee of the Whole on May 5, 2023 was for a density of 4.75 Floor Space Ratio (FSR). Through detailed analysis, staff identified that a maximum density of 4.0 would be more appropriate to achieve liveability on the site as well as sensitive transitions to the surrounding neighbourhood. Ultimately, the approved motion called for the density to be reduced to approximately 4.4 FSR. The revised proposal now sits at a reduced

density of 4.58 FSR, with an increase in floor area of 6436m² (69,280ft²) to the affordable and rental sites and a decrease in floor area of 12,514m² (134,713ft²) to the market condominium sites.

Height

In response to staff and Council feedback, the applicant has reduced building height in two key locations. DA-6, which directly abuts Catherine Street, has been reduced from 21 storeys to 18 storeys to improve the transition to the lower density neighbourhood to the west. DA-9, which is behind the Roundhouse at the corner of Sitkum Road and Esquimalt Road, has been reduced from 23 storeys to 10 storeys, to create a better relationship with the heritage buildings. The applicant has redistributed this density to other areas of the site, as demonstrated in the table below.

Development Area	Previous Proposal	Revised Proposal
DA-2a	28 storeys	29 storeys
DA-2b	24 storeys	27 storeys
DA-3	25 storeys	25 storeys
DA-4	29 storeys	32 storeys
DA-5	27 storeys	29 storeys
DA-6	21 storeys	18 storeys
DA-7	18 storeys	23 storeys
DA-8	18 storeys	24 storeys
DA-9	23 storeys	10 storeys

Floor Plates

While many of the buildings have increased in height, some of the floor plates have been thinned to reduce the overall impact this height would have on concerns such as shadowing, views, and the skyline. The table below demonstrates the changes, which are approximate numbers and would be confirmed at the Development Permit stage.

Development Area	Previous Proposal	Revised Proposal
DA-2a	700m ²	700m ²
DA-2b	750m ²	655m ²
DA-3	865m ²	810m ²
DA-4	750m ²	680m ²
DA-5	750m ²	650m ²
DA-6	700m ²	650m ²
DA-7	725m ²	655m ²
DA-8	755m ²	710m ²
DA-9	700m ²	650m ² (podium only)

Affordable and Rental Housing

The Council motion from May 5, 2023 directed the applicant to add three additional storeys to both the affordable housing site and the rental site. The revised proposal has added five storeys to the affordable housing site, which is a change from 18 storeys to 23 storeys, and added six storeys to the purpose-built rental site, which is a change from 18 storeys to 24 storeys. This is a departure from the staff recommendation that the transition to the lower density neighbourhood be strengthened and heights lowered, but the change significantly increases the number of rental and affordable housing units to the site.

Childcare

In response to Council's motion, the applicant has agreed to allocate 483m² to a childcare space and associated outdoor play area within the development for a minimum period of ten years from occupancy of the childcare. This would be secured through the Master Development Agreement.

Heritage

Since COTW, the applicant has worked with the City to redistribute some of the density, in part to reduce the building height of DA-9, which sits at the north east corner of the site, fronting Esquimalt Road and in front of the Back Shop, to improve the relationship with the heritage buildings. In the previous masterplan, DA-9 was shown as 23 storeys, and now has a ten-storey maximum; in addition, the floorplates for this building will be limited to a maximum of 650m². Design guidelines have been prepared around the interface of DA-9 and its relationship to the historic group of buildings.

In previous versions of the masterplan, the Boiler Room was slated to be demolished, however the applicant updated the proposal to now retain the structure in the latest masterplan.

As per Council's motion which stated that, "*Heritage buildings are to be maintained at a reasonable cost and prioritize seismic safety and adaptive reuse in their restoration*", the applicant has committed to providing an updated seismic assessment report for each building prior to the scheduling of the public hearing.

In addition, staff have worked closely with the applicant to provide design guidelines that speak to the rehabilitation and adaptive reuse of the historic buildings to further activate Esquimalt Road and the Turntable Plaza. The design guidelines will be used in conjunction with the Conservation Strategy, and the best practices found in the Standards and Guidelines for the Conservation of Historic Places in Canada, to ensure that the interventions needed are sensitive to the historic fabric and are well-considered approaches to adapting the buildings for their future use.

E&N Corridor and Transportation Demand Management

Since COTW, the applicant met with staff to discuss transportation aspects including setbacks to the rail corridor. Further technical analysis was undertaken by the applicant to refine building setbacks from the rail corridor and options for how this interface might be realized are provided in the resubmission, which indicates a minimum above-grade setback of 3m to the north and a minimum 9m to the south (which includes the 7m multi-use pathway). Further mitigation measures to ensure livability and safety of future residents and visitors will be outlined in the MDA.

In addition, the applicant and the City discussed the viability of reductions to the extent of the underground parkade structure and related multi-use pathway maintenance scenarios. The applicant has outlined that the extent of the underground parkade structure is necessitated by building structural requirements and no change has been made to the parkade extent. This will impact the ability for the site to accommodate mature trees.

Staff will continue to work with the applicant to finalize and secure the TDM program as a requirement of the MDA to incentivize sustainable travel. Vehicle parking rates for each building will be determined at time of Development Permit and any policy outcomes resulting from the Parking Modernization work applicable in addition to the TDM measures secured in the MDA.

Outstanding Items

While the larger design moves outlined in the Council motion have been addressed, there are still a number of items that remain outstanding that are needed to inform the Master Development Agreement (MDA), which is currently based on the previous site design, at a much lower density. This includes:

- Confirmation of sewer attenuation requirements, water demand for fire protection, utility relocation requirements, and commitment to the BC Transit EcoPASS and ProPASS programs.
- Establishment of tree planting soil volume and setback requirements, maintenance standards, and the finalization of the value of and level of detail for off-site park improvements.
- An updated Traffic Impact Assessment Report to finalize the sequencing and design of off-site streetscape improvements.
- Updated design guidelines and conservation strategy, including an updated seismic assessment for each building.

Revisions to the design guidelines and conservation strategy are in the process of being finalized by staff and the applicant to reflect the current proposal and will be provided prior to a Public Hearing. It is noted that the current design guidelines, which are too specific, leave little flexibility at the Development Permit stage and, in some cases, contradict the form and character represented in the applicant's proposal. In support of the current design, additional wording will be incorporated regarding building separation distances and floor plate sizes to meet minimum urban design and liveability standards, ensure light access, and minimize impacts to the adjacent neighbourhood. Further, the previous conservation strategy reflects the demolition of a building that is now proposed for retention.

The site's location and proximity to sustainable transportation options present a great opportunity to advance Official Community Plan objectives and greenhouse gas reduction targets through TDM, especially in light of the increased amount of housing provided on the site. Further details have been requested to finalize the program to be secured in the MDA, which include participation in BC Transit's EcoPASS and ProPASS programs, as well as e-bike share, and site-wide TDM measures.

CONCLUSIONS

The Official Community Plan Amendment referral period has concluded, and correspondence received has been attached for Council's consideration. The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing once the conditions in the recommended motion are fulfilled.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00729 for the property located at 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road.

Respectfully submitted,

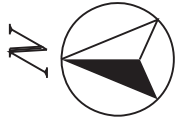
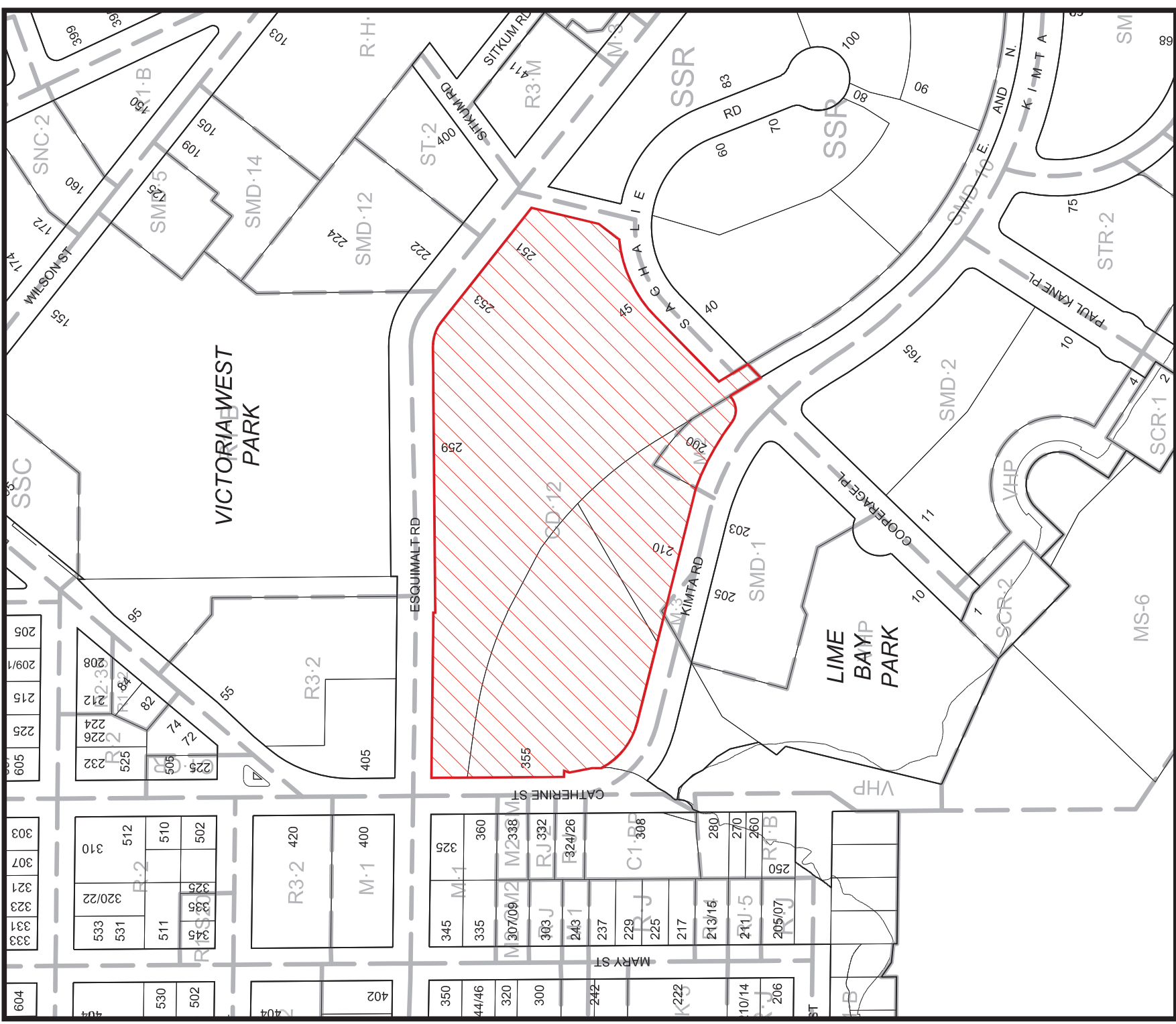
Mike Angrove
Senior Planner – Development Agreements
Development Services Division

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: Resubmission and Appendices date stamped September 13, 2023
- Attachment C: Official Community Plan Consultation Correspondence
- Attachment D: Letter from the Capital Regional District
- Attachment E: Correspondence received after the OCP Consultation period concluded



251-259 Esquimalt Road, 45 Saghalie Road,
 355 Catherine Street & 200-210 Kimta Road
 Rezoning No.00729





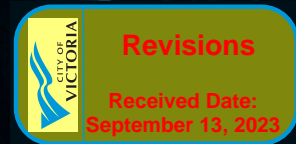
Roundhouse at Bayview Place

Rezoning

File No: REZ00729

Final Submission

September 12, 2023





We acknowledge and thank the Lkwungen People, also known as the Songhees and Esquimalt First Nations communities – past, present, and future – for their stewardship, care, and leadership on these lands.

Rezoning Application: Final Submission

SUBMITTED BY

Focus Equities Inc.

SUBMISSION DATE

September 12, 2023

LOCATION

Victoria, BC

PREVIOUS SUBMISSIONS

Rezoning Application: September 2020

Full Rezoning Application: May 12, 2021

Revised Rezoning Application: Dec 12, 2021

Rezoning Resubmission Update: June 9, 2022

Rezoning Resubmission: September 9, 2022

Project Team

APPLICANT

Focus Equities Inc.

KW Mariash Sr. Master Plan Community

APPLICANT CONTACT

Chris Reiter | Project Manager



CONSULTANT TEAM

Project Architects & Urban Designers

Civil Engineering

Stantec

Planning

SvN Architects + Planners

TownSquare

Heritage

ERA Architects

Transportation

WATT Consulting Group

Environmental

SLR Consulting

Architects (Emeritus)

ZGF Architects

Document design and layout: ZGF Architects

Contents

1.0 Application Summary	1	6.0 Organizing Framework	37	Appendices	
1.1 Conceptual Master Plan	2	6.1 Framework Plan	37		The following appendices are updated to reflect this September 12, 2023 Final Submission. Note, all other appendices remain unchanged as of the September 9, 2022 resubmission.
1.2 Key Facts.....	3	6.2 Design Guidance	38	Appendix A	Heritage Conservation Strategy (unchanged from previous submission)
2.0 Rezoning Application	4	6.3 Design Rationale.....	39	Appendix B	Architecture, Urban Design and Landscape (consolidated into main document and forthcoming Design Guidelines - cancelled as an Appendix)
2.1 Project Summary	4	6.4 Rail Realignment.....	41	Appendix C	Policy Analysis (unchanged from previous submission)
2.2 Summary of Application Revisions.....	5	6.5 Site Character Districts	42	Appendix D	Environmental (unchanged from previous submission)
2.3 Issue Resolution.....	6	7.0 Master Plan	44	Appendix E	Public Consultation (unchanged from previous submission)
2.4 Revision Summary	8	7.1 Site Statistics.....	45	Appendix F	Transportation (updated and resubmitted)
2.5 Project Summary to Date.....	11	7.2 Built Form/Massing	53	Appendix G	Site Servicing (updated and resubmitted)
2.6 Community Engagement.....	12	7.3 Housing	61	Appendix H	Development Data Summary - consolidated into main document as submitted. (cancelled as an Appendix)
2.7 Additional Engagement.....	14	7.4 Primary Public Spaces.....	63	Appendix I	Technical Drawings - consolidated into main document as submitted. (cancelled as an Appendix)
2.8 Municipal Engagement.....	15	7.5 Mobility.....	84		
2.9 ICF/Rail Corridor.....	16	7.6 Parking & Vehicle Access	88		
3.0 Site Context	17	7.7 Parcel Plan & Easement Realignment	90		
3.1 Site Information	17	7.8 Setbacks	91		
3.2 Existing Context.....	18	8.0 Community Amenities	92		
3.3 Location and Scale	19	8.1 Amenity Areas.....	92		
4.0 Big Ideas	25	8.2 Amenities Sequencing	93		
4.1 Heritage Rehabilitation & Activation....	25	9.0 Site Remediation	99		
4.2 Site Restoration.....	28	10.0 Development Sequencing	100		
4.3 Continuing the Story.....	28	11.0 Technical Drawings	101		
4.4 Urban Amphitheatre Concept.....	31	12.0 Special Conditions	109		
5.0 Guiding Principles	32	12.1 DA-9 Interface.....	109		
5.1 A Place for Everyone	32				
5.3 A Cultural Hub.....	33				
5.2 Rooted in History.....	33				
5.4 Vacant Space to Vibrant Place	34				
5.5 Master Plan Objectives	35				

DISCLAIMER: ALL NUMBERS, CALCULATIONS, AREAS, AND STATISTICS REPRESENTED IN THIS DOCUMENT AND ACCOMPANYING DOCUMENTS ARE APPROXIMATE ONLY AND SUBJECT TO DETAILED DESIGN, DESIGN REVISIONS, AND SURVEY AT SUBSEQUENT STAGES OF DEVELOPMENT. THE ASSOCIATED MASTER DEVELOPMENT AGREEMENT TAKES PRECEDENCE FOR ANY DIFFERENCE OR DEVIATION BETWEEN THESE DOCUMENTS AND THE MASTER DEVELOPMENT AGREEMENT.

1.0 APPLICATION SUMMARY

Roundhouse Rezoning Background

Fixing the Unbuildable with a Vision for the Future

The team at Focus Equities Inc. has been dedicated to the transformation of the 20-acre Bayview Place property for more than 20 years. Phase One, Bayview Hilltop was rezoned in 2008/2009 to fix zoning that was completed by the province in 1998. Now built out, Bayview Hilltop is home to hundreds of residents and a two-acre off-leash dog park that was provided to the city as a community amenity for the Hilltop development and a second phase, The Roundhouse at Bayview, which is the subject of this rezoning application.

The current zoning for the 10-acre Roundhouse site was completed in 2008, prior to purchase of the lands from CP Rail. The zoning includes extremely rigid design guidelines and building restrictions with no flexibility in built form, and no phasing or response to changing conditions or the needs of the community. Despite these obstacles, many attempts to proceed with building out the site have been made, but a viable development permit was never achieved and eventually led to the conclusion that the site was unbuildable, and a rezoning would be required.

In the years that have passed since initial plans for the Roundhouse site were made, the needs of the community have changed significantly, and this application has been reimagined to preserve the 2008 plan and to respond to the major challenges of the housing crisis, housing affordability, and climate change. This package preserves the vision for transforming the historic buildings and land that make up the Roundhouse site and includes a plan to move the development forward. The plan now makes use of the northern half of the site with one rental building, an affordable rental site, and a small icon building on Esquimalt Road, marking the community entrance. The first priorities are delivering affordable rental housing through a land donation to the Greater Victoria Housing Society and building market rental housing.

The size and scale of this bold new vision have been carefully designed to fit with the surrounding large harbour entry and its cruise ships, the wide-open Strait of Juan de Fuca, the Olympic Mountains in the distance, and the existing heritage buildings that were built to shelter huge locomotives. The Roundhouse at Bayview is imagined as a landmark contribution to the process of city building, one of only a few prime opportunities of this scale upon which the City might achieve its policy objectives, meet the needs of a growing city, and do so with the potential of creating the next great neighbourhood in Victoria, on par with those of any noteworthy waterfront city in the world.

-Kenneth W Mariash

This comprehensive rezoning application includes:

- A **cohesive master plan** design providing a **complete revitalization** of the lands with quality architecture and approximately **40% of the overall site dedicated as public and open space**
- **Remediation of contaminated former industrial lands** to transform them into a **vibrant mixed-use community** within walking distance to downtown Victoria
- A **comprehensive public amenity package** that will have lasting positive impacts in Victoria West and for the entire city
- **Donation of a building site** to a non-profit housing provider **to build 215 affordable rental homes**, made possible by realigning the rail track. **This shovel-ready site will be built first.**
- **Approximately 1,870 residential units** including market condominiums and rental homes and affordable below-market homes
- Almost **25% of housing (460 homes)** are identified for **affordable below-market rental and market rental housing**
- **Restoration of 1913 heritage designated Roundhouse buildings**, train turntable and box cars to create Turntable Plaza, a community and commercial hub that will feature shopping, dining and events
- **Five distinct character districts** including an **Urban Greenway / E&N mixed-use trail**, upgraded with links to Victoria West, Lime Bay and Songhees Hillside Parks and a variety of seating and **connectivity to housing and community spaces and amenities**
- **Almost 400 new trees** ensuring a **significant tree canopy**, lush landscaping and defined public spaces
- Comprehensive **bicycle and pedestrian connections** throughout the site promoting active mobility
- **Childcare facility with outdoor play area** dedicated for up to 10 years
- **70,000 square feet** of new retail and **commercial space**

This booklet contains the primary application documentation and is intended to be read in conjunction with the companion Urban Design Guidelines, which describe and illustrate design principles to ensure the project is constructed as envisioned, and the Master Development Agreement, which sets out the development parameters including the overall sequencing of community amenity contributions. Additional technical studies are attached as Appendices to this application such as site servicing and transportation, among others.

1.1 Conceptual Master Plan



Roundhouse at Bayview Place

- Roundhouse at Bayview Place
- Bayview Place Hillside

Bayview Place Hillside

- A Bayview One Building
- B Promontory
- C Encore
- D Aqura
- E Lot 4b (Presentation Centre/Future Development)
- F Songhees Hillside Park (1.7 acres)

1.2 Key Facts



Affordable + Rental Housing

Almost 25% of homes as Affordable or Rental.

Approximately 215 Affordable and 240 Rental housing units. A 43% increase in Affordable and 60% increase in Rental since the May 2023 review by CoTW.



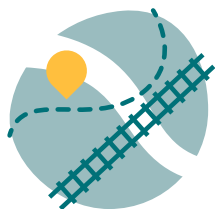
Market Housing

Approximately 1,410 market units across a full range of unit types from studio to 3+ bedrooms.



Childcare

5,200 sf childcare centre with outdoor play area for a minimum of 10 years



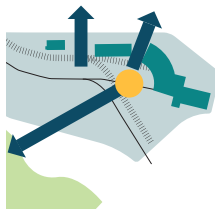
E&N Rail Trail

E&N Rail Trail completes a central cycling and pedestrian link connecting Esquimalt, Victoria West, and Songhees Point to Downtown.



Parks and Open Space

Approximately 40% of the site provided as publicly accessible parks and open space.



Historic Setting

Historic setting reinforced by links to Lime Bay and Victoria West Park



Heritage Spaces

Rehabilitation and adaptive reuse of a significant historic collection of buildings and features in a distinct setting.

Heritage spaces revitalized and activated as retail and a community hub for Songhees and Victoria West residents.

Approximately 40,000 sf of flexible retail, commercial, and amenity space incorporated.

The historic setting is reinforced by links to Lime Bay and Victoria West Park.



2.0 REZONING APPLICATION

2.1 Project Summary

This application by Focus Equities seeks to rezone the Roundhouse at Bayview Place lands located at 355 Catherine Street, 251 Esquimalt Road, and 200 & 210 Kimta Road.

This bold new vision, imagines a place where historic railyard buildings can be brought back to life within the context of a complete and vibrant community that includes viable retail and social spaces, memorable public open spaces with destination-quality character, curated rail history interpreted and infused throughout, integrated city-wide mobility infrastructure, a broad range of housing types to accommodate a more diverse resident population supported by amenities including childcare, and sustainably addressing affordability and improved access to housing.

The Roundhouse at Bayview Place is imagined as a landmark contribution to the process of city building, one of only a few prime opportunities of this scale upon which the City might achieve its policy objectives, meet the needs of a growing city, and do so with the potential of creating the next great neighbourhood within the city on par with those of any noteworthy waterfront city in the world. The Roundhouse site will be known for its breathtaking arrival experience; an iconic sight for harbour visitors and a unique addition to the Victoria's skyline.

But, as much as this vision is inspired by the potential of the site, it is also deeply rooted in the significant challenges of the site. The site under its current design guidelines is not viable. The site has stalled for nearly 10 years following the successful development of Phase One. The promised potential community benefits cannot be delivered, or its vision fully realized, until a strategy to resolve these significant barriers is adopted.

This current proposal will successfully deliver all of the aspirations and community amenities noted above, and with the addition of density on the previously underutilized portion of the site to address financial requirements and resolve current site challenges, allowing for the project to proceed.

The site is uniquely characterized with National Historic Site status, which provides the unique setting for a significant and well-defined public realm full of life in public squares and open spaces where walking, cycling, and public transit are predominant. This project incorporates restoration of 10-acres of contaminated brownfield and heritage rail buildings, adding a dynamic mix of retail, entertainment, office and other commercial uses, affordable, rental and market housing as well as visitor accommodations.

A Memorandum of Understanding (MOU) between the Roundhouse at Bayview Place developer and the Greater Victoria Housing Society (GVHS) has been signed for Bayview to provide a development site for affordable housing. This parcel will be one of the first available, and integrated within the overall Roundhouse district, providing much needed below-market housing, which will be supported by the extensive amenities that the Roundhouse project delivers.

The 10.0m wide railway corridor, referred to in this document and Amenities Plan as the Urban Greenway, is to be dedicated as a Statutory Right of Way, in favour of the City of Victoria, for the purposes of supporting a future transit corridor.

This booklet contains the primary application documentation and is intended to be read in conjunction with the companion Urban Design Guidelines, which describe and illustrate design principles to ensure the project is constructed as envisioned, and the Master Development Agreement, which sets out the development parameters including the overall sequencing of community amenity contributions. Additional technical studies are attached as Appendices to this application such as site servicing and transportation, among others.

2.2 Summary of Application Revisions

The following outlines key updates that have occurred to the Roundhouse at Bayview Place rezoning submissions since the previous submission of September 2022 and as reviewed by Committee of the Whole (CoTW) in May 2023.

Further definition of Land Use and Development Areas

Adjustments to Development Areas (DAs) have been made to reflect updates to the concept, particularly in the NW corner to retain a parcel for Esquimalt Gateway.

Clarification and Expansion of Community Amenities

A comprehensive set of diagrams and areas updated to define community amenities and benefits to each development parcel, including the sequencing of these community amenities.

Reduction in Overall Density

In response to CoTW commentary, the overall density has been reduced from 4.75 to 4.58, amounting to approximately 68,000 sf.

Increases of Affordable and Rental Housing

As per CoTW request, Affordable Housing (DA-7) has been increased by 5 floors. We have also applied GVHS's current unit mix, which has resulted in an increase of 59 (est.) homes (43%).

As per CoTW request, Rental Housing (DA-8) has been increased by 6 floors, which has resulted in an increase of 94 (est.) homes (60%).

Re-allocation of Density

In response to the CoTW request to increase Affordable and Rental housing, in doing so density allocation has shifted from market residential to support this increase, while matching an overall reduction in density. In addition, a minimum of 483 m² (5200 sf) has been re-allocated to Childcare use.

Clarification of Density Allocation Across Site

As with other contemporary CD-zoned sites, the zoning is intended to allow for limited flexibility in distribution of density between development cells located across the site (conditions to be outlined in the MDA and to be confirmed at Development Permit stage). The density allocations identified in this rezoning application for each development area are based on the concept massing and layout as prepared in support of this application, and are subject to change at time of each Development Permit and Subdivision. **Please note that this application does not exceed a density of 4.8 FSR or 32 floors as indicated to CALUC in August 2021.**

Adjustments to Massing

In response to CoTW comments and subsequent discussions with Administration, some building heights have been increased but based on smaller floorplates achieving more slender towers, and one tall tower (DA-9) has been reduced significantly from 23 floors to 10 floors.

Adjustment to DA-9 Design

Based on discussions with the City's Heritage Planning Department, a 10-storey building envelope has been defined for DA-9, within which a maximum 650sqm floorplate can be determined at the time of Development Permit. The Concept Plan included in the Rezoning illustrates one potential outcome for the development of this site. This 10-storey envelope is a reduction of 13 floors from the Sept 2022 submission.

Adjustments to Railway Corridor

The proposed realignment of the railway through the site is supported by the Island Corridor Foundation (ICF). The realignment has also been considered for suitability as a future transit corridor, with a technical study (provided separately to City Administration) identifying the suitability of the proposed corridor and building setbacks. Options for future use are illustrated in this submission to provide further clarity.

2.3 Issue Resolution

2.3.1 Summary of Changes

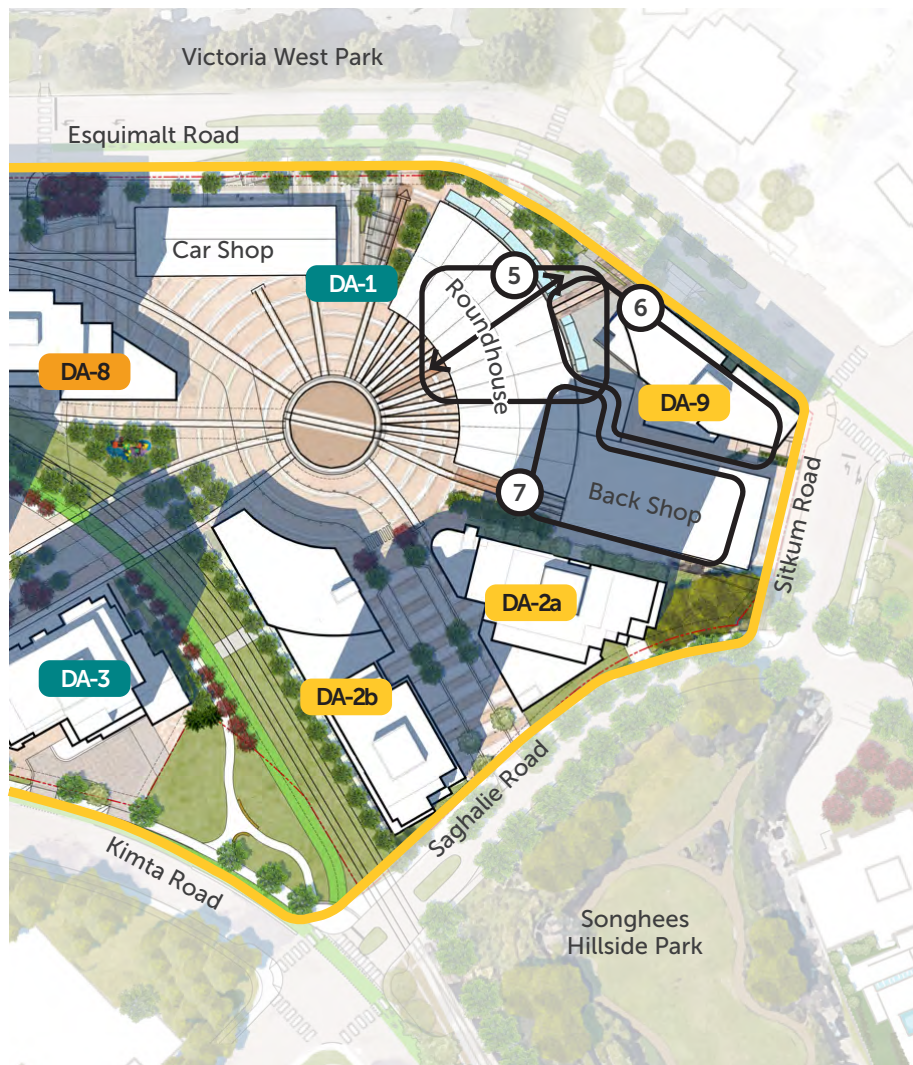
#	Parcel(s)	Revisions (since May 2023 CoTW)
1	DA-7 / DA-1 Area	<ul style="list-style-type: none"> Height increased from 18 to 23 floors at request of CoTW to add more floors of affordable housing Additional height supports approximately 215 units based on GVHS current program, a 43% increase Program anticipates incorporating Childcare within the affordable housing building, as a preferred location West portion of parcel retained for potential rail heritage structure and commercial use (separate parcel)
2	Urban Greenway	<ul style="list-style-type: none"> Confirmation that corridor is able to support potential future rail transit Potential corridor configurations are presented in Section 7.6.2 (Part 4)
3	DA-6 / DA-5 / DA-4	<ul style="list-style-type: none"> Reconfiguration of buildings and open space to achieve better tower placements, tower to podium step-backs, and reduced tower floorplates Heights reduced to increase stepped interface to Catherine Street: <ul style="list-style-type: none"> DA-6: 26 to 18 floors DA-5: 30 to 29 floors DA-4 identified as most suitable location for a building at 32 floors DA-4 and DA-6 podium 'legs' can be attached to towers or as standalone buildings
4	DA-8	<ul style="list-style-type: none"> Height increased from 18 to 24 floors at request of CoTW to achieve additional rental housing Additional height, combined with a re-allocation of other uses, supports approximately 245 Rental units, a 60% increase.

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.



Legend

— Roundhouse at Bayview Place Site



Legend

— Roundhouse at Bayview Place Site

#	Parcel(s)	Revisions
5	Roundhouse	<ul style="list-style-type: none"> Potential for rear of Roundhouse to open up for pedestrian flow through the building to plaza
6	DA-9	<ul style="list-style-type: none"> Revised massing options Previous DA-9 was a Tower of 23 floors. This tower has been significantly lowered from a 23 floor tower to a mid-rise at a maximum 10 floors
7	Back Shop	<ul style="list-style-type: none"> Plan for parking below Back Shop and Boiler House to be determined at DP stage Reinstate Boiler House as Heritage Building to be preserved and rehabilitated

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

2.4 Revision Summary

2.4.1 'Bubble Plan'

The following elements reflect the primary adjustments and revisions to the concept plan that have been made since the Committee of the Whole date of May 4, 2023.

1 Building Heights Adjustments

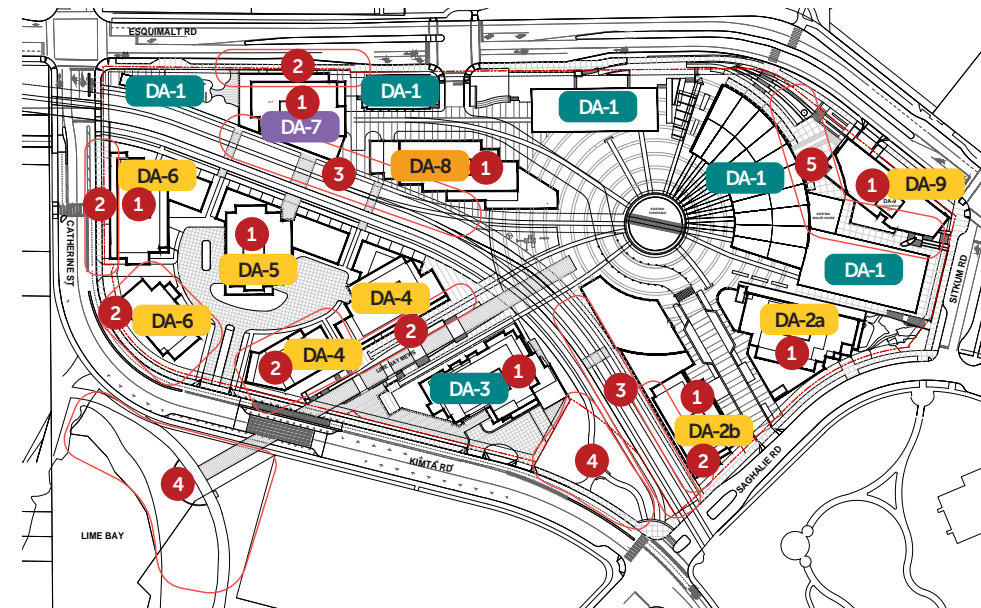
- In response to Council's request for additional Affordable and Rental Housing, additional floors have been added to DA-7 (+ 5 floors) and DA-8 (+6 floors).
- In response to discussions with City Administration, DA-9 has been significantly reduced from 23 floors to 10 floors, effectively removing one tower form from the site.
- In response to discussion with City Administration, DA-6 has been reduced by 6 floors in height to reduce the interface difference in height to buildings west of Catherine St.
- In order to achieve the above adjustments, additional height has been added to a select number of buildings (DA-5, DA-4, DA-2).

2 Massing Adjustments

- In response to discussions with City Administration several buildings in specific locations now reflect a step-back of the tower above the podium to provide a break in the massing (DA-6, DA-7, DA-4, DA-2).
- Spacing between towers has been refined to ensure a minimum spacing distance of 20.0m.
- Portions of the DA-4 and DA-6 podiums are now illustrated as separate buildings to the main tower and podium base. This has been shown as one outcome that reduces the perceived massing of the overall development on each of these parcels. While this is shown as one potential outcome, this does not preclude that this portion of the development could be attached to the primary buildings on these parcels.

3 Railway to Development Interface

- Based on discussions with City Administration, further technical analysis has been undertaken to confirm a suitable development setback from the rail corridor. Options for how this interface might be realized are provided in this submission.



4 Off-Site Park Space Improvements

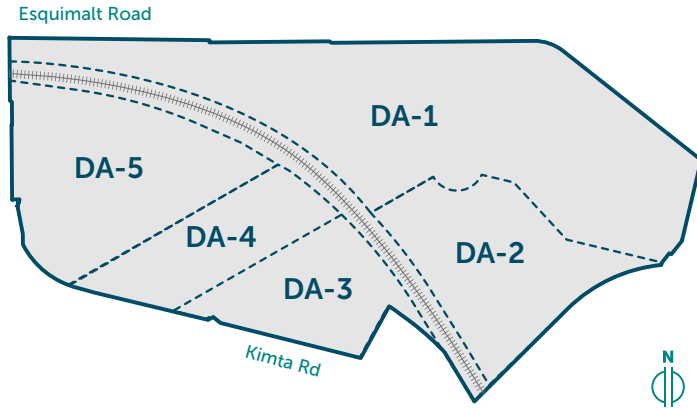
- Based on discussions with City Administration, all details related to the potential future improvements to off-site park spaces (part of the Amenity Area Improvements within this application) have been removed.
- Design of these park spaces will be determined with the associated Development Permit applications.

5 Heritage to Development Interface Adjustments

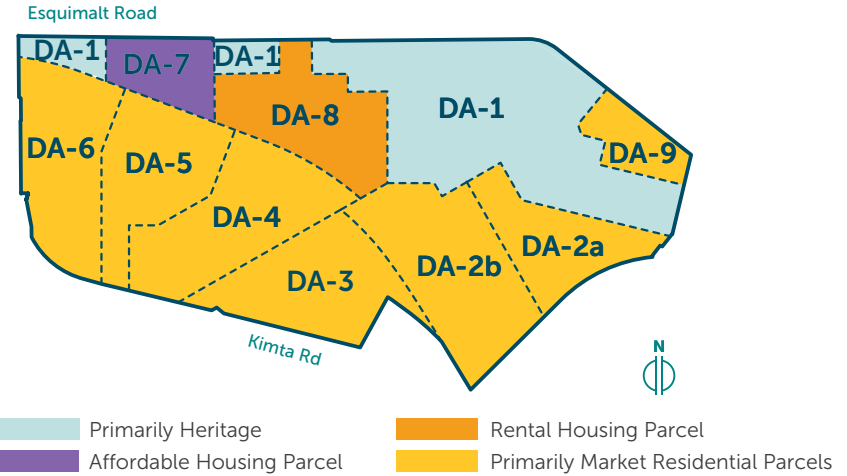
- Options for a DA-9 building have been revised in consultation with Heritage Planning Department to achieve desired interface outcomes between the proposed building and heritage buildings.
- A 10-floor building envelope has been confirmed for a building on the DA-9 parcel, with design details to be determined at time of Development Permit.
- Option to add underground parking below the Back House and Boiler House has been identified as a redevelopment opportunity in conjunction with rehabilitation of these buildings, subject to detailed investigation and approval at the Development Permit stage.

2.4.2 Rezoning Application

CD-12 Land Use Zone (Current)



Proposed Land Use Zone



CD-12 Zoning Limitation

Overall:	Maximum non-residential uses: 9,180 m ² (98,813 sf)			
	Maximum Floor Space Ratio: 2.0			
	Maximum Floor Area (sf)			Max Height (m)
	Condo/Hotel/Rental	Non-Residential	Amenity/Other	
DA-1	-	53,820 sf	-	19 m
DA-2	156,077 sf	-	23,681 sf	76 m
DA-3	204,514 sf	8,611 sf	-	88 m
DA-4	161,459 sf	12,701 sf	-	66 m
DA-5	182,986 sf	-	-	52 m

Proposed Zoning Limitation / Conceptual Distribution of Density

Overall:	Maximum non-residential uses: n/a		
	Maximum Floor Space Ratio: 4.58		
	Maximum Floor Area (sf)		Max Height (floors / m)
	Residential/ Accommodation/ Building Amenity	Non-Residential	
DA-1 [†]	-	40,900	19 m
DA-2a	237,250	3,350	29 / 106.0m
DA-2b	233,360	5,640	27 / 97.0m
DA-3	205,190	8,610	25 / 88.0m
DA-4	260,100	3,500	32 / 112.0m
DA-5	215,000	-	29 / 103.5m
DA-6	165,600	-	18 / 68.0m
DA-7 [†]	170,750	4,000	23 / 85.5m
DA-8	208,200	4,000	24 / 88.5m
DA-9	70,800	-	10 / 48.0m

[†] Heritage Buildings [†] Below-Market Rental including Childcare

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

2.4.3 Heritage Building Rehabilitation Sequencing

The rehabilitation of heritage buildings and assets is a multi-factor process that is dependent on several other on-site redevelopment activities.

The site remediation and clean-up works are a primary determinant in the scheduling of this rehabilitation work, as the forecourt areas of the heritage buildings are to be excavated as part of the site remediation works, and reinstated to grade, at which time building rehabilitation can commence.

In order to ensure that the rehabilitation works are not the last development activities on the site, Focus Equities has committed to scheduling a staged program for rehabilitation that ensures that works on all heritage buildings are to be underway prior to a Building Permit being issued for DAs 4-6 inclusive. These remaining sites represent approximately 30% of the overall density of the application area, which represents a significant commitment and incentive to initiate rehabilitation of these heritage resources.

In addition the rehabilitation of the Stores Building is to commence in conjunction with the development of DA-8.

Additional information for sequencing can be found in **Section 10.0**. Details as to the conditions of sequencing of works related to these heritage resources is to be outlined in the Master Development Agreement (MDA).

2.4.4 Height and Density

Building heights have been adjusted across almost all proposed buildings. Density has been reduced from 4.75 to 4.58, amounting to a reduction of 68,000 sf. The primary changes include:

- A 23 floor tower on DA-9 has been replaced with a 10 floor mid-rise.
- Lower buildings at the west edge of the site to better interface to the surrounding neighbourhood.
- Sculpt building heights and reduce tower floorplates within the site to optimize sun exposure into the key public spaces.

The overall density (4.58 FSR) on the site is indicatively defined on a site by site basis that matches with the illustrated concept plan and 3D massing demonstrated through out the rezoning application.

While the density distribution is demonstrated site by site (see Section 7.1.2 Building Heights, Floorplates Unit, and Density Distribution), the intent is for a limited percentage of floating density that will allow for some flexibility at the development permit stage to adopt to more detailed site and building conditions. The details of the floating density provision will be confirmed in the MDA.

A specific minimum floor space allocation on 483m² (5,200 SF) for Childcare use has been identified. This floor space is within the 4.58 FSR, and can be applied in whole or in part for any number of childcare providers as part of any of the development parcels. Details are to be confirmed in the MDA.

Additional information related to the height and density of this application can be found in **Section 7.1**.

2.5 Project Summary to Date

Date	2008	Jan 2020	May 2021	Dec 2021	Jun 2022	Sep 2022	Sep 2023
Application Type	Zoning	Rezoning Application	Full Rezoning Submission	Revised Rezoning Submission	Full Rezoning Resubmission	Final Rezoning Submission	Revised Full Rezoning Submission
Outcome	Current Approval (CD-12 Land Use)	Vision 2020 Document	Fully Circulated at City Hall TRG Comments Received	Not Circulated (Limited Comments Received)	Renewed Comprehensive Plan for Entire Site	Renewed Comprehensive Plan for Entire Site	
Application Highlights	<ul style="list-style-type: none"> • 2.0 FSR • Most Buildings on Southern Portion of Site 		Focused New Density on Northern Portion of Site	Affordable Housing Added	Heights & Density Reduced		
General Parameters	Max. 2.00 FSR / ~80,000 sf Max. ~25 Floors	5.95 FSR / ~2.3 million sf	4.73 FSR / ~1.9 million sf Up to 30 Floors	5.25 FSR / ~2.1 million sf Up to 32 Floors	4.75 FSR / ~1.9 million sf Max. 29 Floors	4.75 FSR / ~1.9 million sf Max. 29 Floors	4.58 FSR [†] / ~1.84 million sf Up to 32 Floors
Notes	<ul style="list-style-type: none"> • Initial zoning was approved based on very different site development parameters and environmental constraints 	<ul style="list-style-type: none"> • Rezoning application submitted • Vision 2020 document marked start of formal application process • Several subsequent collaborations, community input, technical analysis, and iterations were prepared over the following year 	<ul style="list-style-type: none"> • Following substantial reworking, a full rezoning application was submitted • Rezoning focused new development on the northern portion of the site • Application was followed by CALUC engagement, Advisory Design Panel and Heritage Advisory Panel reviews • Full TRG commentary provided 	<p>Aug 2021</p> <ul style="list-style-type: none"> • CALUC: Concept was represented at 4.80 FSR and 32 Floors <p>Dec 2021</p> <ul style="list-style-type: none"> • A revision to the concept was shared with Planning for commentary in response to TRG commentary • Revised concept added a site for Affordable Housing and responded to Heritage Advisory Panel comments 	<ul style="list-style-type: none"> • Full resubmission of the Rezoning Application incorporating revisions in response to CALUC, Heritage Advisory Panel, and Administrative comments • Prepared to support Committee of the Whole and Public Hearing • Prepared with input from ongoing community engagement 	<ul style="list-style-type: none"> • Considered by City Council at Committee of the Whole May 04, 2023. 	<ul style="list-style-type: none"> • Prepared to support May 04, 2023 Committee of the Whole comments • Prepared with input and comments from City Administration

NOTE: [†] 4.58 FSR is the proposed zoning limitation | All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

2.6 Community Engagement

2.6.1 Engagement Objectives

To ensure project success, the engagement program strives to:

- Maintain and foster strong relationships.
- Generate thoughtful dialogue with the Victoria West Community and broader public through an accessible and inclusive program.
- Integrate community vision and values into the design.
- Implement a transparent communications approach, informing and gathering feedback from stakeholders throughout the application process.
- Consult closely with the Victoria West Land Use Committee.
- Adjust online and virtual engagement strategies during COVID-19.

2.6.2 Engagement Timeline

The first engagement opportunities were held as the project team was re-imagining the Master Plan. The team asked stakeholders to share their hopes for Roundhouse at Bayview Place. The input gathered helped the project team imagine possibilities for the site and confirmed the renewed direction of the Master Plan. Stakeholders expressed enthusiasm for the possible site uses and integration with the surrounding community, with many suggestions provided on how to create high-impact public spaces.

In February 2020, the project team formed a Community Advisory Committee (CAC) to provide input and feedback on the Roundhouse at Bayview Place Master Plan. This committee is composed of volunteers representing the below groups:

- Victoria West CALUC
- Victoria West Community Association
- Residents of Bayview Place
- Residents of the surrounding Songhees area
- Residents of the broader Victoria West community

Consultation has continued with the CAC and a wide range of stakeholders throughout the application process with individual and group meetings as well as open house events and site visits and tours.

2.6.3 Engagement Tactics

A variety of engagement tactics, including public open houses, in-person and digital meetings and engagement with the project's Community Advisory Committee have been held to facilitate input from community members through a comprehensive community engagement program. To ensure the community has the most recent information, the latest rezoning application materials are updated through digital and print assets available on site where the public is regularly welcomed to learn more and have their questions answered.

2.6.4 Community Engagement Program Overview



2.6.5 Recent Engagement Updates

Three large in-person events have been held with stakeholders since May 2022. These events included a presentation of the rezoning, guest speakers and facilitated Q/A sessions. More than 200 people attended each of the open house events. Many of their questions focused on how the community could show support for the development project to expedite the process of rezoning and building out the community.

2.6.6 Summary of Community Comments

Areas of Concern

- Concerns about taller buildings (general) and spurring more high rise in the future
- Need to maintain waterfront views and character of Vic West
- Plaza and cultural amenities overshadowed by towers (need a shadow study)
- Setbacks, parking, and density impacts (should be sensitive to the surrounding area)
- 4 m multi use trail too narrow (need at least 7 m)

Areas of Support

- Community waiting for additional homes and rentals
- Additional housing that supports retail and points of interest
- Well designed, livable community with open space & dog park
- Support for vertical growth (density = sustainability and homes)
- Addresses housing shortage
- Benefit (historic aspect) to all Victoria - historic recognition of important heritage structures on site



2.6.7 How We Responded (Since Sept 2022 Submission)

Building Heights and Floorplates Adjusted

- Removed floor area equivalent of 9 floors across the site
- Lowered heights along Catherine Street
- Increased definition and step-back between podium and tower to reduce the visual impact of towers in locations of greatest concern
- Significantly reduced building height at the east gateway along Esquimalt Road. = less shadowing of Victoria West Park
- Reduction in most tower floorplates to increase separation distances between buildings
- Overall density and building height at 4.58 FSR and maximum 32 floors does not exceed the 4.8 FSR and maximum 32 floors represented to CALUC

Number of Dwellings Reduced

- Number of homes has progressively been reduced following each submission as a consequence of requests for lower density. From 2,186 homes in December 2021, to 1,900 in the September 2022 submission, and now to 1,870.
- Efforts have been made to minimize the loss of units in this submission, combined with a shift to more affordable and rental homes.

Affordable Housing & Rental Housing

- Agreement (MOU) with Greater Victoria Housing Society (GVHS)
- Providing an immediately available “shovel ready” site for affordable housing
- GVHS intends to design and deliver this affordable housing
- Added 5 floors to the affordable housing building, achieving a 43% increase in the number of affordable homes*
- Added 6 floors to the rental housing building, achieving a 60% increase in the number of rental homes

* Based on GVHS current unit sizes and mix.

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

2.7 Additional Engagement

The project team has made a concerted effort to engage organizations that can support Roundhouse at Bayview Place in realizing the City's housing affordability strategy. These groups include:

- BC Housing
- Island Corridor Foundation
- Capital Regional District
- Royal British Columbia Museum
- BC Heritage Branch

2.7.1 Indigenous Consultation

In the spirit of reconciliation, the team has consulted with the Songhees and Esquimalt First Nations to explore ways to acknowledge Indigenous connection to the site. This shared effort has resulted in The Canoe Project, a regular event sponsored by Focus Equities. The Canoe Project brings First Nations members and Victoria West residents to the shore of Lime Bay Park and is intended to stimulate dialogue through cultural practice.

2.7.2 Community Contributions

Kenneth W. Mariash Sr. and Patricia Mariash have become contributing members of the Victoria West community, expressed through event sponsorship and charitable contributions to a number of local organizations.

Pulling Together, an annual event that brings together Public Service Agencies and Aboriginal peoples by "canoeing the traditional highway, strengthening our future relations."



Canoe provided for Pulling Together, July 2020

Focus Equities provided a traditional canoe for use in Pulling Together, an annual event that brings together Public Service Agencies and Aboriginal peoples by "canoeing the traditional highway, strengthening our future relations." Both the Songhees and Esquimalt First Nations will collaborate on a hull design for this canoe before it is blessed and released into the water.

2.8 Municipal Engagement

The Roundhouse at Bayview Place Master Plan has been developed in consultation with the City of Victoria through an engagement process spanning years of discussion and focused efforts between November 2019 to December 2020.

The master planning process revolved around a series of workshops held in early 2020, each focused on a major topic and culminating in the submission of a detailed master plan document in September 2020.

A preview of the master plan was shared with the City in July 2020 in advance of submitting the comprehensive application documents. Following the September

2020 submission, meetings and working sessions to review the application materials and advance refined design details have been ongoing, with key meetings to review specific topics as follows:

- **October 13, 2020** - Rezoning Application Review
- **November 3, 2020** - Application Overview
- **November 24, 2020** - Transportation & Servicing
- **December 15, 2020** - Urban Design, Heritage & Complete Master Plan
- **May 4, 2023** - Committee of the Whole (CoTW)

2.8.1 Municipal Engagement Timeline



2.9 ICF/Rail Corridor

Bayview has collaborated with the Island Corridor Foundation (ICF) to determine an agreed-to realignment of the railway that improves the overall developability of the site while protecting the functionality and anticipated uses of the railway, as understood at the time of this application. See Section 6.4.



ISLAND CORRIDOR FOUNDATION

Box 375 Stn A Nanaimo, BC V9R 5L3
office 250 754 7254 | fax 888 662 4197
islandrail.ca

September 1, 2022

Chris Reiter
Bayview Place/Focus Equities

Reference our conversation and meeting regarding changes to the Bayview plan. As discussed The Island Corridor Foundation approves the curvature of the rail as proposed for the Bayview property roundhouse location. Our understanding is that the proposal you submitted does not require any rail to be permanently removed. The ICF does **not** approve of the removal of any rail or any portion of existing rail infrastructure with the exception of a temporary removal for remediation.

Bayview Place and Focus Equities will be solely responsible for the cost to put all track and rail infrastructure back into operable condition.

Yours Truly,

Larry Stevenson
Chief Executive Officer
Island Corridor Foundation

3.0 SITE CONTEXT

3.1 Site Information

Civic Addresses & Legal Descriptions

355 Catherine Street

PID: 029-397-090

Legal Plan Number: EPP33936

Legal Description: Lot 2 Section 31 and District Lot 119 and part of the unencumbered part Esquimalt District and part of the Bed of the Victoria Harbour Victoria District Plan EPP33936 Except Plan EPP84866

251 Esquimalt Road

PID: 029-397-065

Legal Plan Number: EPP33936

Legal Description: Lot 1 Section 31 and District Lot 119 Esquimalt District Plan EP33936

200 & 210 Kimta Road

PID: 030-616-298

Legal Plan Number: EPP84866

Legal Description: Lot A Section 31 and District Lot 119 and part of the unencumbered part of Esquimalt District and part of the Bed of Victoria Harbour Victoria District Plan EPP84866

Site Size & Area (3 Parcels)

Three legal lots of irregular shape totaling ±3.73 ha (±9.22 ac) of land with a perimeter of ±871 m.

Site Interface

Esquimalt Road (north), Saghalié Road (southeast), Kimta Road (southwest), and Catherine Street (west)

Existing Zoning

CD-12 Roundhouse District (Part 12.12)

Urban Core, as identified in the OCP, consists of the highest density and greatest mix of uses in the city, including civic and institutional facilities of regional and provincial importance, primary retail, entertainment, office and other commercial uses, high-rise multi-unit residential apartment and office buildings, visitor accommodation and services, and intensive employment, marine-oriented industrial and transportation uses. The Urban Core is served by rapid and frequent transit, local circulating transit, and inter-regional rail, air, marine and bus transport, characterized by a well-defined public realm with wide sidewalks, public squares and open spaces, regularly spaced tree planting, and buildings set close to the street frontage, where walking, cycling, and public transit are preferred travel modes.



The Urban Core consists of six mixed-use sub-designations. Bayview is sited entirely within the Core Songhees Urban District (Urban Core).

3.2 Existing Context

Roundhouse at Bayview Place reflects the evolution of Victoria West, a neighbourhood whose identity is shifting from one of industrialization to urban neighbourhood.

Victoria West

Formerly distinguished by its strong industrial character, the Songhees Peninsula of Victoria West is becoming increasingly residential with new medium- and high-density developments realized in the form of Bayview Place Hillside, Dockside Green, the Railyards Development, and the future redevelopment of Tye Housing Co-op. Roundhouse at Bayview Place is part of this evolution. Previously a hub of rail activity, the new concept plan envisions a contemporary mix of residential and commercial uses enlivened by an active public realm.

Victoria West has proven an increasingly popular place to live and work for a variety of reasons. The area offers a direct route east across the Johnson Street Bridge to downtown Victoria, the city's employment heart, and the wider region. Victoria West is also well-served by open space and boasts an above-average supply of parkland per resident. For the Roundhouse site, Lime Bay Park provides access to the waterfront and Songhees Point, while Victoria West Park, the neighbourhood's largest, is located just north of the site.

However, cultural amenities are largely concentrated in the downtown core. Development of Roundhouse at Bayview Place offers an opportunity to increase the number of public benefits unique to this neighbourhood by re-purposing the site's historic assets, complemented by an architecturally-distinct cultural centre. This mix of cultural assets will create a unique destination outside of downtown Victoria and define the central heart of Victoria West.

Victoria West Open Space

Victoria West Park sits directly north of Bayview Place and includes a skate park, lawn bowling, basketball court, and baseball field. To the west, Bayview Place Hillside provides multiple open space opportunities including the off-leash dog area at Songhees Hillside Park, while Lime Bay Park connects the community to waterfront walking trails and green spaces.

Bayview Place Phase One

Bayview Place Hillside contains approximately 680,000 SF of residential and senior housing just east of Roundhouse at Bayview Place. Building heights range from 5 to 21 storeys.

Dockside Green

Dockside Green is a mixed-use development on the eastern point of the Victoria West Peninsula. The approximately 800,000 SF project will be predominantly residential with some office development on the north end of the site.

Railyards Development

Railyards is a residential development north of the Bay Street Bridge. The approximately 550,000 SF project consists largely of residential low-rise and townhouse building typologies.

Downtown Victoria

Bayview Place is within a 10 minute walk of Victoria's downtown core and Central Business District, which accommodates the majority of the City's high-density development, employment opportunities, and regional amenities.

Innovation District

The Innovation District, located at Rock Bay, is imagined as a "global facing" hub of cross-sector collaboration and an area that will "attract companies that anticipate and solve the problems of the 22nd century."

Multi-modal Transportation Connections

Esquimalt Road, Kimta Road, E&N Trail, and Songhees Trail connect Bayview Place to Victoria's Downtown core and the rest of Victoria.

3.3 Location and Scale



Situated along the central spine of the Songhees Peninsula, Roundhouse at Bayview Place provides an opportunity to complete the buildout of Victoria's urban core while also creating a new destination in Victoria West.

Roundhouse at Bayview Place presents a rare opportunity to develop a complete, highly-livable community within walking distance from the City's historic downtown.

This iconic location is for many the first they see of Victoria, whether they arrive by boat or by plane. With stunning views of the Inner Harbour and Legislature Buildings, Roundhouse at Bayview Place is a gateway to everything the city has to offer.





-  Bayview Boundary
-  Roundhouse at Bayview Place Site

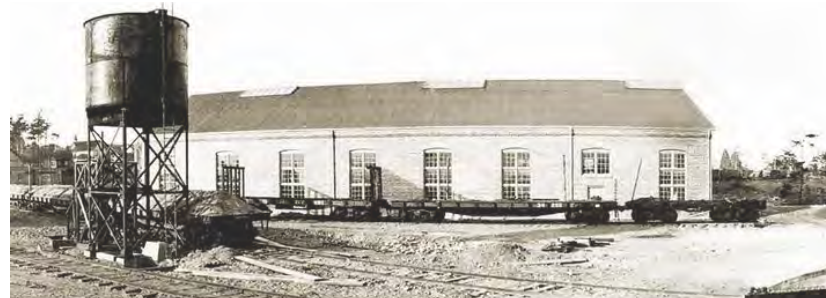
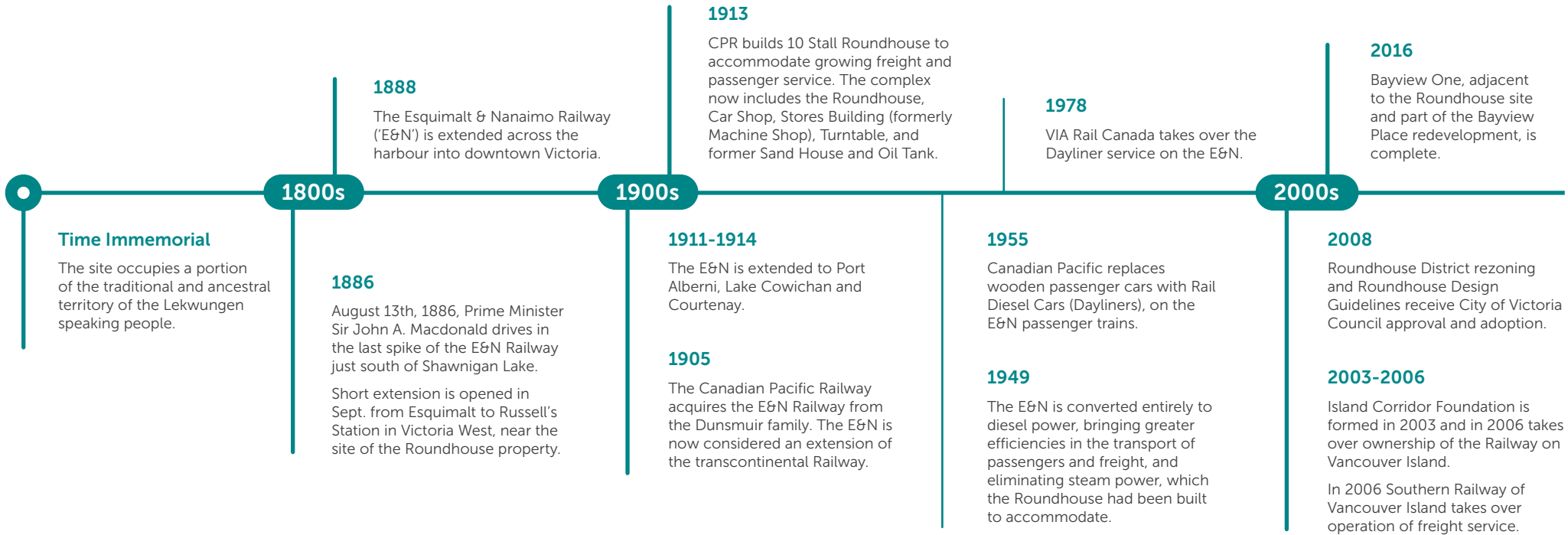
The Bayview Masterplan, including the existing hilltop development and Songhees Hillside Park and the proposed Roundhouse site, encompasses an area over 20 acres. The plan above illustrates the scale of this community investment overlaid on downtown Victoria.

Stretching from Pandora Ave to Humbolt St, and Wharf St to Broad St, this represents an area that captures the majority of downtown Victoria.

While Bayview is a significant masterplan area, over 40% of the current application area will be dedicated as public open space - plazas and green space open to the public at all times.

3.3.1 Site History

A brief modern history of the Roundhouse site.



3.3.2 Site Opportunity and Role

The Bayview Place site presents a strategic opportunity to impact and play a significant role at variety of scales, city-wide, neighbourhood-wide, and site-wide. The original 20-acre site has already delivered the new residential community, Bayview Place Hillside, along with associated streetscape improvements, dedication of public parks and open space and other amenities that have transformed the former industrial site. The remaining western half of this site presents an opportunity to deliver a broader range of public benefits including addressing the city's need for a more diverse range of housing, while creating a vibrant, mixed-use heart to Victoria West, centrally located and at the junction of mobility networks and connections to downtown and surrounding communities.



City-wide Impacts

- One of only a few major undeveloped sites of significant scale and size.
- The opportunity to implement smart-growth principles, complete, walkable, central and connected.
- An opportunity to address housing diversity and affordability.
- Opportunity to remediate the site and create a more complete and sustainable community.
- Aspiration to create a unique neighbourhood with heritage values and character.



Neighbourhood-wide Impacts

- Centrally located within Victoria West, a vision for a publicly accessible focal point to the surrounding community.
- A broad mix of uses including neighbourhood retail, amenities, public, cultural and heritage, and a diverse range of housing options including market rental.
- Extensive public realm, plazas, pedestrian mews, landscaped open space, linear park, multi-use trail, linked to the existing surrounding network of public and park spaces.
- Establish an urban core to Victoria West.

Roundhouse Site

Mixed-use precinct with a range of housing types including market rental in podium-tower forms, with neighbourhood retail and public uses at grade.

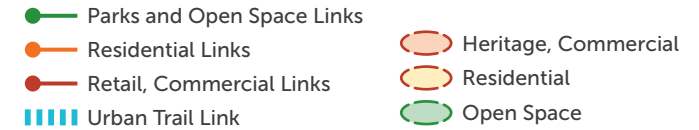
The urban character is vibrant and urban within a setting of restored historic rail buildings, industrial character, and richly enhanced public realm achieved through the urban design and building form.



Bayview Place

Residential precinct with a range of market housing types including tower forms, grade-oriented townhouses, and multi-level senior living.

The urban character is primarily residential within a setting of richly landscaped private and public open space and parks, achieved through the relatively low site coverage associated with tower forms.



Bayview Place - Phase 1

- Roundhouse at Bayview Place forms the western half of the original 20-acre site and is to be understood in the context of how it complements the existing completed eastern half, Bayview Place Hillside.
- Bayview Place concentrated the residential footprint to deliver a significant amount of park and public open space as an amenity for the whole community.
- Bayview Place, has similar or lower density than the surrounding mid-rise neighbourhoods, and lower site coverage resulting in a much higher percentage of open space.
- Bayview Place began the transformation of the former industrial lands into a safe and desirable residential environment that has enhanced the whole community.

Roundhouse at Bayview Place - Phase 2

- The Roundhouse at Bayview Place master plan proposes a vibrant mixed-use core focused on the existing turntable and restored historic rail buildings as the primary public open space and central node.
- New buildings on site are located toward the ends and perimeter to retain legibility of historic buildings and establish a heritage character to the site and surrounding public street.
- Infill residential buildings will create a vibrant village atmosphere, organized around formal open spaces that form a green network of public and park spaces.
- The site is deeply connected to its context with pedestrian linkages to surrounding parks, and multi-modal mobility linkages to the city's urban trail and bike network.

3.3.3 Existing Site



4.0 BIG IDEAS

4.1 Heritage Rehabilitation & Activation

4.1.1 Restore and Activate



Conservation

Conservation is an overarching goal that is achieved through:

- Protecting existing character-defining resources
- Activating the site with relevant uses
- Building compatible and sensitive new construction
- Interpreting lost resources and intangible values

Conserving the railyard as a legible whole is paramount.



Rehabilitation

Rehabilitation Work:

- Buildings were weather protected and stabilized to limit further decline
- Developer continues to commit to rehabilitating the underutilized structures and site to create a vibrant urban community
- Rehabilitation is a climate and community-positive solution
- Cost of rehabilitation is primarily funded by development revenues



Adaptation

Adaptation is reuse of rehabilitated structures and site, responsive new construction, and new programming.

- Leverage the historic site and structures to create a relevant space suitable for tomorrow's community
- The rehabilitated site and surrounding new construction will be legible as a cohesive whole
- Historic structures will form the defining pieces of the development



Activation

Successful activation is key to conservation.

- A thriving rehabilitated historic place is a celebration of its character-defining elements and budding contemporary purpose
- Interpretation of lost resources and intangible values animate the greater story of the past and connecting it to the updated site



People = Activity

- Development going forward facilitates heritage rehabilitation
- This project has to go forward in order for the rehabilitation to take place
- Development of the site will be staged
- Rehabilitation of the buildings and plaza needs to fit this staging

4.1.2 Heritage Rehabilitation & Integration

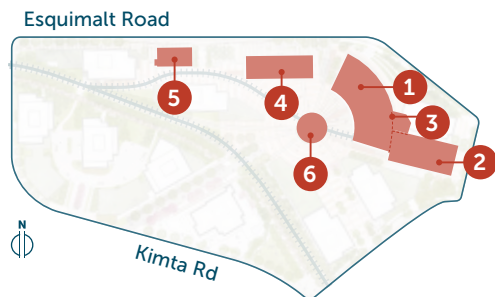
Roundhouse at Bayview Place will blend contemporary expression with newly revitalized historic buildings, ensuring new buildings complement, rather than imitate, the forms of the Roundhouse complex.

Heritage Components

The heritage structures that compose the Roundhouse complex will serve as the neighbourhood’s centerpiece. Contemporary building forms with a mixture of residential and commercial uses will be placed alongside these structures, the juxtaposition of differing typologies creating a dialogue between past and present, while ensuring the complex is made active.

The following structures within the Roundhouse site are identified as individual heritage assets:

- 1 Roundhouse
- 2 Back Shop (attached to the Roundhouse)
- 3 Boiler House (attached to the Roundhouse)
- 4 Car Shop
- 5 Stores Building
- 6 Turntable



These buildings have concrete foundations, brick exterior walls, heavy-timber structural frames, and wood roofs. The structures and the larger site retain integrity. However, the physical fabric has experienced considerable deterioration due to weather and disuse. In 2008, Focus Equities made a significant investment in repairs and structural reinforcement, ensuring the buildings are no longer at risk of collapse.

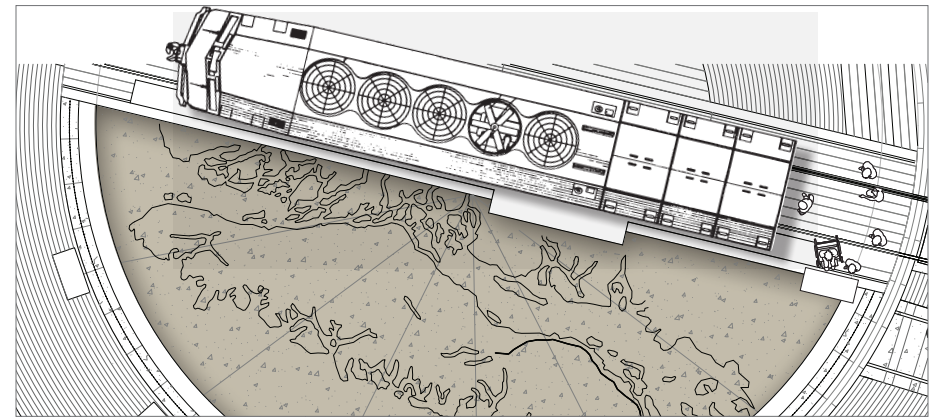
4.1.3 Legible Collection of Heritage Assets

The historic railyard, as a legible collection of built features, is proposed to be conserved at the heart of the site. These assets are protected as an integral collection, in their original setting and position, visually linked, as a historic district protecting the historic value of the place.

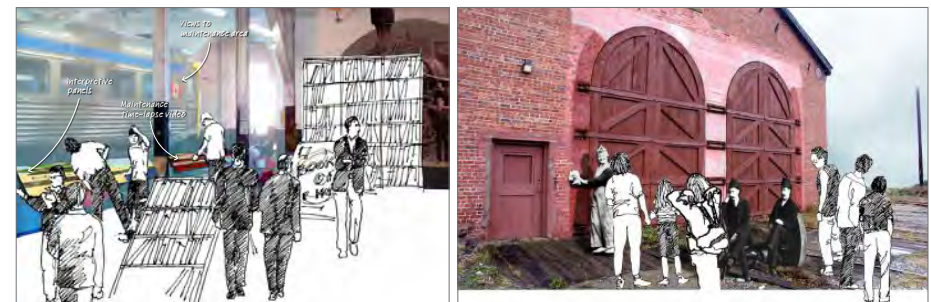


4.1.4 Heritage Interpretation

Integration of historic elements including railway tracks, artifacts, and heritage railway rolling stock will be incorporated throughout the landscape to highlight and support the heritage resources of the development.



The Turntable Plaza, including Timeline Signs, conveys stories about the role of the railway in Vancouver Island's early development as well as the operation of the turntable.



Large-scale murals/banners, views and interpretations of ongoing maintenance in the Back Shop animate the space, bringing to life the original function of each building and personal stories of those who worked there.

4.2 Site Restoration

Formerly an active railyard, Roundhouse at Bayview Place possesses varying degrees of contamination and is today not a viable site for residential or community amenity uses.

A remediation strategy has been proposed to restore the site once again to useful community purposes, including residential, shops and services, and a range of public amenity spaces.

This restoration involves the excavating and reburying the majority of contaminated material in an on-site “dig and bury” location that will be capped.

This site restoration allows for a major missing piece within the Vic West community to be made whole, bringing significant investment, activation via new households, and vibrant activity with a range of social, economic, and environmental benefits.

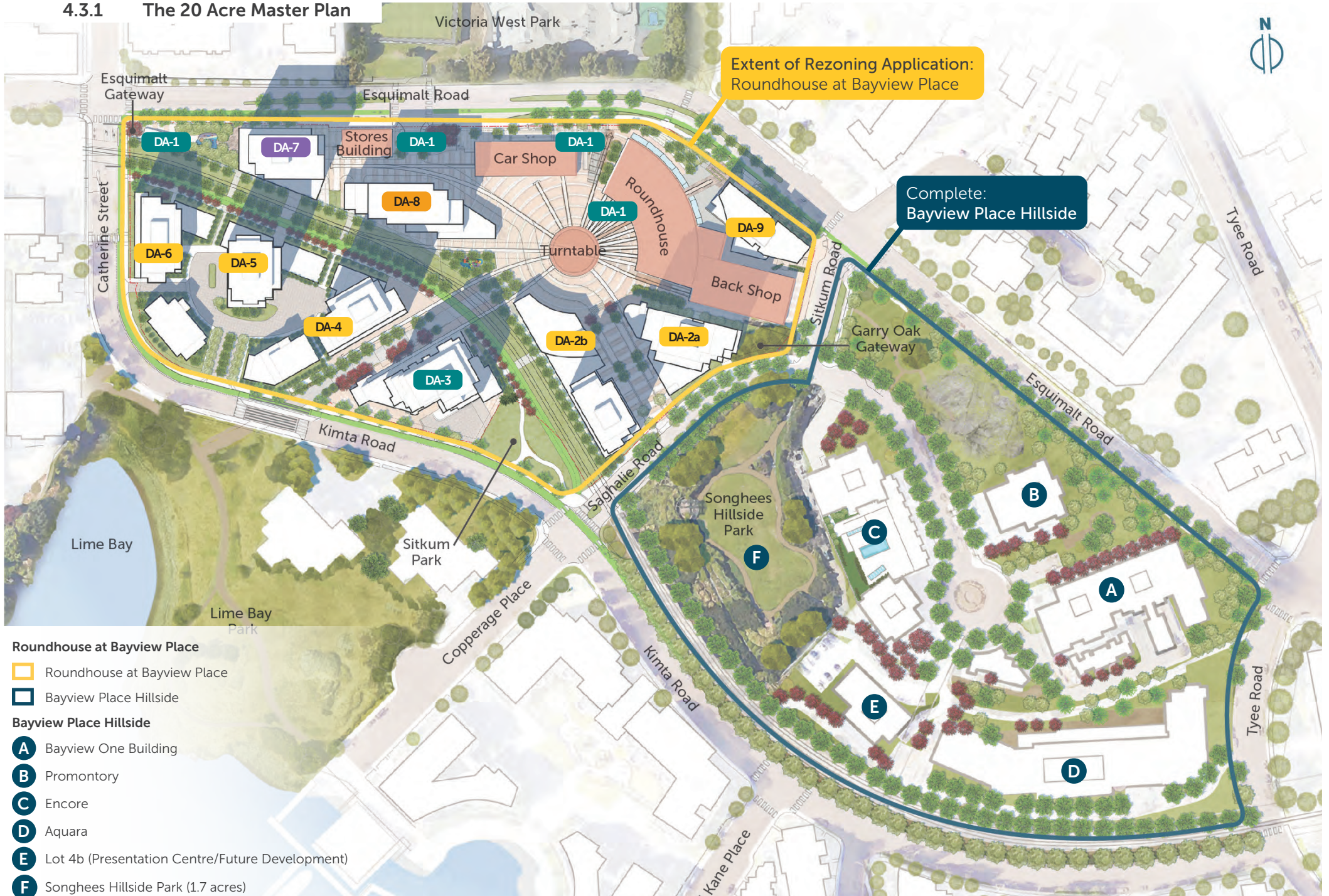
4.3 Continuing the Story

Formerly vacant land, Bayview Place has succeeded in creating a vibrant and active community—Roundhouse at Bayview Place aspires to continue building on this success.

Bayview Place is a 20-acre master planned residential community overlooking Victoria Harbour. The first phase of development, the 10-acre hilltop community of Bayview Place Hillside, is comprised of three elegant residential towers that pay homage to the industrial heritage of Victoria West through their modern brick and glass facades.

Formerly vacant land, this development has succeeded in creating a vibrant and active community through provision of a well-used network of amenities, including the Songhees Hilltop Dog Park, Sitkum Park and meandering walking paths.

4.3.1 The 20 Acre Master Plan



Roundhouse at Bayview Place

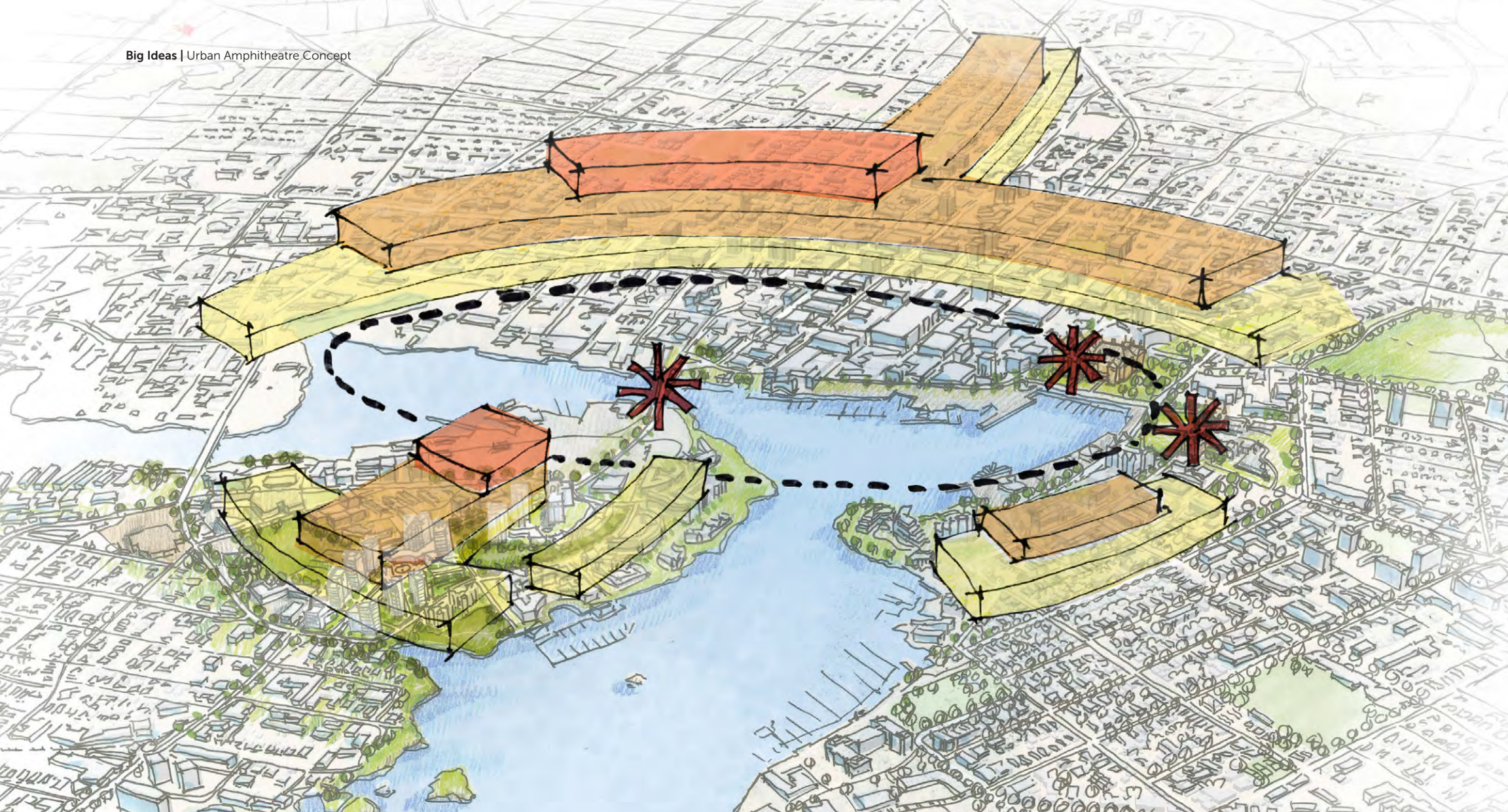
- Roundhouse at Bayview Place
- Bayview Place Hillside

Bayview Place Hillside

- A Bayview One Building
- B Promontory
- C Encore
- D Aquara
- E Lot 4b (Presentation Centre/Future Development)
- F Songhees Hillside Park (1.7 acres)

4.3.2 Community Linkages and Connections





4.4 Urban Amphitheatre Concept

The urban amphitheatre concept builds on the geographic and historic urban setting of the Downtown Core Area by promoting a general urban form in the shape of an amphitheatre. Stepping up from Victoria's open harbour basin, building heights remain low near the water, gradually increasing further inland so that the tallest buildings are located at strategic geographic points, such as Roundhouse at Bayview Place. This form creates a series of unique and varied skylines that frame the harbour.

5.0 GUIDING PRINCIPLES

5.1 A Place for Everyone

The Guiding Principles for the Roundhouse at Bayview Place is aimed at bringing desirable, inclusive, and much needed opportunities to Victoria West through:

- Affordable Below-Market Rental Housing
- A Historic Railyard, Buildings and Marketplace
- Opportunities for Cultural Facilities and Amenities
- A Connected and Accessible Community
- Efficient Land Use
- Future-proof Mobility and Transit Integration
- Childcare and Playground Amenities

Right here. Right now.



Diverse and Inclusive

A Place for Everyone: Roundhouse at Bayview Place is inclusive - A collaboratively designed neighbourhood for all ages and incomes with a groundbreaking investment in rental housing. Roundhouse at Bayview Place will bring forth diverse community amenities from culture to open space, a generous public benefits package that provides something for everyone.

A place for everyone includes a wide range of housing options to create a diverse, inclusive, and authentic community.

Complete Community with Mix of Uses

Creating a complete community with a broad mix of uses, walkable, transit-oriented, socially vibrant.

Sustainable

Doing more with a limited land resource is good land-use and environmental stewardship.

Expand Programming Opportunities

Include planning for spaces and places which will promote a wide range of art and cultural activities.

Enhance Playmaking and Vibrancy

Building on the rich natural, rail and maritime history of the site to create a unique identity.

“ This is the perfect example of a complete community where there is something in it for everyone. Mixed use, residential, commercial, heritage, historic. It really could be a gem in the west part of our city. ”

— Lisa Helps
Former Mayor, City of Victoria

5.3 A Cultural Hub

Roundhouse at Bayview Place will bring forward diverse community amenities rich with culture and quality open space; a generous public benefits package that provides **something for everyone**. The site will be known for its breathtaking arrival experience; an iconic sight for harbour visitors and a unique addition to the Victoria's skyline.

A Range of Arts and Culture Activities

Broadening the range of uses on the site, increasing its significance as a place for people by creating a venue for performing arts, visual arts, art education, gathering and celebration, will create a place that engages the broader community and city to become a socially vibrant place with a heartbeat.

A place that taps into the power of culture and the arts to elevate the vision for the site, to rise to its full potential as a world class place, worthy of a prime location in an exceptional city.

Enliven Public Open Spaces

The public realm will be truly public, designed and planned for a wide range of activities and events to become a social place encompassing 40% of the overall site.

5.2 Rooted in History

Rooted in history means a contemporary pairing of past and present that breathes life into forgotten histories. The site will undergo an active approach to history around interpretation and storytelling, done through re-purposing of abandoned historic structures and transforming into dynamic hubs of activity.

Focused on the Future

Never again vacant, a dynamic mix of uses to keep the site active for decades to come.

Interpreting the Past

Storytelling brings the past to the present and looks to create new histories.

Reviving a People Place

Residents and Visitors add life to the site, returning it to a hub of activity.



5.4 Vacant Space to Vibrant Place

Through a low carbon footprint, the site will undergo a bold transformation from blighted industrial wasteland to livable community through significant investment - The realization of a vision co-created with community. The development will be economically viable, dense, diverse, and deeply connected to Victoria's economic engine.

Building on Success

The continued evolution of a transformational community at the heart of Victoria West.

Interpreting the Past

The completion of a socially, culturally and economically vibrant community.

Environmental & Geotechnical

A viable strategy to successfully retain historic buildings and manage geotechnical and environmental challenges.

“ The goal of interpretation for the Roundhouse heritage precinct is to create a strong sense of place. ”

— Interpretive Approach
AldrichPears

“ There is nothing else of this quality in Victoria and it is a privilege to honour this site with such a special community. ”

— Ken & Patricia Mariash
Owners, Focus Equities



5.5 Master Plan Objectives

The vision for Bayview Place has always been constant: create a vibrant, highly livable urban neighbourhood in the heart of Victoria West.



Deliver Housing Diversity and Support Affordability

In support of more housing choices and access to affordable housing, the plan includes a substantial number of units offering alternatives to ownership housing.

Roundhouse at Bayview Place supports this vision by adding to Victoria's supply of purpose-built rental housing and affordable below-market rental housing.

These choices will encourage greater generational and household diversity and support community wellbeing, vibrancy, and liveability.



Establish a Transportation and Mobility Hub

Creating **wellbeing infrastructure** that encourages active transportation is a priority for Roundhouse at Bayview Place. This shift will not only reduce greenhouse gas emissions associated with high-carbon vehicles, but will support improved public health outcomes.

Located at the intersection of several key transportation corridors, the neighbourhood will become a transportation hub **for all ages, abilities, and modes of transit**. Bay Street and Esquimalt Road will be activated, delivering a spirited pedestrian experience that facilitates movement to the downtown core. Completion of the Bayview Place component of the E&N Rail Corridor will also provide key local and regional infrastructure, including an opportunity for **new public transportation**.



Remediate Contaminated Lands

A former industrial site, development of Roundhouse at Bayview Place is a complex process. Site-wide remediation requires a scientifically-sound strategy to resolve geotechnical and contamination issues and ensure the **land can support a healthy and active community**.

By **creating a compact, mixed-use neighbourhood** above a remediated brownfield, Roundhouse at Bayview Place will provide Victoria a truly innovative example of contemporary development. Undertaken at significant expense to the developer, this type of **sustainable community building** is exactly in line with Victoria's bold history of climate action.



Action for Climate Change and Resilience

For Victoria, climate action is rooted in bold GHG reduction targets, an ambitious renewable energy transition strategy, and a commitment to **smart development**.

Roundhouse at Bayview Place is a valuable development opportunity both for its proximity to downtown and its prominent gateway location. By creating a resilient and livable community built above a **remediated brownfield**, the neighbourhood will not only be deserving of its unique Victoria West location, but it will be a highly-visible demonstration of what **climate leadership** looks like in built form.



Enhance Human Experience, Health, and Community Wellbeing

For Victoria, **community wellbeing is more than a goal**, it is the driving force behind many of the City's programs and policies.

The new plan for Roundhouse at Bayview Place similarly centers wellbeing by prioritizing diverse and **good quality and affordable housing options**; childcare and family-supporting amenities; accessible all ages and abilities **transportation infrastructure**; employment opportunities; and public benefits, such as cultural assets, parks and open spaces that promote **social inclusion**. Together, the vision promises to create not simply a neighbourhood, but a community.



Establish a Robust Financial Strategy to Support Municipal Objectives

Roundhouse at Bayview Place prioritizes smart urban development by **remediating former industrial lands** and **strategically densifying** an area proximate to Victoria's downtown core. This type of development will ensure municipal services are optimized by making use of what's already there.

Building additional housing, including in-demand, affordable and purpose-built rental units, will also help address Victoria's housing shortage and increase the local tax base, all while feeding the city's downtown economic engine.












6.0 ORGANIZING FRAMEWORK

6.1 Framework Plan

Envisioned as a complete community, Roundhouse at Bayview Place will enliven Victoria West by providing a spectrum of housing choices, a distinct cultural center, and a myriad of public benefits.

Realignment of the E&N Rail Corridor allows for the addition of mixed-use, purpose-built rental towers, a move that increases site-wide activity and diversity. By infusing the ground-level with active retail, revitalized historic buildings and an iconic cultural centre, the neighbourhood promises a lively pedestrian experience complemented by flexible open spaces.

Multiple entry points add porosity to the site, drawing community members into the animated neighbourhood heart. Designed for multi-modal accessibility, these pathways simultaneously connect to key urban assets like Westside Village, Victoria West Park, Lime Bay Park, and the Songhees Promenade, while completion of the E&N Rail Trail fortifies a key regional connection.

-  Roundhouse and Turntable Plaza: Neighbourhood heart
-  Spinnakers Brewpub
-  Public Plaza
-  Arrival Point
-  Active pedestrian mews link between Roundhouse, Lime Bay and Lime Bay Park
-  Connections to the park
-  Vehicle Circulation
-  Pedestrian Link
-  Connections to Westside Village, Victoria West and Downtown Victoria
-  Realigned E&N Rail & Trail
-  Future mid-to-high-density mixed use neighbourhood



6.2 Design Guidance

Developed in collaboration with the residents of Victoria West, the design draws from all that the site has to offer, its rich past, geographical context and central urban location.

Develop Rail-to-Sail as a Design Driver

Connect the historic E&N Roundhouse and Turntable Plaza to Lime Bay and the waterfront of the Inner Harbour.

Radiate Movement from the Roundhouse

Create pathways radiating to and from Turntable Plaza, along rail lines and critical sightlines, emphasizing the pedestrian experience.

Engage, Integrate, and Activate Heritage

Complement the Turntable Plaza and the E&N Roundhouse with residential development, contrasting the historic centerpiece and ancillary buildings with new iconic development.

Diversify with Mix of Uses

Frame Turntable Plaza with a diversity of uses, growing the region's housing options while emphasizing the Plaza as a central activity and gathering space.

Broaden Residential Mix

Develop a mix of housing types and options, including ground-oriented units, creating a concentration of density centered around the mixed-use public space of the E&N Roundhouse.

Maintain Views Through Site

Maintain sightlines through the Lime Bay Mews and Roundhouse Mews, and create new views along rail corridors and pathways.

Minimize Shadow Impact

Align towers to minimize shadows within the site and on surrounding developments.

Massing Transition

Transition building massing stepping down toward Turntable Plaza, with podium elements 3-10 storeys, and tower elements of 10+ storeys beyond.

Spaces, Edge and Connections

Allow greenspace to permeate the site's south edge, penetrate along corridors, connect the site to parks and water, and create a soft southern edge. Maximize the urban tree canopy to support greening of the public realm and assist in reducing urban heat island effect.

Urban Edge

Create an urban edge around the site that steps back to highlight historic buildings. Define gateway elements at the west and east corners on the north edge.

Districts

Shape the Roundhouse at Bayview Place community by creating districts with distinct character. Use building forms and the public realm to reflect the unique identity of each while incorporating unifying site elements that tie them all together.

Heritage Interpretation

New buildings should respect and respond to the dominant structures, forms, materials, and the industrial character of the existing buildings. Provide for the continued activation of heritage buildings through the integration of mixed-uses.

6.3 Design Rationale

The master plan employs a variety of methods to create an impactful design that considers the site's unique features and its untapped potential.

Existing Buildings and Structures

- Highlight and respect the historic buildings on site and the collection of these buildings within a heritage setting.
- Use principles of adaptive reuse to activate historic structures.
- Use the Roundhouse as the historic centerpiece, radiating pathways and sightlines from Turntable Plaza.
- Adjust the rail alignment to maintain the usability of a railway through the site.
- Conform to the Standards & Guidelines for the Conservation of Historic Places in Canada.

Axial Views

- Maintain views to Lime Bay and through the Roundhouse Mews that signal the importance of Turntable Plaza.
- Create sightlines throughout the site that accentuate the relationship between historic buildings, provide visual interest, and create a sense of place.
- Maintain views from gateway points and entryways to historic buildings.

Form of Development and Land Use

- Provide a mix of uses that respond to the needs of residents, both within the site and in Victoria as a whole, and create a vibrant and diverse community.
- Establish Roundhouse at Bayview Place as a cultural heart in Victoria West by revitalizing architecturally and culturally significant buildings for community supporting services and activities.
- Prioritize creation of a low-carbon, walkable community by ensuring residents have access to most daily needs on-site or within a short walk, and have direct access to active mobility choices (pedestrian and cycling).
- Manage the impact on surrounding areas and enhance the Victoria West skyline with towers that:
 - Vary in height
 - Are well-spaced to support livability and minimize overlook
 - Are positioned to minimize view impacts and overshadowing of adjacent parks, and;
 - Are designed with compact floorplates to minimize visual impact and optimize the living conditions and quality of residential units

Parking & Remediation

- Provide adequate parking and access points on-site for residents, hotel guests, and visitors.
- Provide Electric Vehicle charging stations, and short and long term bicycle parking stalls to encourage and support low-carbon travel.
- Sustainably remediate the site by excavating and reburial of contaminated soil in an environmentally-responsible "dig and bury" site. Dispose of excess hazardous materials off-site in a licensed facility.

6.3.1 Existing Buildings and Structures

The site's design, development, and programming embrace and celebrate the legacy of rail, reinvisioning existing buildings as cultural assets for public benefit. Multiple spur lines and the turntable will be retained and restored as functional infrastructure, with opportunities for heritage railcars and boxcars to be positioned and moved as needed to support on-site programming. These programmable spaces will foster a site-wide character centered around rail.

Integrating residential towers with historic buildings ensures the continued activation of these buildings throughout the day. The following key improvements will also enhance user experience within and around historic structures:

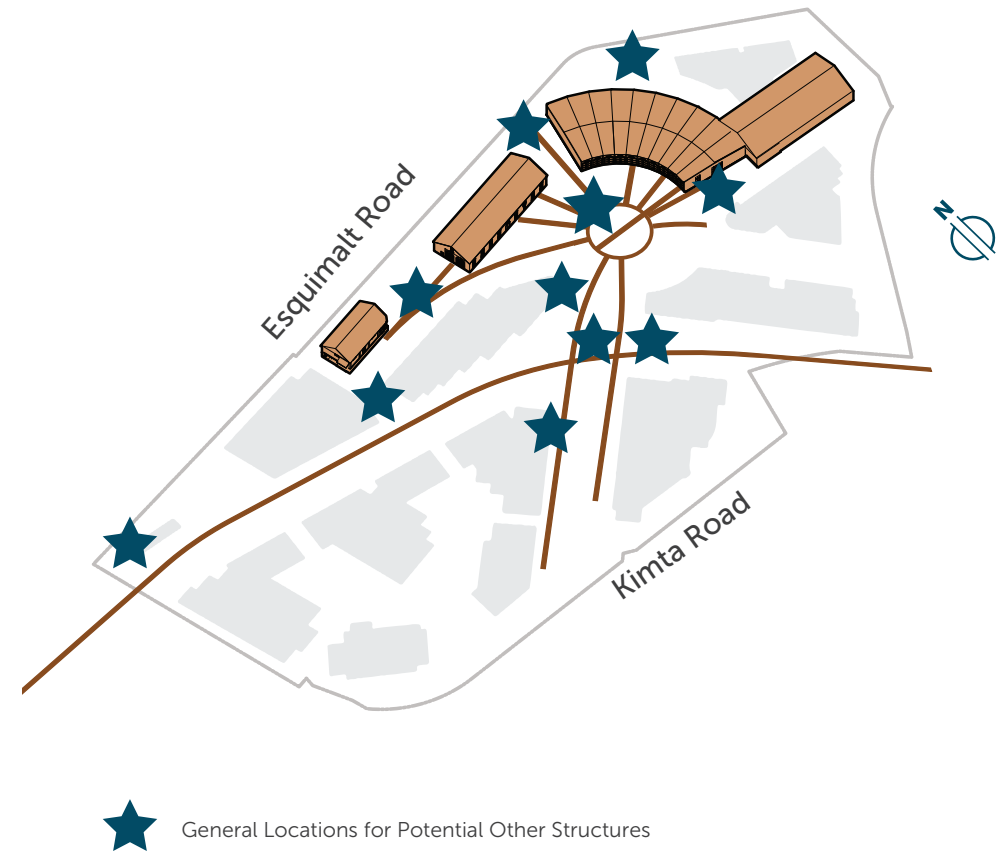
- Create a laneway alongside the Stores Building and Car Shop to create a unique, active space that maintains the presence of historical buildings and improves accessibility

6.3.2 Other Structures

Across the site a number of structures are anticipated. These include structures such as:

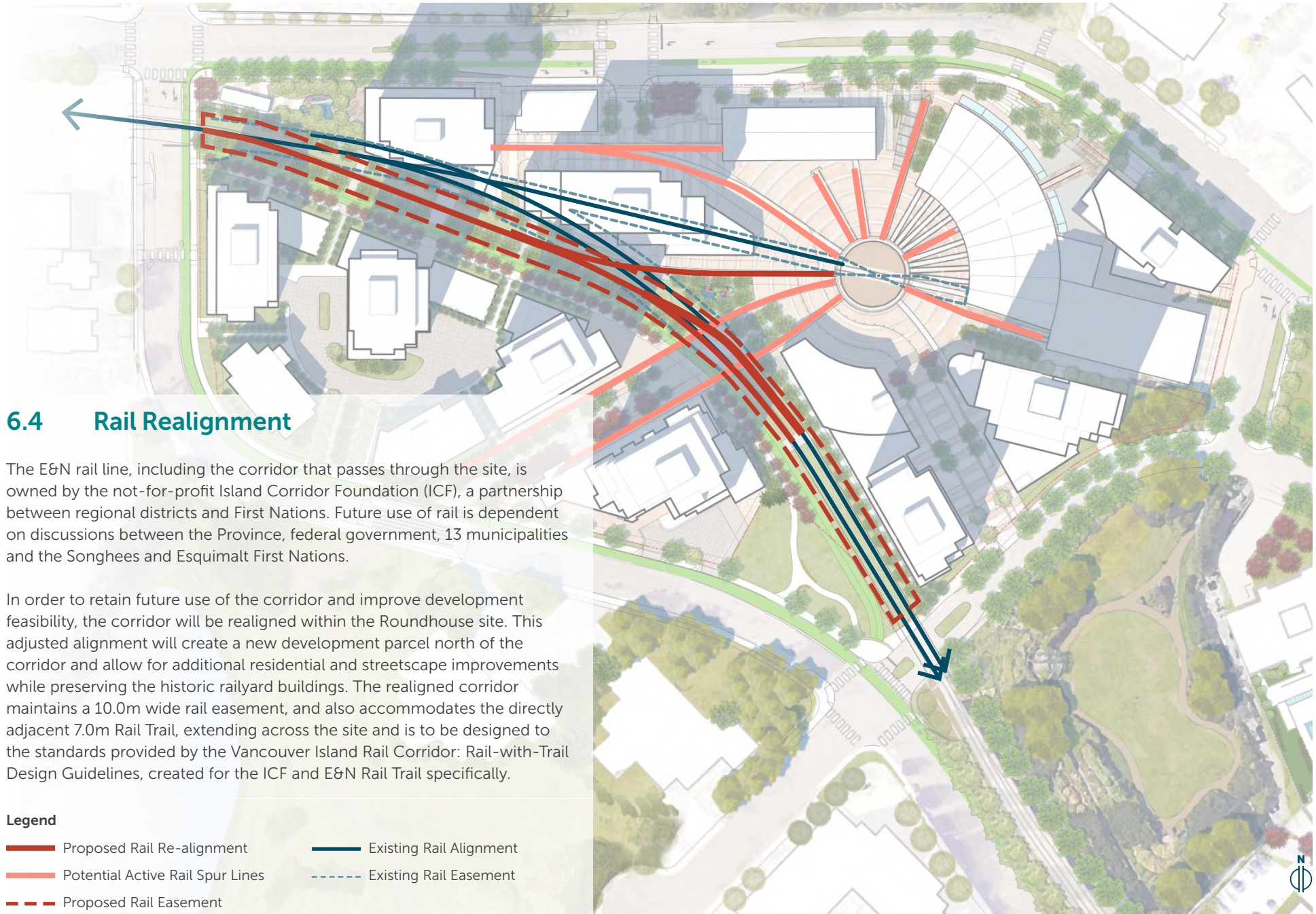
- Non-habitable open-sided building structures that might be used for shelter or exhibition or temporary commercial use;
- Architectural structures such as a rail themed water tower or viewing platform;
- Moveable railcar stock that can be used as leaseable retail or exhibition space; and
- Heritage artifacts set in the landscape.

Any of above structures will not be included within the overall 4.58 FSR. The above structures are anticipated to be scattered across the site and located within the defined Amenity Areas. The diagram on this page indicates potential locations. Details of limitations for number and type and heights of these structures will be defined in the MDA.



6.3.3 Temporary Structures & Uses

Given the very substantial public plazas and amenity spaces, there are opportunities to support temporary festival and market uses. These may include a range of temporary structures such as a range of tent sizes. The site has historically hosted temporary uses such as the van Gogh exhibit. It is intended that temporary uses would be managed in the MDA.



6.4 Rail Realignment

The E&N rail line, including the corridor that passes through the site, is owned by the not-for-profit Island Corridor Foundation (ICF), a partnership between regional districts and First Nations. Future use of rail is dependent on discussions between the Province, federal government, 13 municipalities and the Songhees and Esquimalt First Nations.

In order to retain future use of the corridor and improve development feasibility, the corridor will be realigned within the Roundhouse site. This adjusted alignment will create a new development parcel north of the corridor and allow for additional residential and streetscape improvements while preserving the historic railyard buildings. The realigned corridor maintains a 10.0m wide rail easement, and also accommodates the directly adjacent 7.0m Rail Trail, extending across the site and is to be designed to the standards provided by the Vancouver Island Rail Corridor: Rail-with-Trail Design Guidelines, created for the ICF and E&N Rail Trail specifically.

Legend

- Proposed Rail Re-alignment
- Existing Rail Alignment
- - - Potential Active Rail Spur Lines
- - - Existing Rail Easement
- - - Proposed Rail Easement

6.5 Site Character Districts

The site consists of 5 distinct Character Areas that create a cohesive and vibrant community, while connecting residents of Roundhouse at Bayview Place to each other and Greater Victoria.

1 E&N Railway District

The Roundhouse heritage complex serves as the neighbourhood's centerpiece, designed to embrace the site's history of rail while creating a cultural asset within Victoria West. Public spaces throughout are flexible and adaptable to a variety of uses to create activity and use throughout the day. The neighbourhood's central gathering place, Turntable Plaza, retains active rail elements, while remaining flexible for community programming. The function of the turntable itself is reinstated, allowing for use by rail cars.

2 Roundhouse Green District

Residential development complements and activates the Roundhouse historic complex. Green spaces, retail, and cultural uses drive activity, with a signature building welcomes visitors and anchors the corner of the overall site.

3 Rail Parkway District

This district provides key connection and animation through its active commercial, recreational and residential uses. Ground level retail, residential amenities and lobbies help activate Esquimalt Road and the internal carriage lane, adding vibrancy to the community. Arching across the site, the E&N Rail Trail links pedestrians and cyclists to destinations east and west of the site while integrating into the regional cyclist network; the rail right of way doubles as a urban greenway, providing additional vegetation to the residents for Roundhouse at Bayview Place and surrounding communities.

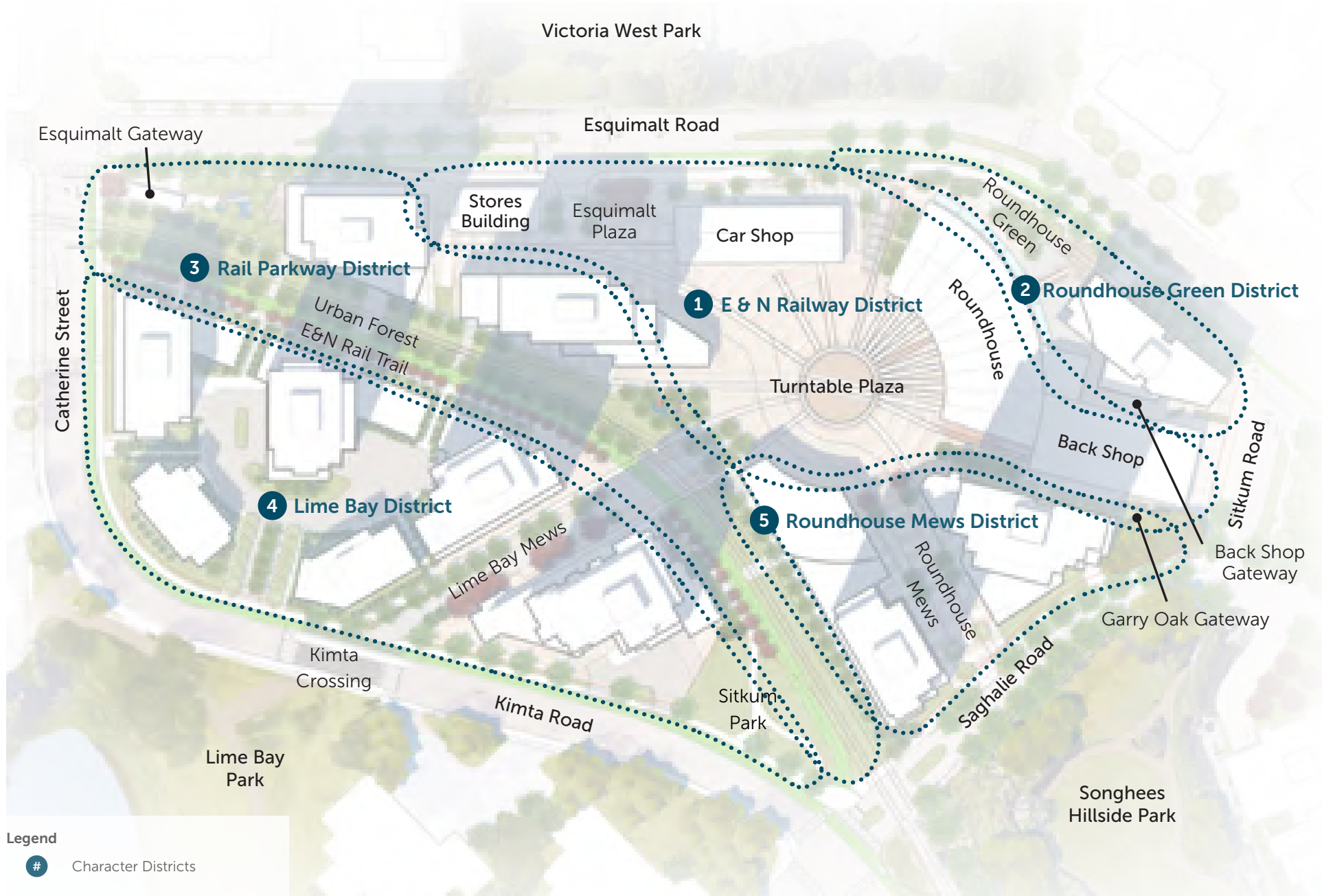
4 Lime Bay District

The Lime Bay District provides residential use and space for cultural and retail activities and potential condo/hotel uses, centering Roundhouse at Bayview Place as Victoria West's cultural heart. Lime Bay Mews connects Turntable Plaza to Lime Bay Park and provides a vibrant pedestrian corridor animated by retail.

5 Roundhouse Mews District

The Roundhouse Mews District reinforces a link between the existing Bayview Phase 1 and Songhees Hillside Park to Turntable Plaza. The mews is activated by a shared street and fronting residential development. The potential for a condo/hotel use within the Roundhouse Mews District complements the mix of uses at the centre of the site.

Site Character Districts



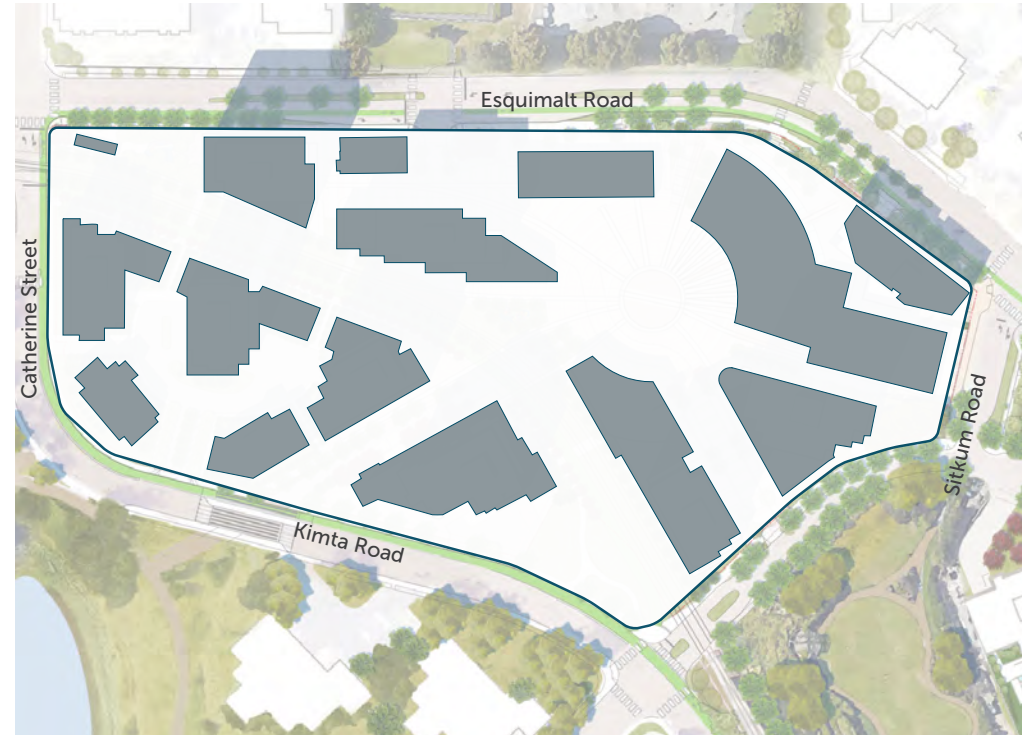
7.0 MASTER PLAN



Legend

- Roundhouse at Bayview Place Site
- DA-1 Heritage Building
- DA-2a Condo
- DA-2b Condo/Hotel
- DA-3 E&N Tower
- DA-4 Condo/Hotel
- DA-5 Condo/Hotel
- DA-6 Condo
- DA-7 Affordable Housing
- DA-8 Rental
- DA-9 Condo
- # No. of Floors
- A Bayview One
- B Promontory
- C Encore
- D Aquara (Future)
- E Lot 4b (Presentation Centre/ Future Development)
- Bayview Place Hillside (Existing)
- Existing Heritage Buildings to Remain

7.1 Site Statistics



Overall Site Statistics	
Site Area (not including Sitkum Park)	9.18 ac 400,051 sf
Site Coverage (%)	38.0% 152,045 sf
Site Open Space (Dedicated Public Amenity Space)	3.7 ac 161,200 sf 40.3% sf
Total GFA	1,832,200 sf
Gross FSR	4.58

Overall Site Coverage	Current Zoning (CD-12)	Proposed (2023)
Site Area (not including Sitkum Park)	400,091 sf	400,051 sf
Total Building Footprint area	131,681 sf	151,600 sf
Site Building Coverage (%)	32.9 %	37.9%

NOTE: Gross FSR as indicated in the SEP 2023 chart is a representation of the concept plan as illustrated in this document. The proposed Zoning District limit is stated as 4.58 FSR.

All numbers and calculations are approximate only and subject to change: See disclaimer on page iii.

7.1.1 Land Use Statistics

Metric

Parcel	Land Use Description	Land Area (ha)	Land Area (m ²)	FSR	Est. Units	Total	Density (m ²)		Floors (podium-total)	Typical Floor Plate (m ²)	
							Condo / Hotel / Rental / Amenity	Retail / Commercial			
PROPOSED DEVELOPMENT AREA:											
										Podium	Tower
DA-2a	Condo	0.255	2,550	-	240	22,350	22,039	311	4-29	1,170	700
DA-2b	Condo/Hotel	0.444	4,441	-	235	22,200	21,676	524	6-27	1,380	655
DA-3	E&N Tower	0.362	3,624	-	210	19,860	19,060	800	3-25	995	810
DA-4	Condo/Hotel	0.412	4,119	-	270	24,490	24,165	325	6-32	1,335	680
DA-5	Condo/Hotel	0.320	3,201	-	220	19,975	19,975	-	3-29	1,070	650
DA-6	Condo	0.361	3,608	-	170	15,385	15,385	-	6-18	1,400	650
DA-8	Rental	0.336	3,362	-	245	19,340	18,968	372	4-24	1,150	710
DA-9	Condo	0.178	1,782	-	65	6,580	6,580	-	10	650	-
Sub-Total:		2.66	26,687	-	1,655	150,180	147,848	2,332	-	-	-
DA-1	Esquimalt Gateway**	0.060	601	-	-	-	-	**	-	-	-
DA-7	Affordable Housing	0.152	1,515	-	215	15,750	15,378	372	4-23	910	655
TOTAL:		2.88	28,803	-	1,870	165,930	163,226	2,704	-	-	-
EXISTING RAIL BUILDING AREA:											
DA-1	Stores Building	0.046	462	-	-	272	-	272	1	-	-
DA-1	Car Shop			-	-	737	-	737	1	-	-
DA-1	Roundhouse	0.790	7,901	-	-	1,683	-	1,683	1	-	-
DA-1	Back Shop	-	-	-	-	957	-	957	1	-	-
DA-1	Boiler House					151		151	1		
Sub-Total:		0.836	8,363	-	-	3,800	-	3,800	-	-	-
CHILDCARE*						480	480				
TOTAL COMBINED AREAS:		3.72	37,166	4.58	1,870	170,210	163,706	6,495	-	-	-

* For the purposes of this calculation, Childcare space is allocated within DA-7, however this space may be reallocated to another building.

** No density is allocated to Esquimalt Gateway site, however this site may be utilized for a small commercial or amenity building, with floor area to be allocated from elsewhere within the overall site density.

Note: GFA does not include mezzanine areas within DA-1 which are exempt from FSR. GFA does not include floor area of Other Structures (see Section 6.3.2).

Imperial

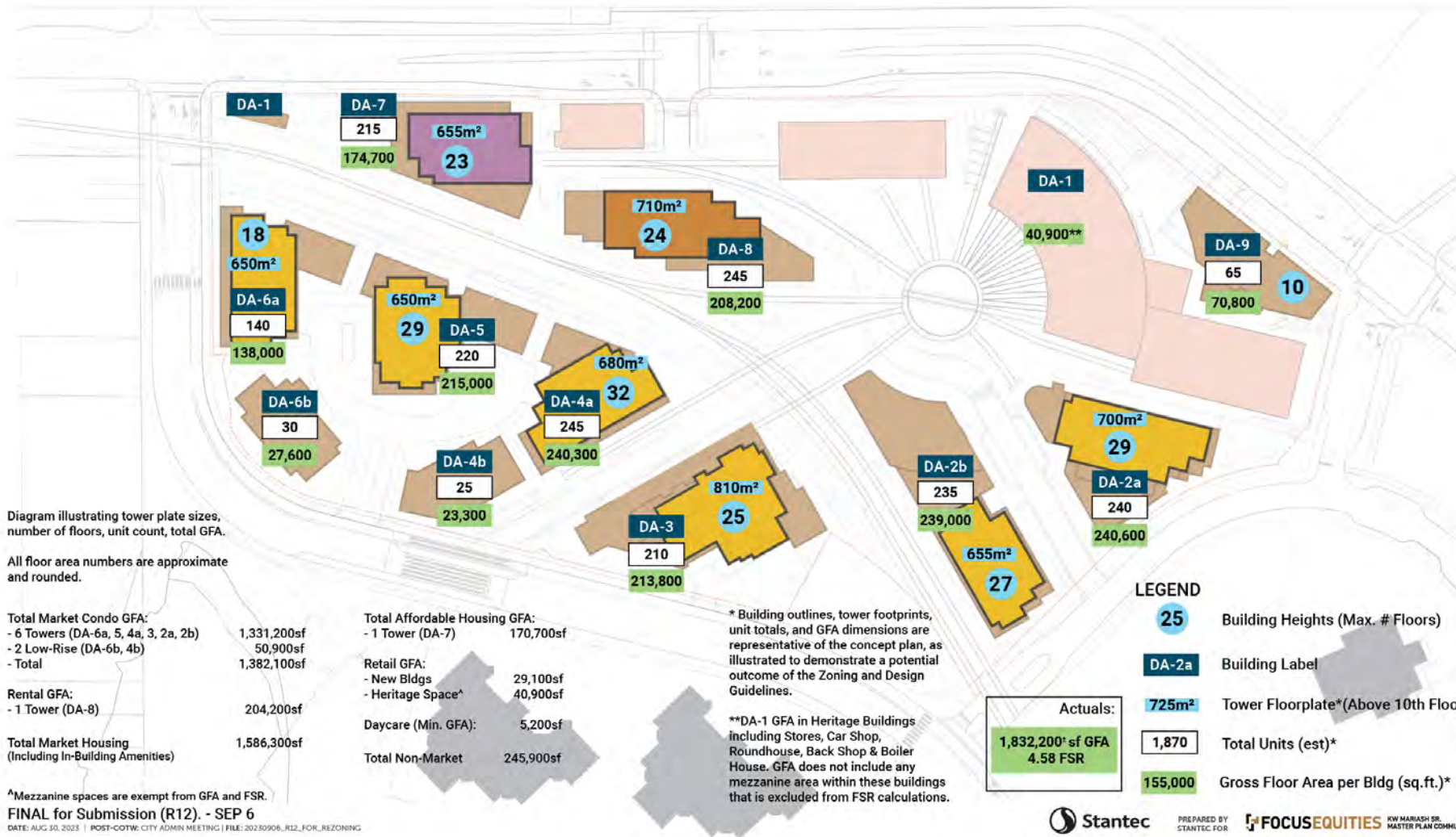
Parcel	Land Use Description	Land Area (acre)	Land Area (sf)	FSR	Est. Units	Total	Density (sf)		Floors (podium-total)	Typical Floor Plate (sf)	
							Condo / Hotel / Rental / Amenity	Retail / Commercial			
PROPOSED DEVELOPMENT AREA:											
										Podium	Tower
DA-2a	Condo	0.63	27,448	-	240	240,600	237,250	3,350	4-29	12,600	7,500
DA-2b	Condo/Hotel	1.10	47,803	-	235	239,000	233,360	5,640	6-27	14,880	7,050
DA-3	E&N Tower	0.90	39,008	-	210	213,800	205,190	8,610	3-25	9,500	8,700
DA-4	Condo/Hotel	1.02	44,337	-	270	263,600	260,100	3,500	6-32	14,360	7,350
DA-5	Condo/Hotel	0.79	34,455	-	220	215,000	215,000	-	3-29	11,500	7,000
DA-6	Condo	0.89	38,836	-	170	165,600	165,600	-	6-18	15,075	7,000
DA-8	Rental	0.83	36,188	-	245	208,200	204,200	4,000	4-24	12,360	7,650
DA-9	Condo	0.44	19,181	-	65	70,800	70,800	-	10	7,000	-
Sub-Total:		6.60	287,256	-	1,655	1,616,600	1,591,500	25,100	-	-	-
DA-1	Esquimalt Gateway**	0.15	6,469		-		-	**	-		
DA-7	Affordable Housing	0.37	16,307	-	215	169,500	165,500	4,000	4-23	9,780	7,050
TOTAL:		7.12	310,032	-	1,870	1,786,100	1,757,000	29,100	-	-	-
EXISTING RAIL BUILDING AREA:											
DA-1	Stores Building	0.11	4,973	-	-	2,924	-	2,924	1	-	-
DA-1	Car Shop	-	-	-	-	7,936	-	7,936	1	-	-
DA-1	Roundhouse	1.95	85,046	-	-	18,118	-	18,118	1	-	-
DA-1	Back Shop	-	-	-	-	10,297	-	10,297	1	-	-
DA-1	Boiler House					1,625		1,625	1		
Sub-Total:		2.06	90,019	-	-	40,900	-	40,900	-	-	-
CHILDCARE*						5,200	5,200				
TOTAL COMBINED AREAS:		9.18	400,051	4.58	1,870	1,832,200	1,762,200	70,000	-	-	-

* For the purposes of this calculation, Childcare space is allocated within DA-7, however this space may be reallocated to another building.

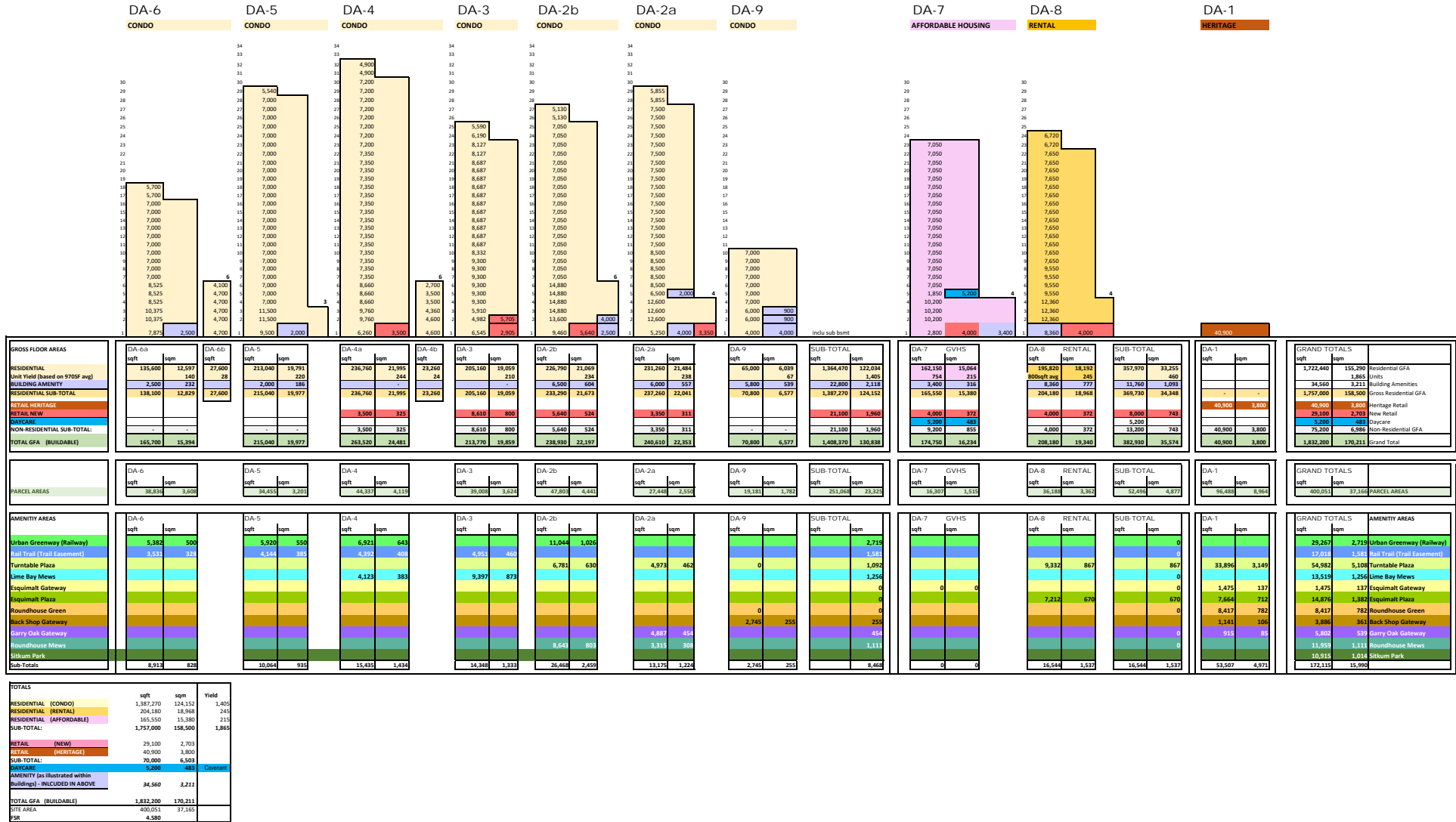
** No density is allocated to Esquimalt Gateway site, however this site may be utilized for a small commercial or amenity building, with floor area to be allocated from elsewhere within the overall site density.

Note: GFA does not include mezzanine areas within DA-1 which are exempt from FSR. GFA does not include floor area of Other Structures (see Section 6.3.2).

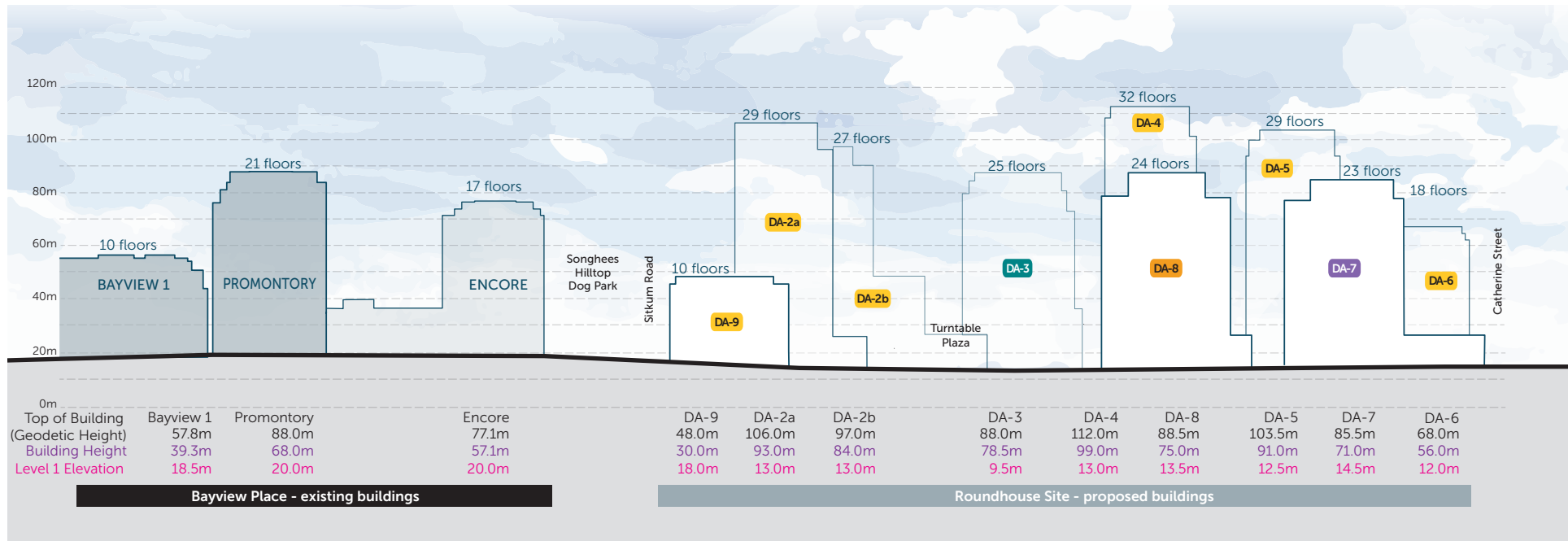
7.1.2 Building Heights, Floorplates Unit, and Density Distribution



7.1.3 Gross Floor Area Table



NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.



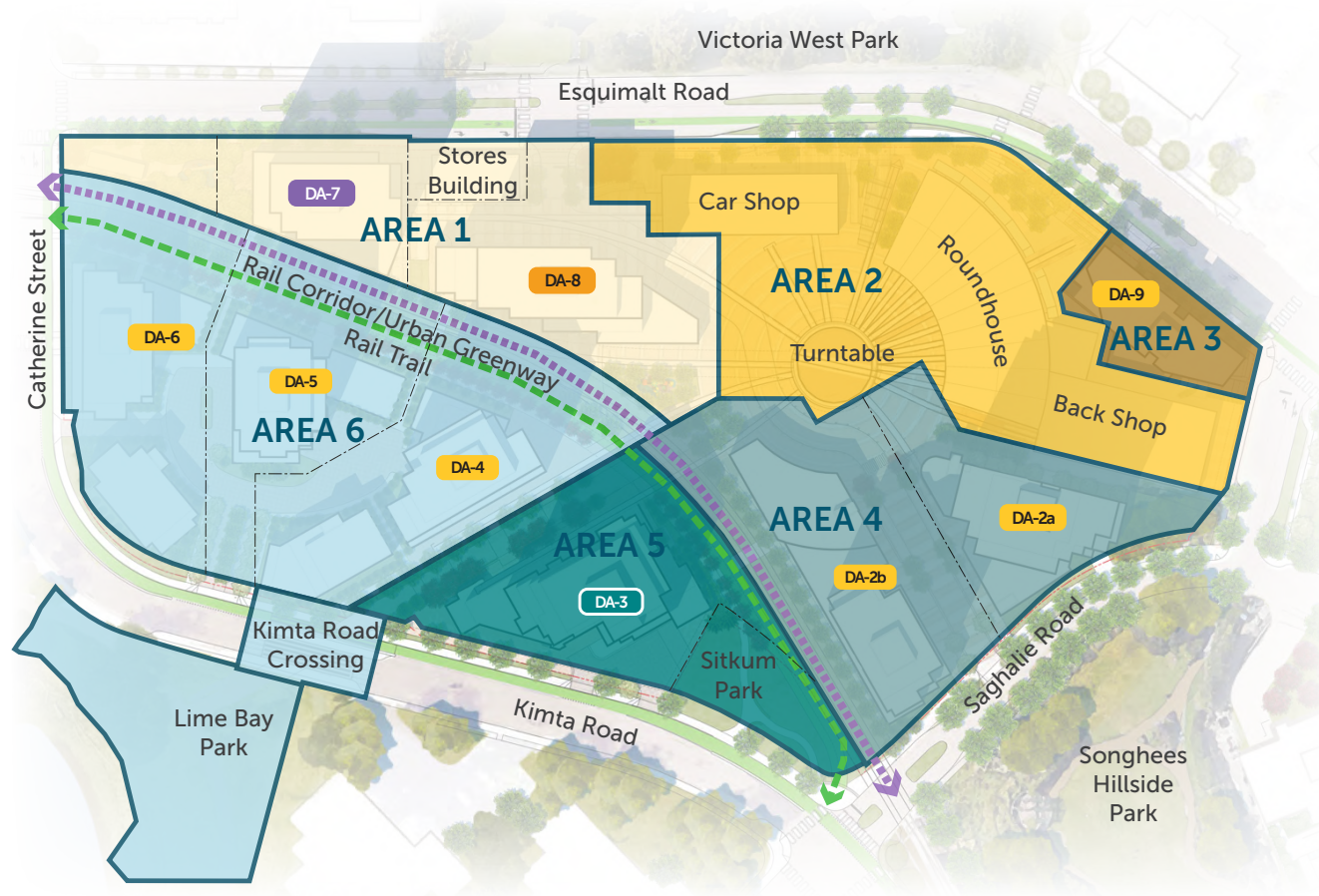
Level 1 Elevation is an assumed floor level based on the Concept Plan. All Finished Grade calculations and building heights are subject to confirmation at Development Permit stage.

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii. This data does not include Commercial space within Heritage Buildings.

7.1.4 Public Amenities & Benefits

Public Amenities & Benefits by Development Area

2023 Master Plan



Legend

- Development Area Boundary
- Parcel Boundary
- Rail Corridor/ Urban Greenway
- Rail Trail

The following amenities are associated with each Development Area. Details are defined in the Master Development Agreement.

<p>Area 1</p> <ul style="list-style-type: none"> DA7 Tower - Affordable Housing DA8 Tower - Rental Housing Esquimalt Gateway Esquimalt Plaza (portion)
<p>Area 2</p> <ul style="list-style-type: none"> Heritage Buildings rehabilitation Turntable Plaza Esquimalt Plaza (portion) Roundhouse Green
<p>Area 3</p> <ul style="list-style-type: none"> DA9 Tower Back Shop Plaza
<p>Area 4</p> <ul style="list-style-type: none"> DA2a Tower DA2b Tower Garry Oak Gateway Roundhouse Mews Urban Greenway (portion)
<p>Area 5</p> <ul style="list-style-type: none"> DA3 Tower Lime Bay Mews (majority) Sitkum Park Rail Trail (portion) Interim Crossing of Kimta Road
<p>Area 6</p> <ul style="list-style-type: none"> DA4/ DA5/ DA6 towers Lime Bay Mews (portion) Urban Greenway (majority) Rail Trail (majority) Crossing of Kimta Road Lime Bay Park improvements

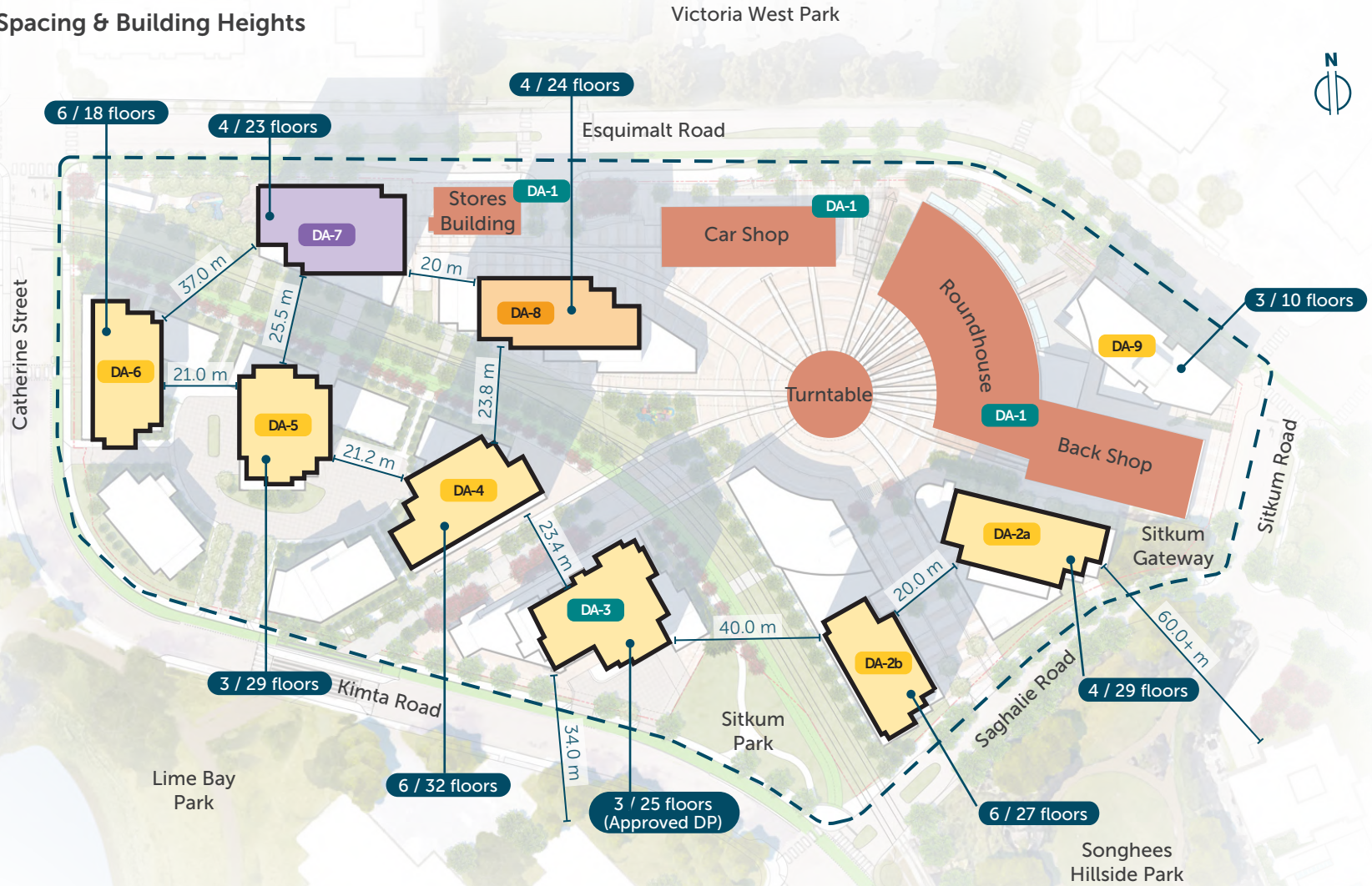
7.1.5 Proposed Site Regulations

Site	Maximum Height (Geodetic)/Floors	Setbacks (Above Grade)	Tower Floor Plates (at 11th Floor)	Podium Floor Plates (at Grade)
Stores Building	19.0m / 1	Existing Building Setback	-	-
Roundhouse & Car Shop	19.0m / 1	Existing Building Setback	-	-
DA-2a	106.0m / 29	2m from Sitkum Road	~7,500 SF (~700 m ²)	~12,600 SF (~1,170 m ²)
DA-2b	97.0m / 27	2m from Esquimalt Road 2m from Rail Easement	~7,050 SF (~655 m ²)	~14,900 SF (~1,380 m ²)
DA-3	88.0m / 25	2m from Kimto Road 2m from Sitkum Park 9m from Rail Easement	~9,300 SF (~865 m ²)	~10,700 SF (~995 m ²)
DA-4	112.0m / 32	2m from Kimta Road 9m from Rail Easement	~7,350 SF (~680 m ²)	~14,350 SF (~1,335 m ²)
DA-5	103.5m / 29	2m from Kimta Road 2m from Catherine Street 9m from Rail Easement	~7,000 SF (~650 m ²)	~11,500 SF (~1,070 m ²)
DA-6	68.0m / 18	2m from Catherine Street 9m from Rail Easement	~7,000 SF (~650 m ²)	~15,100 SF (~1,400 m ²)
DA-7	85.5m / 23	2m from Catherine Street 2m from Esquimalt Road 3m from Rail Easement	~7,050 SF (~655 m ²)	~9,800 SF (~910 m ²)
DA-8	88.5m / 24	2m from Esquimalt Road 3m from Rail Easement	~7,650 SF (~710 m ²)	~12,350 SF (~1,150 m ²)
DA-9	48.0m / 10	2m from Esquimalt Road/Sitkum Road		~7,000 SF (~650 m ²)



Geodetic Heights and Floorplates are based on the Concept Master Plan as illustrated. Actual heights and areas will be confirmed with each respective Development Permit.

7.2 Built Form/Massing

7.2.1 Tower Spacing & Building Heights



Legend

-  Tower Spacing
-  Building Heights (Podium / Tower)

NOTE: Minimum 20.0m between towers. Dimensions shown are approximate only based on concept shown

All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

7.2.2 View Analysis

The following views have been created to visualize the development within the future and existing skyline from various vantage points.



1 View from Fisherman's Wharf Park



2 View from Coast Interwest



3 View from Laurel Point



4 View from Ship Point



5 View from Harbour Road



View looking south



- Shadows shown at 2:00 PM, March 21

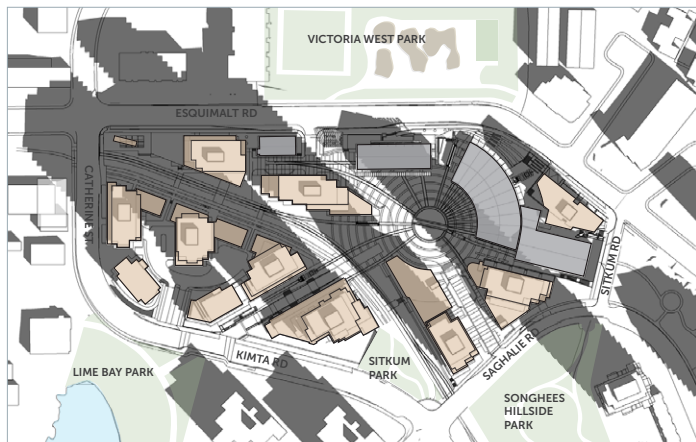
7.2.3 Shadows

Design Exploration: Shadow Studies

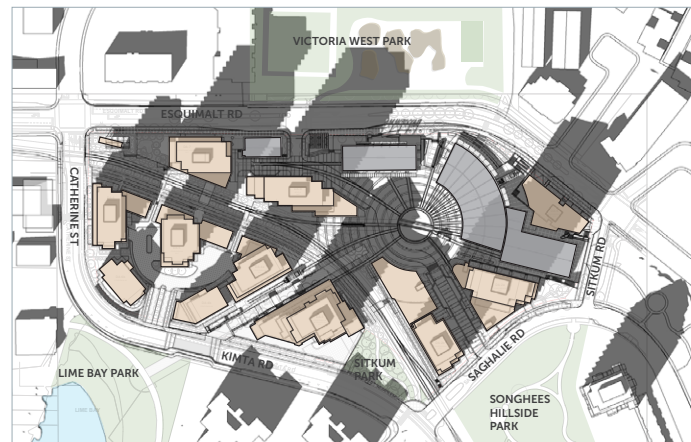
The shadow diagrams provide a shadow analysis of proposed building sites contained in the rezoning proposal.

Spring Equinox - March 21st

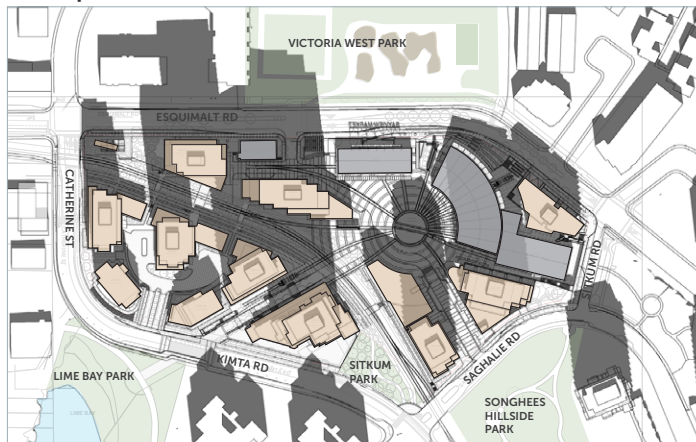
10:00 am



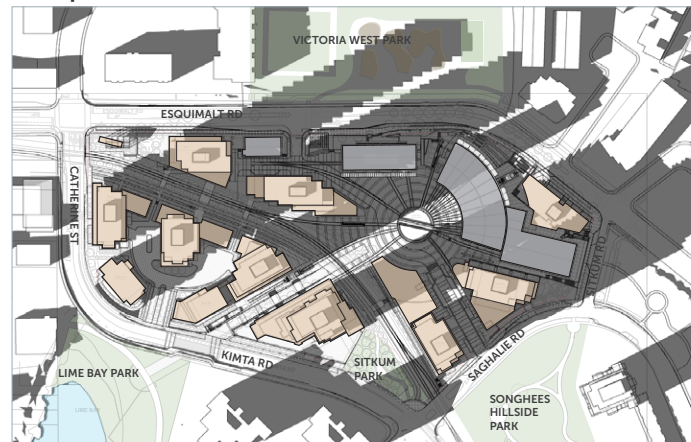
2:00 pm



12:00 pm



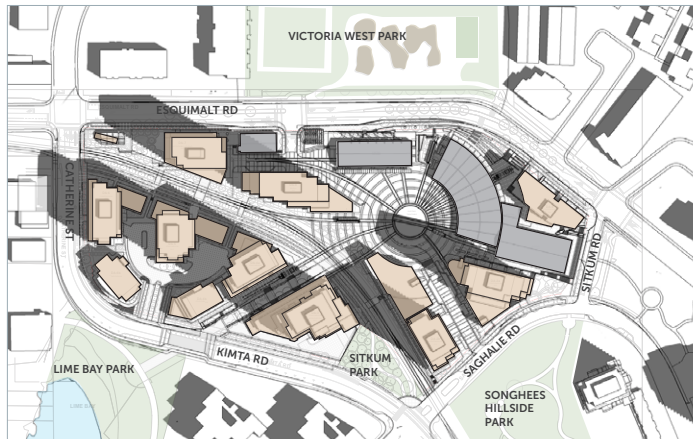
4:00 pm



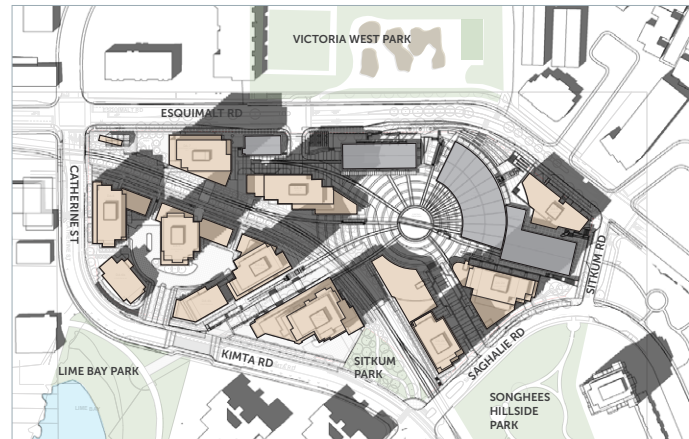
In response to comments from both community and City Administration to the most recent Dec 2021 concept related to overshadowing of Vic West Park and ensuring sunlight into Turntable Plaza, the current concept plan has strategically reduced building heights to mitigate shadow impacts.

Summer Solstice - June 21st

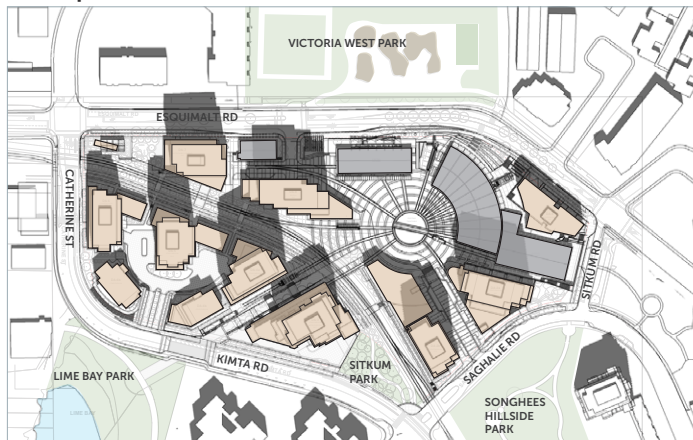
10:00 am



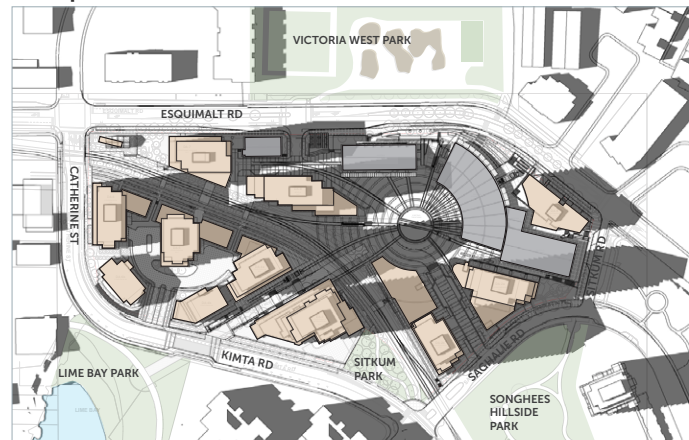
2:00 pm



12:00 pm

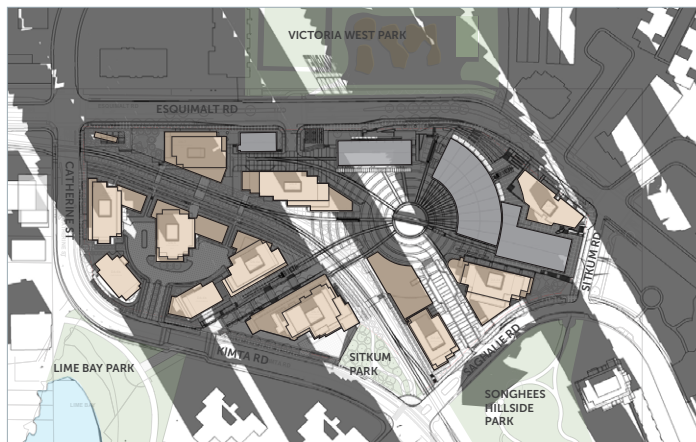


4:00 pm



Winter Solstice - December 21st

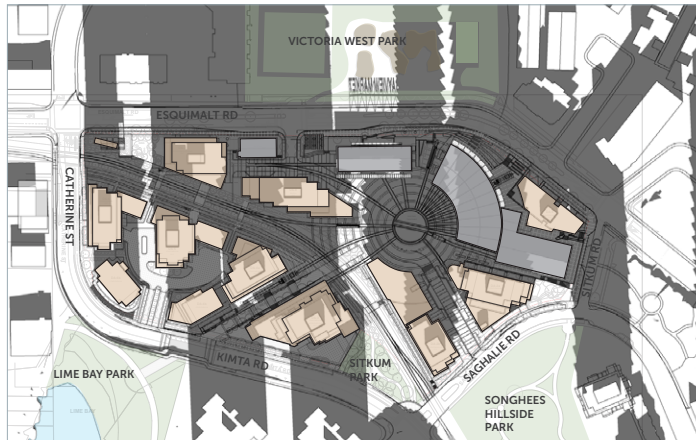
10:00 am



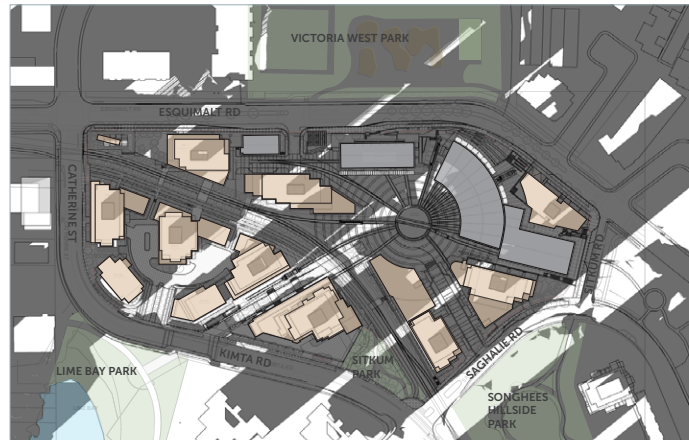
2:00 pm



12:00 pm



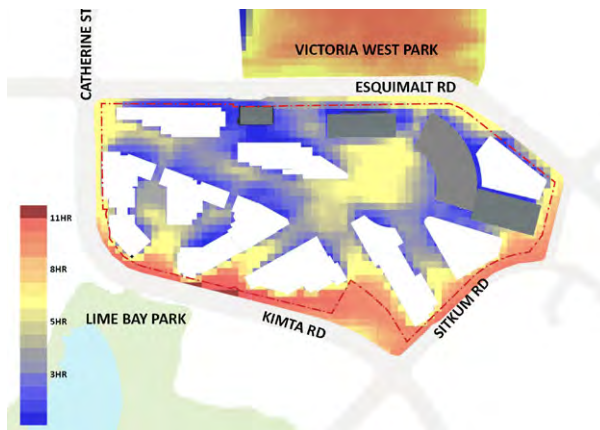
4:00 pm



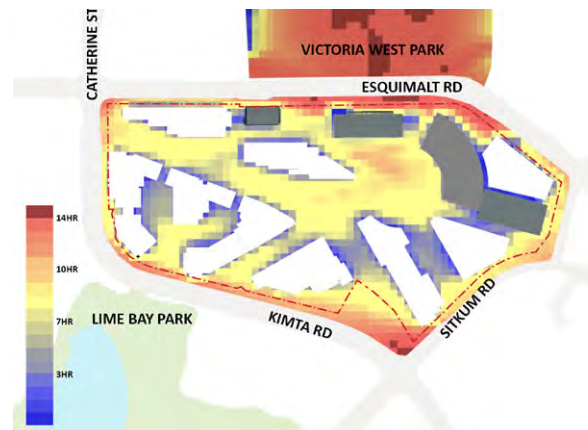
7.2.4 Solar Analysis

The sunlight analysis diagrams show the time for which direct sunlight is available throughout the day. This proposal prioritizes retention of maximum daylight on Turntable Plaza, while mitigating shading impacts on Victoria West Park and Esquimalt Rd through building orientation.

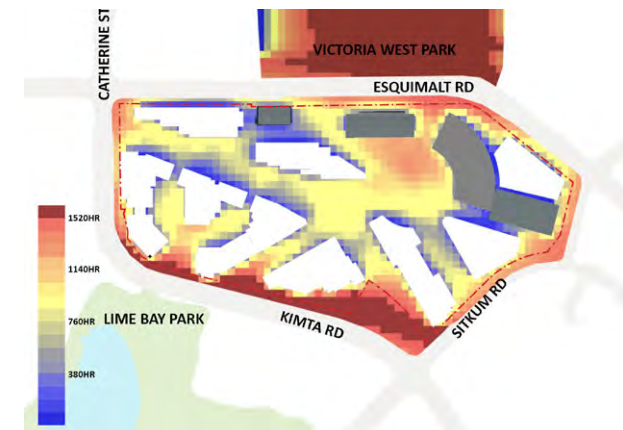
Spring Equinox - March 21st



Summer Solstice - June 21st



March 21st - September 21st: Total Sunlight



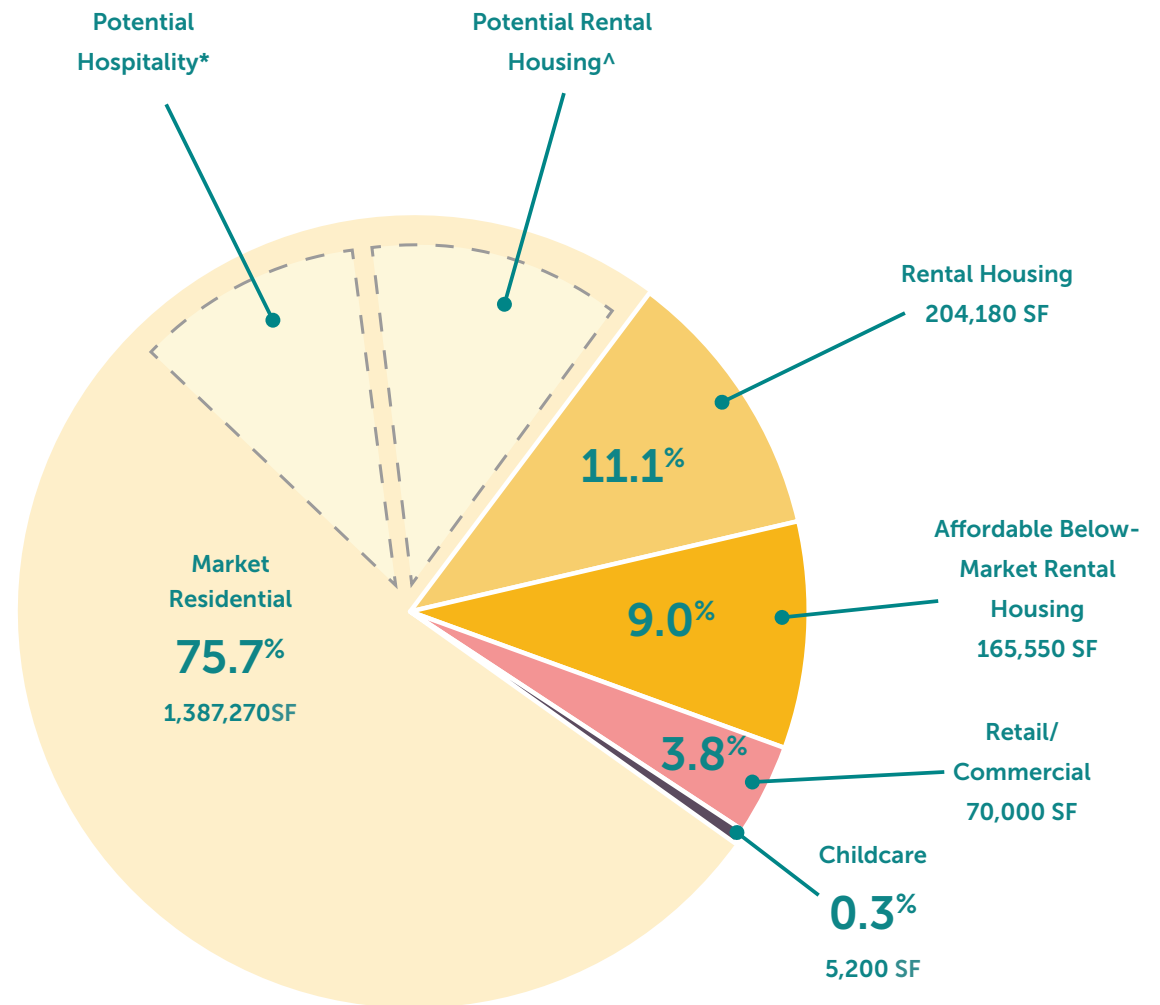
7.3 Housing

A range of housing choices are provided for within the development. While for-sale market residential is the base land use and dominant allocation, this provides the foundation needed to support the delivery of dedicated affordable housing, and also provides the flexibility to convert additional space from market residential to rental housing or hospitality units as the development progresses.

The Roundhouse at Bayview Place developer is supporting the inclusion of both market rental housing and below-market rental housing as affordable housing, with the affordable housing to be developed by GVHS.

7.3.1 Housing Mix

- Inclusion of Affordable Housing (Below-Market Rental Housing to meet GVHS needs)
- Inclusion of minimum amount of Market Rental to secure this housing choice
- Retail and commercial space aligned to anticipated market demand and suitable mix given the position of these amenities within the wider neighbourhood



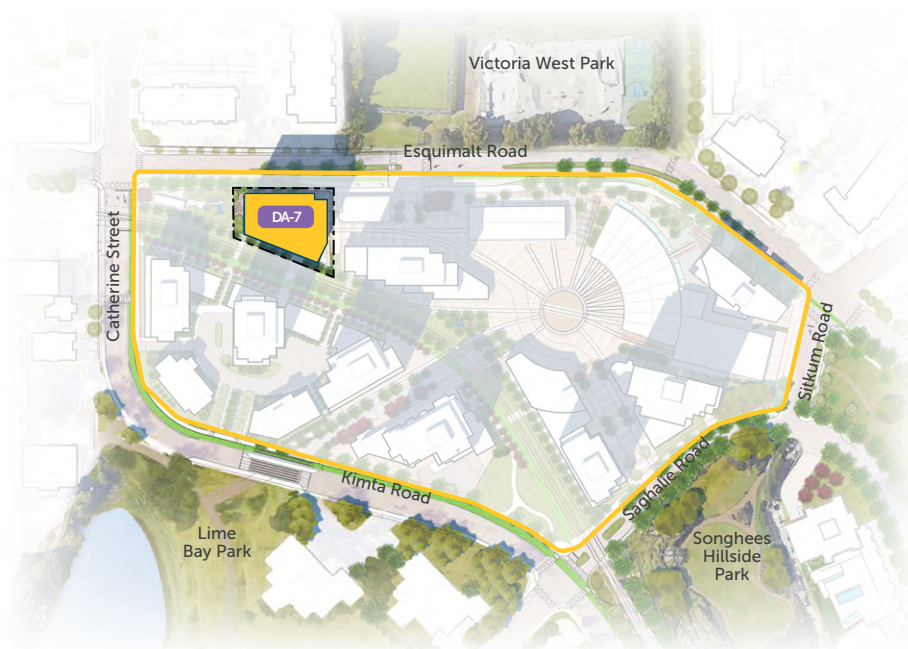
NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

^ Potential Rental Housing. The Land Use Zoning allows for any Market Residential (condo) to be delivered as Market Rental Housing. This would be determined with each Development Permit application. If additional Rental Housing is delivered, over and above the prescribed minimum GFA, for example if DA-2a was converted to rental, this GFA would be extracted from the overall Market Residential GFA.

* Hospitality. If hotels are proposed, for example if DA-2b was converted to a hotel, this GFA would be extracted from the overall Market Residential GFA.

7.3.2 Affordable Housing

Our agreement with Affordable Housing: Bayview will provide a first-available parcel, a shovel-ready parcel of land, serviced and ready for Affordable Housing to proceed with the development of an affordable housing project. At approximately 0.15 ha (0.4 ac), this site is labeled DA-7 on the plan.



7.3.3 Purpose Built Rental Housing

Bayview has identified a site for purpose-built rental housing, noted as DA-8 on the plan.

This building will provide a permanent supply of for-rent housing choices for residents within Victoria West.



“ The Greater Victoria Housing Society has a goal of providing work force and below market affordable housing on the site. GVHS hopes to achieve the affordable rental housing with rents that comply with CMHC or other program affordable housing requirements or acceptable government financing program. Units will be targeted to households with incomes that are within the low to moderate income limits as defined by BC Housing. ”

—GVHS

7.4 Primary Public Spaces



Four significant Public Spaces establish the primary structure of open spaces within the neighbourhood.

These public spaces are interconnected within the site and directly link to adjacent public spaces in the community.

In addition to these larger spaces, several other smaller public open space areas are provided within the plan - these are labeled on the plan above.

Urban Greenway & Rail Trail

- Central green across the site maintaining rail corridor for future mobility uses
- Primary cycling and pedestrian route linking to the wider community
- Native plantings suited to the coastal ecology

Turntable Plaza

- Heart of the community
- Primarily a pedestrian space with limited traffic
- Activated by uses spilling out from the Roundhouse and Car Shop heritage buildings

Sitkum Park

- Existing public park to be redeveloped as a new park space
- Integrated with the Urban Greenway Rail Trail
- Provides residents with a flexible and programmable public space
- A visible green entry into the neighbourhood

Lime Bay Mews

- Primarily a pedestrian link from Roundhouse Plaza to Lime Bay Park
- Gently sloping space lined with trees, landscaped terraces and seating
- Space activated by cafe seating, shops, and residential lobby uses spilling out from the buildings on either side

7.4.1 Public Realm

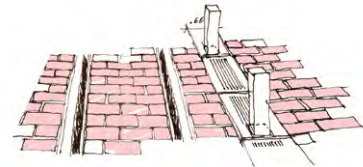
Open spaces make up a large component of the development's public benefits strategy. A variety of sizes and typologies, these spaces are designed to be flexible, adaptable, and easily programmed to ensure optimal use by residents and visitors at different times of the day.

Plazas are placed along the edges of the site in locations that connect the E&N Rail Trail to Bayview Place destinations and the surrounding area. Hardscaped spaces at the north edge of the site transition to more permeable and natural spaces on the south edge, providing visual and experiential connections to Lime Bay Park and the waterfront. Pathways and public spaces connect to Turntable Plaza, radiating outwards and centering the plaza as a focal-point and gathering space within Bayview Place. Lime Bay Mews, which connects Turntable Plaza to the site's south edge, is activated by adjacent retail and clear views of the waterfront.

Bioswales, permeable paving and other stormwater management systems will be integrated into open spaces to mitigate increased impermeable surfaces and peak system loads. A significant urban tree canopy will green the site, mitigating urban heat island impacts, intercepting rainfall, providing natural habitat, and providing shaded areas of rest for residents and visitors.



Consistent signage unifies the neighbourhood and aids in wayfinding.



Bollards, inlaid rail, and seating animate spaces by layering rail-themed elements and reinforcing the site's sense of place.



7.4.2 Public Realm Programming - Primary Spaces

Turntable Plaza

- Tables and seating, limited trees, lighting, wayfinding (fixed or interactive), bike racks, public art.
- Power, water, Wi-Fi, shade structure mounting elements for transformation from an open plaza into markets, performance spaces, teaching spaces, or public art displays – as well as others.
- Amphitheatre seating and stage as part of refurbished turntable.
- Mounting for canopy/heat structures to extend the outdoor performance season.

Esquimalt Activation

- Three distinct spaces along the Esquimalt frontage: Gateway at west end, Plaza at mid entry, and Green at east end.
- West gateway a casual gathering and seating plaza space activated by ground level retail.
- Central plaza is two spaces:
 - Trees, planting and furnishings define a primary entry point.
 - Linear plaza space providing an activated frontage to Esquimalt Road suited to casual seating.
 - Square at west end as a gateway space suited to spill-out space from the Car Shop and forecourt for gathering.
- East green is terraced planting from Esquimalt down to rear of Roundhouse and patio zone at building edge activated by tables and seating, suited to cafe use.

Lime Bay Mews

- The mews is a pedestrian street, with flexibility to adapt to festivals, markets.
- Clear site lines between Kimta and Turntable Plaza, with edges activated by retail, cafes, pop-up boxcar retail, etc.
- Historic elements help define the passage, creating clear and unique points of interest and identification points.

Urban Greenway/E&N Rail Trail

- Fixed seating spaced along the central spine as rest points.
- Variety of seating types at crossing points – reducing conflict between user groups and flexibility in use.
- Where rail tracks are to remain as historic features, detail paving to avoid accessibility issues by ensuring level crossings and minimizing gaps.
- Sitkum Park is the east gateway to the trail.
 - Primarily a passive open space fringed by trees and plantings.
 - Bike repair station and small gathering plaza at intersection.



View to Sitkum Park, east gateway to the E&N Urban Greenway



View up Lime Bay Mews from Kimta

1 Turntable Plaza

2 Esquimalt Activation

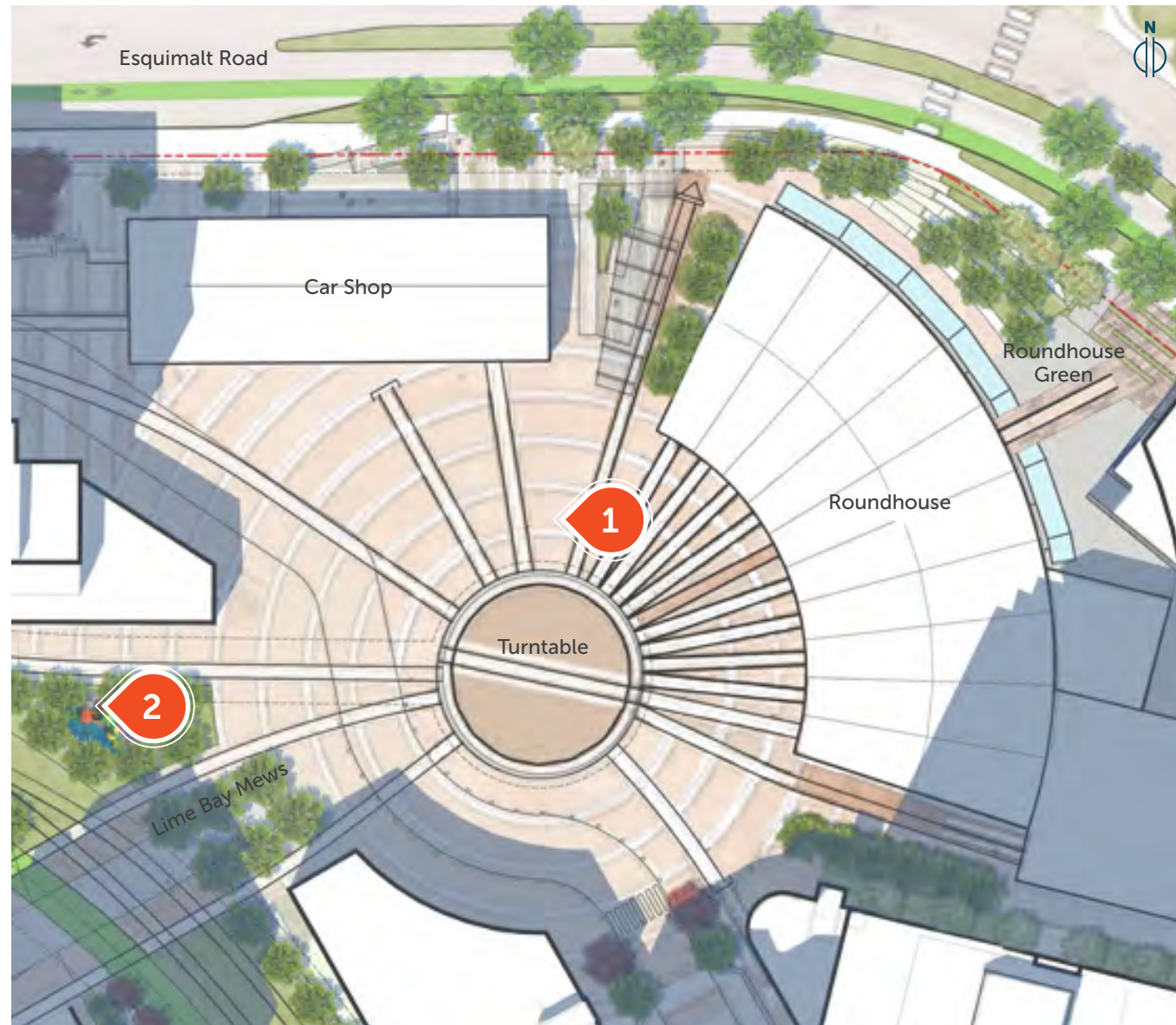
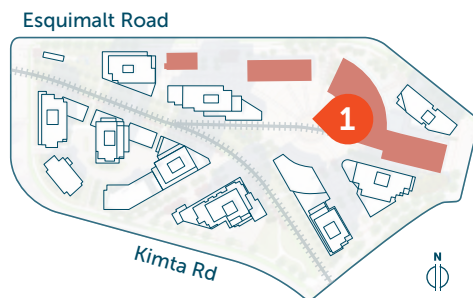
3 Lime Bay Mews

4 E&N Urban Greenway

1 Turntable Plaza

Turntable Plaza is the heart of the community and accessible to pedestrians via Roundhouse Gateway, which connects the community to Victoria West Park. Framed by active commercial and cultural spaces, public space design is intended to highlight the Roundhouse, the site's historic centerpiece. Colonnades and canopies provide additional pedestrian comfort, broadening horizontal views and providing weather protection.

Activation includes a potential playground at the intersection of the plaza, Lime Bay Mews, and the Urban Greenway (noted as 2 on the plan). To support further activation of the Roundhouse, a pedestrian link thru the building may be developed connecting Turntable Plaza to Roundhouse Green.



1 Turntable Plaza

2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

1

Turntable Plaza Looking West



1 Turntable Plaza

2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

2

Turntable Plaza looking West down the E&N Urban Greenway



1 Turntable Plaza

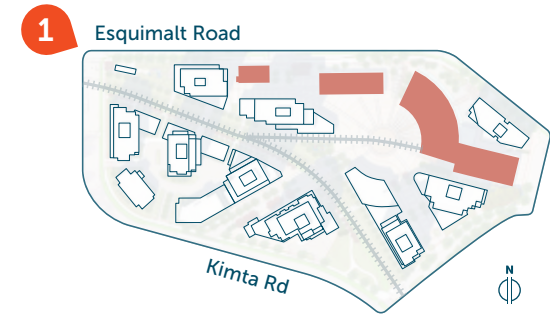
2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

2 Esquimalt Activation

Urban in nature, the Esquimalt Edge is enlivened by cultural, commercial, and lobby spaces. Made level with the adjacent sidewalk, these spaces are universally accessible, which helps ensure continuous use. Activation of Esquimalt Gateway could include a playground or other gathering place set in a landscape and plaza setting.



1 Turntable Plaza

2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

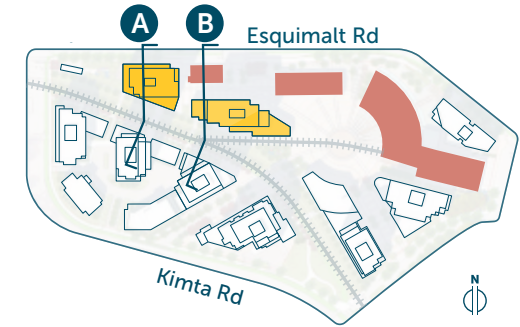
1

Esquimalt Road Looking East

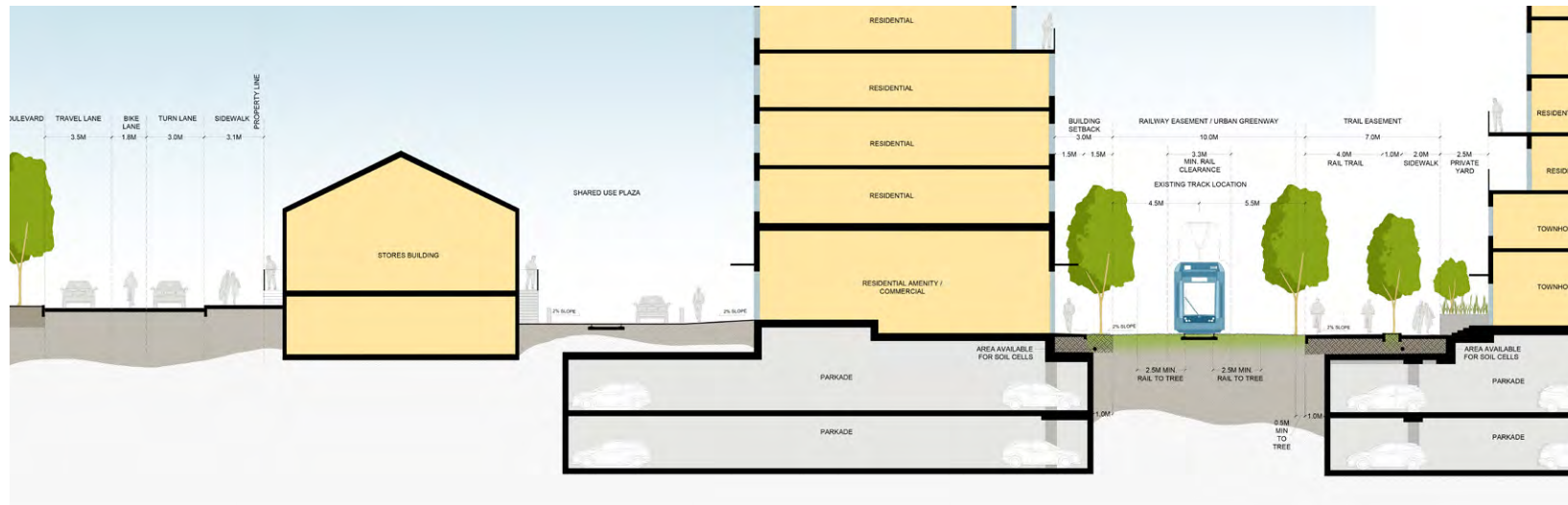


Esquimalt Road and Carriage Lane

Section A DA-7 Building on Esquimalt Road Looking East



Section B Stores Building & DA-8 Building Looking East



1 Turntable Plaza

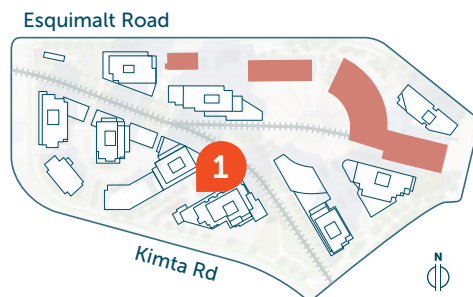
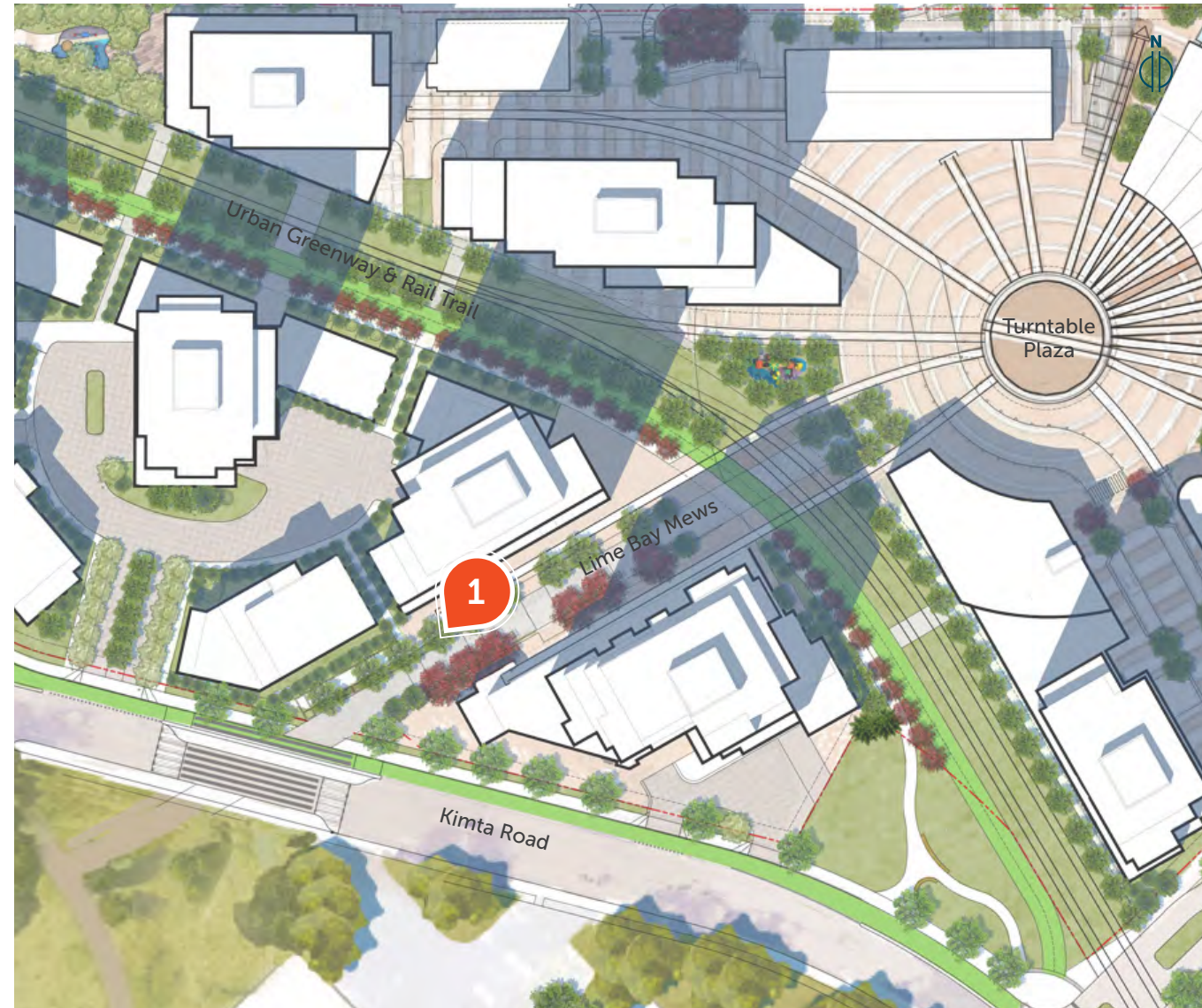
2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

3 Lime Bay Mews

Lime Bay Mews, bordered by active commercial spaces and E&N Tower entry points, connects the site to the waterfront by providing a direct link from Turntable Plaza to Lime Bay Park.



1 Turntable Plaza

2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

1

Lime Bay Mews Looking South

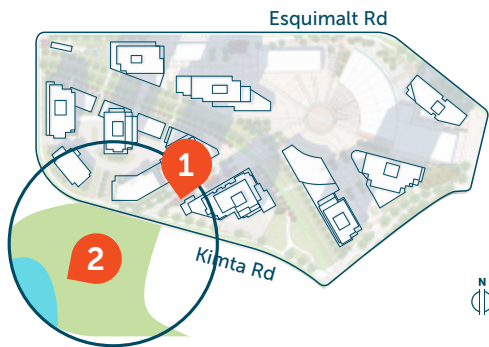
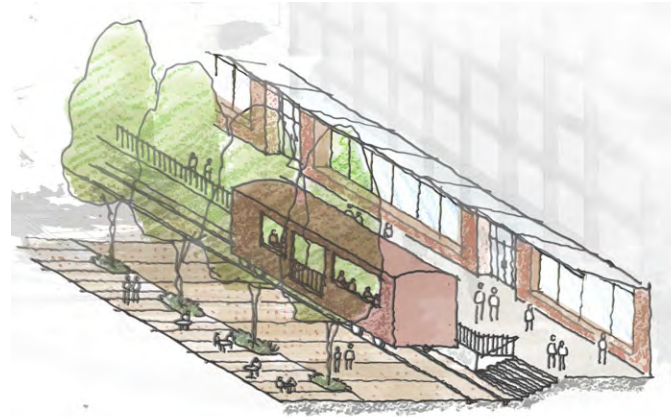
A heritage passage, life in the public realm and the historic character of the mews is emphasized by heritage elements such as re-purposed boxcars.



2

Lime Bay Mews Connection with Lime Bay

Lime Bay Mews, the site's strong urban axis, connects the neighbourhood to Lime Bay Park and the inner harbour, a place of respite amid the commotion of the city.



Re-purposed Box Car Concepts



1 Turntable Plaza

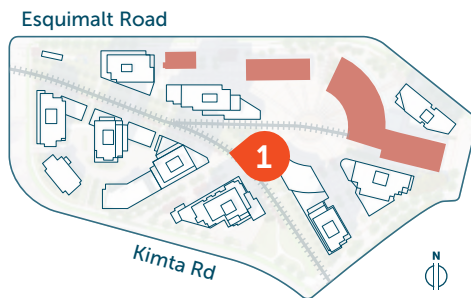
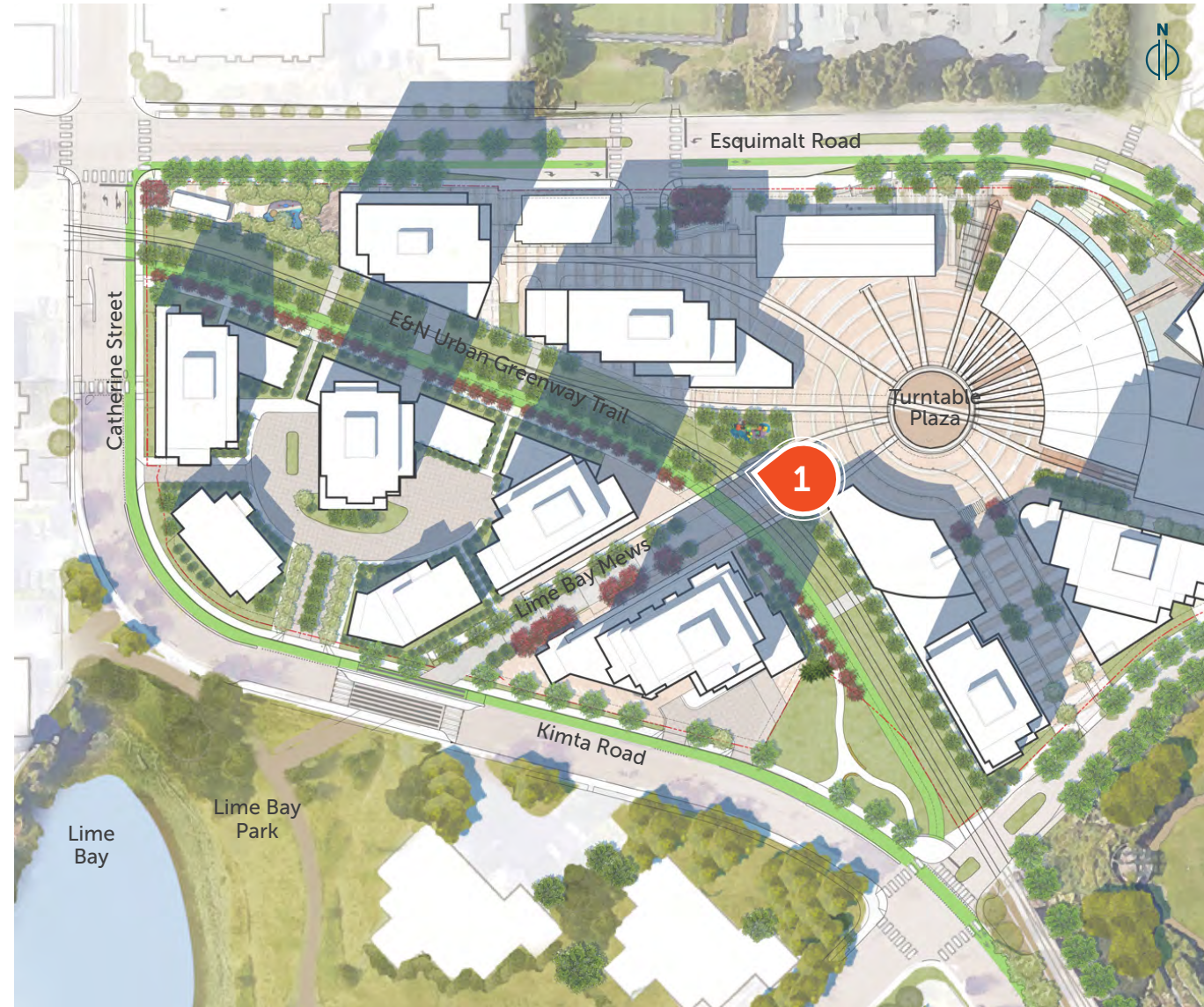
2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

4 E&N Urban Greenway

Naturalized by native plantings, the E&N Urban Greenway transforms from a traditionally linear, multi-modal corridor to an urban greenway that showcases the area's coastal ecology.



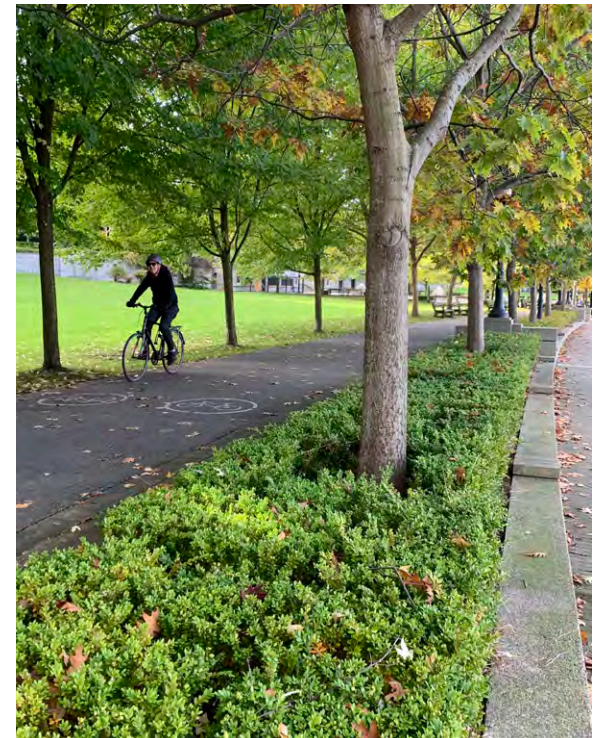
1 Turntable Plaza

2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

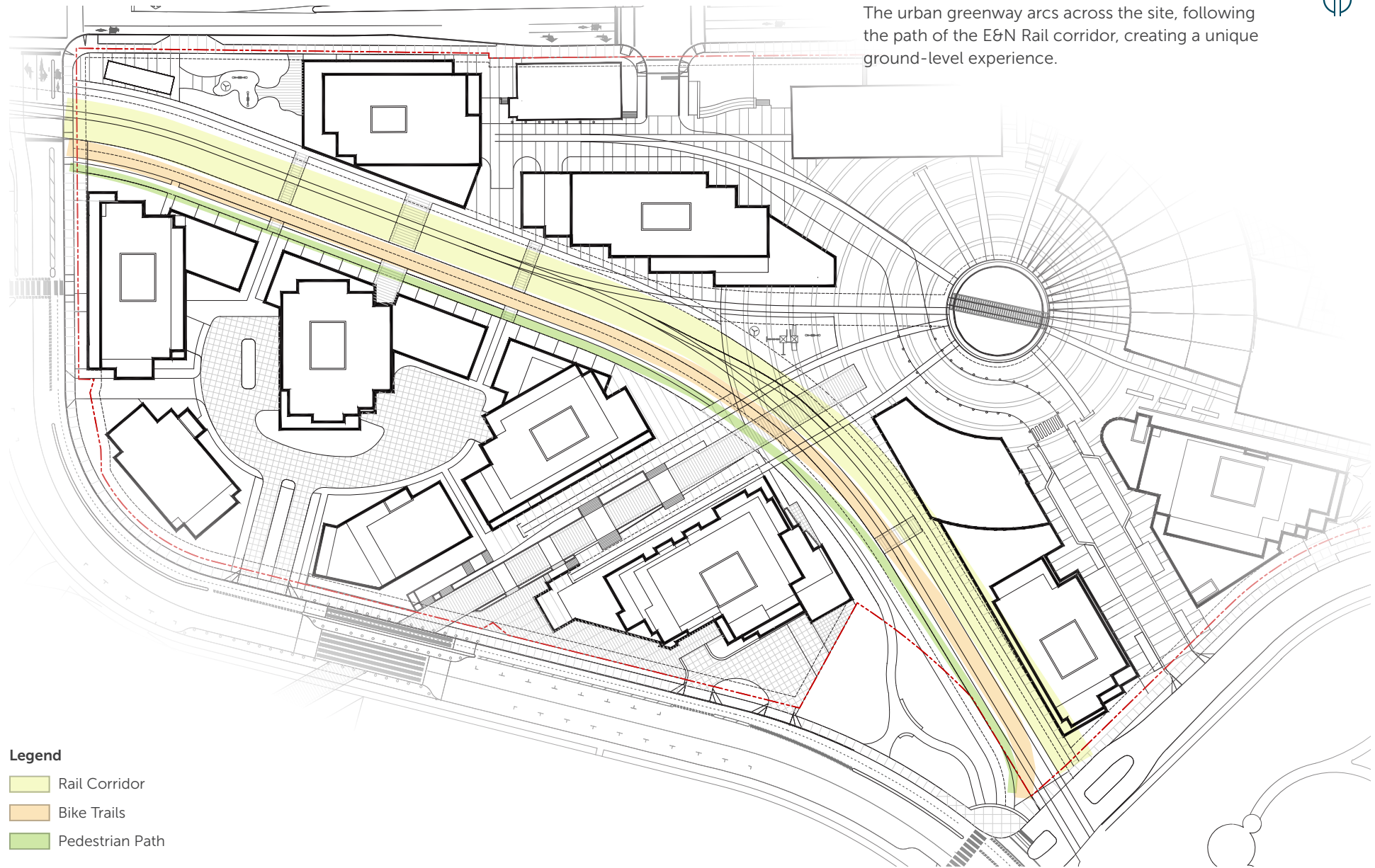
1 Looking West Along the E&N Urban Green Trail






E&N Urban Greenway Concept



The urban greenway arcs across the site, following the path of the E&N Rail corridor, creating a unique ground-level experience.



Legend

-  Rail Corridor
-  Bike Trails
-  Pedestrian Path

E&N Urban Greenway

The Urban Greenway is proposed as a linear park extending across the site from NW to SE following the E&N rail corridor.

This Greenway is intended to serve three key purposes:

1. Maintain a 10m wide corridor for the purposes of accommodating future transit services, to be determined in the future;
2. Accommodate a 7.0m wide multi-use Trail as per the existing Master Development Agreement; and
3. Maximize the opportunity for this corridor to be "green" with trees and permeable surfaces to emphasize livability, and mitigate the urban heat island effect.

Corridor Options

For the purposes of the Rezoning Application, the combined 17m wide Rail and Trail corridor is maintained, along with defining acceptable minimum edge conditions for development.

Two options for the configuration of the corridor are illustrated.

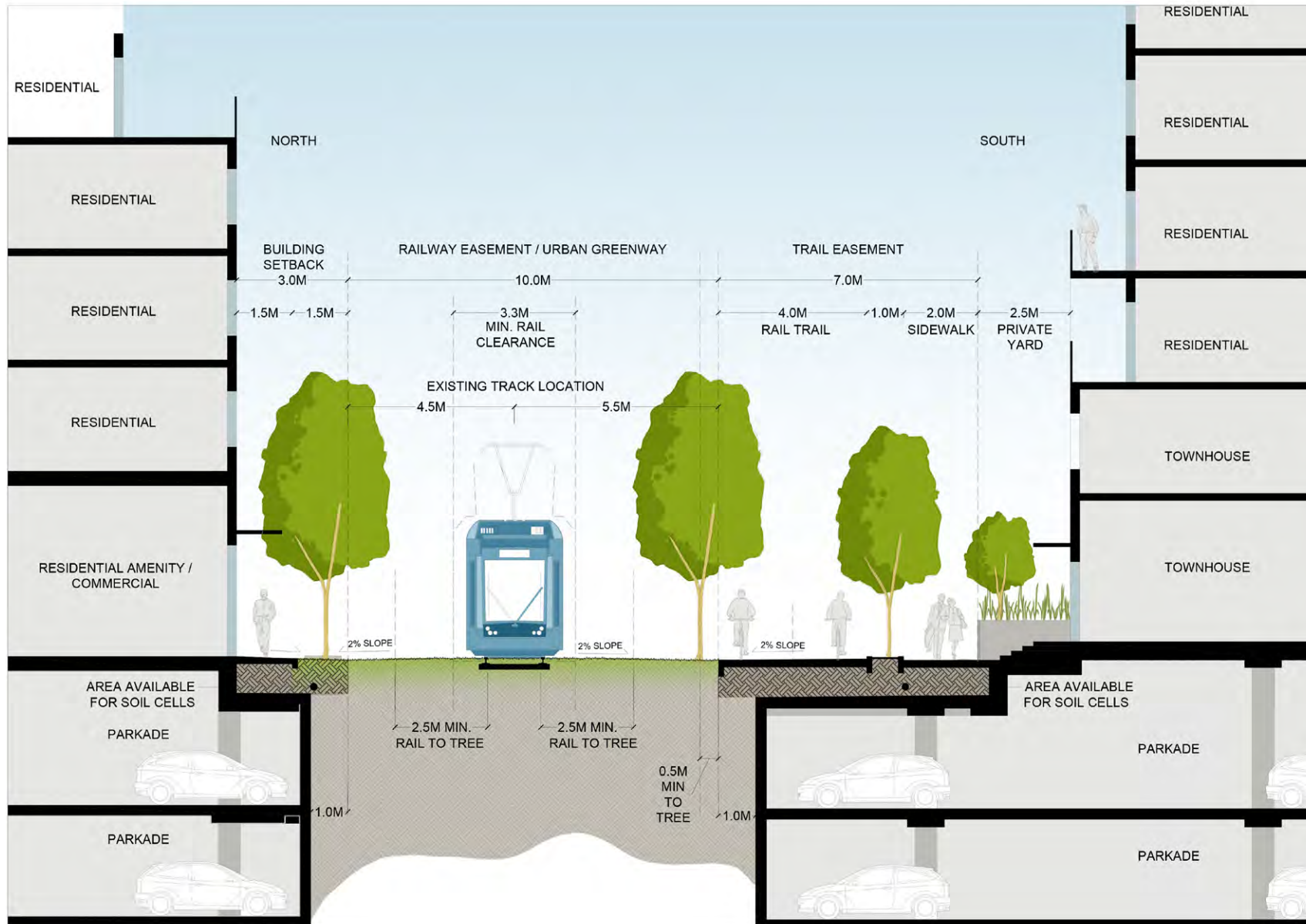
Option 1 illustrates a potential outcome based on the existing railway track configuration (post realignment), where there is one track in the western portion and two tracks in the eastern portion.

Option 2 illustrates a potential outcome based on reconfiguring the tracks to introduce an urban streetcar or tram type of transit with two tracks along the entire corridor.

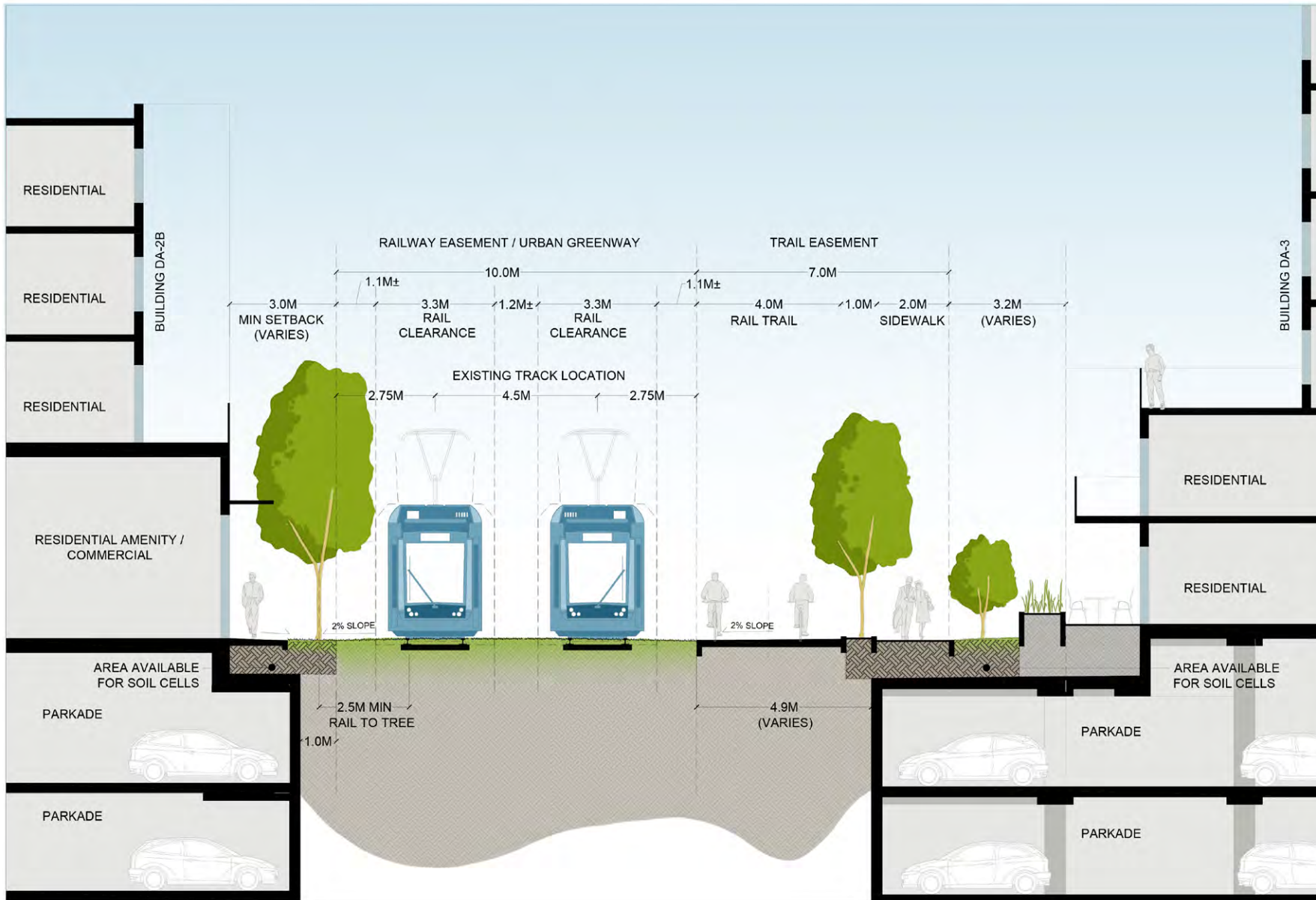
For both options, the potential location in the cross section for trees is identified. For Option 1, there are less opportunities to add trees due to the existing spacing between railway tracks, which is based on accommodating freight operations, whereas in Option 2 the spacing between railway tracks is based on typical operating envelopes for a modern streetcar or tram, which provides greater opportunity for trees.

Within this Rezoning Application, Option 1 is represented on all plans, diagrams and statistics.

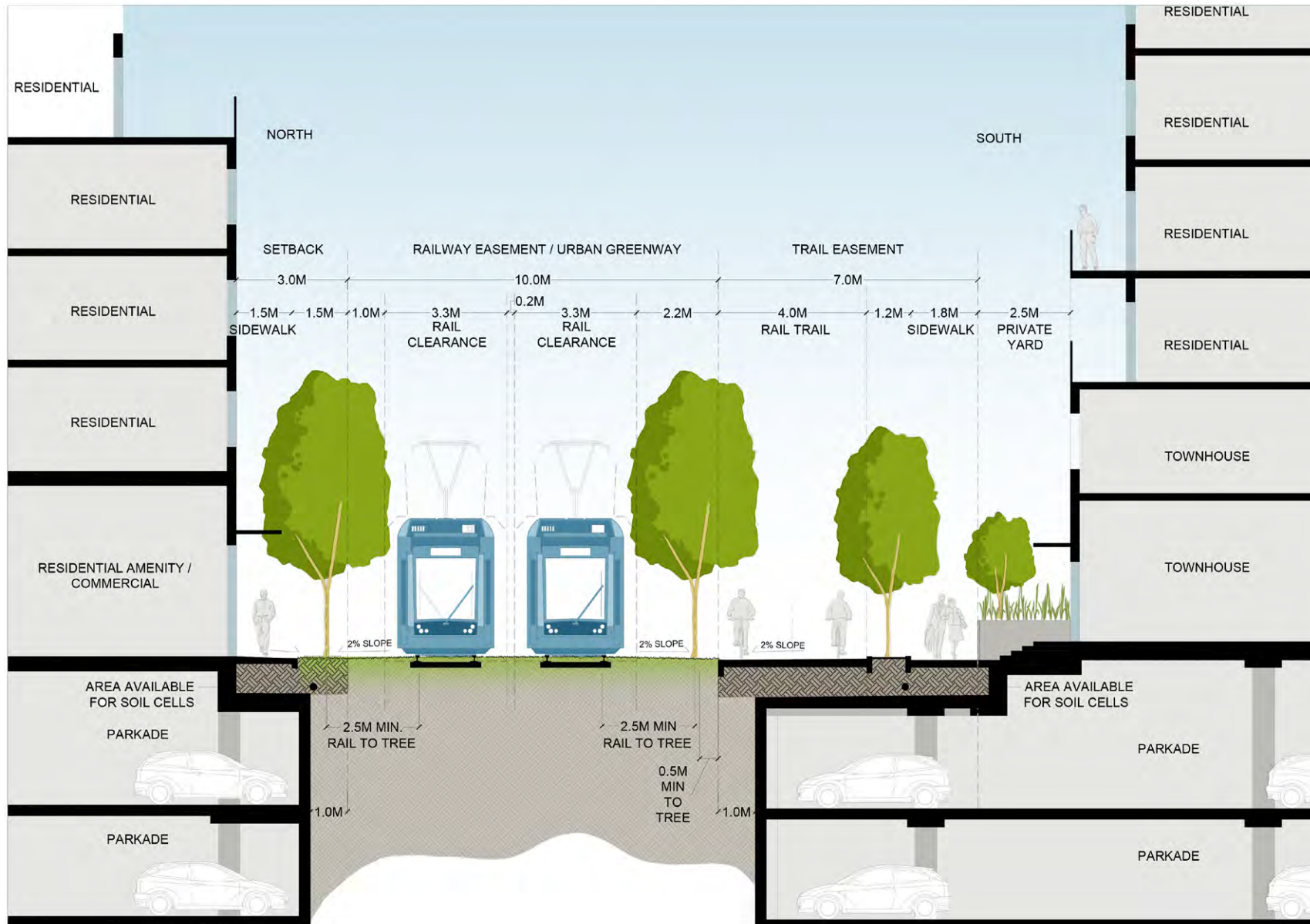
West Cross Section Option 1 | Existing Rail



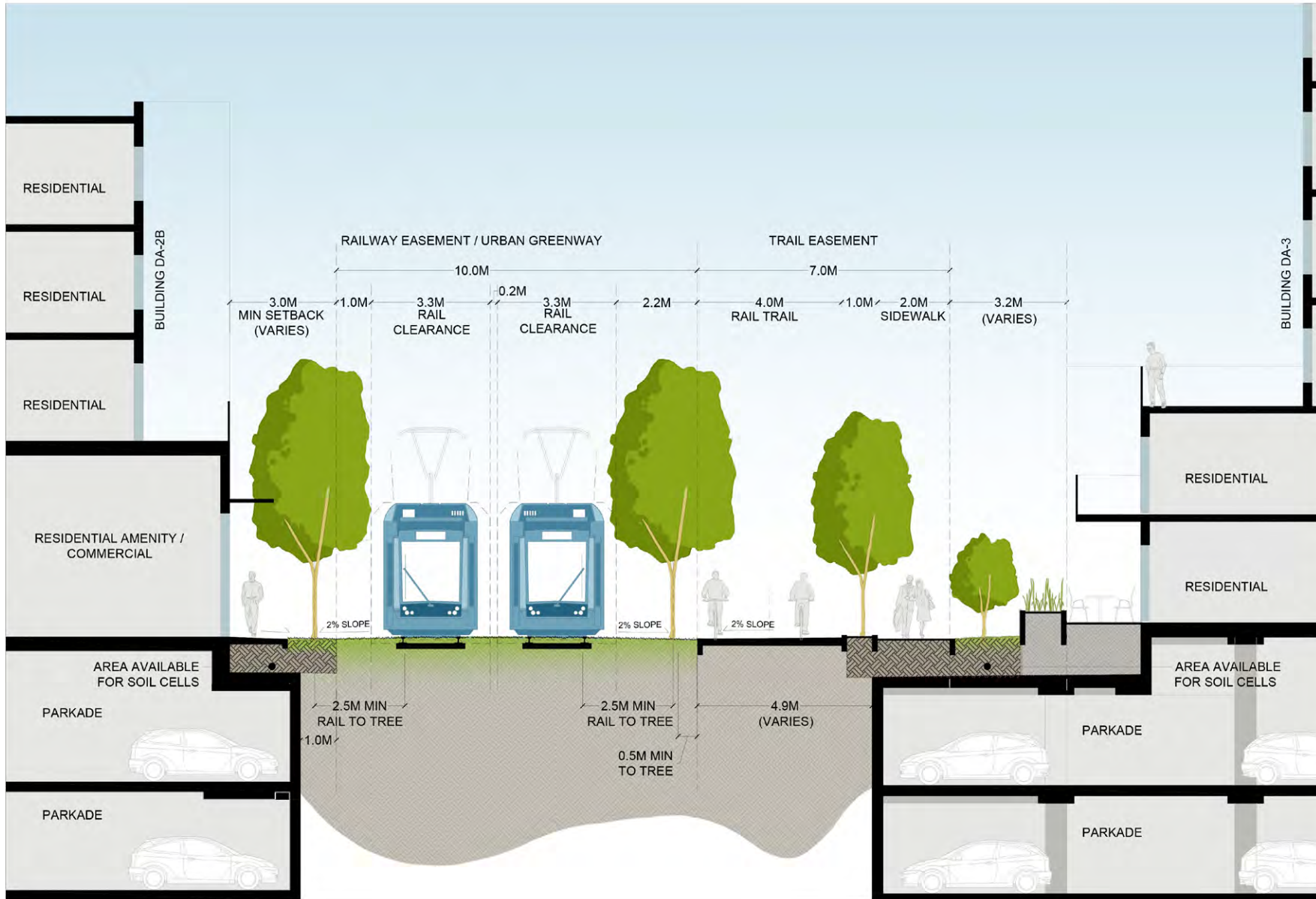
East Cross Section Option 1 | Existing Rail



West Cross Section Option 2 | Potential New Rail/Tram



East Cross Section Option 2 | Potential New Rail/Tram



Trail Crossings



Legend

 Trail Crossings

Several pedestrian crossings of the rail corridor are planned for as defined pedestrian crossing points. The actual number and location of crossings will be determined with each relevant Development Permit.

The proposed future use of the corridor is for transit, potentially with an urban streetcar or tram. Based on this outcome, and slow-speed operations, the proposed configurations will accommodate barrier-free pedestrian access along the corridor.

NOTE: Depictions of multiple rail crossings reflect an interim condition to be revised upon confirmation of the final rail standard.

1 Turntable Plaza

2 Esquimalt Activation

3 Lime Bay Mews

4 E&N Urban Greenway

Sitkum Park

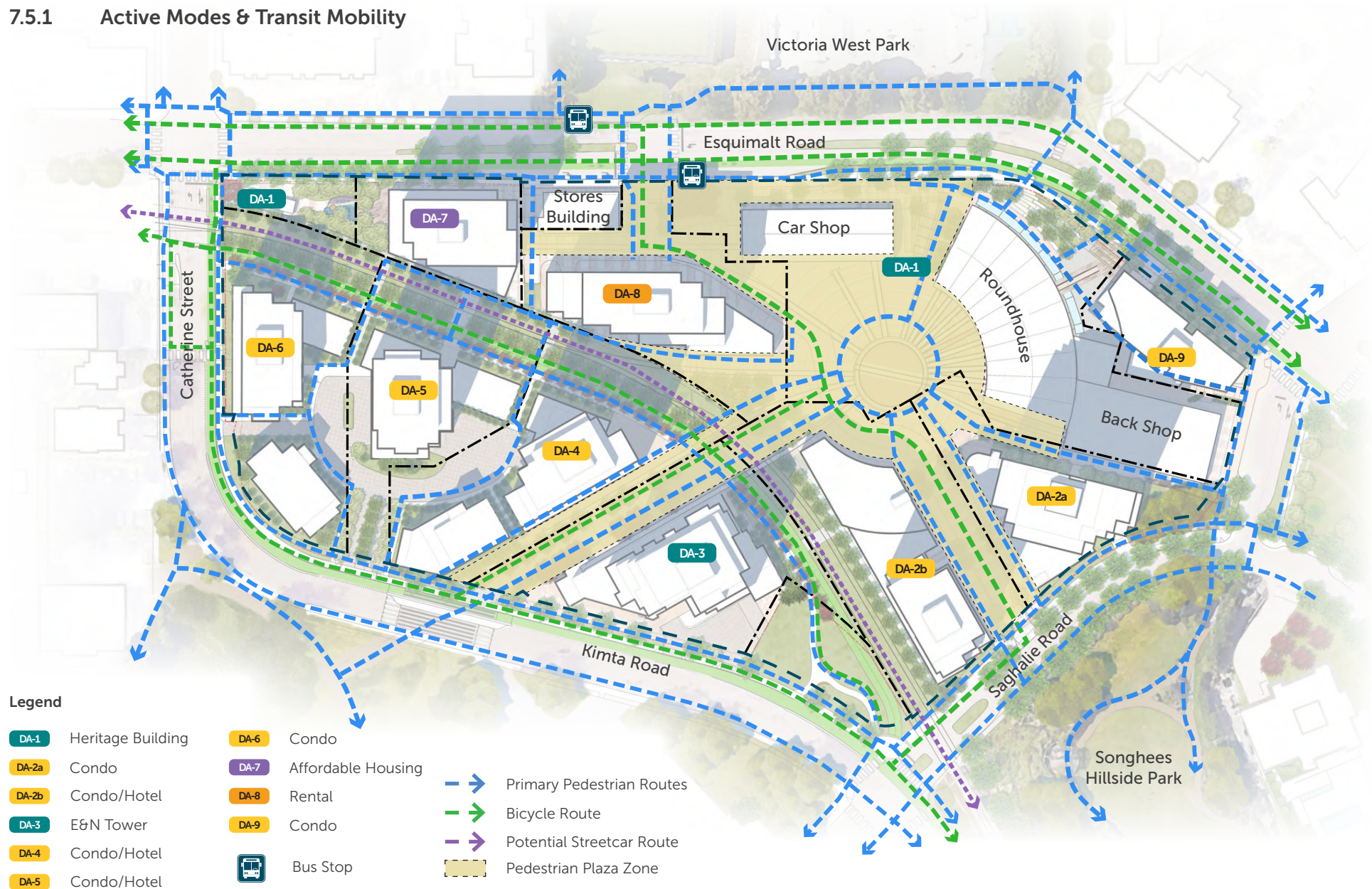
Sitkum Park is identified for defined upgrades based on terms within the Master Development Agreement. At this time, the proposed plans do not define or illustrate the intended end-condition, as instructed by Parks Department.

The plan does illustrate the likely location and configuration of the Rail Trail, including connection to Kimta Road of the cycle track, and pathways.

Final design and amenities will be confirmed as part of the associated Development Permit process for DA-3.

7.5 Mobility

7.5.1 Active Modes & Transit Mobility



7.5.2 Movement Network

Multiple roadways will provide parking, retail, drop-off, delivery, and fire access. These will be limited to two lanes and 6.0 m pavement width throughout the site, with street parking provided at select locations. To limit vehicle speeds and improve safety, a shared roadway will be located around Turntable Plaza. Roadway connections to Esquimalt Road, a major arterial, will be limited to reduce intersection density and maintain traffic flow through the area.

The E&N Rail Trail will encourage low-carbon travel by connecting Victoria West cyclists and pedestrians to the city's downtown core and wider region. Envisioned as the site's green spine, the trail will roughly follow recommendations for widths established by the Island Corridor Foundation.

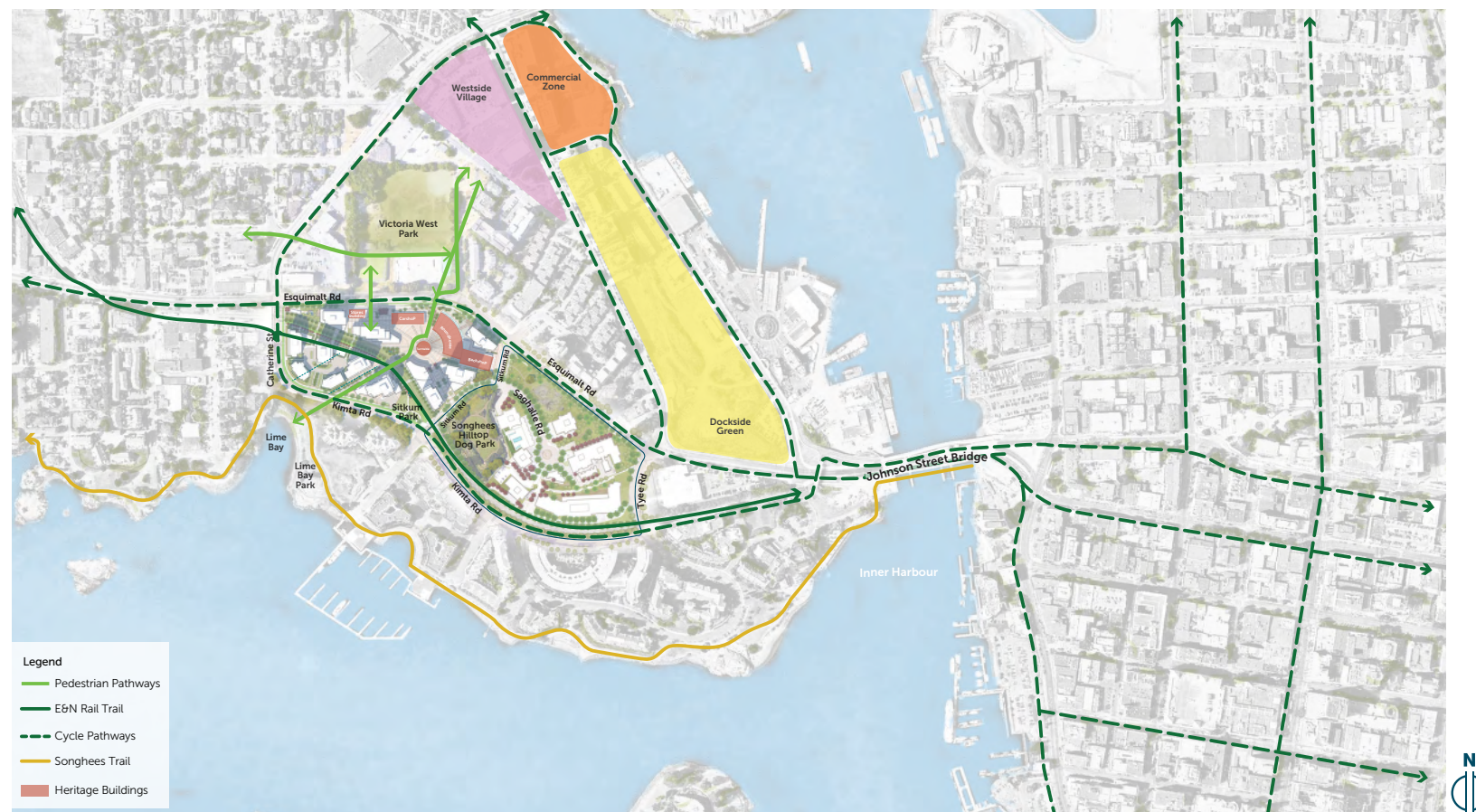
Internal pedestrian connections will provide ease of travel within the site. This network will offer a range of paths by which community members can access Bayview Place destinations, while minimizing conflict points with cars, bicycles and rail.



7.5.3 Connections to Regional Pedestrian and Bike Network

By completing the Roundhouse segment of the E&N Urban Trail, Roundhouse connects pedestrians and cyclists to destinations across the region.

The E&N Urban Trail provides a shared cyclist and pedestrian connection east to Catherine St. and west to Kimta Rd. Prior to completion of this route, cyclists will have access to an interim AAA bicycle route along Kimta Road that will link Roundhouse at Bayview Place to downtown Victoria. Refer to Appendix F for Transportation and Mobility Details and to Appendix G for Site Servicing details.



Depictions of the Kimta Road cycle path reflect an interim condition and may not be included in final buildout of the site.

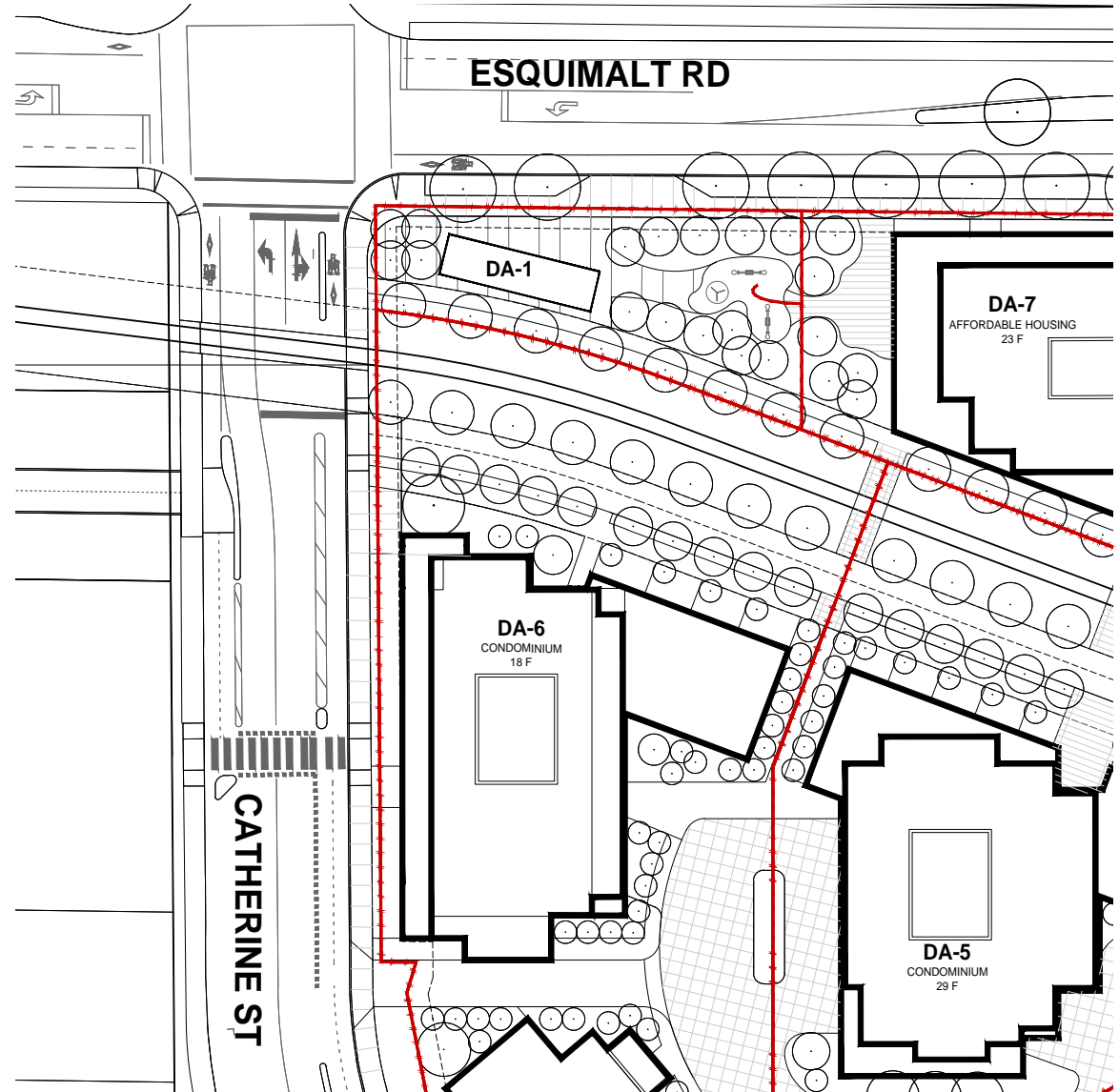
7.5.4 Esquimalt Rd & Catherine St. Intersection Improvements

Refer to Appendix F for Transportation and Mobility Details and to Appendix G for Site Servicing details.

The intersection of Esquimalt and Catherine is one key intersection that will have a range of improvements as a result of the Roundhouse at Bayview Place project.

These improvements have been developed based on technical transportation upgrades and site servicing works needed as a result of the new development.

The improvements along Catherine St are based on an integration of the City of Victoria's planned upgrades to include a AAA cycling facility. The plans as shown are based on the IFC drawings issued for this project.



7.6 Parking & Vehicle Access

7.6.1 Vehicular Parking Access & Loading

In addition to on-site access points to below grade parking, there are five vehicle access points from adjacent streets.

Access From Esquimalt Road

Two new access points to the Roundhouse site are proposed from Esquimalt Road. The first access point is at the intersection of Esquimalt Road and the new Roundhouse Mews, providing parking and service vehicles access for buildings DA-7, DA-8, the heritage buildings, and the Turntable Plaza. It connects with the Saghalie Road via Roundhouse Mews. The second point accesses building DA-9 and below grade parking.

Access From Kimta Road

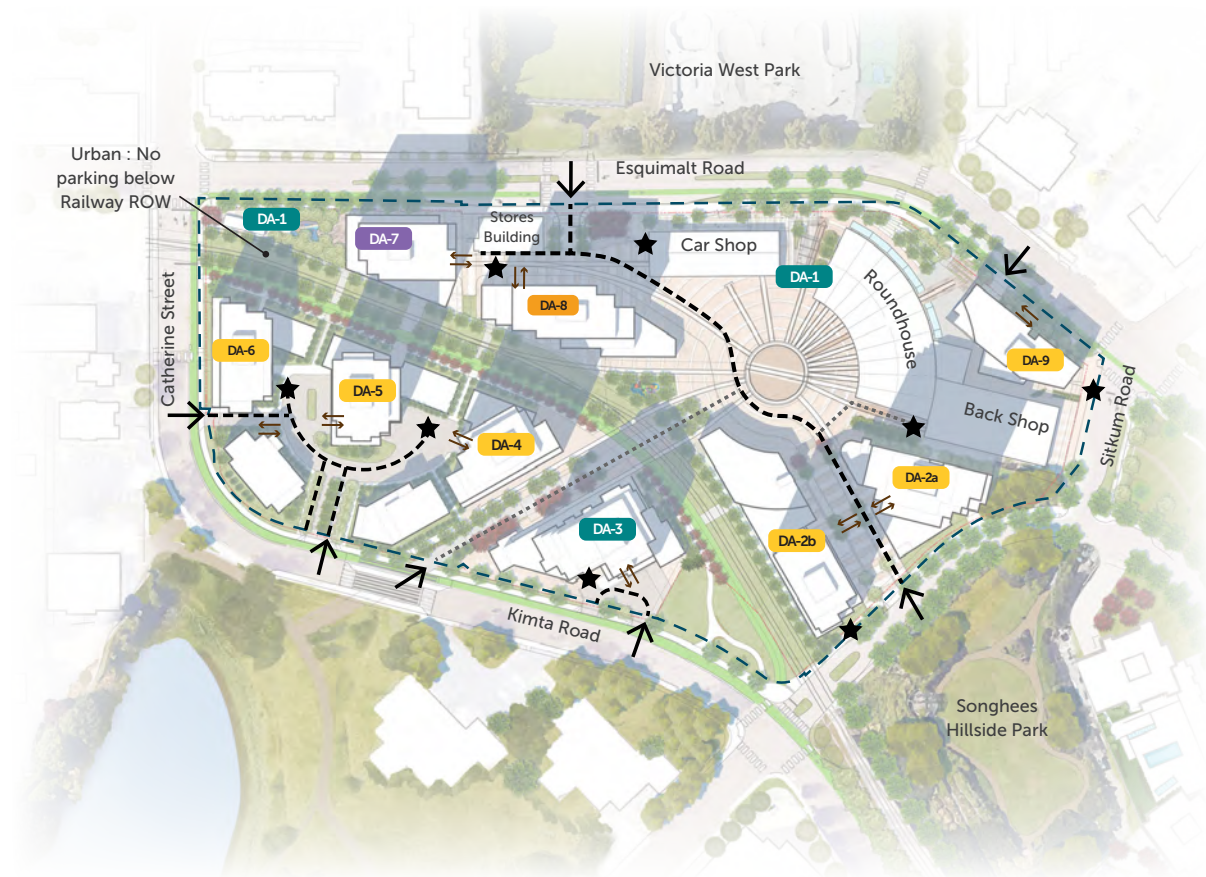
Three new access points to the Roundhouse site are proposed from Kimta Road. The first access point enters into an auto court shared by buildings DA-6, DA-4, and DA-5, and provides access to below grade parking and loading bays.

The second entry creates a vehicle access for building DA-3 loading and below grade parking.

A third service and emergency vehicle access along Lime Bay Mews provides access into the Roundhouse site, connecting with Roundhouse Mews.

Access From Saghalie Road

One new access point to the Roundhouse site is proposed from Saghalie Road, entering into the Roundhouse Site and connecting north to Esquimalt Road via Roundhouse Mews. This entry serves as the main parking and servicing access for buildings DA-2b and DA-2a.



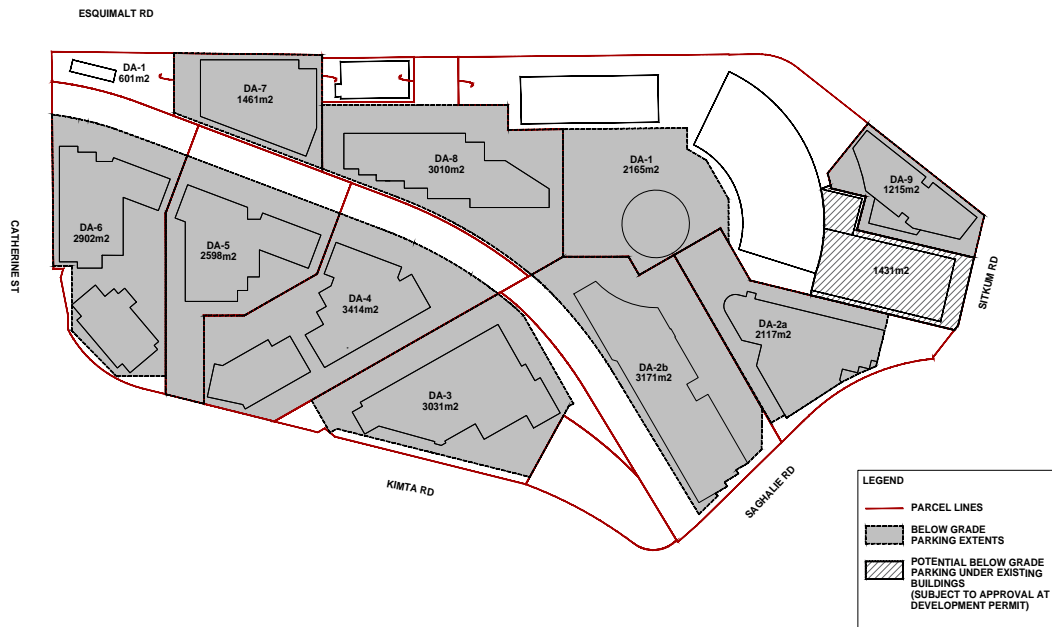
Legend

DA-1 Heritage Building	DA-5 Condo/Hotel	 ➔ Service Vehicle Access
DA-2a Condo	DA-6 Condo	 ➔ Vehicular Route
DA-2b Condo/Hotel	DA-7 Affordable Housing	 ↔ Access to Parking
DA-3 E&N Tower	DA-8 Rental	★ Service & Loading
DA-4 Condo/Hotel	DA-9 Condo	

7.6.2 Vehicular Parking

Parking will be provided on site to meet the requirements set out in Schedule C of the Parking Bylaw, and Part 12.12 of the CD-12 Roundhouse Zoning.

Parkades will extend under private roads, plazas, and Rail Trail, but will not impact heritage buildings or the Urban Rail Easement. Minimum parking ratios for each portion of the site are identified in the TDM study (WATT Consulting Group). Bike parking facilities and EV charging stations will be provided within parkades to encourage low-carbon transportation. Short term bike lock-up areas will also be provided throughout the site.



Units & Parking	Units	Unit Type			Min. Parking
		Studio (<45m²)	1 Bedroom (45m²-70m²)	2+ Bedroom (>70m²)	
DA-1 Heritage Buildings	--	--	--	--	54
DA-2a Condo	240	84	55	101	180
DA-2b Condo/Hotel	235	35	82	118	176
DA-3 E&N Tower	210	22	84	104	240 ^f
DA-4a Condo/Hotel	245	98	74	74	184
DA-4b Condo/Hotel	25	--	--	25	19
DA-5 Condo/Hotel	220	22	110	88	165
DA-6a Condo	140	28	70	42	105
DA-6b Condo	30	--	--	30	23
DA-7 Affordable ¹	215	47	73	95	161
DA-8 Rental	245	83	83	78	184
DA-9 Condo	65	20	26	20	49
TOTAL:	1,870	439	657	773	1,539

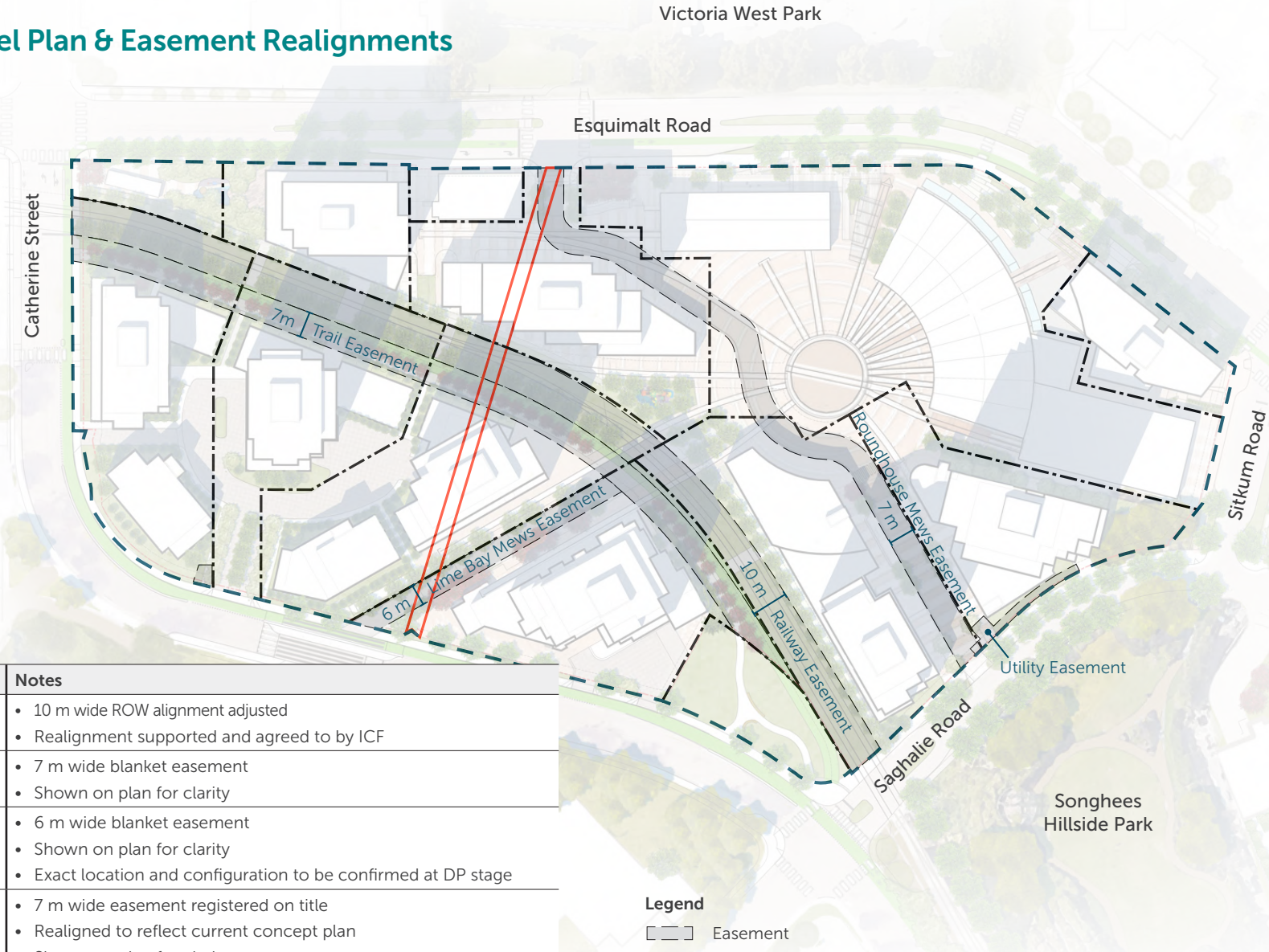
NOTE: Refer to Traffic Impact Assessment and Traffic Demand Management Reports for detailed parking requirement, provisions, reductions, and variances. Minimum Parking Numbers are based on TDM strategy. Additional reductions in parking numbers may be achieved by applying the Supplemental TDM Strategy outlined in the report by WATT Consulting Group.

¹ Affordable Housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a non-profit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning.

^f TDM not applied to DA-3; number based on approved DP.

All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

7.7 Parcel Plan & Easement Realignments



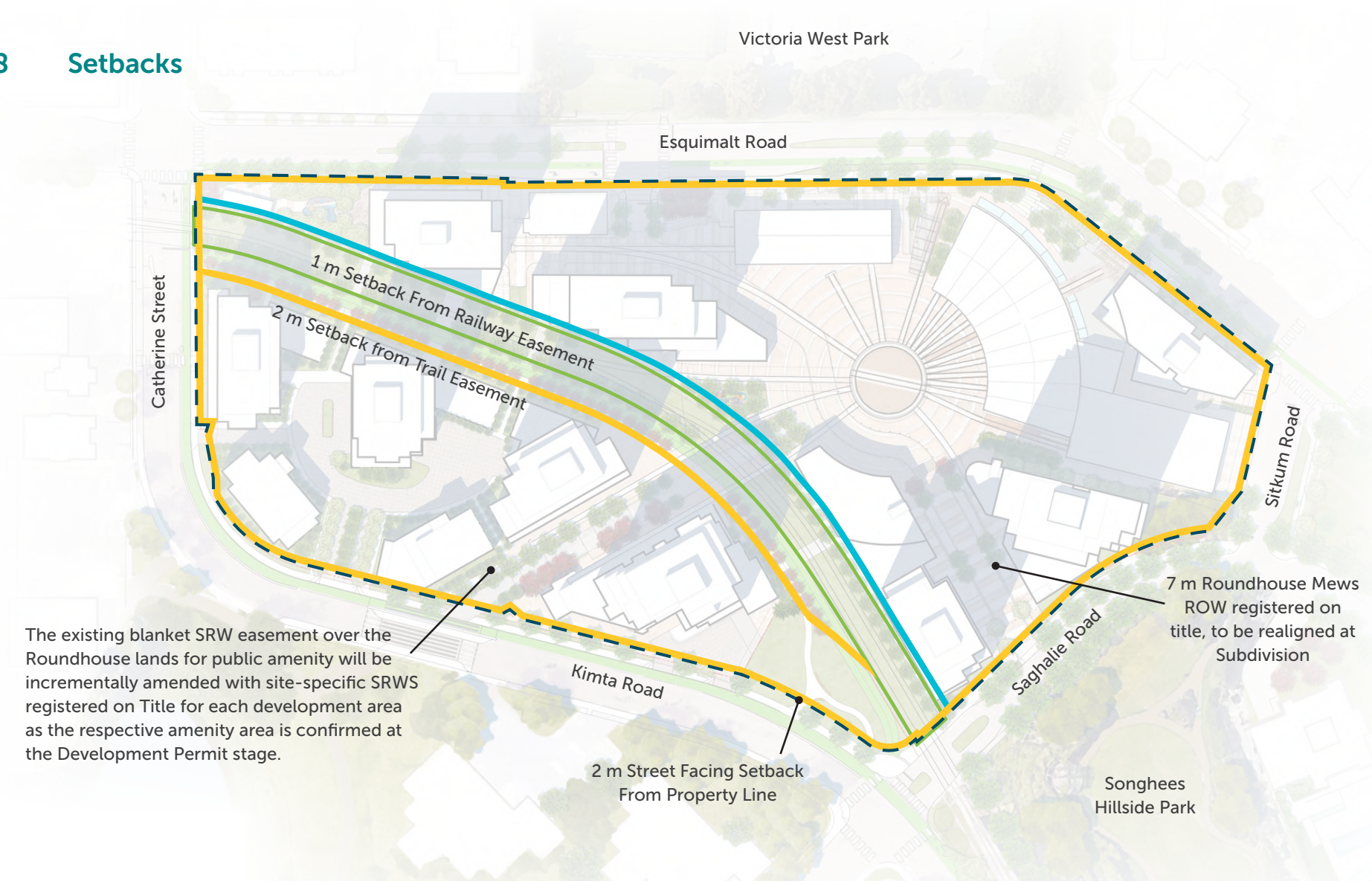
Easement Area	Notes
Rail Easement	<ul style="list-style-type: none"> 10 m wide ROW alignment adjusted Realignment supported and agreed to by ICF
Rail Trail	<ul style="list-style-type: none"> 7 m wide blanket easement Shown on plan for clarity
Lime Bay Mews	<ul style="list-style-type: none"> 6 m wide blanket easement Shown on plan for clarity Exact location and configuration to be confirmed at DP stage
Roundhouse Mews Easement	<ul style="list-style-type: none"> 7 m wide easement registered on title Realigned to reflect current concept plan Shown on plan for clarity Exact location and configuration to be confirmed at DP stage
Existing Sanitary Main	<ul style="list-style-type: none"> Existing Sanitary pipe across the site is to be removed and easement to be discharged Exact location and configuration to be confirmed at DP stage.

Legend

- Easement
- Parcel Boundary
- Easement Width
- Easement to be Removed

NOTE: All numbers and calculations are approximate only and subject to change: See disclaimer on page iii.

7.8 Setbacks



The existing blanket SRW easement over the Roundhouse lands for public amenity will be incrementally amended with site-specific SRWS registered on Title for each development area as the respective amenity area is confirmed at the Development Permit stage.

7 m Roundhouse Mews ROW registered on title, to be realigned at Subdivision

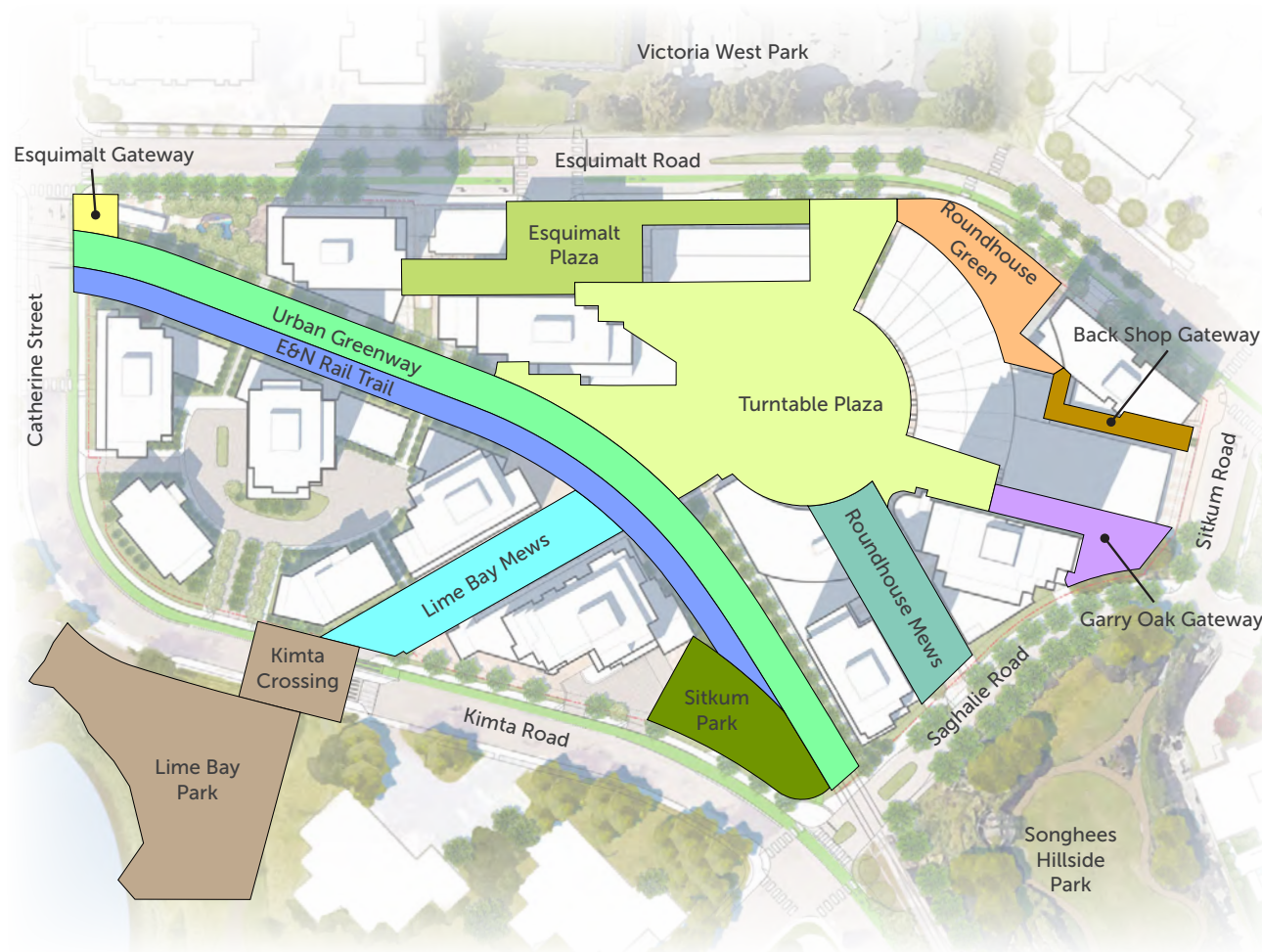
Legend

- 1 m Setback
- 2 m Setback (above grade)
- 3 m Setback (above grade)

NOTE: Lime Bay Mews and Roundhouse Mews will result in building setbacks to be determined at Development Permit Stage
 All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

8.0 COMMUNITY AMENITIES

8.1 Amenity Areas



Legend

Rail Trail (Trail Easement)	Roundhouse Mews	Garry Oak Gateway
Urban Greenway (Railway)	Esquimalt Plaza	Back Shop Gateway
Turntable Plaza	Esquimalt Gateway	Sitkum Park
Lime Bay Mews	Roundhouse Green	Lime Bay Park & Kimta Crossing

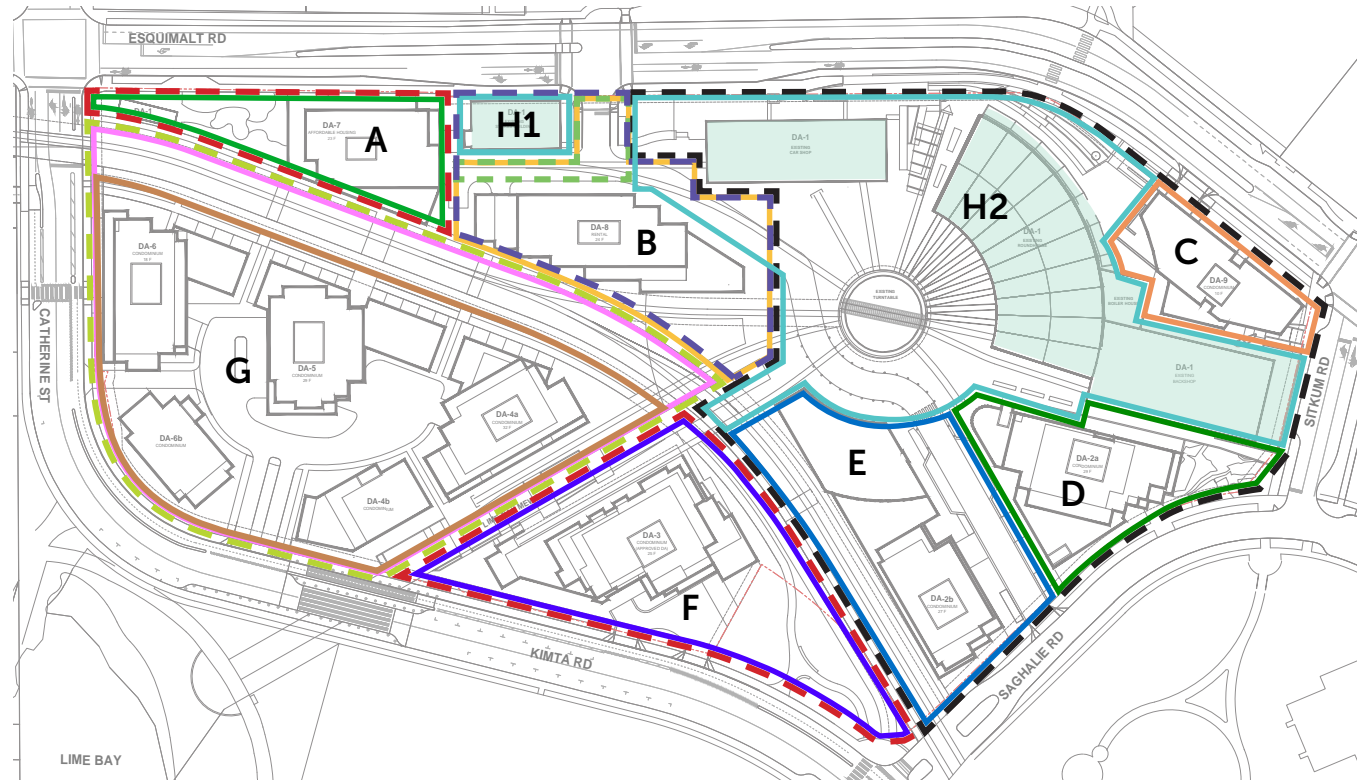
On-site Improvements	
Rail Trail (Trail Easement)	17,018 sf
Urban Greenway (Railway)	29,267 sf
Turntable Plaza	54,982 sf
Lime Bay Mews	13,519 sf
Roundhouse Mews	13,519 sf
-	-
Esquimalt Gateway	1,475 sf
NEW Esquimalt Plaza	14,876 sf
NEW Roundhouse Green	8,417 sf
NEW Garry Oak Gateway	5,802 sf
NEW Back Shop Gateway (Area TBD at DP)*	3,886 sf
-	-
Subtotal	(3.7 ac) 161,201 sf
* Actual area of this amenity to be confirmed at time of Development Permit for DA-9.	
Off-site Improvements/Misc.	
Sitkum Park	10,915
Lime Bay Park Improvements & Site Interpretation Program	Included
Cash In Lieu (Accrued Value to 2022)	\$815,826

8.2 Amenities Sequencing

8.2.1 Sequencing Program

Site Description

Site	Amenities
A Affordable Housing (GVHS)	<ul style="list-style-type: none"> Affordable Housing (approx. 215 units) Esquimalt Gateway Plaza Interim Access to Esquimalt Rd
B Rental Housing	<ul style="list-style-type: none"> Initiate Stores Building Rehabilitation Completion of Access to Esquimalt Rd
C Apartment Tower	<ul style="list-style-type: none"> Roundhouse Green Back Shop Gateway
D Apartment Tower	<ul style="list-style-type: none"> Portion of Roundhouse Mews Garry Oak Gateway
E Apartment Tower	<ul style="list-style-type: none"> Majority of Roundhouse Mews Portion of Urban Greenway
F Apartment Tower	<ul style="list-style-type: none"> Majority of Lime Bay Mews Lime Bay Park Improvements Portion of Rail Trail
G Apartment Tower	<ul style="list-style-type: none"> Portion of Lime Bay Mews Lime Bay Park Improvements Portions of Rail Trail & Urban Greenway (each site)
H1 Heritage Buildings	<ul style="list-style-type: none"> Initiate Stores Building Rehabilitation
H2 Heritage Buildings	<ul style="list-style-type: none"> Rehabilitation of Car Shop, Roundhouse, Back Shop, and Boiler House Completion of Turntable Plaza and Esquimalt Plaza



Amenity Sequencing

Sequence	Areas
1 - - - Shovel Ready Now	A F
2 - - - Early Heritage Rehabilitation	B H1
3 - - - Prior to Heritage Rehabilitation	C D E
4 — Begin Primary Heritage Rehabilitation	H2
5 - - - Post Heritage Rehabilitation	G

8.2.2 Amenities by Development Area

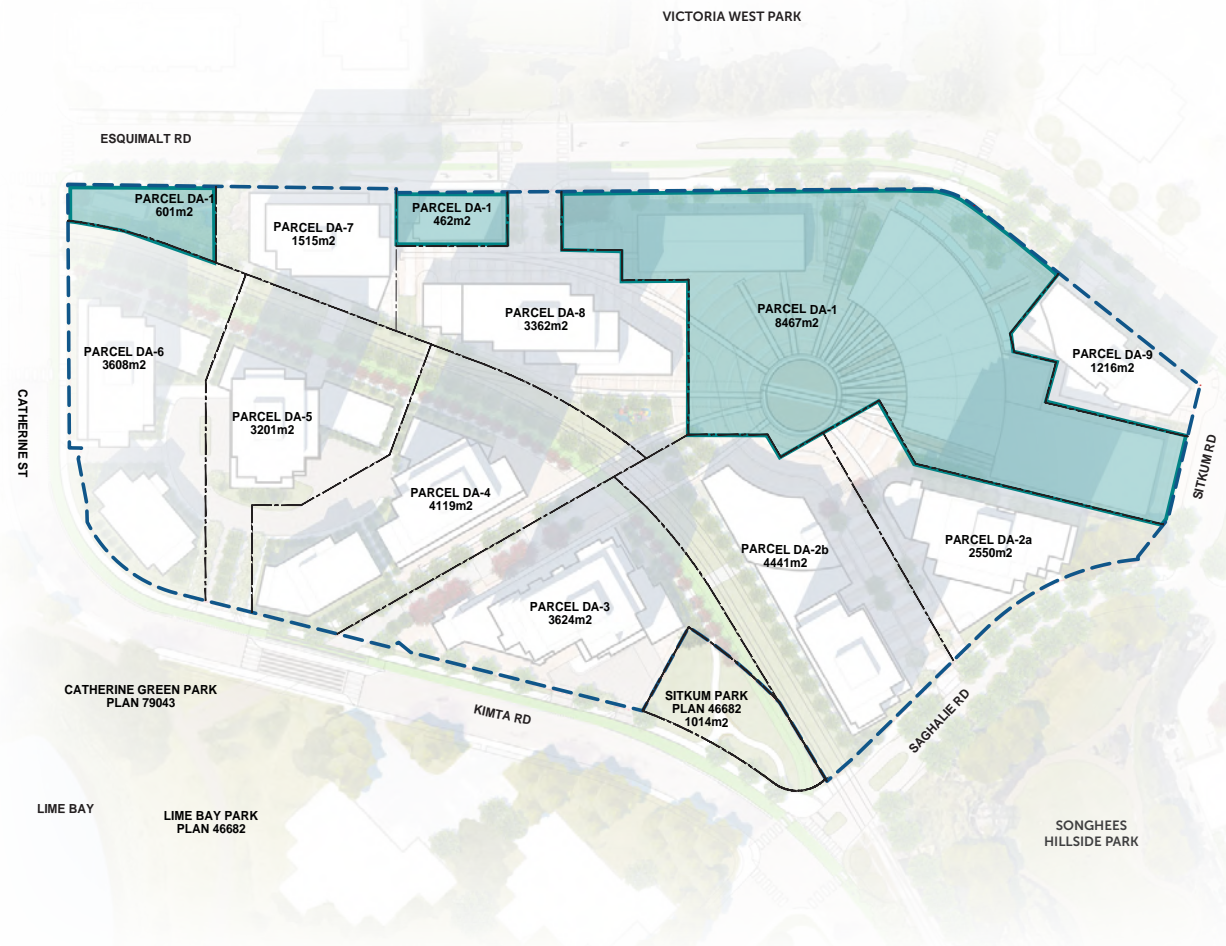
DA-1

List of Amenities

- Heritage Buildings
- Turntable Plaza
- Balance of Esquimalt Plaza
- Esquimalt Gateway
- Roundhouse Green

List of Benefits

- Rehabilitation of heritage buildings
- Adaptive reuse of heritage buildings
- Activation of spaces with the heritage buildings and Turntable Plaza public space
- Activation of Esquimalt Road streetfront with rehabilitation of heritage buildings and addition of several amenity structures and spaces as pedestrian friendly zone



NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

DA-2a

List of Amenities

- Garry Oak Gateway (public access and steps, stepping green space between Sitkum Road and the Roundhouse)
- Portion of Roundhouse Mews

List of Benefits

- Preserves heritage landscape and rock outcrop
- Provides pedestrian link from Sitkum down to Turntable Plaza
- Delivery of Roundhouse Mews in coordination with development of DA-2b

DA-2b

List of Amenities

- Portion of Urban
- Portion of Roundhouse Mews

List of Benefits

- Delivery of the entire eastern portion of the Urban
- Delivery of Roundhouse Mews in coordination with development of DA-2a



NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

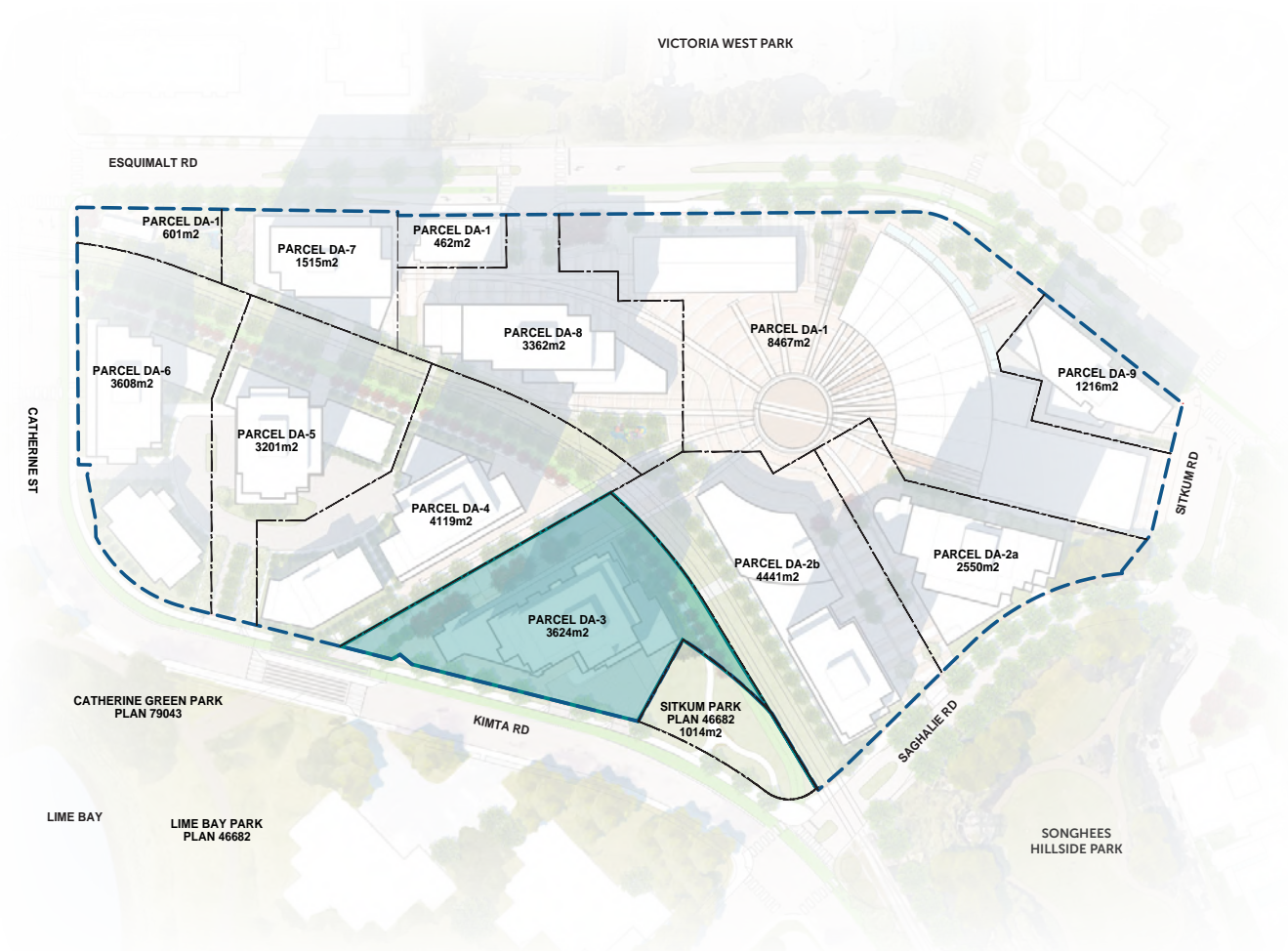
DA-3

List of Amenities

- Portion of Rail Trail
- Majority of Lime Bay Mews (open for public use)
- Sitkum Park

List of Benefits

- Potential early development of this parcel (based on approved DP)
- Delivers redevelopment and programming to Sitkum Park for wider community benefit as an immediate shovel-ready project
- Interim pedestrian crossing of Kimta Road



NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

DA-4

List of Amenities

- Portion of Urban Greenway
- Portion of Rail Trail
- Portion of Lime Bay Mews
- Pedestrian Crossing of Kimta Road
- Lime Bay Park Improvements

List of Benefits

- Connection to Lime Bay Park from Lime Bay Mews is upgraded as a prominent connector for pedestrians
- Lime Bay Park improvements will link the Roundhouse district directly to the harbour edge, making this a destination node along the Vic West foreshore pathway

DA-5

List of Amenities

- Portion of Urban Greenway
- Portion of Rail Trail

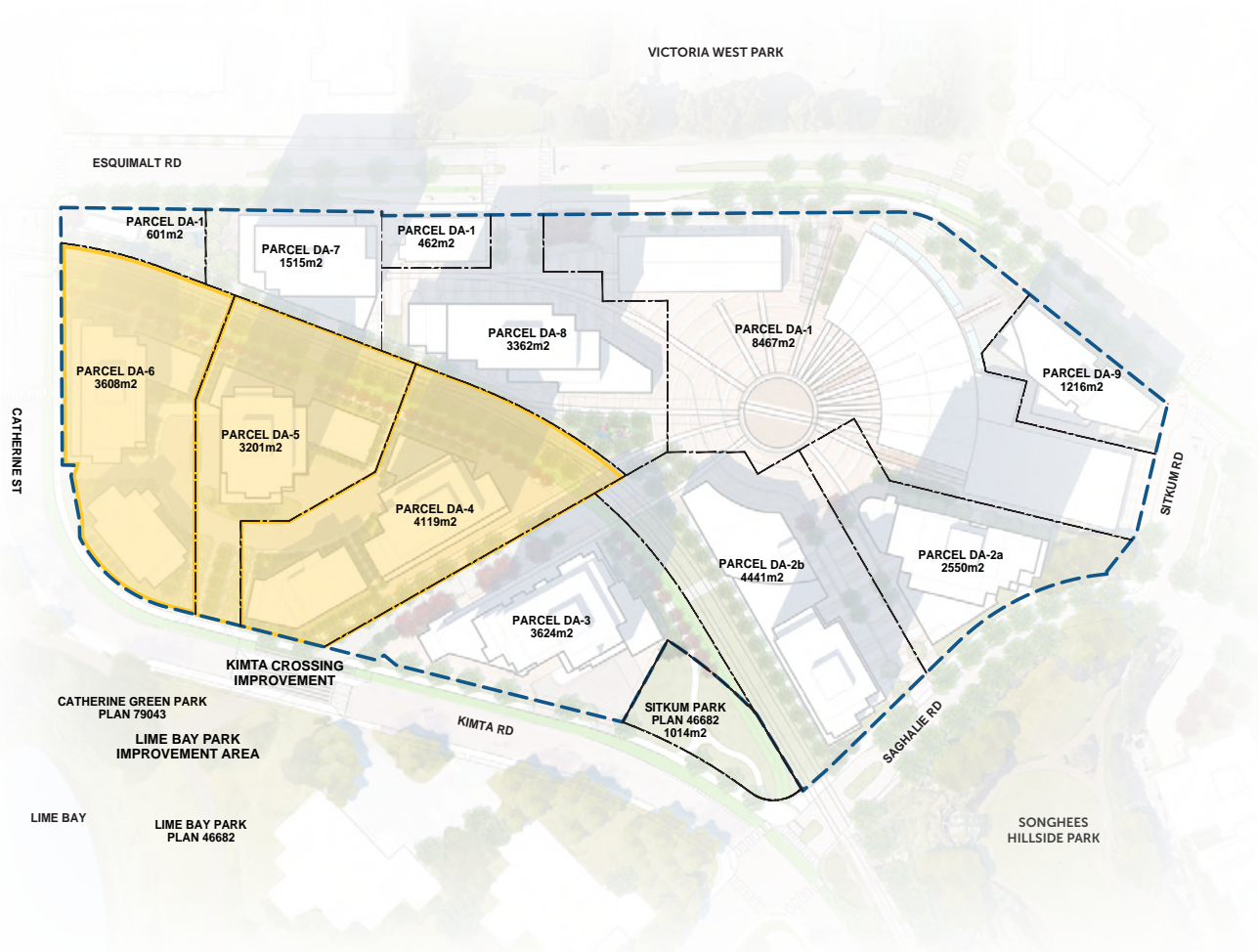
DA-6

List of Amenities

- Portion of Urban Greenway
- Portion of Rail Trail

List of Benefits

- Completion of Catherine Street frontage and interface to the Rail Trail and Urban



NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.

DA-7

List of Amenities

- Amenities as part of Affordable Housing development

List of Benefits

- Approx. 215 Affordable Homes
- Delivery of Affordable Housing can occur early in the development phasing

DA-8

List of Amenities

- Partial Esquimalt Plaza (between DA-8 & Stores Building)

List of Benefits

- Approx. 245 Rental Units

DA-9

List of Amenities

- Roundhouse Green (public access and stepping green space between Esquimalt Road and the Roundhouse)
- Back Shop Plaza (public access and landscape space between DA-9 and the Back Shop). This area to be confirmed at time of Development Permit for DA-9

List of Benefits

- Improved Public Access point from Vic West Park into the Roundhouse Precinct
- Delivers a fully landscaped foreground and setting for the heritage Roundhouse building



NOTE: All numbers and calculations are approximate only and subject to change: See disclaimer on page iii.

9.0 SITE REMEDIATION

Remediation Strategy

Formerly an active railyard, Roundhouse at Bayview Place possesses varying degrees of contamination. In response to this, a remediation strategy has been developed that prioritizes minimizing the environmental impact of contaminated material disposal with fiscal responsibility.

This approach proposes excavating and reburying the majority of contaminated material in an on-site “dig and bury” location that will be capped with rock. Situated near the historic Roundhouse and car shop buildings, the dig and bury site will sit below a future vehicular corridor and pedestrian plaza and will accommodate contaminated material. Hazardous waste and other excavated material that exceeds the specifications of the remediation strategy will be deposited off-site at a licensed disposal facility.

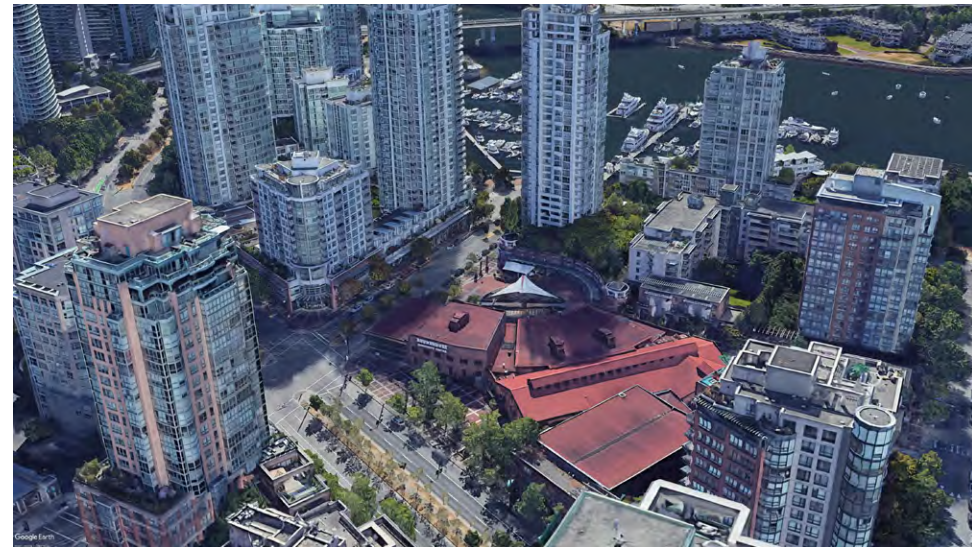
This balanced approach to contamination management will ensure that the site is able to achieve a required Certificate of Compliance and will establish Roundhouse at Bayview Place as one of Victoria’s most climate-forward neighbourhoods.

The proposed methodology for the excavation and disposal involves removal of the non-historic buildings (2), removal of the rail infrastructure including the turntable, stripping the site of asphalt and vegetation and proceeding with the applicable works.

Prior to proceeding with the works, a more thorough and detailed analysis and design with input from the geotechnical engineer, environmental consultant and the contractor will be required.



Site looking east, 1983

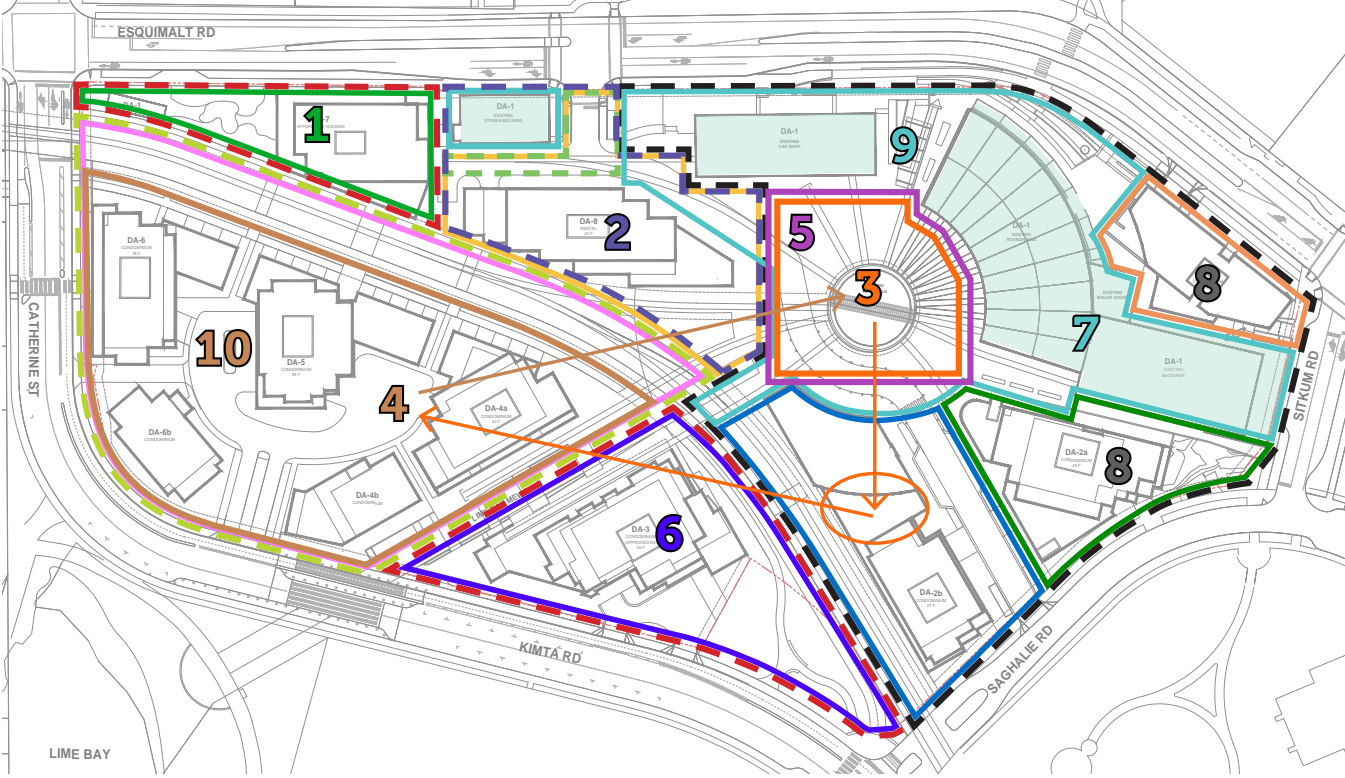


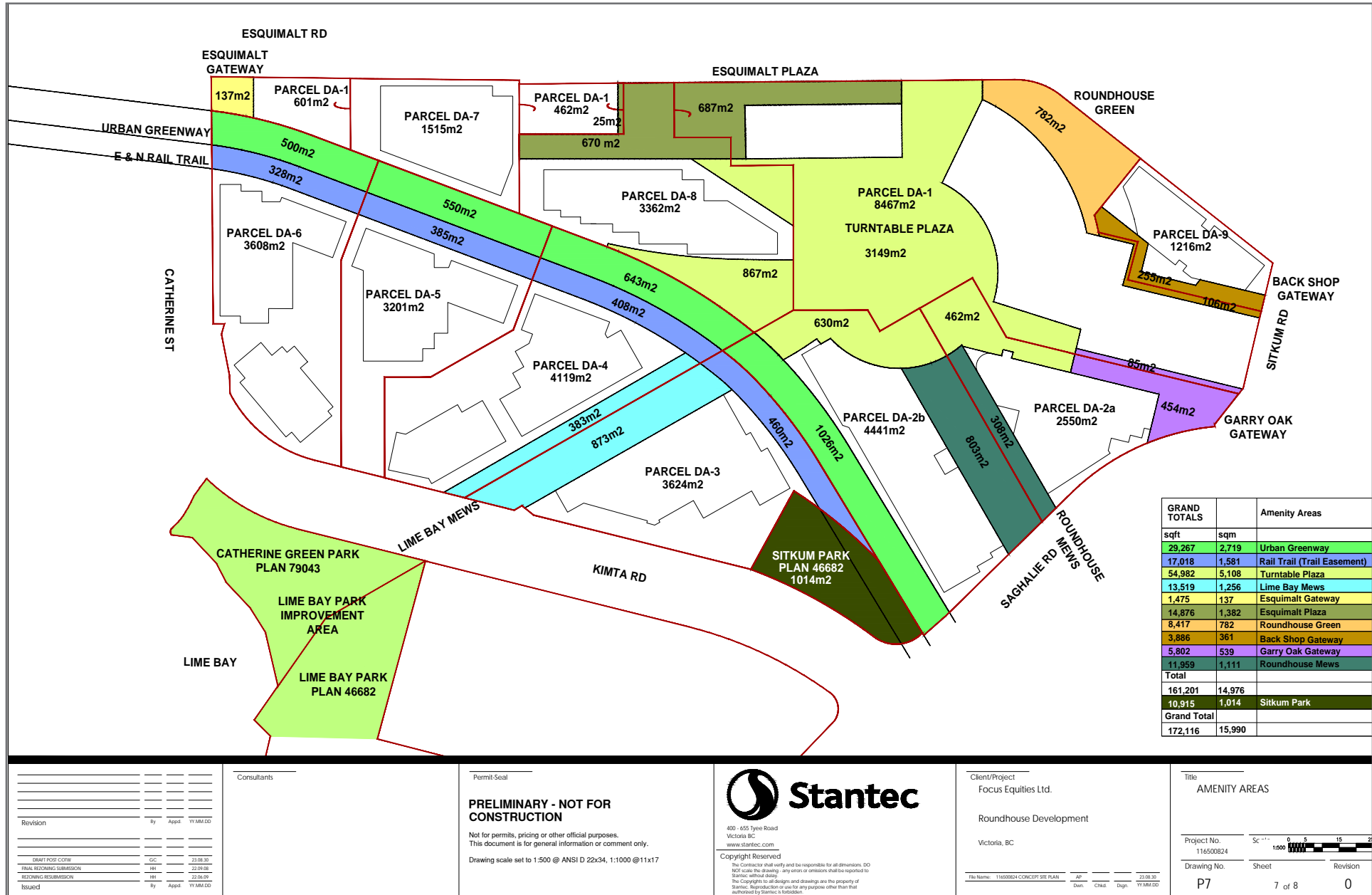
False Creek Roundhouse Precinct, Vancouver (© Google Earth 2022)

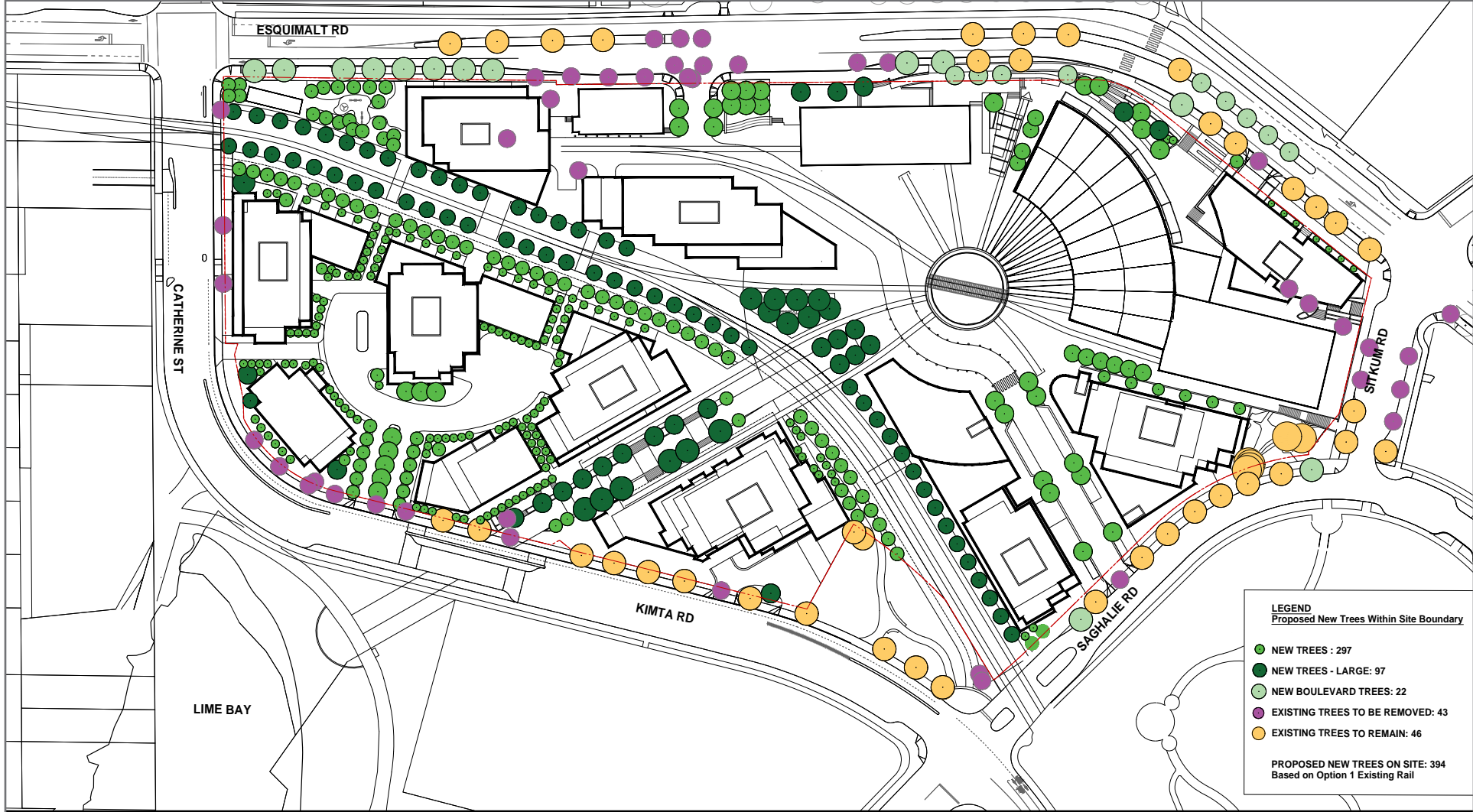
10.0 DEVELOPMENT SEQUENCING

Development Sequencing

#	Dependency
1	Affordable Housing site can proceed following subdivision with a temporary access easement and with confirmation of utilities plan. Esquimalt Gateway site can proceed in conjunction or anytime following the Affordable Housing development
2	Rental Housing site can proceed in conjunction with, or following, the Affordable Housing, once existing storm utility easement across the site is replaced
3	Access easement to Affordable Housing site required prior to subcivision of adjacent development areas
3	Excavate hole for deposit of contaminated soils and stockpile elsewhere on site
4	Excavate contaminated soils and deposit in hole under Turntable Plaza
5	Construct underground parking to cap contaminated soil and bring plaza area up to grade
6	Use clean fill under future development sites elsewhere on site
7	Roundhouse, Backshop and Car Shop can be rehabilitated after turntable plaza parkade is complete
8	Buildings adjacent can be constructed after structural rehabilitation of heritage buildings
9	Rehabilitation of Turntable and plaza areas can be constructed after adjacent buildings are developed
10	DA-4, DA-5 DA-6 can proceed once contaminated soil is removed, and amenity sequencing condtions are met







LEGEND Proposed New Trees Within Site Boundary	
●	NEW TREES : 297
●	NEW TREES - LARGE: 97
●	NEW BOULEVARD TREES: 22
●	EXISTING TREES TO BE REMOVED: 43
●	EXISTING TREES TO REMAIN: 46
<p>PROPOSED NEW TREES ON SITE: 394 Based on Option 1 Existing Rail</p>	

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12.0 SPECIAL CONDITIONS

12.1 DA-9 Interface

The design parameters for DA-9 have been revised based on discussions with Heritage Planning and our team of Architects related to achieving a suitable interface for new development to the heritage buildings, and the reinstatement of the Boiler House as part of the collection of heritage buildings to be retained.

Key objectives of this revision are primarily to address the following:

- Define preferred interface outcomes between a new building and heritage buildings,
- Improve the visual exposure and experience of the heritage building facades from public vantage points along Esquimalt Rd and Sitkum Rd,
- Reinststate the Boiler House, and
- Accommodate provision for public amenity space at this gateway to Bayview.

These objectives are captured in a set of guiding principles and guidelines that are included in the Design Guidelines. There are effectively two potential development outcomes for this site that offer options for how best to integrate a new building in this setting:

1. A standalone building separated from the heritage buildings, sited tight to the intersection of Esquimalt Rd and Sitkum Rd, that achieves a public amenity space between the heritage and new building, or
2. A new building integrated structurally and architecturally with the heritage building(s), that achieves a public amenity space at the intersection of Esquimalt Rd and Sitkum Rd.

There are several notable examples of development successfully integrating with heritage buildings utilizing both approaches. A range of solutions are possible, with a concept plan to be confirmed as part of a Development Permit process. To provide an indication of the types of outcomes that may be possible, the following images show these two general outcomes from several benchmark projects.

Given the triangular shape of site DA-9, tower spacing to DA-2a, and anticipated need for parking for the development, the interface objectives will need to be balanced with achieving a suitable building envelope, massing, materiality, and public realm outcomes. To this end, DA-9 may be consolidated with DA-1, an alternative parcel created, or easements needed, to achieve a preferred outcome. All of these options will be available to the developer at time of Development Permit.

At the Development Permit stage, the Architects will be able to establish an architecture, materiality, parking and servicing, and outdoor public realm that best accommodates these objectives. This is a gateway to the Roundhouse precinct, and to this end this new building should serve as an iconic landmark building, particularly for the approach from the east to the site.

Examples of Integrated Buildings

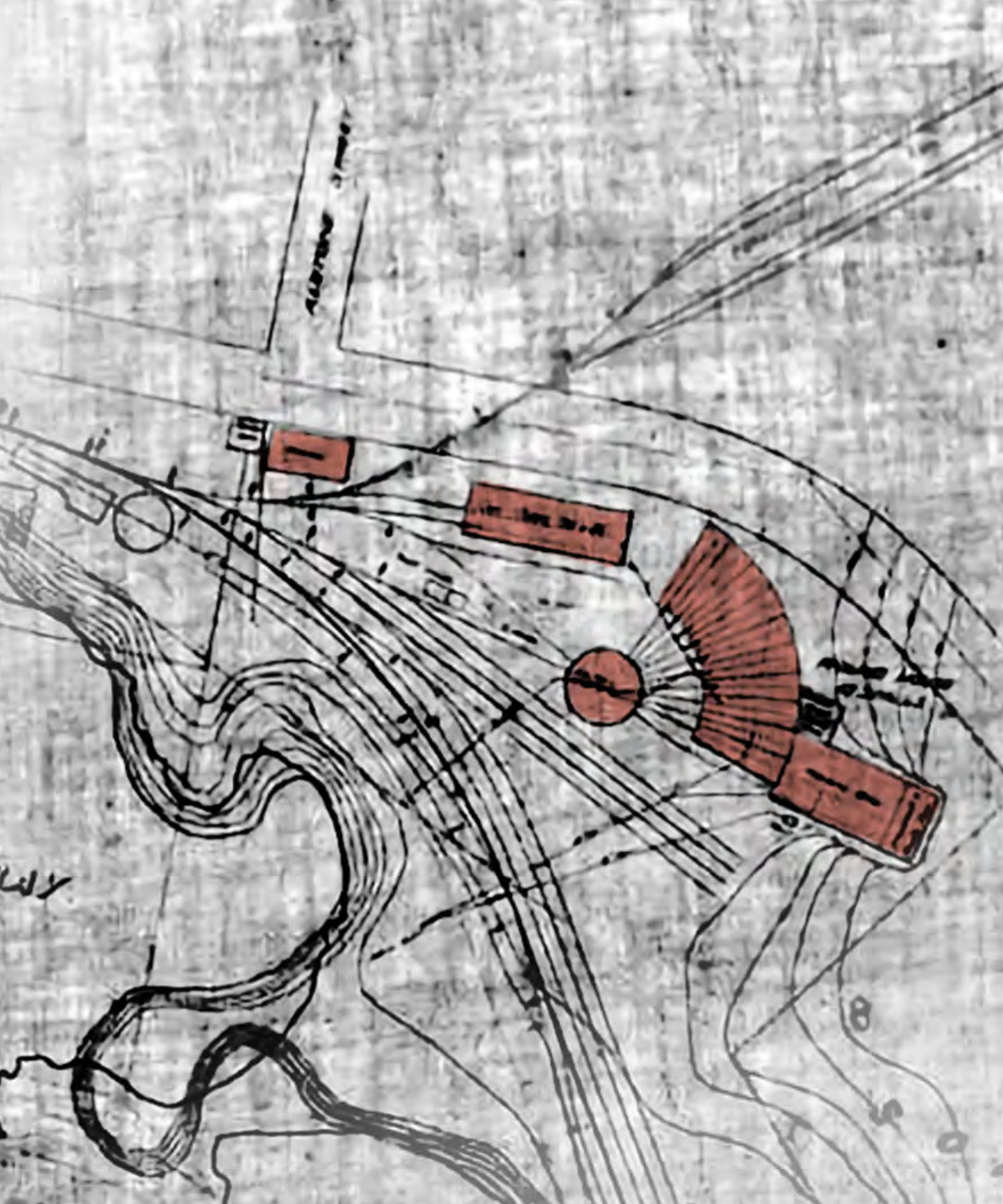


DA-9 - Conceptual Perspective Views

Examples of Separated Buildings







A

Roundhouse at Bayview Rezoning

File No: REZ00729

Final Submission

September 12, 2023

Appendix A: Conservation Strategy

A.1 Introduction	A-3
A.2 Site Description and Context	A-4
A.3 Project Background.....	A-7
A.4 Site History.....	A-9
A.5 Proposed Master Plan	A-12
A.6 Conservation Strategy	A-14
A.7 Conservation Design Guidelines.....	A-24
A.8 Conclusion & Next Steps.....	A-29
A.9 Bibliography.....	A-30
Ap1: Statement of Significance (City)	A-32
Ap2: Statement of Significance (CRHP).....	A-34

Prepared by:
ERA Architects Inc.
#600-625 Church St
Toronto ON, M4Y 2G1
416-963-4497

Front cover photograph:
Roundhouse site plan. CP Rail

A.1 Introduction

ERA Architects Inc. ('ERA') has been retained by Focus Equities (the "Owner") as the heritage consultant for the proposed redevelopment of the property known as the Esquimalt and Nanaimo Railway Roundhouse National Historic Site (the "Site"), along Esquimalt Road in Victoria West. This report presents a Conservation Strategy in the form of a set of guidelines that will shape the response to the on-site historic resources. This report is to be read as part of the Master Plan and Rezoning Application.

The development of a Master Plan for the Site has been, and will continue to be, an iterative process that is shaped by feedback received from the City of Victoria and the community. The current application updates the Master Plan that was approved by the City of Victoria in 2008 (revised in 2015). This report builds on and updates the established conservation approaches put forth in previous studies, and is developed using a framework that includes the Site's municipal Statement of Significance, and the Standards and Guidelines for the Conservation of Historic Places in Canada. The guidelines will have application at the Development Permit stage and have been developed in consultation with the City of Victoria.

The contents of this document are not exclusive nor exhaustive. Additional provisions are intended to help guide the design proposals to ensure compatibility with the existing historic resources, while allowing for creativity and flexibility in the design process.



Roundhouse, Back Shop, and Turntable at Bayview Place Site, 2020 (Focus Equities)

A.2 Site Description and Context

The Site is a approximately 10 acre property, located between Esquimalt Road (north), Sitkum Road (east), Kimta Road (south), and Catherine Street (west). It is situated in the Victoria West neighbourhood of Victoria, BC.

The Site is comprised of three properties:

- 251-259 Esquimalt Rd / 45 Sitkum Rd;
- 210 Kimta Rd; and
- 355 Catherine St.

The Site is currently occupied by a defunct railyard, which is comprised of seven buildings, a turntable, and the remnant Esquimalt & Nanaimo rail line.

The Site's context is characterized by:

- The Victoria West skatepark and lawn bowling club, bordered by low-scale residential development to the north;
- A higher-density contemporary tower neighbourhood to the east;
- Two midrise towers and Lime Bay / Victoria Harbour to the south; and
- House-form buildings and low-scale commercial buildings to the west.

The Site is located less than 1 kilometre from downtown Victoria, to the east across the Johnson Street Bridge.



The Site Today

Photo: Google, annotated by ERA (2021)



Roundhouse, view from east, with Backshop and Boiler House
Photo: City of Victoria (2003)

Building Context

The Site is currently occupied by seven structures, all brick-masonry buildings located on the property at 251-259 Esquimalt Rd unless otherwise noted. The numbered buildings and structures are protected by municipal heritage designation:

- 1 The Roundhouse;
- 2 3 The Back Shop and Boiler House, attached to the Roundhouse (the Back Shop is identified in some documents as the Machine Shop);
- 4 The Car Shop;
- 5 The Stores Building;
- 6 The Roundhouse Turntable, a steel industrial artefact embedded in the ground just west of the Roundhouse.
 - A long, metal-frame warehouse building at 355 Catherine St (not identified as having heritage value);
 - A metal-frame warehouse building at 210 Kimta Rd (not identified as having heritage value).



Car shop, view from west
(Focus Equities)



Stores building, view from east
(Focus Equities)



Turntable, looking north,
Roundhouse at rear
(Focus Equities)

Heritage Status

The Site was formally recognized as a National Historic Site in 1992, and designated as a heritage resource by the City of Victoria in 2004.

The City of Victoria's Statement of Significance establishes the Site's heritage value and character-defining elements as it is expected to be conserved according to the City of Victoria's heritage designation. It is included in Section 6 (and Appendix 1) of this report.

The National Historic Site Statement of Significance is included in Appendix 2, provided for information purposes only, as the National Historic Site recognition conveys no legal protection.

The Site was subject to a Heritage Revitalization Agreement ("HRA") with the City of Victoria in 2015, pursuant to Section 966 of the Local Government Act. The HRA obligated the owners to conserve the heritage structures and undertake work in accordance with the Heritage Conservation Plan prepared by Jonathan Yardley (2012-2015), with reference to Commonwealth's Heritage Conservation Report (2007). The stabilization works were completed and the 2015 HRA has since lapsed.

Despite the lapse of the agreement, there is an ongoing commitment by the owner to ensure the stabilization of the buildings.

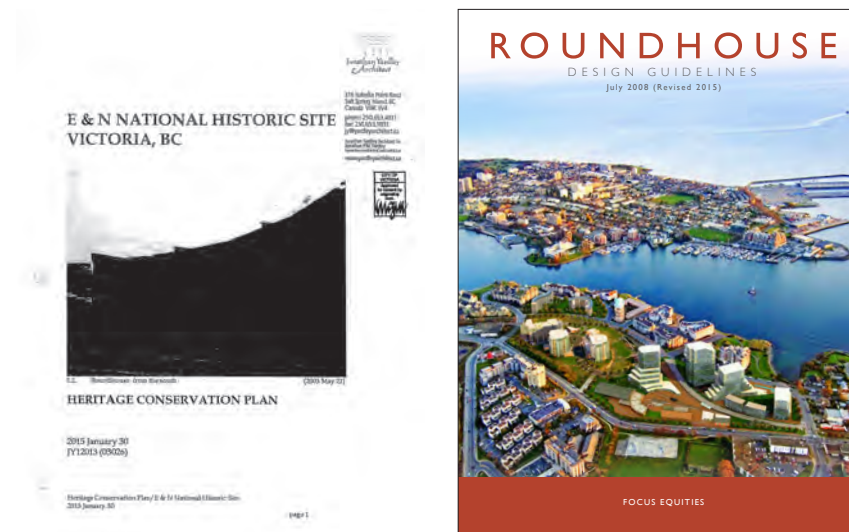
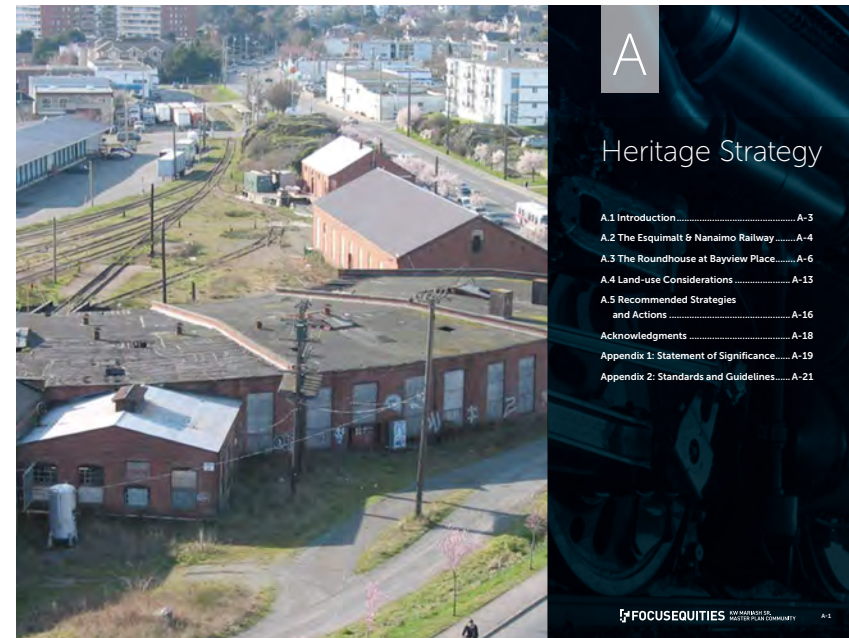
A.3 Project Background

The proposal for this Site comprises the evolution of a development concept and conservation strategy in progress since the late 2000s.

This report builds on a series of earlier heritage reports commissioned by Focus Equities and its predecessor company, Roundhouse Properties Limited Partnership. These include:

- Focus Equities, Roundhouse at Bayview Place: Vision 2020, October 2019; includes Appendix A: Heritage Strategy by Harold Kalman;
- Jonathan Yardley Architect, “E&N National Historic Site, Victoria, BC: Heritage Conservation Plan”, April 2012, revised January 2015;
- DIALOG, PFS Studio, Landeca Planning, “Roundhouse Design Guidelines”, July 2008, revised 2015;
- AldrichPears Associates, numerous studies identifying opportunities for interpretation, 2008-2018;
- Commonwealth Historic Resource Management Limited, “E&N Roundhouse Site, Victoria: Heritage Conservation Report”, 2 vols., February 2007;
- Planning / feasibility studies by TownSquare Planning, ZGF Architects, Coriolis Consulting Corp, and Economic Planning Group; and
- “Roundhouse Celebrating Our Heritage”, 2008.

This document updates and replaces ERA’s Conservation Strategy documents issued in May 2021, June 2022, and September 2022.



Previous Reports and Submissions

Current submission builds upon the existing studies and guidelines



Aerial Photo of Roundhouse at Bayview Place Site

A.4 Site History

This site history was prepared from a non-Indigenous perspective, based on written and archaeological records. It does not reflect or represent the full rich history of Indigenous peoples in this region.

The site is located within the traditional territory of the Lekwungen People, ancestors of the people who became known as the Songhees and Esquimalt First Nations. The Lekwungen People hunted and gathered here for thousands of years before European exploration, carefully managing the land through controlled burning and food cultivation.

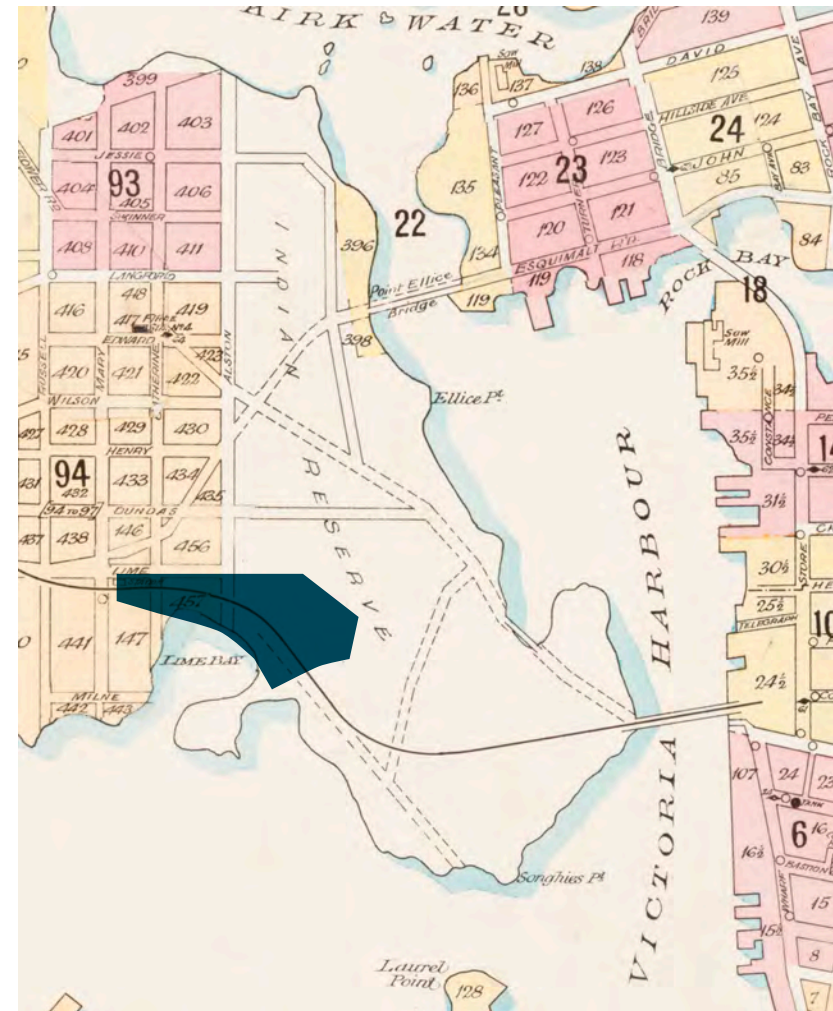
The Site is located in the vicinity of an historic Songhees village, established when the community was encouraged by the Hudson’s Bay Company to relocate from the HBC Fort Victoria area circa 1844. The Site and area were established as reserve lands in the 1850s.

The Songhees village was located immediately east of the Site. Archaeological investigations of this area have yielded some 6,000 artefacts associated with both the Songhees community and Haida and Tsimshian traders from the north. The Songhees village did not extend to the Site itself, and no pre-1846 artefacts have been documented west of Sitkum Road, other than from one collection site southwest of the Site in Lime Bay Park.

The Songhees community remained just east of the Site until 1911, when community members were relocated by the Canadian government to the present New Songhees Reserve. The Crown then sold the former reserve lands to the Canadian Pacific Railway (“CPR”).

By 1911, the CPR had taken ownership of a rail corridor passing through the Site. It had been established as the Esquimalt & Nanaimo Rail (“E & N”) corridor in 1884-86, following the incorporation of the E & N Railway in 1883.

The E & N Railway was established to support burgeoning coal and lumber industries, and the Royal Navy Base at Esquimalt Harbour. Upon completion, the rail line extended 115 kilometres from Esquimalt to Nanaimo. The line was extended in 1888 through the Songhees Reserve to Victoria, crossing the harbour at today’s Johnson Street Bridge.



1903 Fire Insurance Plan showing Songhees “Indian Reserve”, with the railway running through its south end, and the approximate future location of the railyard Site indicated in blue. (University of Victoria, annotated by ERA)

The rail station in Esquimalt was located on Esquimalt Road between Catherine and Mary Streets, immediately west of the Site. In 1905, the E & N Railway was sold to the CPR, and became a CPR subsidiary. The relocation of the Songhees Reserve and subsequent sale of the Site allowed the CPR to establish a railyard adjacent to the rail corridor.

The roundhouse complex (including the Roundhouse, Back Shop and Boiler House, Turntable, Car Shop and Stores Building) was designed in 1912 by engineer R. A. Bainbridge, and completed in 1913 by builders E. R. Doe & Brothers. The Site historically featured a 50,000 gallon oil tank and sand pit, both since removed.

The railyard and roundhouse complex served as the primary terminal and servicing facility for the steam locomotives and rolling stock for the E & N Railway:

- The Roundhouse was designed with 10 stalls, with drop pits under each to remove wheels and other fittings from locomotives undergoing repair;
- The Back Shop was equipped with heavy machinery for all necessary repair work to the locomotives and rolling stock;
- The Car Shop was used to house and repair the rolling stock;
- The Stores Building was used for storage of materials essential for railway repair work;
- The Turntable was used to distribute locomotives and rolling stock into the Roundhouse stalls and other buildings on Site.

The facility serviced steam locomotives until 1949, followed by diesel trains. In 1979, VIA Rail began to operate passenger service on Vancouver Island, using the CPR-owned rail corridor and roundhouse complex. The facility serviced VIA Rail stock until the discontinuation of service in 2011 (E&N Division CRHA).



Top: 1928 Aerial photo of the Roundhouse and surrounding area (City of Victoria)

Bottom: 1925 north-facing photo of the Roundhouse, Turntable and Car Shop at left (BC Archives).

Roundhouse Conservation Precedents

Trends in Adaptive Reuse

Roundhouses have been adapted for a number of uses that range from cultural and community centres, to museums, offices, retailers, restaurants, and event venues. Many roundhouses have been decommissioned as contemporary railway technology advances.

Trends in the adaptive reuse of roundhouses typically offer some form of public use and community value. Whether this is through education, by providing opportunities to engage with the history of the site, or by remaining open for public programming and events, these sites often end up operating as multi-use spaces.

Park, Restaurants & Museum

John Street Roundhouse (Canadian Pacific), Toronto, ON
National Historic Site of Canada



Source: Architectural Conservancy Ontario

Cultural Arts & Community

Canadian Pacific Railway Roundhouse, Vancouver, BC
Listed, The Canadian Register of Historic Places



Source: Canada's Historic Places

Office & Community

London Roundhouse, London, ON
Listed, City of London Register of Cultural Heritage Resources



Source: Nicholson Sheffield Architects Inc.

Museum

Georgia State Railroad Museum, Central of Georgia Railroad Shops and Terminal, Savannah, GA
National Historic Landmark, USA



Source: Library of Congress, 2017

Restaurant & Events

Aurora Roundhouse, Two Brothers Brewing, Aurora, IL
Listed, National Register of Historic Places, USA



Source: Google Maps, 2021

A.5 Proposed Master Plan

Description of the Proposed Master Plan

The proposed Master Plan, detailed in the Rezoning Resubmission Summary, contemplates the adaptation of the underutilized railyard site as a new, mixed-use neighbourhood.

The proposal involves the construction of 10 new buildings, ranging in height up to 29 storeys. The buildings are proposed to integrate a mix of retail and residential uses, including rental and affordable housing. They are proposed to be connected with publicly-accessible open space, and amenities.

The historic railyard, as a legible collection of built features, is proposed to be conserved at the heart of the Site, and adapted with contemporary, compatible uses to meet new community needs.

The Master Plan segments the development with the following Character Districts:

- **E&N Railway District:** the neighbourhood's centerpiece, designed to embrace the site's history of rail while creating a cultural asset within Victoria West;
- **Roundhouse Green District:** Green spaces, retail, and cultural uses, with a signature building that welcomes visitors and anchors the corner of the overall site;
- **Rail Parkway District:** a district for new mixed-use development and new public spaces at the site's west and south end;
- **Lime Bay District:** a district for cultural and artistic activities and connection to Lime Bay Park; and
- **Roundhouse Mews:** a link between the existing Bayview Phase 1 and Songhees Hillside Park to Turntable Plaza.

To actualize the site animation goals, the existing E&N line is proposed to be moved south of its current location, running between the Rail Parkway and Lime Bay District. It is a key element of the Site's rehabilitation strategy that involves an interpreted historic rail corridor through the Site as a linear park, or rail trail, that accommodates pedestrian and bike paths, and a potential rail-based transit route.

Two other pedestrian corridors are introduced in the proposal: Lime Bay Mews, which connects the Site with the waterfront at Lime Bay, and Roundhouse Mews, which follows the original diversion off the rail corridor into the historic railyard.

The Master Plan is accompanied by an updated set of Roundhouse Design Guidelines, which are complemented and supported by the heritage-specific Conservation Design Guidelines included in Section A.7 of this report.

2023 Master Plan Update

The Master Plan presented in this document was originally prepared and submitted as part of a May 2021 rezoning submission. The Plan was revised and resubmitted in September 2022 in response to comments from the community, the City of Victoria, and the Heritage Advisory Panel. Revisions included removal of additions to the Car Shop, removing elevation of the Back Shop, reducing building heights across the Site, and improving sight lines to the Roundhouse from Esquimalt Road by shifting a revised Building DA-9 to the east. The 2023 Master Plan update presented in this document further refines the proposal, notably by reducing the height of building DA-9 from 23 floors to 10 floors, reducing density across the Site, and increasing the yield of affordable and rental housing.



Proposed Master Plan for the Site (Stantec)

A.6 Conservation Strategy

Conservation Approach

This proposal contemplates the adaptive reuse of a significant historic resource, the collection of built and landscape features that comprises the Esquimalt & Nanaimo Railyard.

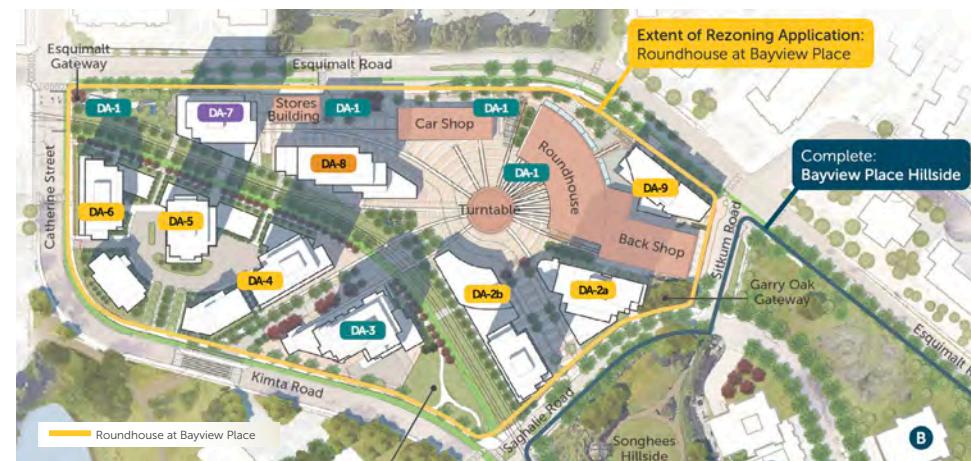
The proposal includes a substantial amount of density that is intended to activate the historic site as a new urban place, and finance the restoration and rehabilitation of the Site's historic buildings. The density is proposed to be strategically located to the east and west edges of the Site, allowing the historic collection of buildings to sit prominently at the Site's heart.

The primary conservation treatment for the proposed master plan is Rehabilitation: in this case, the action or process of making possible a compatible contemporary use of an historic place, while protecting its heritage value.

The 2023 conservation strategy builds on, and updates, the established conservation approaches put forth in previous studies, including the 2008 Roundhouse Design Guidelines, revised 2015 (DIALOG, PFS Studio, Landeca Planning), the 2012 Heritage Conservation Plan, revised 2015 (Jonathan Yardley Architect), and the 2020 Heritage Strategy (Harold Kalman).

Central to the update are a set of Conservation Design Guidelines which are meant to complement the updated Roundhouse Design Guidelines that accompanies this rezoning application. The updated set of Conservation Design Guidelines conceptualizes the Site as a set of areas, each with distinct and specific conservation and urban-design objectives; these are explored in Section A.7 of this report.

This approach is based in a conservation framework that includes the City of Victoria's 2004 Statement of Significance for the Site, and the Standards and Guidelines for the Conservation of Historic Places in Canada. These framework elements are explored in the following pages.



Roundhouse at Bayview Place Master Plan (Stantec)

Conceptual Sketch of the proposed integration of the historic elements and new development

The rehabilitated historic rail yard is positioned as the heart of the site, adapted to contemporary and compatible uses (image: ZGF).



Conservation Framework

The following guiding documents informed the development of the 2021 Conservation Design Guidelines in Section A.7.

Statement of Significance, 2004 (City of Victoria)

The Statement of Significance describes the heritage site, provides a statement of Heritage Value, and identifies a set of Character-Defining Elements that are expected to be conserved.

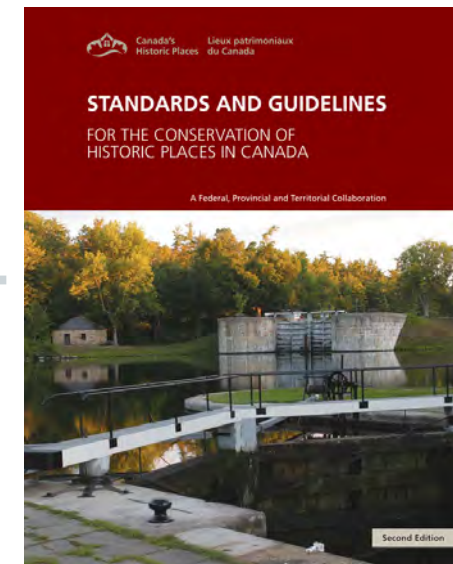
Standards and Guidelines for the Conservation of Historic Places in Canada, 2010 (Parks Canada)

The *Standards and Guidelines for the Conservation of Historic Places in Canada* ("Standards and Guidelines") is Canada's benchmark document on heritage conservation practice. It offers guidance for best-practice decision making when planning for, intervening on, and using historic places.

The *Standards and Guidelines* works in conjunction with the City of Victoria's Statement of Significance: the Statement of Significance establishes what is of value, and the *Standards and Guidelines* describes how to treat elements of value.



Statement of Significance



Standards and Guidelines
for the Conservation of Historic Places in Canada

Statement of Significance, 2004 (City of Victoria)

Description of Historic Place

The Esquimalt and Nanaimo Roundhouse is comprised of a collection of brick and wood industrial buildings, and a locomotive turntable, on Esquimalt Road in Victoria West.

Heritage Value

The Esquimalt and Nanaimo (E&N) railway Roundhouse is valued as one of the finest, and most intact examples of industrial heritage railway architecture in British Columbia. Constructed in 1912, this rare integrated assemblage of buildings and functional features provide valuable insight into the primary roles of industry and the railway in the burgeoning period of economic prosperity before the First World War. The E&N – originally built and operated by the wealthy Dunsmuir family – was a local extension of the transcontinental railway, which had unified Canada’s western provinces and promoted confederation of the country. As the maintenance centre for the E&N Railway line – which significantly influenced local industrial and commercial growth – this Roundhouse site played an integral role in the facilitation of twentieth century development and economic prosperity on Vancouver Island.

The physical value of this place resides in the understated detailing and the utilitarian forms of the brick and wood purpose-built architecture, and the relationship between the buildings and mechanical facilities such as the locomotive turntable, and nearby rail lines.

Character-Defining Elements

The character-defining elements of the E&N Roundhouse include:

- The situation of the buildings on the site, and the relationship of buildings such as the roundhouse, the machine shop, the car shops, and the stores building, with the locomotive turntable, and the nearby railway lines;
- The utilitarian industrial, purpose-built forms of the buildings, such as the semi-circular shape of the roundhouse, and the gable roofed shape of the stores building;
- The brick and wood elements of the buildings, such as masonry walls, timber framing, and wooden doors, and the patina of industrial use evident on these elements;
- The simple Romanesque architectural detailing such as rounded windows and doors, exterior pilasters, and understated cornices;
- The fenestration detailing, such as treble-sash twelve-over-twelve windows, arranged in ranks to allow maximum amounts of natural light to permeate internal spaces.

Standards and Guidelines for the Conservation of Historic Places in Canada, 2010 (Parks Canada)

The Standards and Guidelines is intended to provide guidance to those working with historic places in Canada. It outlines a conservation decision-making process, which moves from understanding the historic place, to planning for the historic place, to intervening in the historic place.

The current project sits within the planning phase of the process: the site has already been understood and documented through municipal and federal Statements of Significance, and the project will move into the intervening stage when construction begins.

The Standards and Guidelines notes that the planning stage is the time to:

- Determine the Primary Conservation Treatment;
- Review the Standards; and
- Follow the Guidelines.

The Primary Conservation Treatment is selected from three options:

- **Preservation:** the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting its heritage value;
- **Restoration:** the action or process of accurately revealing, recovering or representing the state of an historic place, or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value;
- **Rehabilitation:** the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value.

Most projects involve aspects of more than one conservation treatment, but a project will generally fall under one primary treatment. In cases where historic resources are being adapted for reuse within a contemporary development, rehabilitation is generally considered to be the primary conservation treatment.

There are nine Standards provided for general conservation projects, with three additional standards that are specific to rehabilitation projects:

1. *Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.*
2. *Conserve changes to an historic place that, over time, have become character-defining elements in their own right.*
3. *Conserve heritage value by adopting an approach calling for minimal intervention.*
4. *Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.*
5. *Find a use for an historic place that requires minimal or no change to its character-defining elements.*
6. *Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.*
7. *Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.*
8. *Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.*
9. *Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.*
10. *Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.*
11. *Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.*
12. *Create any new additions or related new construction so that the essential form and integrity of the historic place will not be impaired if the new work is removed in the future.*

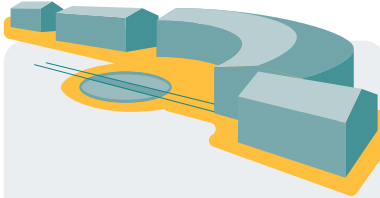
Conservation: All actions or processes that are aimed at safeguarding the character-defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve “Preservation”, “Rehabilitation”, “Restoration”, or a combination of these actions or processes. (Standards and Guidelines for the Conservation of Historic Places in Canada)

While the Standards provide the broader philosophical basis for conservation, the Guidelines provide more specific guidance for the conservation of different types of features that may be identified as character-defining elements.

The Conservation Design Guidelines in Section A.7 of this report were developed with particular attention to the *Standards and Guidelines* sections on Spatial Organization of Cultural Heritage Landscapes (4.1.4), Circulation on Cultural Heritage Landscapes (4.1.6), Built Features of Cultural Heritage Landscapes (4.1.11), and the Functional Arrangement of Engineering Works (4.4.2).

Site Conservation Goal

Four key site-wide goals have been identified as the baseline of the conservation strategy.




Conserve the historic railyard site as a legible collection of built features.



Create a vibrant urban community by rehabilitating the underutilized site and its buildings.



Respond thoughtfully and sensitively to the historic resources in the design and location of new construction.



Interpret the historic rail network throughout the corridors and public spaces on site.

These goals acknowledge that historic resource conservation is achieved through not only building preservation and restoration, but also through:

Activation, so that they continue to be relevant in today's urban places, and there is reason for the public to engage with them;

Compatible and sensitive new construction that allows the resources to remain prominent; and

Interpretation of lost resources and/or intangible values, so that the updated site can be read and understood as part of a greater story.

The principles are reflected, to varying degrees, in the proposed guidelines for each of the four distinct Areas in the following pages.

Conservation Intent By Area

A

Area A: Turntable Plaza

To leverage the Roundhouse Turntable, an intact industrial artefact, as the character-defining centerpiece for a key public space.

B

Area B: E&N Roundhouse

To conserve the site's built heritage character, rehabilitating and activating the heritage resources, and using new construction primarily to highlight and support the heritage resources.

C

Area C: Back Shop


To support the E&N Roundhouse Area with an appropriate visual backdrop and an urban street edge that showcases the historic fabric to passersby, and welcomes them in.

D

Area D: Rail Parkway & Roundhouse Mews

To activate the site with urban development, while responding to the organizing principle of the rail network and transitioning compatibly toward the E&N Roundhouse Area

Legend

 Roundhouse at Bayview Place Site

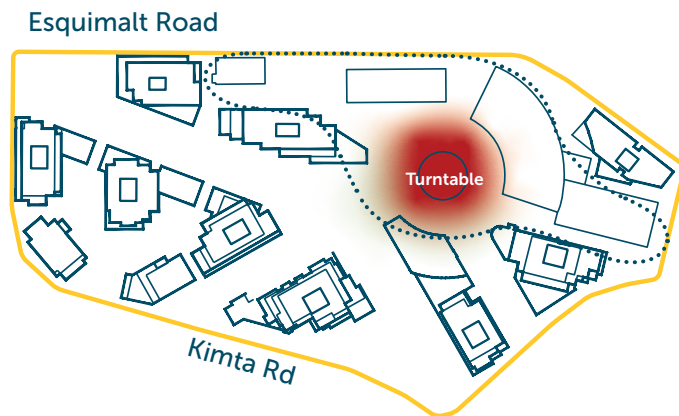


A.7 Conservation Design Guidelines

Area A: Turntable Plaza

Intent:

To leverage the Roundhouse Turntable, an intact industrial artefact, as the character-defining centrepiece for a key public space.



 E&N Railway District Master Plan Character Area

Guidelines

- A1 Conserve the Turntable as a functional artefact.
- A2 Adapt the precinct around the Turntable as an open public space to conserve the legibility of its relationship to the surrounding historic buildings.
- A3 Design and select materials for public amenities (e.g. site elements) to complement or reference the historic industrial features of the railyard.
- A4 Consider opportunities to locate new infrastructure or servicing below grade to conserve the views and open spaces within Turntable Plaza.
- A5 Reinstall or interpret tracks leading out from the Turntable to conserve the Turntable's relationship to the historic collection of buildings; distinguish creatively between tracks that have been reinstated vs. interpreted to avoid a false sense of historical development.
- A6 Reinstated or interpreted tracks leading out from the Plaza should evoke the historic spatial flow of the railyard.
- A7 Use new buildings to complete the framing of Turntable Plaza as a central public space.

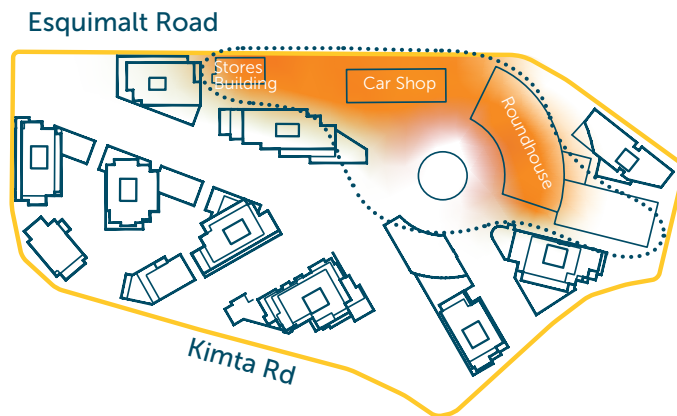
Area B: E&N Roundhouse

Intent:

To conserve the site's built heritage character, rehabilitating and activating the heritage resources, and using new construction primarily to highlight and support the heritage resources.

Guidelines

- B1 Rehabilitate and adapt the Roundhouse, Car Shop and Stores Building for compatible new uses, restoring their character-defining elements and activating them with contemporary programs.
- B2 Program new buildings with active Plaza-fronting uses at grade.
- B3 Maintain spaces between the historic buildings to ensure that they are visible together and legible as component parts of an historic collection.
- B4 Any additions to historic buildings, including new openings, should be designed to be subordinate and legible as interventions, minimal and reversible where possible, conserving the essential form and integrity of the original building.
- B5 Reinststate or interpret the rail tracks at their interface with the historic buildings to conserve the relationship between the tracks and buildings; distinguish creatively between tracks that have been reinstated vs. interpreted to avoid a false sense of historical development.

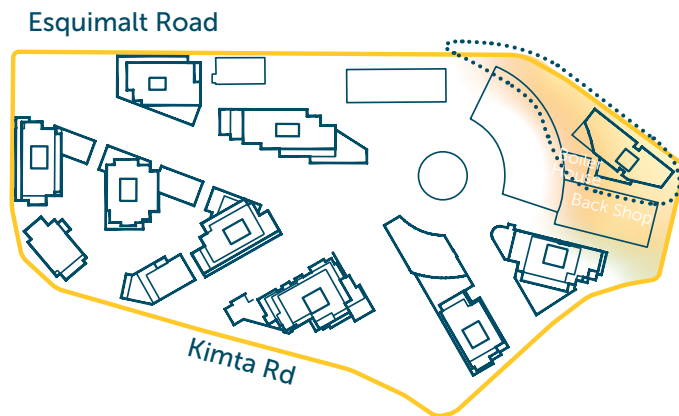


 E&N Railway District Master Plan Character Area

Area C: Back Shop

Intent:

To support the Heritage Roundhouse Complex with an appropriate visual backdrop and an urban street edge that showcases the historic fabric to passersby, and welcomes them in.



 E&N Railway District and Roundhouse Green District
Master Plan Character Area

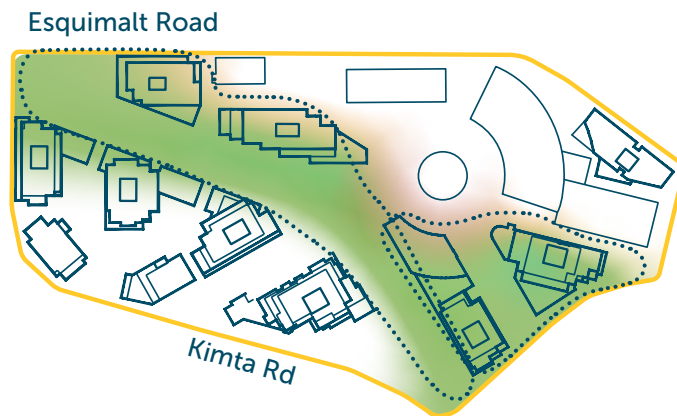
Guidelines

- C1 Rehabilitate and adapt the Backshop for compatible new uses, restoring its character-defining elements and activating it with contemporary programs.
- C2 Treat the Backshop as a component part of the Heritage Roundhouse Complex; conserve its relationship to the Roundhouse and Turntable, so that visitors can understand its historic function in relation to the complex.
- C3 Ensure that the site's heritage fabric is as visible as possible along Esquimalt.
- C4 Leverage the space outside the heart of the Heritage Roundhouse Complex for higher-density new construction to support the site's conservation.
- C5 Activate the street frontages along Esquimalt and Sitkum with building and site entrances, and active programming at grade.
- C6 Establish pedestrian public access points off Esquimalt or Sitkum into the Heritage Roundhouse Complex.
- C7 Any interface between the Backshop and new construction should conserve the Backshop's essential form and integrity. New building connections should be legible as interventions, and designed to be minimal and reversible where possible.
- C8 New buildings should be designed in the architectural vernacular of their time, but with references to simple industrial building forms, colour palettes or materials to complement, support and distinguish from the Backshop and Heritage Roundhouse Complex.

Area D: Rail Parkway & Roundhouse Mews

Intent:

To activate the site with urban development, while responding to the organizing principle of the rail network and transitioning compatibly toward the Heritage Roundhouse Complex.



 Rail Parkway District and Roundhouse Mews District
Master Plan Character Area

Guidelines

- D1 Use the spaces along Esquimalt and the historic tracks and rail yard for higher-density new construction to support the site's conservation; direct density to the precinct's centre, as a backdrop to the Heritage Roundhouse Complex.
- D2 New buildings should respond to the historic spatial organization of buildings positioned along the historic track routes parallel to Esquimalt Rd; reference the pattern set by the Car Shop and Stores Building.
- D3 New buildings should express a transition in scale down towards the Heritage Roundhouse Complex along Esquimalt Rd.
- D4 Design Turntable Plaza-fronting buildings to have special regard for the low scale of the historic collection of buildings and complete the framing of Turntable Plaza as a central public space.
- D5 Turntable Plaza-fronting buildings, and those approaching the Heritage Roundhouse Complex to a lesser degree, should be designed with references to simple industrial building forms, colour palettes or materials to complement and support the historic collection of buildings, but in the architectural vernacular of their time.
- D6 Create a corridor to interpret the historic spatial organization and flow of the rail corridor through the site: the Urban Greenway.
- D7 Ensure that the relocation of the rail corridor is legible through interpretive media in the new community to integrate and activate the Heritage Roundhouse Complex (e.g. ground inlays, maps, etc).
- D8 Create a corridor to follow the historic route of the spur line from the railyard towards the Stores Building. Orient the route to capitalize on views to the Stores Building and Car Shop at the Historic Roundhouse Complex.
- D9 Reinstall or interpret tracks along the Stores Building spur line to conserve their relationship with the historic collection of buildings; distinguish creatively between tracks that have been reinstated vs. interpreted to avoid a false sense of historical development.
- D10 Identify storytelling opportunities along the spur line and the Urban Greenway regarding rail heritage and intangible values. Use diverse interpretive media ranging from referential materials to public art to more traditional installations.



Applying the Guidelines

The proposed Master Plan applies the Conservation Design Guidelines to bring about a sensitive and integrated approach to existing historic resources (Image: ZGF).

A.8 Conclusion & Next Steps

The Conservation Strategy and Conservation Design Guidelines strive to inform and “guide” the development team, the City of Victoria, and the general public in ensuring a qualitative approach is taken to realize a sensitive redevelopment of the Site. The Master Plan in the Development Vision document is a demonstration of a design approach that applies these guideline in its development.

Recommended Actions:

- An update to the Heritage Conservation Plan produced by Jonathan Yardley Architect in April 2012 (revised January 2015) to reflect the current condition of the historic resources, and the revised master plan proposal.

A.9 Bibliography

Canada's Historic Place. "Standards and Guidelines for the Conservation of Historic Places in Canada." 2010

City of Victoria. Statement of Significance - Esquimalt and Nanaimo Roundhouse. 2004

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A.10 Appendices

Appendix 1: Statement of Significance & Municipal Bylaw

Statement of Significance, 2004 (City of Victoria)

Description of Historic Place

The Esquimalt and Nanaimo Roundhouse is comprised of a collection of brick and wood industrial buildings, and a locomotive turntable, on Esquimalt Road in Victoria West.

Heritage Value

The Esquimalt and Nanaimo (E&N) railway Roundhouse is valued as one of the finest, and most intact examples of industrial heritage railway architecture in British Columbia. Constructed in 1912, this rare integrated assemblage of buildings and functional features provide valuable insight into the primary roles of industry and the railway in the burgeoning period of economic prosperity before the First World War. The E&N – originally built and operated by the wealthy Dunsmuir family – was a local extension of the transcontinental railway, which had unified Canada's western provinces and promoted confederation of the country. As the maintenance centre for the E&N Railway line – which significantly influenced local industrial and commercial growth – this Roundhouse site played an integral role in the facilitation of twentieth century development and economic prosperity on Vancouver Island.

The physical value of this place resides in the understated detailing and the utilitarian forms of the brick and wood purpose-built architecture, and the relationship between the buildings and mechanical facilities such as the locomotive turntable, and nearby rail lines.

Character-Defining Elements

The character-defining elements of the E&N Roundhouse include:

- The situation of the buildings on the site, and the relationship of buildings such as the roundhouse, the machine shop, the car shops, and the stores building, with the locomotive turntable, and the nearby railway lines;
- The utilitarian industrial, purpose-built forms of the buildings, such as the semi-circular shape of the roundhouse, and the gable roofed shape of the stores building;
- The brick and wood elements of the buildings, such as masonry walls, timber framing, and wooden doors, and the patina of industrial use evident on these elements;
- The simple Romanesque architectural detailing such as rounded windows and doors, exterior pilasters, and understated cornices;
- The fenestration detailing, such as treble-sash twelve-over-twelve windows, arranged in ranks to allow maximum amounts of natural light to permeate internal spaces.

Municipal Bylaw No. 04-15, 2004 (City of Victoria)

NO. 04-15

A BYLAW OF THE CITY OF VICTORIA

to designate the railway roundhouse, turntable and two associated buildings (car shed and stores building) at 251-253 Esquimalt Road as a protected heritage property.

Under its statutory powers, including section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "HERITAGE DESIGNATION (RAILWAY ROUNDHOUSE) BYLAW (NO. 508)".
2. The railway roundhouse, turntable and two buildings (car shed and stores building) located at 251-253 Esquimalt Road, legally described as Lot 1, District Lot 119, Esquimalt District, Plan 3237 except part in Plans 5424, 1461R and 43176 and shown hatched on the attached map, are designated to be protected heritage property.

READ A FIRST TIME the	12 TH	day of	FEBRUARY	2004.
READ A SECOND TIME the	12 TH	day of	FEBRUARY	2004.
Public hearing held on the	11 TH	day of	MARCH	2004.
READ A THIRD TIME the	11 TH	day of	MARCH	2004.
ADOPTED on the	11 TH	day of	MARCH	2004.

"ROBERT G. WOODLAND"
CORPORATE ADMINISTRATOR

"ALAN LOWE"
MAYOR

Appendix 2: Statement of Significance

(from the listing on Canada's Historic Places, the Canadian Register of Historic Places)

- https://www.pc.gc.ca/apps/dfhd/page_nhs_eng.aspx?id=97

Esquimalt and Nanaimo Railway Roundhouse National Historic Site of Canada

Description of Historic Place

Designed in 1912 and completed in October 1913, the Esquimalt and Nanaimo Railway Roundhouse is located in Victoria, British Columbia. The site is comprised of three sections: the locomotive roundhouse and two attached structures that housed various shop facilities for the servicing of steam locomotives. The roundhouse building was built to a segmental- arced plan and features a curved front and rear wall constructed of solid red brick. It contains ten stalls that face onto an operational turntable with an 85-foot diameter. The machine shop is a rectangular brick building that abuts the rear southeast corner of the roundhouse. The roundhouse complex is surrounded by associated site features, notably the turntable, sidings and tracks, and two freestanding brick buildings which are components of the industrial complex and are contemporary to the roundhouse. The official recognition refers to the area enclosing the 10-stall roundhouse building with attached machine shop, both on their footprints, and the detached turntable in its circular pit. This area also includes approach tracks. The space between the main building and the turntable is also part of the designated place.

Heritage Value

- The Esquimalt and Nanaimo Railway roundhouse was designated a national historic site of Canada in 1992 because it survives virtually untouched since its construction in 1912. Surrounded by various well-preserved related shops and railway outbuildings, it is a particularly fine example of an industrial structure associated with the steam

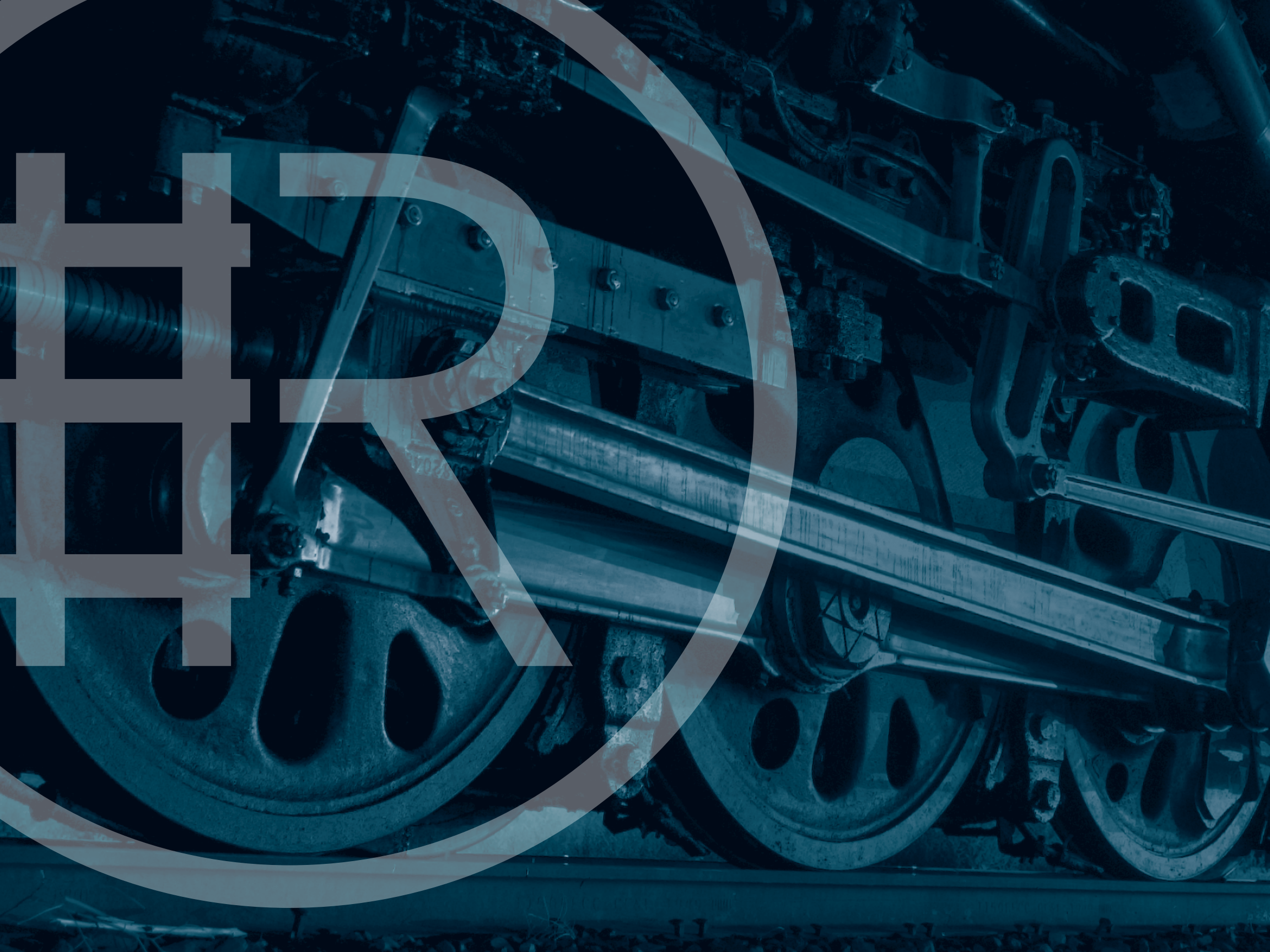
railway era in Canada.

- The Esquimalt and Nanaimo roundhouse is located on the site of the original 1886 railway terminus for Victoria. This industrial complex was built by the Canadian Pacific Railway to serve as the primary servicing facility for the steam locomotives and rolling stock of the Esquimalt and Nanaimo Railway. The facility served this purpose until 1949 when steam locomotives were replaced by diesels on the island. After that date the roundhouse served as a service facility for the E & N's diesels, and currently services the passenger dayliners used by the railway. Remarkably, the roundhouse and contemporary shops have survived with minimal alterations since the time of their construction.
- The roundhouse complex, consisting of the roundhouse itself, the attached machine shed, the roundtable and the approach tracks, conveys a clear sense of its functional purpose in its structure and organizational layout. The roundhouse itself curves around the turntable and features ten large openings creating ten work bays for the repair of the locomotives. The large windows at the rear of the building provided natural light into each of the 10 work bays. The machine shop is attached to the rear of the roundhouse and cars could be moved into the building through the roundhouse or by a separate track leading off the turntable. The machine shop is divided internally into two sections by a brick partition wall. The rear area was built to house a blacksmith shop and boiler shop.
- A distinct sense of place is conveyed by the uniformity of materials, fenestration, building configuration, and by presence of the turntable that links the entire complex of buildings into an efficient industrial plant. The Esquimalt and Nanaimo roundhouse complex is the most intact facility associated with the servicing of steam locomotives in western Canada.
- Source: The Historic Sites and Monuments Board of Canada, Minute, February 1992.

Character-Defining Elements

The key elements relating to the heritage value of this site include:

- The site in the Songhees area of Victoria West, across the Inner Harbour from downtown Victoria;
- The historical relationship between the roundhouse facility and Victoria as embodied in the track corridor linking the site to the downtown terminus via the Johnson Street bridge;
- The site in its defined boundaries and its continuous association with the Esquimalt and Nanaimo Railway from the railway's inception in 1886 to the present day;
- The form, massing and exterior design features of the roundhouse including the segmental floor plan, spatial organization in relation to the turntable, solid brick construction, large windows and door placements and surrounds;
- The large open bays of the roundhouse with their the original wooden doors and associated hardware and surround details;
- Interior structural elements of the roundhouse including the roof truss system, timber supports, and original wall surfaces;
- Roof details and mechanical elements including smoke jacks, ventilators and skylights;
- The form massing and exterior design features of the machine shop including the rectangular plan divided into two areas separated by a brick wall, large segmental windows, round- headed locomotive entrance, engaged brick piers, and gabled roof;
- Railway tracks within the buildings, on the turntable and leading up to the building;
- Vestiges of industrial equipment including the floor pits and aprons, the steel turntable, concrete-walled turntable pit, and associated tracks and machinery.





Roundhouse at Bayview Rezoning

File No: REZ00729

Final Submission

September 12, 2023

Appendix C: Policy Analysis

C.1 Regional Growth Strategy	C-3
C.2 Official Community Plan	C-4
C.3 Victoria West Neighbourhood Plan	C-7
C.4 Current Zoning: Roundhouse District	C-9
C.5 Roundhouse Design Guidelines	C-10
C.6 Master Development Agreement	C-12
C.7 Affordable Housing & Amenities	C-12
C.8 Policy Analysis Conclusion	C-13

The following policy framework, guided by the Capital Regional District's (CRD) Regional Growth Strategy, the City of Victoria's Official Community Plan (OCP) and the Victoria West Neighbourhood Plan, informs the Roundhouse at Bayview Place Master Plan. The foundational statutory and non-statutory frameworks form strong policy direction and intent for redevelopment of the Plan Area. All existing plans and strategies identify the Plan Area as a node for growth and an opportunity to address key policy goals. This policy analysis has been informed by the following plans and strategies.

Statutory Plans & Regulations:

- Regional Growth Strategy – Capital Region District (January 2018)
- City of Victoria, Official Community Plan (July 2012, updated April 17, 2019)
- City of Victoria Zoning Regulation Bylaw (No. 80-159)
- Roundhouse Design Guidelines (Revised 2015)
- Roundhouse Master Development Agreement (2008, amended in 2014 & 2018)

Non-Statutory Plans & Regulations:

- City of Victoria 2019-2022 Strategic Plan
- Inclusionary Housing and Community Amenity Policy (2019)
- Victoria Housing Strategy (2018-2025)
- Victoria Sustainability Framework (2017)
- Climate Leadership Plan (2019)
- Open Spaces Master Plan (2017)
- Urban Forest Master Plan
- Go Victoria Draft Mobility Strategy (2020)
- Pedestrian Master Plan (2013)
- Bicycle Master Plan (2015)
- Bicycle Parking Strategy (2011)

C.1 Regional Growth Strategy

Capital Region District (January 2018)

The CRD Regional Growth Strategy provides common objectives to guide growth and change in the Capital Region District. This Strategy characterizes the subject site as part of the Metropolitan Core of Victoria, which is within the Urban Containment Policy Area. The following policies support the proposed Roundhouse at Bayview Place master plan:

1. Keep Urban Settlement Compact

- Reduce the demand for land in the region by accommodating 95% of the region's new dwelling units in the Urban Containment Policy Area and Metropolitan Core
- Focus increasingly on dense housing types such as townhomes and apartments

2. Create Safe and Complete Communities

- Feature a dense mix of uses within the Metropolitan Core
- Promote affordable housing options
- Preserve cultural heritage sites

3. Improve Multi-Modal Connectivity and Mobility

- Within the Metropolitan Core provide access to places of work, schools, shopping, recreation, parks and green space within walking distance
- Integrate access to pathways and transit into the site design

The project site is located within the Urban Containment Policy Area in the Regional Growth Strategy and characterized as part of the Metropolitan Core. These designations are defined as follows:

Urban Containment Policy Area: Includes residential, general employment, commercial and industrial lands, as well as other associated land uses. The Urban Containment Policy Area is intended to accommodate 95% of the region's new dwelling units. Within the Urban Containment Policy Area, planned growth and major new transportation infrastructure investments will be encouraged to align with the settlement concept shown on Map 3(b). Municipalities will determine the precise land use, intensification, density, servicing and connectivity requirements through local planning and regulatory processes.

Metropolitan Core: Scale and intensity of development supports the area's use as a regional employment, business and cultural destination and recognizes its role as a regional, multi-modal commuter destination. Surrounding areas feature a dense mix of residential, employment and cultural uses.

The Strategy also requires a minimum jobs-to-population ratio of 0.60 in the Core Area.

C.2 Official Community Plan (OCP)

City of Victoria (July 2012, updated February 2020)

Over the next 20-25 years, Victoria is expected to grow by 20,000 people. The OCP envisions that approximately 50% of these new residents will be accommodated in the city's core (including the Songhees area of Victoria West), 40% within a 5-minute walk of large urban villages, and approximately 10% in the remainder of the city. In 2016, Victoria West boasted a population of 7,500 residents, a figure that is expected to grow to 11,500 by 2041. This translates to approximately 9% of Victoria's population within 8% of Victoria's land base.

To accommodate growth, the OCP favours "compact development", an approach that encourages higher densities in the Urban Core, large urban villages, and town centres. This strategy is intended to reduce building footprints, limit sprawl, and increase transit options while facilitating walkable, mixed-use communities. The project site, located within the Victoria West neighbourhood, is designated by the OCP as both Employment Lands and Core Songhees, a sub-designation of the Urban Core.

The OCP recognizes the limitations of existing zoning, stating "the Zoned Land Capacity analysis prepared for this Plan indicates there is sufficient capacity in 2011 to just match this demand". The OCP also states that the "forecast growth of approximately 20,000 additional residents by 2040 is expected to reach Victoria's capacity available under existing zoning for new ground-oriented residential and exceed that for apartments, running the risk that housing will become increasingly more expensive as available capacity is depleted". No additional capacity analysis or projections are available beyond 2040. From a visual aerial survey, there are few identified vacant/underutilized lands in the city (outside of the master plan areas in Core Songhees) that would accommodate additional growth. This is similarly true for the Urban Core as a whole.

Urban Core: Section 6.1.10 - The Urban Core contains the highest density and greatest mix of uses in Victoria, including:

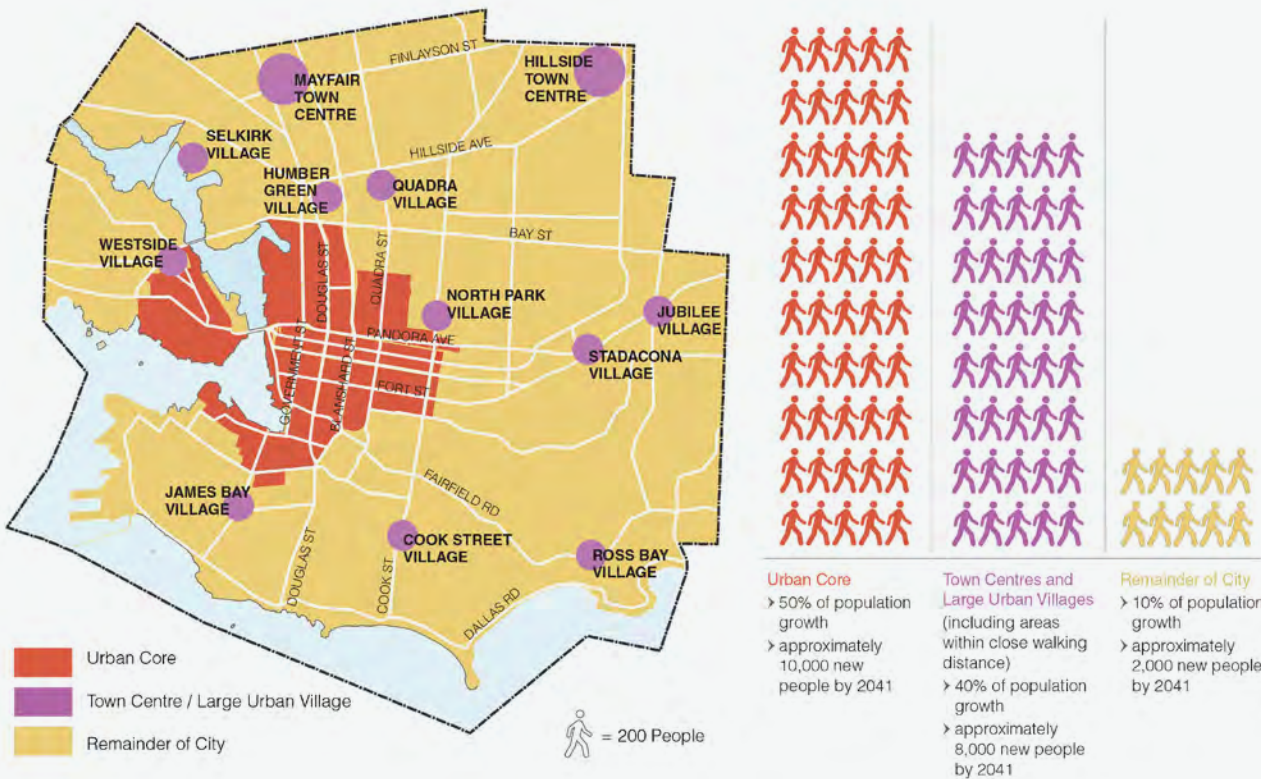
- Civic and institutional facilities of regional and provincial importance
- Primary retail, entertainment, office and other commercial uses
- High-rise multi-unit residential apartment and office buildings
- Visitor accommodation and services
- Intensive employment, marine-oriented industrial and transportation uses

Walking, cycling, and public transit are preferred travel modes within the Urban Core, which is served by rapid and frequent transit, local circulating transit, and inter-regional rail, air, marine and bus transport. Its public realm is well-defined with wide sidewalks, public squares and open spaces, regularly spaced tree planting, and buildings set close to the street frontage.

OFFICIAL COMMUNITY PLAN
CORE SONGHEES DESIGNATION

Designation	Core Songhees
Built Form	<ul style="list-style-type: none"> • Multi-unit residential, commercial and mixed-use buildings from 3 to 6 storeys • Buildings up to approximately 22 storeys in select locations • Commercial, light industrial and institutional buildings oriented to the street
Place Character Features	<ul style="list-style-type: none"> • Buildings set close to the street to define the public realm along retail streets, with landscaped setbacks in more residential areas and ground-oriented commercial in mixed-use areas. Wide sidewalks, regularly spaced tree planting. • Concentration of building height near the centre of the Songhees Peninsula along Esquimalt Road • Off-street parking structured underground or at the rear
Uses	<ul style="list-style-type: none"> • Diverse housing types and sizes, including low, mid, and high-rise multi-unit residential and mixed-use • Commercial, including office, retail and visitor accommodation • Institutional • Light industrial and complementary uses • Home occupations
Density	<ul style="list-style-type: none"> • Total floor space ratios ranging up to approximately 2.5:1

OFFICIAL COMMUNITY PLAN
30-YEAR GROWTH MANAGEMENT CONCEPT



The OCP defines the project site as Development Permit Area 13 (DPA13): Core Songhees, for the purpose of:

- a) Revitalization of an area in which a commercial use is permitted
- b) Establishment of objectives for the form and character of commercial, industrial and multi-family residential development

Additionally, the OCP applies the following site-specific regulations:

- Section 2(b)(5): Subdivision of lands within the Roundhouse site, noted and circumscribed by dotted lines in Map 64 (see OCP), provided the subdivision is in accordance with the Development Area (DA) boundaries noted in the Roundhouse Design Guidelines (2008)
- Section 3(c): (c) The E&N Roundhouse is a National Historic Site for its heritage value as one of the most intact and high quality examples of historic railway facilities in Canada. This industrial landscape has a rare grouping of buildings and structures including but not limited to, the roundhouse, a machine shop, car repair shops and a locomotive turntable. Revitalization of this former heavy industrial site for a variety of commercial uses, as well as residential use, merits special consideration given the close proximity to rail operations, and the guidance required for new development to respond to its historic context.

C.3 Victoria West Neighbourhood Plan

City of Victoria (May 2019)

The Victoria West Neighbourhood Plan identifies the project site as Core Songhees and a Master Planned Area. The Master Planned Area identifies the following features for the Roundhouse site:

Designation	Core Songhees
Uses	<ul style="list-style-type: none"> Varied commercial, residential, and limited light industrial
Density	<ul style="list-style-type: none"> Up to 2.5 floor space ratio or as identified in a Master Development Agreement.***
Building Types	<ul style="list-style-type: none"> Commercial, residential or mixed-use buildings of varying heights Buildings set close to the street to define the public realm along retail streets, with landscaped setbacks in more residential areas. Upper floors above the streetwall generally set back Parking located in structures or underground

The Roundhouse Historic Railway Precinct is intended to create a mixed-use community centred on Turntable Plaza inclusive of an open public space surrounded by heritage railroad buildings that feature retail, restaurant, arts and commercial uses. The neighbourhood is expected to be a destination for the surrounding community and visitors.

VICTORIA WEST NEIGHBOURHOOD PLAN

FUTURE LAND USE



The precinct envisions the following additional features:

- Enhanced connectivity to surrounding areas achieved through completion of the E&N Rail Trail, pedestrian crossings, and connections to Victoria West Park
- Establishment of Lime Bay Mews, an important walking route and view corridor, framed with small retail and workspaces that connects the waterfront and Turntable Plaza
- Housing in townhouses and taller multi-unit buildings that step away from the waterfront and surround a network of semi-private courtyards and open spaces
- Enhancements to adjacent Lime Bay Park, Sitkum Park and the Garry oak-camas meadow natural area southeast of Esquimalt Road and Kimta Road
- A community space or equivalent cash amenity contribution to the City of Victoria to provide improvements elsewhere in the neighbourhood
- Stormwater management features
- A potential passenger rail station, provided E&N rail service resumes; however, the primary station location for Victoria West is at the west end of the Johnson Street Bridge

C.4 Affordable Housing & Community Amenities

Affordable housing is a key policy area addressed by a number of Victoria's plans and strategies due to the city's housing crisis. Increasing residential densities in market strata developments have exacerbated the need for affordable housing while putting increased pressure on community amenities. The City's Inclusionary Housing and Community Amenity Policy seeks to address this tension by requiring the supply of new affordable housing as part of new multi-unit or mixed-use strata residential developments. As per this policy, affordable housing is defined as on-site secured rental or ownership units that meet the City's housing affordability targets.

Additional relevant policies and targets that guide housing development include:

- Section 13, Housing and Homelessness, Official Community Plan, City of Victoria
- Victoria Sustainability Framework
- Strategic Objective Three: Affordable Housing, 2019-2022 Strategic Plan
- Victoria Housing Strategy 2016-2025 (Phase One and Phase Two)
- Inclusionary Housing and Community Amenity Policy

Roundhouse at Bayview Place will address the City's desire for affordable housing using the following methods, subject to input and refinement by City staff, BC Housing, and community engagement:

- Level 'B' Bonus Density requirements and policies may apply to Roundhouse at Bayview Place due to the requested increase in residential density above OCP base density.
- Conduct an economic analysis to determine the amount of cash-in-lieu contributions and the number of Inclusionary Housing Unit Ownership the project can support.
- Amenity contributions secured by a Master Development Agreement.
- Where the amenity is a monetary contribution, the amenity contribution may be divided proportionately between different phases of development.

The City of Victoria requires Roundhouse at Bayview Place offer a diverse range of housing options, including market and non-market rental and strata housing alongside additional public amenities, retail, employment and hospitality space. The goal is to provide housing that reflects the target audience across all ages, incomes and abilities.

C.5 Current Zoning

Part 12.12 – CD-12 Zone, Roundhouse District

The site is located at 251, 253, 259 Esquimalt Road, and Catherine Street. City of Victoria Zoning Regulation Bylaw (No. 80-159) designates the Plan Area as CD-12 Zone: Roundhouse District. This zone is divided into 5 development areas, as shown on the map below:

EXISTING ZONING LIMITATIONS

OVERALL:

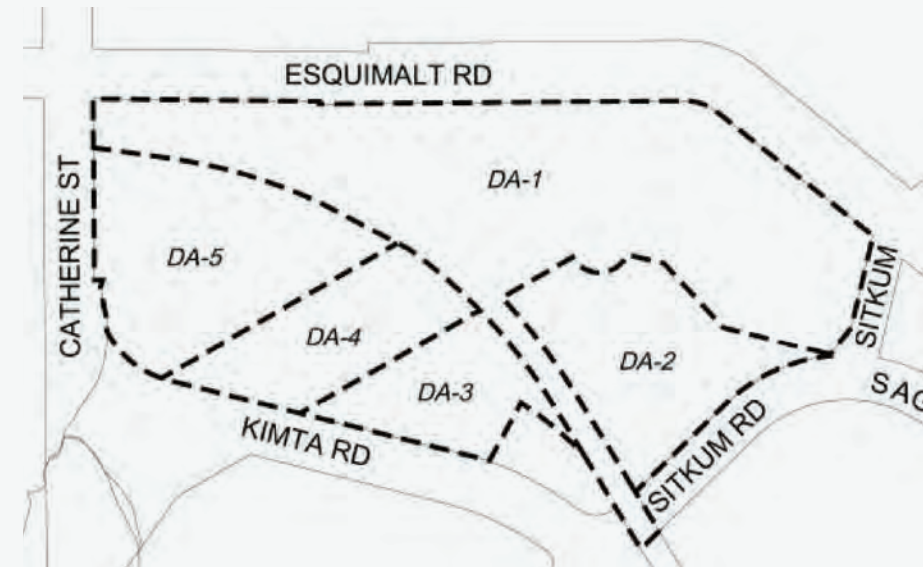
Maximum non-residential uses: 9,180 m²

Maximum Floor Space Ratio: 2.0:1

	Maximum Floor Area (m ² /SF)	Maximum Height (m)
DA-1	5,000/53,820 (commercial)	19m
DA-2	14,500/156,077 (condo, hotel) 2,200/23,681 (other uses)	76m
DA-3	19,000/204,514 (residential) 8000/8,611 (non-residential)	88m
DA-4	15,000/161,459 (residential) 1,180/12,701 (non-residential)	66m
DA-5	17,000/182,986 (residential)	52m

ROUNDHOUSE DISTRICT

CURRENT ZONING



The City of Victoria strives to accommodate growth through the creation of sustainable and compact village hubs where shops, facilities and jobs are close to where people live. This strategy and the City's overall land use goals no longer align with the current Roundhouse zoning and policy provisions. The prescriptive nature of the current zoning:

- Limits density and permissible floor area needed to help offset the extreme cost of creating a vibrant public realm with integrated historic resources
- Reduces housing opportunities by limiting residential floor area
- Constrains innovative site planning and urban design
- Generally, limits building heights
- Restricts development that could be complementary to historically designated buildings (i.e., restricts residential uses in DA-1)

The 2008 zoning limitations can no longer meet Victoria's goal of accommodating 10,000 people within the Urban Core by 2041. These limitations prevent the City of Victoria from capitalizing on strategic investments and contradicts the regional and city-wide goals that encourage compact and sustainable growth.

C.6 Roundhouse Design Guidelines (Revised 2015)

The Roundhouse Design Guidelines, created in July 2008 and last updated in 2015, prescribe the form of development and design quality to be achieved through redevelopment of the project site. The overall vision for the area is a community that caters to local residents and visitors through provision of a variety of uses and activities including retail, restaurant, arts and crafts, railway interpretation, railway maintenance, office, hotel, residential and recreation. The guidelines were developed based on the Development Concept Plan, revised in 2015.

While the proposed new site design still aligns with the overall vision for Roundhouse at Bayview Place, the detailed Development Concept Plan has changed. Most of areas in the document will need to be updated to reflect the proposed new site design including policies and maps.

C.7 Roundhouse Master Development Agreement

The Roundhouse Master Development Agreement (MDA) was adopted in 2008 in conjunction with the original rezoning to provide a framework within which Roundhouse at Bayview Place would deliver key public amenities over the project's phased development.

The current application proposes rezoning the property to realize a more complete and diverse mix of uses that will intensify and activate retail amenities and public spaces, and provide additional community amenities in the form of additional housing and a redesigned public realm. A new Master Development Agreement will be drafted to capture the development amenities to be provided by the project and could include the following topics:

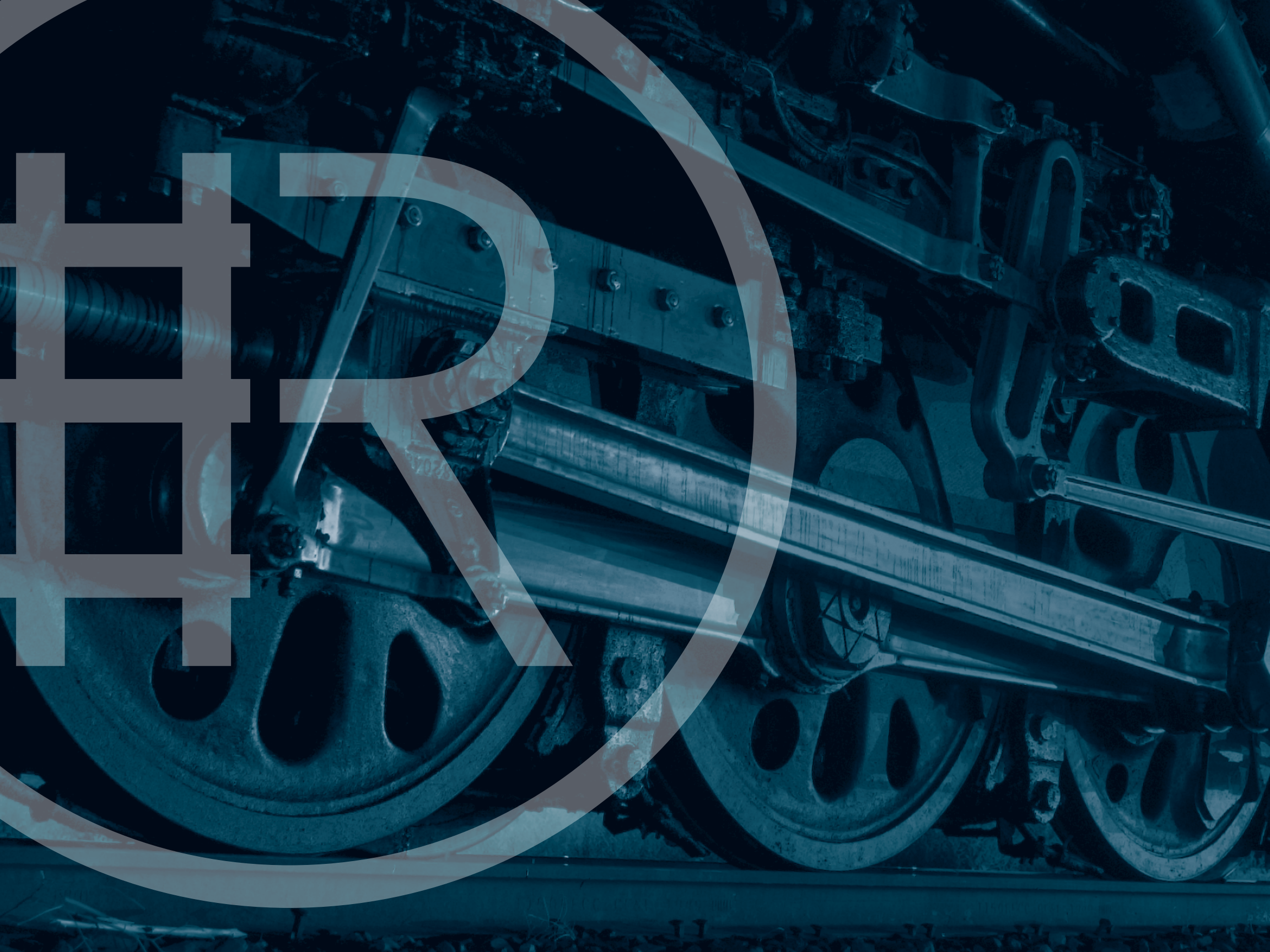
- Provision of Rental and Affordable Housing
- Provision of Adaptable Residential Units
- Rehabilitation of the Heritage Designated Buildings & Structures
- Development of the E&N Rail Trail Multi-Purpose Pathway
- Development of On-site Public Realm Improvements
- Development of Off-site Park and Streetscape Improvements
- Provision of Transportation Demand Management (TDM) Strategies
- Confirmation of Rail Crossing Agreements
- Confirmation of Development Phasing Strategy
- Confirmation of Noise Attenuation/Mitigation Measures
- Provision of Site Servicing

C.8 Policy Analysis Conclusion

Roundhouse at Bayview Place aligns with the City of Victoria's aspirational vision and city-building goals and will target specific policy gaps identified by this analysis. Victoria is a growing city, with pressing housing affordability and sustainability challenges. Roundhouse at Bayview Place provides an opportunity to address this situation through thoughtful, focused urban densification within its strategic Urban Core location - a place where growth is targeted.

This project will build on the example set by Bayview Place while remaining committed to the principles and values that guided the 2008 concept plan. The new plan represents a better implementation of those principles and values, one that can succeed considering new needs and challenges: it's an implementable plan based on the City's aspirational goals, policies, plans and Council's overarching vision and commitment to sustainability.

Given Victoria's lack of vacant sites, high land prices and the cost of converting existing buildings, it remains unclear how the City plans to accommodate anticipated population growth, especially if zoning for all master plan areas remains at a 2.5:1 Floor Space Ratio (FSR). As noted in the Victoria Housing Strategy: Phase Two and the City's Inclusionary Housing and Community Amenity Policy, housing supply for both affordable and market units continues to fall short of demand. With current vacancy rates, growth patterns, and housing costs within Victoria West, additional allocation of density to master plan projects may be necessary to accommodate future residents.





D

Roundhouse at Bayview Rezoning

File No: REZ00729

Final Submission

September 9, 2022

Appendix D: Environmental

Attachments:

- Roundhouse at Bayview Place - Approval in Principle and Rezoning Application, January 26, 2021
- Approval in Principle and Rezoning Application, July 24, 2008

SLR Consulting (Canada) Ltd.
303-3960 Quadra Street, Victoria, BC V8X 4A3



January 26, 2021

Mr. Kenneth Mariash
Focus Equities Limited Partnership
80 Saghallie Road
Victoria, BC V9A 6Z6

SLR Project No.: 205.03677.00000

Dear Mr. Mariash,

**RE: Roundhouse at Bayview Place – Approval in Principle and Rezoning Application
251, 253 and 259 Esquimalt Road and 355 Catherine Street, Victoria, BC**

Existing Approval in Principle

An Approval in Principle (AIP) dated July 24, 2008 was issued by the Ministry of Environment (ENV) for the above listed site (BC Site 4640). An AIP indicates that ENV will issue a Certificate of Compliance (CoC) for the site if the Remediation Plan is followed and the site is confirmed to meet applicable standards after remediation. The approved AIP was based on the Remediation Plan and Human Health and Ecological Risk Assessment (HHERA) prepared by Morrow Environmental Consultants Inc. (Morrow) in 2007.

Rezoning Application

The January 2021 Rezoning Application to the City of Victoria for the portion of the site north of the E&N right-of-way is consistent with the overall plan and objectives of the Morrow Remediation Plan, HHERA and approved AIP. SLR does not foresee any issues regarding the conditions listed in the AIP based on the January 2021 Rezoning Application.

Yours sincerely,
SLR Consulting (Canada) Ltd.

Aaron Haegele, B.Sc., P.Chem, P.Ag.
Senior Scientist
250-361-7913
ahaegele@slrconsulting.com

Sam Reimer, M.Sc., P.Ag., CSAP
Technical Director, Risk Assessment
250-361-5050
sreimer@slrconsulting.com

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16



REGISTERED MAIL

July 24, 2008

Regional File: 26250-20/4640
Victoria File: 26250-20/4640
SITE ID: 4640

Kenneth Marish
Focus Holdings (Victoria) Inc.
80 Saghalie Rd.
Victoria, BC V9A 0A1

Dear Kenneth Marish:

**Re: Approval in Principle – 251, 253 and 259 Esquimalt Road and
355 Catherine Street, Victoria, British Columbia**

Please find enclosed a revised Approval in Principle for the lands referenced above. This Approval in Principle replaces the Approval issued on May 12, 2008 based on new information provided to the Ministry of Environment regarding the site's legal description. In addition to the conditions provided in the Approval in Principle please be advised of the following:

1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. This Approval does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the Approval holder. It is also the responsibility of the Approval holder to ensure that all activities conducted under this Approval are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force.
3. All necessary permits, approvals and other authorizations shall be obtained from appropriate regulatory agencies prior to commencing remediation.
4. All site materials (e.g. excavated soil, replaced soil, groundwater from dewatering, pumping, well development etc.) shall be characterized and managed in accordance with applicable legislation and ministry guidelines.

Ministry of Environment	Local Remediation Environmental Management Environmental Protection Division	Mailing Address: PO Box 9342 Sta Prov Govt Victoria BC V8W 9M1	Telephone: 250 387-8120 Facsimile: 250 387-9935 Website: www.gov.bc.ca/env
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APPROVAL IN PRINCIPLE
(Pursuant to Section 53 of the *Environmental Management Act*)

THIS IS TO CERTIFY that the remediation plan described herein submitted by Focus Holdings (Victoria) Ltd. for the lands identified below has been approved.

External Review of PSI, DSI, Remediation Plan and Risk Assessment reports: 251, 253, 259 Esquimalt Road and 355 Catherine St, Victoria, BC. Site No. 4640, SLR Consulting (Canada) Ltd., April 15, 2008;

E-mail: *Site 4640 – Songhees, SNC-Lavalin Morrow Environmental, April 14, 2008;*

E-mail: *Site 4640 – Songhees, SNC-Lavalin Morrow Environmental, April 11, 2008;*

E-mail: *Songhees Risk Assessment, Ross Wilson (SNC-Lavalin Morrow Environmental), April 3, 2008;*

E-mail: *Site 4640 – Songhees, Victoria, Ross Wilson (SNC-Lavalin Morrow Environmental), March 13, 2008;*

Summary of Site Condition for Site ID: 4640, SNC-Lavalin Morrow Environmental, March 11, 2008;

Letter: *Human Health and Ecological Risk Assessment, SNC-Lavalin Morrow Environmental, January 17, 2008;*

Human Health and Ecological Risk Assessment, Songhees Yard, 251/253/259 Esquimalt Road, 355 Catherine Street, Victoria, BC, SNC-Lavalin-Morrow Environmental, January 29, 2007;

Remediation Plan, Songhees Yard Site Re-Development, 251, 253 and 259 Esquimalt Road, 355 Catherine Street, Victoria, BC, SNC-Morrow Environmental, January 29, 2007; and Detailed Site Investigation, CP Rail Songhees Yard Site Re-Development, 251, 253 and 259 Esquimalt Road, 355 Catherine Street, Victoria, BC (Vol. 1-5), SNC-Morrow Environmental, January 29, 2007; and

July 23 2008
Date Amended

Glenn Harris
For Director, Environmental Management Act

May 12, 2008
Date Issued

Original Signed by
Glenn Harris
For Director, Environmental Management Act

SITE Identification Number 4640

1 of 8

Detailed Site Investigation, CP Rail Songhees Yard Site Re-Development, 251, 253 and 259 Esquimalt Road, 355 Catherine Street, Victoria, BC (Vol. 1-5), SNC-Morrow Environmental, January 29, 2007.

This Approval in Principle is qualified by the conditions specified in Schedule "B" which is attached to and is a part of this Approval.

The lands covered by this Approval are located at 251, 253 and 259 Esquimalt Road and 355 Catherine Street, Victoria, British Columbia, which are more particularly known and described as:

PID: 010-218-769 All that part of Section 31, Esquimalt District, Described as Commencing on the East Boundary of Said Section, at the High Water Mark of the Public Harbour of Victoria, 125 feet more or less, in a Southerly Direction from the South East Corner of Lot 52-A, Plan 549, Thence Northerly Along the East Boundary of Section 31 to the Said South East Corner of Lot 52A, Thence Westerly along the Southerly Boundaries of Said LOT 52A, Thence Westerly along the Southerly Boundaries of Said LOT 52A and LOT 52, PLAN 549, 86 feet more or less, to High Water Mark, Thence in a Southerly Easterly Direction Following Said High Water Mark to the Point of Commencement,

as depicted in an engineering drawing prepared by SNC-Lavalin Morrow Environmental on May 26, 2006 and included in the report: *Remediation Plan, Songhees Yard Site Re-Development, 251, 253 and 259 Esquimalt Road, 355 Catherine Street, Victoria, BC, January 29, 2007.*

PIDs: 002-948-451 (Lot 1, D.L. 119); 026-685-507 (Lot 2); 008-944-121 (Lot 52); 008-944-164 (Lot 52A); 008-944-181 (Lot 53); 008-944-229 Lot 54); 008-944-253 (Lot 55); 008-944-318 (Lot 56); 008-944-342 (Lot 56A); 008-944-351 (Lot 57); 008-944-369 (Lot 58); 008-944-377 (Lot 59); 026-416-751 (Lot 1, Part of Bed of Victoria Harbour).

Approximate centre of the lands *

Latitude: 48° 25' 46.20" * Using the NAD (North American Datum)
 Longitude: 123° 23' 1.20" 1983 convention

A site plan is attached as Schedule "A" to this Approval.

This Approval in Principle is based upon the most recent information provided to the ministry with respect to the specified lands. I, however, make no representation or warranty as to the accuracy or completeness of this information.

July 23/08
 Date Augaled

May 12, 2008
 Date Issued


 For Director, Environmental Management Act
 Glenn Harris
 Environmental Management Act

Original Signed by
 Glenn Harris
 For Director, Environmental Management Act

SITE Identification Number 4640

2 of 8

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This Approval in Principle should not be construed as an assurance that there are no hazards present on the site described above.

If a Certificate of Compliance is to be required for the site based on the confirmation of remediation report required by this Approval in Principle, the confirmation of remediation report must demonstrate compliance with current remediation standards and criteria, which may differ from those in force at the time of issuance of this Approval in Principle.

July 23, 2008
Date Amended

May 12, 2008
Date Issued

SITE Identification Number 4640



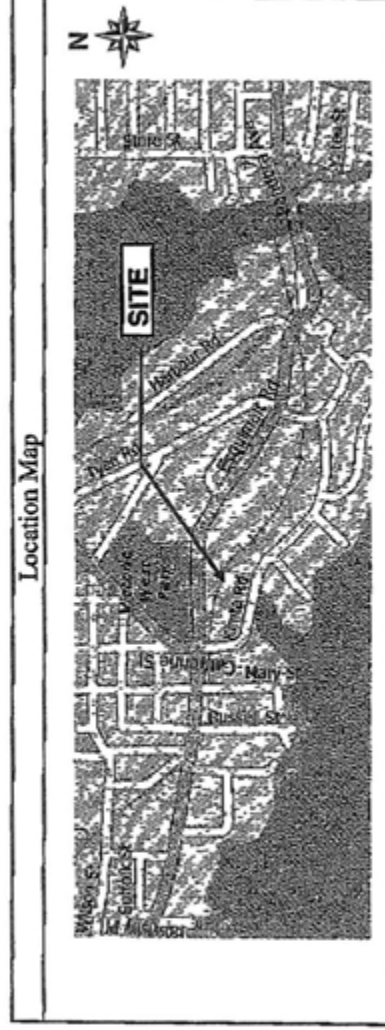
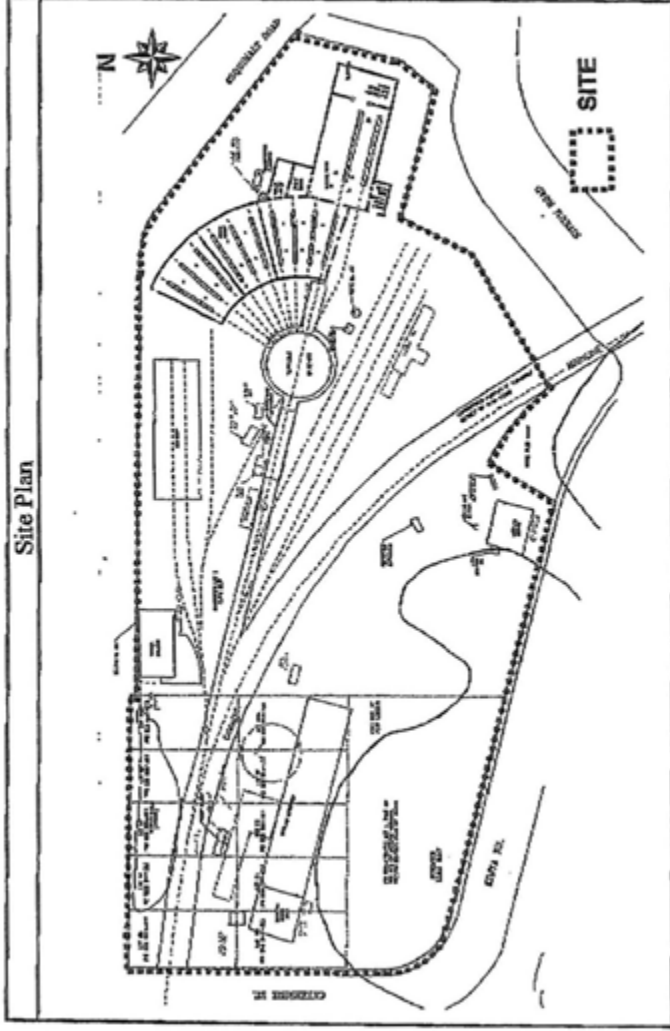
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For Director, Environmental Management Act

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For Director, Environmental Management Act

3 of 8

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Schedule "A"



July 23, 2008
Date Amended

May 12, 2008
Date Issued

SITE Identification Number 4640

Glenn Harris
 For Director, Environmental Management Act
 Glenn Harris
 Environmental Management Act

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 Glenn Harris
 For Director, Environmental Management Act

4 of 8

Schedule "B"
Conditions

- 1. This Approval is valid only for substances that exceed standards and criteria prescribed in the Contaminated Sites Regulation for residential land, commercial land and industrial land soil uses¹, aquatic life (marine) water use¹, and Hazardous Waste Regulation standards.
- 2. Monitoring, inspections and maintenance of works shall be undertaken as specified in the approved remediation plan. The plan to which this condition applies is contained in:

Letter: *Human Health and Ecological Risk Assessment, SNC-Lavalin*
Morrow Environmental, January 17, 2008;

Remediation Plan, Songhees Yard Site Re-Development, 251, 253 and 259 Esquimalt Road, 355 Catherine Street, Victoria, BC, SNC-Morrow Environmental, January 29, 2007; and

Human Health and Ecological Risk Assessment, Songhees Yard, 251/253/259 Esquimalt Road, 355 Catherine Street, Victoria, BC, SNC-Morrow Environmental, January 29, 2007.

- 3. Reporting shall be completed as follows:

(a) Prepare a report which provides supporting documentation and the following:

- i) A statement on whether the Approval terms and conditions were met during the reporting period. Where Approval terms and conditions were not achieved, the report shall specify remedies and a schedule for implementation;
- ii) Interpretation of current and cumulative monitoring results from the groundwater, soil and vapour monitoring program;
- iii) A summary of remedial activities undertaken during the reporting period;
- iv) An assessment of overall remediation progress;
- v) A summary of the results of inspection and maintenance of any risk management and treatment works;

¹ Soil and water standards listed in Schedule 10 of the Contaminated Sites Regulation are specific to human health only. It is the responsibility of the responsible person for the site to ensure that use of the standards of Schedule 10 does not constitute a significant risk or hazard to ecological health.

July 23, 2008
Date Amended


Glenn Harris
For Director, Environmental Management Act

May 12, 2008
Date Issued

Original Signed by
Glenn Harris
For Director, Environmental Management Act

SITE Identification Number 4640

5 of 8

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vi) A summary and evaluation of risk management and treatment works system performance.

(b) The report shall be signed and sealed by an Approved Professional.

(c) The report shall be submitted for review to the Director on an annual basis within 90 days of the anniversary of the date of issue of this Approval.

4. Site specific terms and conditions imposed pursuant to Section 47(3) of Contaminated Sites Regulation are as follows (Note: where reference is made below to "the Remediation Plan", this means the document: *Remediation Plan, Songhees Yard Site Re-Development, 251, 253 and 259 Esquimalt Road, 355 Catherine Street, Victoria, BC, SNC-Morrow Environmental, January 29, 2007*, and "the Risk Assessment Report" means the document: *Human Health and Ecological Risk Assessment, Songhees Yard, 251/253/259 Esquimalt Road, 355 Catherine Street, Victoria, BC* as well as subsequent responses to questions referenced above in this Approval in Principle.

a) In accordance with condition 6 below and pursuant to the remediation schedule in Table C, Section 7 of the Remediation Plan, an up-to-date schedule, the Re-development Plan referenced in Section 6.1 and the Soil and Building Material Management Plan referenced in Section 6.2 of the Remediation Plan with summaries of the building areas and soil management plan areas to be excavated and areas not to be excavated, shall be submitted to the Director within 30 days of issuing this Approval in Principle and thereafter as may be required according to condition 6.

b) A plan shall be prepared and submitted to the Director within 30 days of issuing this Approval in Principle, with a schedule for implementation at the earliest possible time, taking into account uses and activities, for investigating areas of buildings that are to remain on site due to being designated heritage buildings. The plan shall include, but not necessarily be limited to, the assessment of potential contaminants of concern in soil vapour below floor areas of the heritage buildings. A supplement to the Risk Assessment Report shall be prepared and submitted to the Director to document risk estimates accounting for the investigation results and shall also include measures if required so that compliance will be assured, with risk-based standards in the Remediation Plan, the Risk Assessment Report and the *Contaminated Sites Regulation*.

c) A plan shall be prepared and submitted to the Director within 30 days of issuing this Approval in Principle for the purpose of investigating areas where contaminants are not adequately characterized and/or delineated from sources on site. The plan shall include

July 23/08
Date Amended

May 12, 2008
Date Issued

SITE Identification Number 4640

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Gleann Harris
For Director, *Environmental Management Act*

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Gleann Harris
For Director, *Environmental Management Act*

6 of 8

07/23/2008 16:17 FAX 250 387 9935

ENV-REMEDATION SITE

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the approach for assessment and delineation of potential contaminants of concern exceeding the applicable Contaminated Sites Regulation standards in soil and groundwater where characterization and delineation has not been achieved for respective standards. The AIP will require amendment to modify the site boundary if contaminant concentrations exceeding the applicable Contaminated Sites Regulation standards extend outside the property boundaries from sources on site.

- d) During redevelopment of the property, remediate contaminated soils with concentrations of substances greater than residential land (RL) use, commercial land (CL) use, industrial land (IL) use standards or risk based standards as applicable in accordance with the Remediation Plan and the Contaminated Sites Regulation, or in accordance with risk-based standards in the Risk Assessment Report and the Contaminated Sites Regulation or other standards a director may require under Section 17(4) of the Contaminated Sites Regulation.
- e) During redevelopment of the property, remediate contaminated soil, groundwater or soil vapour exceeding applicable standards or criteria that were not identified in the DSI report or the Remediation Plan and may be identified in any other areas as the result of any works such as remediation, site preparation excavation, or construction excavation.
- f) Conduct confirmatory sampling and analysis as indicated in the Remediation Plan, or in accordance with Ministry of Environment Technical Guidance Document 1- Site Characterization and Confirmation Testing, whichever is more stringent.
- g) Prior to removing soils from the site, obtain a Contaminated Soil Relocation Agreement (CSRA) for all soils exceeding applicable standards in Contaminated Sites Regulation Schedule 7 as required in the *Environmental Management Act*, Section 55 and the Contaminated Sites Regulation, Part 8, unless the soils will be deposited at a landfill exempt from CSRA requirements by Contaminated Sites Regulation Section 42 or the relocation is exempt from a CSRA by any of the provisions of Section 41.
- h) Prior to undertaking remediation of liquid phase hydrocarbons as proposed by the Remediation Plan, obtain any necessary authorizations for treatment and / or disposal as required by the *Environmental Management Act* and pursuant regulations and any applicable municipal bylaws.
- i) If information is received as part of remediation (e.g. confirmatory sampling analysis results which exceed applicable Contaminated Sites Regulation standards at any of the property boundaries) that identifies that one or more substances has migrated or is likely to have migrated to a neighbouring site and is likely causing contamination of the

July 23 2008
Date Amended

May 12, 2008
Date Issued


Glenn Harris
For Director, *Environmental Management Act*

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Glenn Harris
For Director, *Environmental Management Act*

SITE Identification Number 4640

7 of 8

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neighbouring site, notification shall be given to the owner(s) of the neighbouring site(s) and to the manager in accordance with the Contaminated Sites Regulation Section 60.1 using the form, and in the format provided by the ministry.

- j) All free water occurring in excavations for remediation shall be retained onsite and managed in accordance with applicable standards under the Contaminated Sites Regulation, or if to be disposed offsite shall comply with standards, criteria or guidelines applicable at the receiving point or location.
 - k) Any use of blending, mixing or dilution as a remediation approach shall only be carried out in accordance with the document issued by the ministry, namely *Protocol 3 of Contaminated Sites - Blending, Mixing or Dilution as a Remediation Approach*, July 20, 1999.
5. Any substantial modifications to the approved remediation plan shall be promptly identified by written submission to the Director and an application for a new Approval in Principle shall be made at that time.
6. Remediation shall be confirmed in accordance with applicable legislation and ministry guidance. Within 90 days of completing each phase of remediation, a report summarizing confirmation of remediation shall be prepared in accordance with Section 49(2) of the Contaminated Sites Regulation and submitted to the Director.

July 23, 2008
Date Amended

May 12, 2008
Date Issued

SITE Identification Number 4640

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Glenna Harris
For Director, Environmental Management Act

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Glenna Harris
For Director, Environmental Management Act

8 of 8

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ENV-REMEDIAATION SITE

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Page 2

5. Groundwater wells that are no longer required shall be properly decommissioned in accordance with the *Water Act's* Groundwater Protection Regulation.
6. Please be advised that there are inherent health and safety risks associated with remediation activities at contaminated sites. Development of site-specific work procedures in accordance with Workers' Compensation Board (WCB) regulations is warranted. Please direct related questions to the WCB office at 604-273-2266 (Lower Mainland only) or 1-800-661-2112 (toll free in BC).
7. Any substantial modifications to the approved remediation plan must be promptly identified by written submission to the Director.

Pursuant to *Environmental Management Act* section 53 (3) a Director may rescind an Approval in Principle if conditions imposed in the Approval are not complied with or any fees payable under Part 4 of the Act or the regulations are outstanding. If a new Approval in Principle is required, the submission of an application and associated fees for a new Approval in Principle would be necessary.

This Approval in Principle is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

The provisions of the Approval in Principle are without prejudice to the Director's right to make orders or to require additional remedial measures as deemed necessary in accordance with applicable laws and nothing in this Approval shall restrict or impair the Director's powers in that regard.

If you require clarification of any aspect of the Approval in Principle, please contact the undersigned at (250) 387-8120.

Yours truly,

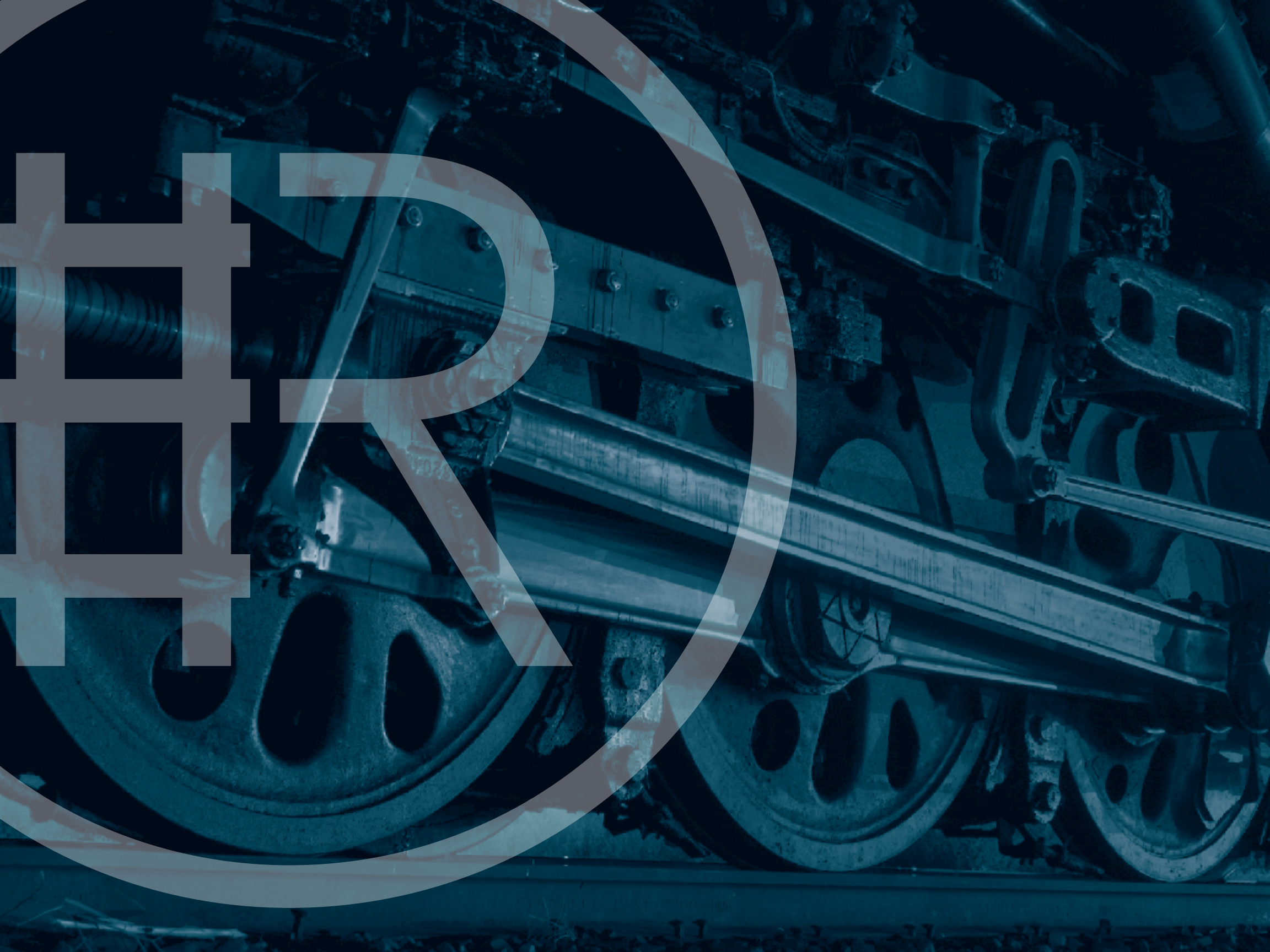


Ardith Gingell, B.Sc.
Senior Contaminated Sites Officer

Enclosure

cc: Alana Duncan, SNC Lavalin Morrow Environmental, Victoria
City of Victoria
Canadian Pacific Railway

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Roundhouse at Bayview Rezoning

File No: REZ00729

Final Submission

September 12, 2023

Appendix E: Community Engagement

E.1 Victoria West Transformation	E-2
E.2 Continuing the Conversation	E-4
E.3 Municipal Engagement	E-6
E.4 Additional Collaboration	E-8

Victoria West Transformation

Focus Equities is committed to, and invested in, creating a legacy of better communities.

Believing that development is about more than real estate—it’s about understanding local values, realizing community aspirations, and creating innovative solutions to modern challenges.

Bayview Place was a project that wasn’t supposed to happen. It was a renegade project that sat around for years—very few development companies were willing to take on a development that included a National Historic Site. Mariash took the time to look at the characteristics of this site and the community that surrounds it to understand its unique nature and develop a recipe for success.



2000

Mariash Takes His Vision to Victoria

Inspired by his personal connection to the city, Kenneth W. Mariash Sr. brings decades of international experience to Victoria through development of the Bayview Place site.



2010

Honouring The Past. Building for the Future.

Located on the traditional territory of the Lekwungen people, the 1913 historic Canadian Pacific Railway E&N Roundhouse is at the heart of the Bayview Place neighbourhood, inspiring a connection between rich history and modern activity.

From Waste Land to People Place

Mariash, guided by keen instincts and a diverse knowledge of development, sees potential in the site and initiates a multi-year master planning exercise to establish a new legacy for Victoria West.



1979





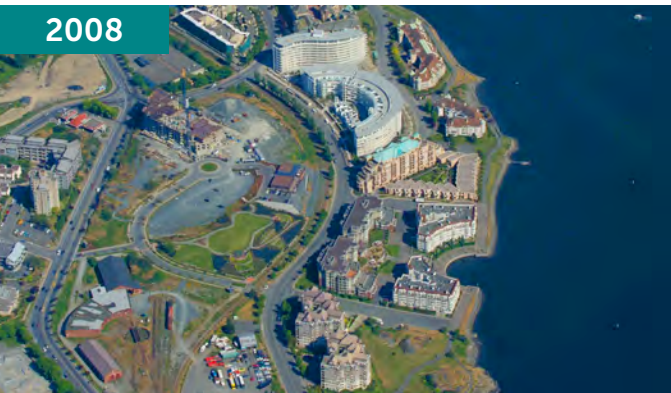
Leading the Rezoning of Bayview Place

Envisioned as a mixed-use, complete community, Mariash leads Bayview Place through a comprehensive rezoning process that responds to the needs and desires of Victoria. Community engagement throughout the original master planning process contributed countless ideas and helped build a shared vision for the future of the site and its role in the positive transformation of the neighbourhood.

Bayview Place Vision 2020

Recognizing the potential of Roundhouse at Bayview Place to respond to key challenges facing Victoria, Mariash initiates a new visioning process for the next phase of the project. Ongoing engagement with the community and neighbourhood stakeholders helped focus the Vision 2020 plan.

2008



Success of Bayview Place

Phase One of the Bayview Place redevelopment, including the Bayview One, Promontory and Encore buildings, is heralded as an outstanding example of contemporary urban living, providing a modern addition to Victoria's skyline. Continued dialogue with residents and neighbours has helped inform the evolution of the project.



1983



2016



2019



Continuing the Conversation

The Roundhouse at Bayview Place team is undertaking a new chapter in the project, while respecting and building upon the extensive stakeholder engagement that has occurred over the past 20 years.

To ensure project success, our engagement program has strived to:

- Maintain and foster strong relationships.
- Generate thoughtful dialogue with the Victoria West Community and broader public through an accessible and inclusive program.
- Integrate community vision and values into the design.
- Implement a transparent communications approach, informing and gathering feedback from stakeholders throughout the application process.
- Consult closely with the Victoria West Land Use Committee.
- Adjust online and virtual engagement strategies during COVID-19.

Community Engagement Program

**November 2019
to December 2019**

[Re]introduction of the Project

- Pre-application meeting with City of Victoria.
- Holiday Open House engagement events.

**December 2019
to March 2020**

Collaborative Planning and Engagement

- Design workshops—the project team has been meeting regularly to refine and shape the formal applications.
- Public Engagement Centre has been open to share project details and gather feedback.
- Ongoing stakeholder meetings.

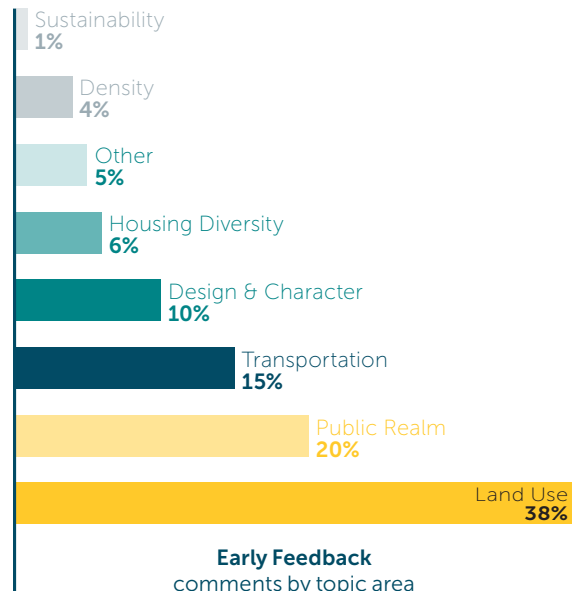
**Spring 2021
to Fall 2023**

Ongoing Engagement

- Ongoing consultation has been held with the community including the Vic West Community Association, the business community and a broad range of stakeholders. This has included digital meetings and events as well as numerous in-person meetings and open houses.

Early Feedback

The first engagement opportunities were held as the project team was re-imagining the Master Plan. The team asked stakeholders to share their hopes for Roundhouse at Bayview Place. The input gathered helped the project team imagine possibilities for the site and confirmed the renewed direction of the Master Plan. Stakeholders expressed enthusiasm for the possible site uses and integration with the surrounding community, with many suggestions provided on how to create high-impact public spaces.



Community Advisory Committee

In February 2020, the project team formed a Community Advisory Committee (CAC) to provide input and feedback on the Roundhouse at Bayview Place Master Plan. This committee is composed of volunteers representing the below groups:

- Victoria West CALUC
- Victoria West Community Association
- Residents of Bayview Place
- Residents of the surrounding Songhees area
- Residents of the broader Victoria West community

Consultation has continued with the CAC and a wide range of stakeholders throughout the application process with individual and group meetings as well as open house events and site visits and tours.

Recent Engagement Updates

Three large in-person events have been held with stakeholders since May 2022. These events included a presentation of the rezoning, guest speakers and facilitated Q/A sessions. More than 200 people attended each of the open house events. Many of their questions focused on how the community could show support for the development project to expedite the process of rezoning and building out the community.

Engagement Tactics

A variety of engagement tactics, including public open houses, in-person and digital meetings and engagement with the project’s Community Advisory Committee have been held to facilitate input from community members through a comprehensive community engagement program. To ensure the community has the most recent information, the latest rezoning application materials are updated through digital and print assets available on site where the public is regularly welcomed to learn more and have their questions answered.



Municipal Engagement

The Roundhouse at Bayview Place Master Plan has been developed in consultation with the City of Victoria through an engagement process spanning years of discussion and focused efforts between November 2019 to December 2020.

The master planning process revolved around a series of workshops held in early 2020, each focused on a major topic and culminating in the submission of a detailed master plan document in September 2020.

Master Plan Submission

A preview of the master plan was shared with the City in July 2020 in advance of submitting the comprehensive application documents. Following the September 2020 submission, meetings and working sessions to review the application materials and advance refined design details have been ongoing, with key meetings to review specific topics as follows:

October 13, 2020

Rezoning Application Review

November 3, 2020

Application Overview

November 24, 2020

Transportation and Servicing

December 15, 2020

Urban Design, Heritage and Complete Master Plan

May 4, 2023

Committee of the Whole (COTW)

Workshop 1 December 6, 2019

Transportation and Servicing

Outcomes:

- Provide simplified internal vehicle network with efficient points of entry via Esquimalt Road, Saghalie Road, and Kimta Road.
- Ensure site is permeable to pedestrians with access from Esquimalt Road & Kimta Road.
- Facilitate traffic calming of Esquimalt Road through the installation of signalized intersection.
- Design site for multi-modal functionality through integration of pedestrian, bike, and vehicle infrastructure.

Workshop 2 January 21, 2020

Heritage, Land Use, Density, Urban Design, Open Space and Public Realm

Outcomes:

- Provide an adaptable rail right-of-way that can facilitate heavy rail and/or lighter rail options if required.
- Provide a heritage integration strategy that respects the relationship of historic buildings to each other.
- Ensure continuous activation of open areas through pairing of public space with complementary commercial, hospitality, and residential uses.

Workshop 3

February 18, 2020

Design: Bringing the Plan Together

Outcomes:

- Ensure the concept of rail is infused throughout the site.
- Provide a design strategy that integrates old with new in a way that is respectful of heritage buildings.
- Develop the internal site circulation strategy to provide a diversity of multi-modal experiences.

Workshop 4

February 28, 2020

Design: Bringing the Plan Together

Outcomes:

- Build on past iterations of the site plan.
- Balance desired site density with creation of a successful public realm strategy.
- Ensure heritage integration strategy allows historic buildings to remain in their original place.

Workshops 5 & 6

March 13 & 20, 2020

Finalizing the Plan and Discussing the Rezoning Process

Outcomes:

- Site planning to retain the historic buildings in place.
- Focusing new density to the east and west, with a lower centre.
- Retaining the memory of the industrial use throughout the site.
- Establishing a strong relationship to Esquimalt Road and recognizing the need to work with the grade challenges on the east side of the site.
- Next steps to develop a comprehensive package to present master plan for submission.
- Discussion of application requirements and timing.

COTW Comments

May 2023

First Review by Council of Application

Outcomes:

- Support for additional Affordable and Rental Housing, adding floors to DA-7 & DA-8 to accommodate.
- Support for density between 4.4 and 4.6, with request for further design development to support final density.
- Request to consider incorporating Childcare use and further amenities such as playgrounds.
- Request to work with Administration to further define suitable built form and massing outcomes.

Additional Collaboration

The project team has made a concerted effort to engage organizations that can support Roundhouse at Bayview Place in realizing the City's housing affordability strategy.

These groups include:

- BC Housing
- Island Corridor Foundation
- Capital Regional District
- Royal British Columbia Museum
- BC Heritage Branch

Indigenous Consultation

In the spirit of reconciliation, the team has consulted with the Songhees and Esquimalt First Nations to explore ways to acknowledge Indigenous connection to the site. This shared effort has resulted in The Canoe Project, a regular event sponsored by Focus Equities. The Canoe Project brings First Nations members and Victoria West residents to the shore of Lime Bay Park and is intended to stimulate dialogue through cultural practice.

Community Contributions

Kenneth W. Mariash Sr. and Patricia Mariash have become contributing members of the Victoria West community, expressed through event sponsorship and charitable contributions to a number of local organizations.

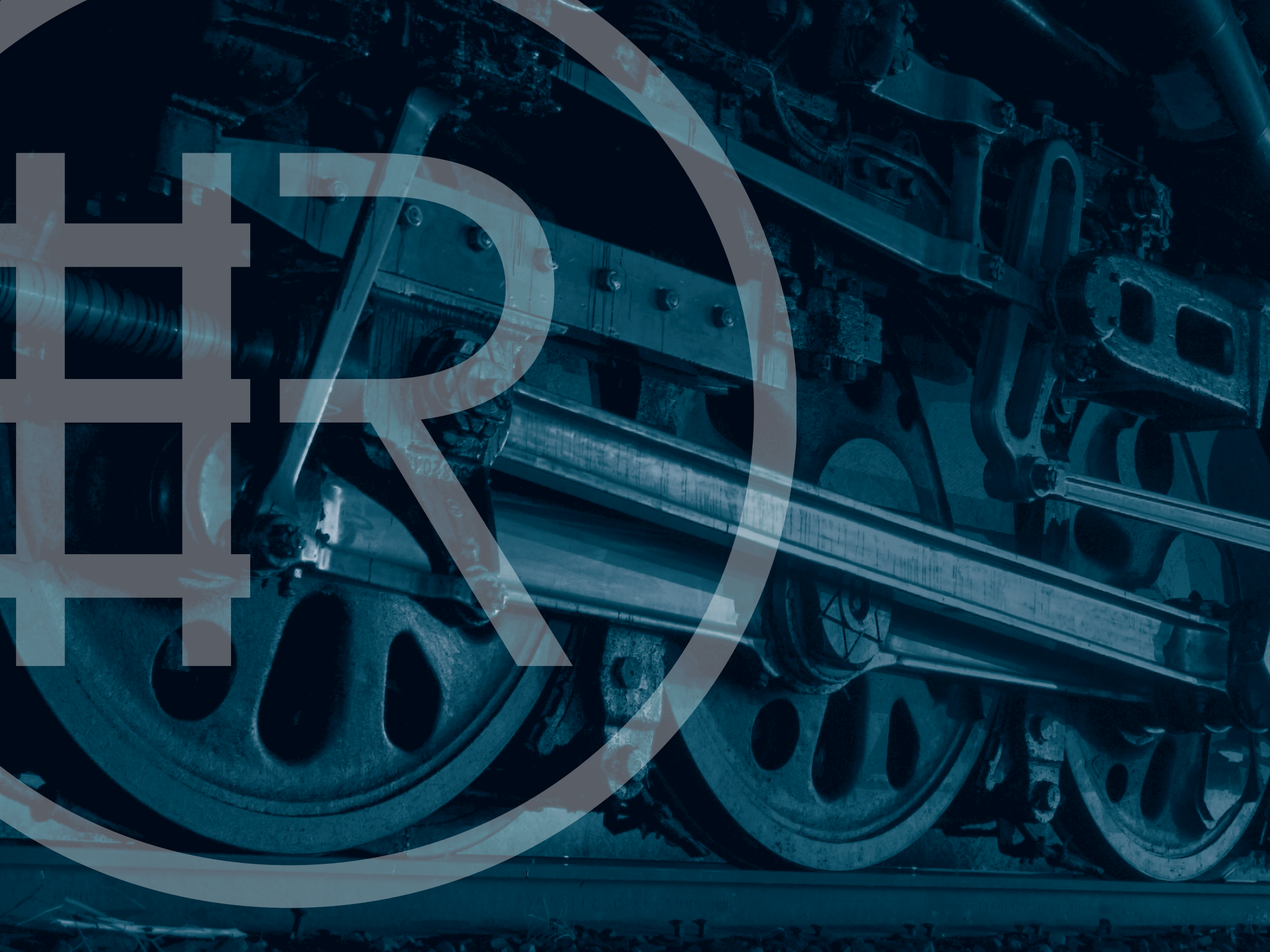


Canoe provided for Pulling Together, July 2020

Focus Equities provided a traditional canoe for use in Pulling Together, an annual event that brings together Public Service Agencies and Aboriginal peoples by “canoeing the traditional highway, strengthening our future relations.” Both the Songhees and Esquimalt First Nations will collaborate on a hull design for this canoe before it is blessed and released into the water.



Pulling Together, an annual event that brings together Public Service Agencies and Aboriginal peoples by “canoeing the traditional highway, strengthening our future relations.”





F

Roundhouse at Bayview Rezoning

File No: REZ00729

Final Submission

September 12, 2023

Appendix F: Transportation and Mobility

01 Roundhouse at Bayview Traffic Study	F-2
02 Roundhouse Parking & TDM Memo	F-39



TABLE OF CONTENTS

- 1.0 INTRODUCTION 1**
- 1.1 Study Area 1
- 2.0 EXISTING CONDITIONS 3**
- 2.1 Transportation Systems..... 3
- 2.2 Travel Mode Split..... 6
- 2.3 Collision Data 6
- 2.4 Traffic Conditions..... 7
- 3.0 PROPOSED DEVELOPMENT 13**
- 3.1 Land Use..... 13
- 3.2 Site Accesses 15
- 3.3 Trip Generation..... 17
- 3.4 Trip Assignment..... 22
- 3.5 Volumes 26
- 3.6 Analysis Results 26
- 4.0 SUSTAINABLE TRANSPORTATION 32**
- 5.0 CONCLUSIONS 33**
- 6.0 RECOMMENDATIONS 35**

APPENDICES

Appendix A: Synchro Information



LIST OF FIGURES

Figure 1: Site Context Map.....	1
Figure 2: Study Area and Key Intersections.....	2
Figure 3: Existing Volumes – AM Peak Hour.....	8
Figure 4: Existing Volumes – PM Peak Hour.....	9
Figure 5: Site Plan.....	13
Figure 6: Site Accesses.....	16
Figure 7: Trip Assignment – AM Peak Hour.....	24
Figure 8: Trip Assignment – PM Peak Hour.....	25
Figure 9: Post Development Volumes – AM Peak Hour.....	27
Figure 10: Post Development Volumes – AM Peak Hour.....	28

LIST OF TABLES

Table 1: Modal Splits for Victoria North.....	6
Table 2: Collision Data from 2015 to 2019.....	7
Table 3: Existing Conditions – AM and PM Peak Hour.....	11
Table 4: Land Use by Building/Lot.....	14
Table 5: Land Use Summary.....	15
Table 6: Residential Observations & Trip Rates.....	18
Table 7: AM Peak Hour Trip Generation – North Accesses.....	19
Table 8: AM Peak Hour Trip Generation – South Accesses.....	20
Table 9: PM Peak Hour Trip Generation – North Accesses.....	21
Table 10: PM Peak Hour Trip Generation – South Accesses.....	22
Table 11: Trip Distribution.....	23
Table 12: Post Development Conditions – AM and PM Peak Hour.....	29



1.0 INTRODUCTION

This traffic impact assessment is for the rezoning application for the north portion of the Roundhouse at Bayview. The Bayview development is a 20 acres site consisting of the Bayview Place Hillside and Roundhouse (10 acres). The Roundhouse site is composed of two areas: the north and the south. For the purposes of this study transportation will be reviewed for the entire Roundhouse site. See **Figure 1** for the Bayview Place Hillside and Roundhouse.



Figure 1: Site Context Map

1.1 STUDY AREA

The study area for the project includes Victoria West from Bay Street to Harbour Road and to Kimita Road. A total of 10 key intersections are included in the study area. See **Figure 2** for the study area and key intersections.



Figure 2: Study Area and Key Intersections

Roundhouse at Bayview
Traffic Impact Assessment and Management Study



2.0 EXISTING CONDITIONS

2.1 TRANSPORTATION SYSTEMS

2.1.1 ROAD NETWORK

The following are the key roads within the study area:

Esquimalt Road: is a three to four lane arterial roadway that connects Esquimalt and Victoria West to downtown Victoria. East of Tyee Road Esquimalt Road is two lanes westbound, one lane eastbound with a fourth lanes used for left turns. West of Tyee Road, Esquimalt Road becomes one lane in each direction with the middle lanes consisting of raised medians / left turn lanes.

Catherine Street/Kimta Road: is a two lane collector roadway that currently has on street parking on both sides of the road; however, this will be modified slightly with the City's AAA facility added on Kimta Road.

Catherine Street / Bay Street: is a two to three lane arterial road. South of Wilson Street Catherine/Bay is two lanes, while north to Tyee Road there are three lanes (one per direction plus left turn). There is a short section where there is on-street parking on the east side of Bay Street.

Tyee Road: is a two to three lane collector roadway. South of Wilson Road to Esquimalt Road the road is one lane per direction with on-street parking on both sides of the road. South of Esquimalt Road Tyee Road is a two lane road with on-street parking on both sides. North of Wilson Road there is an additional lane used for centre median or left turn lanes. In this section on-street parking is provided on the east side only.

Harbour Road / Sitkum Road: are both two lane local roads with on-street parking.



2.1.2 PEDESTRIAN NETWORK

There are sidewalks around the entire Bayview development on both side of the roads. There are crosswalks at the following locations:

- Catherine Street / Esquimalt Road on all four legs (signal)
- Mid-block special crosswalk (overhead flashers, internally illuminated signs overhead, offset pedestrian refuge island) across Esquimalt Road approximately 90m from Sitkum Road
- Tyee Road / Esquimalt Road on all four legs (signal)
- Harbour Road / Esquimalt Road on all four legs (signal)
- Mid-block crosswalk at 356 Harbour Road
- Mid-block crosswalk at Galloping Goose Connection on Harbour Road
- Mid-block crosswalk at Johnson Street Bridge Multi-use Path on Harbour Road
- Across Tyee Road at Wilson Road
- Harbour Road / Tyee Road on all three legs (signal)
- Bay Street / Tyee Road on all four legs (signal)
- Wilson Street / Bay Street on all four legs (signal)

2.1.3 CYCLING NETWORK

The E&N Trail approaches the site from the west; however, is discontinued at Russell Street. The City is working to extend E&N Trail to Catherine Street where cyclists will cross Catherine Street to a two way protected bike lane on the north side of Kimta Road. This connection and Kimta Road upgrade are planned for 2022. This connection will extend to Harbour Road where it will connect to the Galloping Goose and Johnson Street multi-use pathway.

Painted bicycle lanes are currently provided on Esquimalt Road, Catherine Street/Bay Street, Tyee Road, and portions of Harbour Road. Harbour Road also as a new two-way cycle track from the Johnson Street multi-use path to the Galloping Goose. There are no separate bicycle facilities on Wilson Street.



2.1.4 TRANSIT NETWORK

There is currently good transit service to this portion of Victoria West. There are a total of five routes that travel within the study area including:

- **Route 10 – James Bay / Royal Jubilee:** which travels through James Bay, past the Legislature, along Esquimalt Road to Bay Street to Royal Jubilee Hospital with headways of 25 to 30 minutes. The closest stop for this route is along the development frontage on Esquimalt Road.
- **Route 14 – Vic General / UVic:** which travels from Victoria General Hospital, Helmcken, Island Highway/Craigflower/Skinner to Tyee through Downtown to Richmond Road, Cedar Hill X to UVic every 15 to 20 minutes. The closest stops for this route are on Esquimalt Road at Harbour Road or on Tyee Road near Wilson Street.
- **Route 15 – Esquimalt / UVic:** which travels from HMC Dockyards, along Esquimalt Road, through Downtown to Foul Bay / Henderson to UVic on 15 minute headways. The closest stop is along the development frontage on Esquimalt Road.
- **Route 24 - Cedar Hill / Admirals Walk:** travels along Wilson Road to Tyee Road to Esquimalt Road to downtown Victoria to Shelbourne/McKenzie every 30 minutes to 1 hour. The closest stops for this route are on Esquimalt Road at Harbour Road or on Tyee Road near Wilson Street.
- **Route 25 – Maplewood/Admirals Walk:** which travels between Admirals Walk, through Esquimalt, Downtown Victoria and along Cook/Maplewood to Quadra/McKenzie. Route 25 is a frequent transit service with 5 to 15 minute headways. The closest stop for this route is along the development frontage on Esquimalt Road.

2.1.5 RAILWAY CORRIDOR

Although trains are not currently utilizing the E&N Railway line there is an existing railway line that crosses Catherine Street, immediately south of Esquimalt Road and then travels through the middle of the Roundhouse site, across Sitkum Road, and along the south edge of Bayview Hillside. The E&N rail line enters the Roundhouse site as a



single track and then adds a second track within the site. Two sets of tracks continue to the east along Bayview Hillside. There are additional spur lines on the Roundhouse site that were historically used to move trains in/out of the Roundhouse.

2.2 TRAVEL MODE SPLIT

The CRD’s 2017 Origin Destination Survey has Victoria West as part of the ‘Victoria North’ District of the survey. The mode splits for Victoria North outlined in Table 1 for the AM, PM and 24 hour periods.

TABLE 1: MODAL SPLITS FOR VICTORIA NORTH

Mode	AM (0600-0900)		PM (1500-1800)		24 Hour		
	From	To	From	To	From	To	
Auto Driver	46%	67%	64%	49%	58%	58%	40%
Auto Passenger	11%	13%	16%	15%	16%	15%	9%
Transit	17%	8%	8%	14%	10%	10%	2%
Bicycle	16%	7%	6%	11%	7%	7%	5%
Walk	9%	5%	6%	10%	7%	8%	44%
Other	1%	0%	1%	1%	1%	1%	1%

As Table 1 illustrates a significant portion of the trips to, from, and within Victoria North are made by walking. Transit and bicycle use are also well utilized modes of transportation in this area of the region.

2.3 COLLISION DATA

Collision data was collected from IBCB’s statistics website. The data is for the five years from 2015 to 2019. See **Table 2** for historical collision data in the study area.

TABLE 2: COLLISION DATA FROM 2015 TO 2019

Intersection	Vehicle Collisions	Involving Ped + Bike
Esquimalt / Harbour	22	5
Esquimalt / Tyee	54	7
Esquimalt / Sitkum	10	4
Esquimalt / Catherine	55	10
Kimta / Sitkum / Cooperage	1	0
Tyee / Wilson	18	0
Tyee / Harbour	11	2
Tyee / Bay	89	4
Bay / Wilson	21	1
Catherine / Bay / Dunas	2	1

The intersection of Catherin Street / Esquimalt Road has the highest number of pedestrian / bicycle collision in the past five years with an average of two per year. Without additional data the cause / contributing factors for these collisions is not known; however, may be contributed to the railway crossing, which is at a skewed angle, located in close proximity to the Esquimalt Road / Catherine Street intersection.

2.4 TRAFFIC CONDITIONS

2.4.1 EXISTING VOLUMES

The traffic data for the key intersections was provided by the City. The existing AM and PM peak hour volumes are shown in **Figures 3 and 4**.



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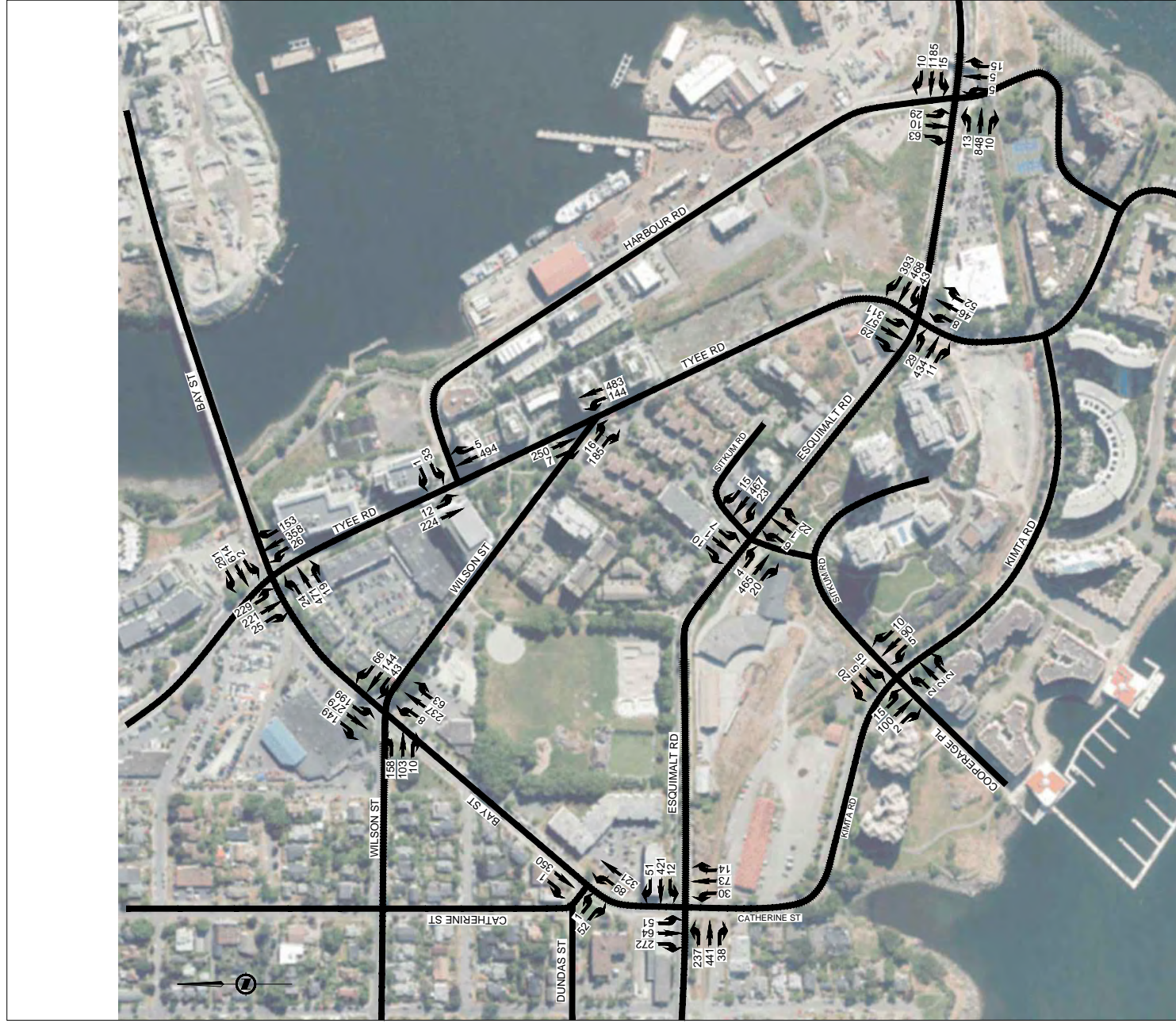
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 PLOT DATE: 11/9/2020 5:24 PM
 PLOTTED BY: Tomer Volman

SEAL:		SCALE:		NOT TO SCALE		DESIGNED:		CHECKED:		APPROVED:	
1		DESIGNED:	TV	DRAWN:		CHECKED:		APPROVED:			
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3		DATE:	NOV 5-2020	REVISION:							
4											
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7											
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9											

2020 EXISTING VOLUMES - AM PEAK
 ROUNDHOUSE @ BAYVIEW PLACE
 TRAFFIC STUDY

#501, 740 - Hillside Ave
 Victoria, BC V8B 1Z4
 T: 250.388.9877
 F: 250.388.9879
 www.watsonconsultinggroup.com





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 PLOT'D DATE: 11/9/2023 5:24 PM

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2020 EXISTING VOLUMES - PM PEAK
ROUNDHOUSE @ BAYVIEW PLACE
TRAFFIC STUDY

#501, 740 - Hillside Ave
 Victoria, BC V8B 1Z4
 T. 250.388.9877
 F. 250.388.9879
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2.4.2 TRAFFIC MODELLING – BACKGROUND INFORMATION

Analysis of the traffic conditions at the study intersections was undertaken using Synchro Studio (Version 9). Synchro / SimTraffic is a two-part traffic modelling software that provides analysis of the traffic conditions based on the Highway Capacity Manual (2010) evaluation methodology. A detailed description is provided in **Appendix A**. Synchro was used to determine the LOS and delays of each intersection while SimTraffic was used to determine the 95th percentile queue lengths.

For unsignalized (stop-controlled) intersections, the level of service (LOS) is based on the computed delay on each of the critical movements. LOS A represents minimal delays for minor street traffic movements, and LOS F represents a scenario with an insufficient number of gaps on the major street for minor street motorists to complete their movements without significant delays.

For signalized intersections, the methodology considers the intersection geometry, traffic volumes, the traffic signal phasing / timing plan, and pedestrian/bicycle volumes. The average delay for each lane group is calculated, as well as the delay for the overall intersection.

2.4.3 ANALYSIS RESULTS

The existing volumes were analyzed in Synchro / SimTraffic (version 9/10) to determine the existing conditions during the AM and PM peak hours. Synchro was used to determine the LOS and delays of each intersection while SimTraffic was used to determine the 95th percentile queue lengths. The analysis results are summarized in

Table 3.

TABLE 3: EXISTING CONDITIONS – AM AND PM PEAK HOUR

Intersection (EW / NS)	Movement	Existing Conditions – AM Peak			Existing Conditions – PM Peak		
		LOS	Delay (s)	95 th % Queue (m)	LOS	Delay (s)	95 th % Queue (m)
Esquimalt Rd / Harbour Rd (signalized)	EBL	A	6.1	33.1	A	9.8	17.4
	EB T/R	D	35.6	140.4	C	24.7	112.3
	WBL	A	8.4	9.8	A	9.6	20.9
	WB T/R	A	6.0	41.1	B	12.4	61.2
	NB L/T/R	B	17.2	11.5	B	10.1	12.5
	SB L/T/R	B	12.9	17.0	B	15.0	25.5
	EBL	B	14.6	18.5	A	9.3	15.9
	EB T/R	B	18.0	60.5	B	11.9	56.6
	WBL	B	14.7	17.2	A	9.5	28.6
	WBT	B	15.2	49.5	B	11.5	69.6
Esquimalt Rd / Tyeve Rd (signalized)	WBR	A	3.0	0.0	A	2.0	12.6
	NBL	C	27.7	5.5	C	27.6	7.9
	NB T/R	C	26.2	29.6	C	29.7	28.4
	SBL	C	27.2	43.0	E	70.5	44.6
	SB T/R	A	6.5	73.4	B	15.7	83.2
	EBL	A	7.9	3.6	A	8.5	2.3
	EB T/R	A	0.0	0.0	A	0.0	0.8
	WBL	A	8.2	6.5	A	8.5	7.6
	WB T/R	A	0.0	0.0	A	0.0	0.0
	NB L/T/R	B	13.5	11.7	C	15.4	10.9
Esquimalt Rd / Catherine St (signalized)	SB L/T/R	C	17.1	10.0	C	18.4	9.7
	EBL	B	10.5	39.3	A	8.1	43.0
	EB T/R	A	7.9	50.6	A	7.1	51.8
	WBL	B	11.4	6.7	B	11.8	12.4
	WB T/R	B	19.3	56.5	B	178	88.6
	NB L/T/R	B	18.0	17.2	E	57.2	40.9
	SB L/T	C	20.1	22.7	D	46.3	44.6
	SBR	A	6.5	27.0	A	9.4	45.8
	EB L/T/R	A	2.0	2.1	A	1.0	4.7
	WB L/T/R	A	0.3	0.0	A	0.4	1.8
Kimta Rd / Sitkum Rd / Cooperage PI (stop control)	NB L/T/R	A	9.6	7.5	B	10.0	7.2
	SB L/T/R	A	9.2	8.8	A	9.8	11.8

TABLE 3: EXISTING CONDITIONS – AM AND PM PEAK HOUR (CONTINUED)

Intersection (EW / NS)	Movement	Existing Conditions – AM Peak			Existing Conditions – PM Peak		
		LOS	Delay (s)	95 th % Queue (m)	LOS	Delay (s)	95 th % Queue (m)
Wilson St / Tyee Rd (stop control)	EB L/R	C	20.1	19.9	C	17.2	30.5
	NBL	A	8.7	15.1	A	8.5	20.3
	NBT	A	0.0	3.2	A	0.0	2.7
	SB T/R	A	0.0	9.9	A	0.0	5.0
Harbour Rd / Tyee Rd (stop control)	WB L/R	B	13.0	5.5	C	17.2	13.9
	NB T/R	A	0.0	5.1	A	0.0	29.0
	SBL	A	8.0	0.9	A	8.6	6.1
	SBT	A	0.0	9.6	A	0.0	0.0
Bay St / Tyee Rd (signalized)	EBL	B	19.2	9.7	A	9.7	26.3
	EB T/R	C	27.0	67.7	B	12.7	66.4
	WB L/T	C	26.7	102.6	C	27.1	579.4
	WBR	A	5.5	47.7	A	6.8	49.1
	NBL	C	29.2	13.6	C	29.7	16.1
	NBT	C	29.9	37.2	E	57.3	191.1
	NBR	A	7.3	9.0	A	7.5	112.1
	SBL	B	17.8	59.7	D	53.8	58.7
	SB T/R	B	18.2	68.2	C	20.9	54.3
	EB L/T/R	D	41.5	55.6	E	63.9	84.3
Wilson St / Bay St (signalized)	WB L/T	C	28.3	29.7	D	51.4	65.9
	WBR	A	1.0	21.2	A	2.1	22.9
	NBL	C	26.2	6.0	C	21.4	10.0
	NB T/R	D	45.7	47.7	C	31.1	57.4
Catherine St / Bay St (stop control)	SBL	C	24.4	29.3	B	17.6	37.5
	SB T/R	C	32.1	32.2	B	16.4	59.9
	EB L/R	B	10.9	19.0	B	11.9	14.2
	NBL	A	7.8	9.6	A	8.6	14.9
	NBT	A	0.0	2.2	A	0.0	9.3
	SB T/R	A	0.0	0.0	A	0.0	7.8

Overall, the traffic operations in the Songhees area of Victoria West are at a LOS D or better for the majority of the study area. However, there are four existing movements that have poor operations (LOS E/F) during the PM peak hour.

Roundhouse at Bayview

Traffic Impact Assessment and Management Study



These include:

- Southbound Left at Tyee Road/Esquimalt Road
- Southbound Left at Catherine Street/Esquimalt Road
- Northbound Through at Tyee Road/Bay Street
- Eastbound movement at Bay Street/Wilson Street

3.0 PROPOSED DEVELOPMENT

3.1 LAND USE

The land use, utilized for this study, is for the Roundhouse portion of Bayview Place. The Roundhouse site consists of the two areas separated by the E&N Railway line. The north area consists of five buildings (DA-2a, DA-2b, DA-7, DA-8, and DA-9), and the DA-1 historical buildings (Stores, Carshop, Roundhouse, and Backshop). The south area consists of DA-3, DA-4a, DA-4b, DA-5, DA-6a and DA-6b. See **Figure 5** for placement of buildings on the site.

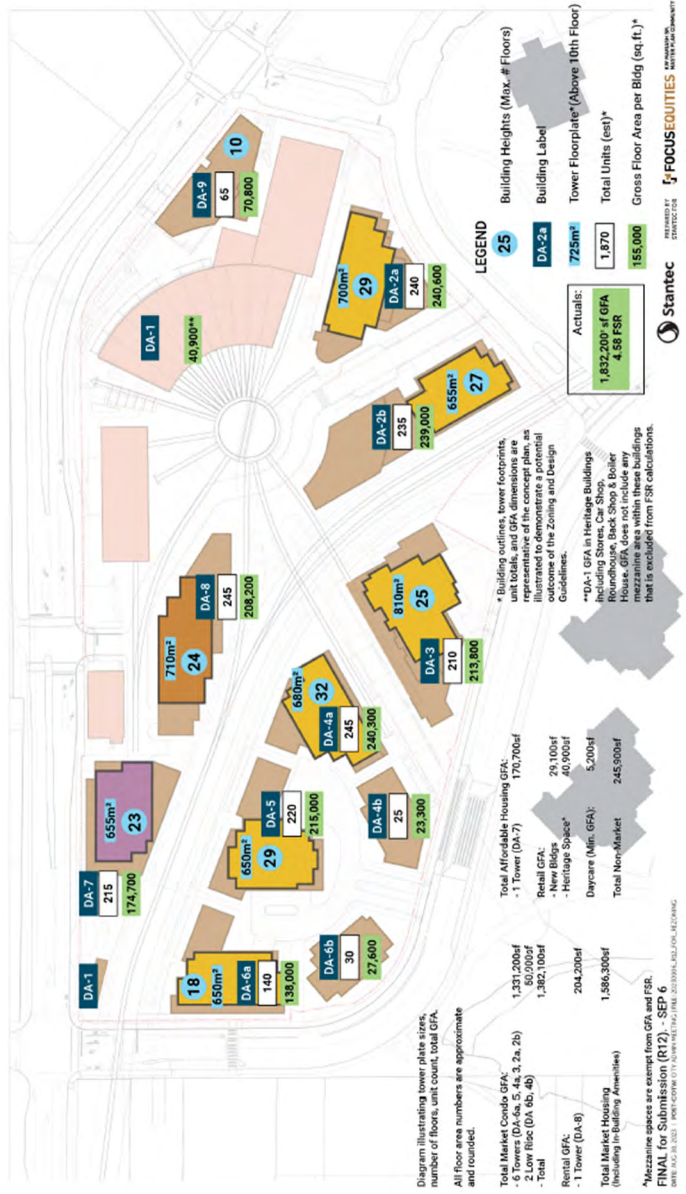


Figure 5: Site Plan



The land use for the north parcels consists of condominium / hotel, rental apartments, affordable housing, and commercial retail space. The south parcel consists of condominium / hotel units, and commercial retail space. Tables 4 and 5 outline the land use by building.

TABLE 4: LAND USE BY BUILDING/LOT

Building	Land Use	Units
DA-1 (heritage buildings)	Commercial	40,900 sq. ft.
DA-2a	Apartment	240 units
	Commercial	3,350 sq. ft.
DA-2b	Condominium	235 units
	Commercial	5,640 sq. ft.
DA-3 (E&N Building)	Condominium	210 units
	Commercial	8,610 sq. ft.
DA-4a	Condominium	245 units
	Commercial	3,500 sq. ft.
DA-4b	Condominium	25 units
DA-5	Condominium	220 units
DA-6a	Condominium	140 units
DA-6b	Condominium	30 units
DA-7	Affordable Housing	215 units
	Daycare	5,200 sq. ft.
	Retail	4,000 sq. ft.
DA-8	Apartment (Rental)	245 units
	Commercial	4,000 sq. ft.
DA-9	Condominium	65 units

TABLE 5: LAND USE SUMMARY

Location on Site	Land Use	Total
North of Railway	Apartment Rental / Affordable	460 units
	Housing	
	Condominium / Apartment	540 units
South of Railway	Commercial + Daycare	63,090 sq. ft.
	Condominium	870 units
	Commercial	12,110 sq. ft.

3.2 SITE ACCESSES

The E&N railway line creates a barrier for having internal vehicle travel between the North Parcel and the South Parcel. Vehicle access for the North Parcel will be via a main intersection located between the Stores Building and the Carshop. This will be a full movement signalized intersection. The second access point for the North area is off Sitkum Road between the railway crossing and Saghalie Road. Internally the main access road travels east through the site to the Sitkum Road access.

The access for DA-9 will be located off Esquimalt Road across from the driveway to 222 Esquimalt Road. The minimum stopping sight distance at 30km/h (35m) is met for an access at this location. For vehicles turning left or right from the access 65m of sight distance can be provided which meets the 30km/h turning sight distance from a turn; however, it requires drivers see along the sidewalk / boulevard space to achieve the 65m. Although there is an existing two way left turn lane at this proposed access location the City is requiring that the access be restricted to right in / right out since the access is on the higher road classification for the corner lot. The access will be restricted by extending the centre median to the east. This new median will also restrict the existing driveway for 222 Esquimalt Road to right in / right out.

An access to DA-9 from Sitkum Road is not practical due to two primary reasons: given the close proximity to the intersection of Esquimalt it is difficult to accommodate a driveway at this location, and Sitkum Road is elevated from the site making an access



driveway down to grade and parking below the building impractical. The provision of parking under the Backshop and Roundhouse to connect to DA-9 is no longer planned to avoid disturbing the heritage structures; therefore, there is not alternative for access other than Esquimalt Road for DA-9.

For the South portion of the site three accesses are proposed: one for DA-3 (an in/out loop), and two shared accesses for DA-4a, DA-4b, DA-5, DA-6a and DA-6b. The northern most access to the DA-4 to DA-6 buildings will be located to avoid queues impacting the pedestrian/bicycle crosswalk north of the proposed access. See **Figure 6** for the proposed access points and internal road network.

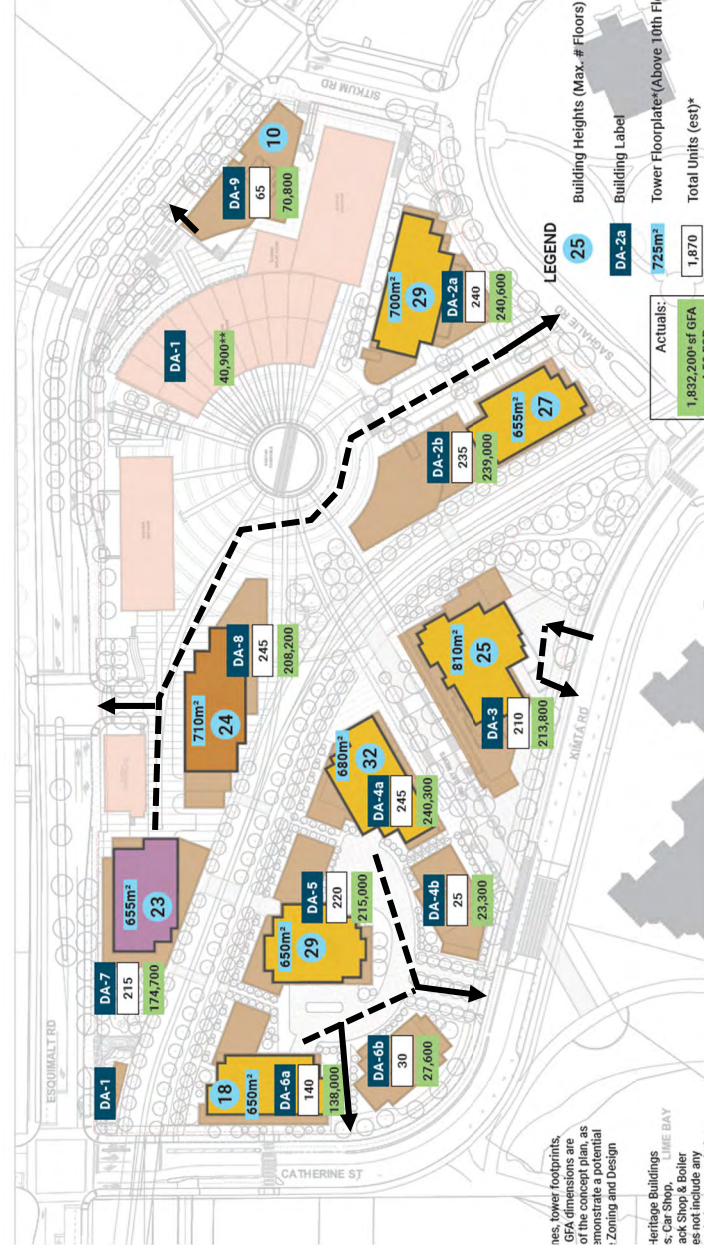


Figure 6: Site Accesses



3.3 TRIP GENERATION

3.3.1 SITE SPECIFIC RATES

A trip generation rate study was conducted to determine trip rates that would be applicable to the Roundhouse since the area is known for being having high use of transit, walking, and cycling that could impact the standard Institute of Transportation Engineers (ITE) trip generation rates.

Observations of four residential sites in Victoria West with similar contexts (size, location, context) was undertaken to determine a residential trip rate for the residential portion of the proposed development. Observations of the Westside Village Shopping Centre were also conducted to review the commercial trip generation rate for the commercial component.



Residential Observation Results

The observed residential trip generation and trip rate calculation results are summarized in **Table 6**.

TABLE 6: RESIDENTIAL OBSERVATIONS & TRIP RATES

Observation Site	Units	AM Peak Hour				PM Peak Hour			
		Trips In	Trips Out	Total Trips	Trip Rate	Trips In	Trips Out	Total Trips	Trip Rate
Encore	134	5	16	21	0.16	19	5	24	0.18
Promontory / Bayview One	318	8	33	41	0.13	51	36	87	0.27
Balance (Dockside)	172	3	13	16	0.09	24	8	32	0.19
Shutters	185	1	21	36	0.19	30	12	42	0.23
		Average (AM):				Average (PM):			
		0.14				0.22			

These rates are lower than ITE's multi-family residential (high-rise) rates but are considered to be reflective of this neighbourhood of Victoria West. Therefore, these rates will be utilized for the residential (apartment and condominium) land uses.

Commercial Observation Results

Although the Westside Village Shopping Centre would be of similar overall size to the commercial at Roundhouse the Westside Village Shopping Centre is anchored by Save-on-Foods which is in the range of 40 to 50% of the Westside Village Shopping Centre land use. Grocery stores have an approximately 2.5 times higher trip generation than general retail space. Based on the results of the observations the Westside Village Shopping Centre had a rate that was higher than ITE's retail (shopping) rate, but lower than the grocery store rate which is what would be expected. Since the Roundhouse development commercial is expected to be made up of smaller retail units and possibility a much smaller grocery store (5% of the commercial land use rather than



50%). Therefore, the ITE trip generation rate for a Shopping Centre land use (ITE Code 820) from the ITE Trip Generation Manual (10th Edition) will be used.

3.3.2 SITE TRIP GENERATION

The peak hour trip generation results are summarized in **Tables 7 to 10**. Internal trips were calculated using NCHRP and ITE methodologies. As a worst case scenario all commercial trips were assigned as new primary trips to the road network.

TABLE 7: AM PEAK HOUR TRIP GENERATION – NORTH ACCESSES

Building	Land Use	Units	Trip Rate	Trips In	Trips Out	Total Trips
DA-7	Affordable Housing	215 units	0.14 / unit	7	23	30
	Daycare	5,200 sq. ft.	11.0 / 1000 sq. ft.	30	27	57
	Commercial	4,000 sq. ft.	0.94 / 1000 sq. ft.	2	2	4
DA-8	Multi-family	245 units	0.14 / unit	8	26	34
	Commercial	4,000 sq. ft.	0.94 / 1000 sq. ft.	2	2	4
DA-9	Multi-family	65 units	0.14 / unit	2	7	9
DA-2b	Multi-family	235 units	0.14 / unit	8	25	33
	Commercial	5,640 sq. ft.	0.94 / 1000 sq. ft.	3	2	5
DA-2a	Multi-family	240 units	0.14 / unit	8	26	34
	Commercial	3,350 sq. ft.	0.94 / 1000 sq. ft.	2	1	3
DA-1	Commercial	40,900 sq. ft.	0.94 / 1000 sq. ft.	24	14	38
Total North Trips (AM Peak Hour):				96	155	251
				Internal Trips*:	17	33
				External Trips:	139	218

*includes 50% reduction for internal use of daycare by Roundhouse residents and active transportation trips from surrounding neighbourhood to the daycare.



TABLE 8: AM PEAK HOUR TRIP GENERATION – SOUTH ACCESSES

Building	Land Use	Units	Trip Rate	Trips In	Trips Out	Total Trips
DA-3	Multi-family	210 units	0.14 / unit	7	22	29
	Commercial	8,610 sq. ft.	0.94 / 1000 sq. ft.	5	3	8
DA-4a	Multi-family	245 units	0.14 / unit	8	26	34
	Commercial	3,500 sq. ft.	0.94 / 1000 sq. ft.	2	1	3
DA-4b	Multi-family	25 units	0.14 / unit	1	3	4
DA-5	Multi-family	220 units	0.14 / unit	7	24	31
DA-6a	Multi-family	140 units	0.14 / unit	5	15	20
DA-6b	Multi-family	30 units	0.14 / unit	1	3	4
Total South Trips (AM Peak Hour):				36	97	133
				Internal Trips:		4
				External Trips:		129

TABLE 9: PM PEAK HOUR TRIP GENERATION – NORTH ACCESSES

Building	Land Use	Units	Trip Rate	Trips In	Trips Out	Total Trips
DA-7	Affordable Housing	215 units	0.22 / unit	29	18	47
	Daycare	5,200 sq. ft.	11.1 / 1000 sq. ft.	27	31	58
	Commercial	4,000 sq. ft.	3.81 / 1000 sq. ft.	7	8	15
DA-8	Multi-family	245 units	0.22 / unit	33	21	54
	Commercial	4,000 sq. ft.	3.81 / 1000 sq. ft.	7	8	15
DA-9	Multi-family	65 units	0.22 / unit	9	5	14
DA-2b	Multi-family	235 units	0.22 / unit	32	20	52
	Commercial	5,640 sq. ft.	3.81 / 1000 sq. ft.	10	11	21
DA-2a	Multi-family	240 units	0.22 / unit	32	21	53
	Commercial	3,350 sq. ft.	3.81 / 1000 sq. ft.	6	7	13
DA-1	Commercial	40,900 sq. ft.	3.81 / 1000 sq. ft.	75	81	156
Total North Trips (PM Peak Hour):				267	231	498
				Internal Trips*:		111
				External Trips:		387

*Includes 50% reduction for internal use of daycare by Roundhouse residents and active transportation trips from surrounding neighbourhood to the daycare.



TABLE 10: PM PEAK HOUR TRIP GENERATION – SOUTH ACCESSES

Building	Land Use	Units	Trip Rate	Trips In	Trips Out	Total Trips
DA-3	Multi-family	210 units	0.22 / unit	28	18	46
	Commercial	8,610 sq. ft.	3.81 / 1000 sq. ft.	16	17	33
DA-4a	Multi-family	245 units	0.22 / unit	33	21	54
	Commercial	3,500 sq. ft.	3.81 / 1000 sq. ft.	6	7	13
DA-4b	Multi-family	25 units	0.22 / unit	4	2	6
DA-5	Multi-family	220 units	0.22 / unit	29	19	48
DA-6a	Multi-family	140 units	0.22 / unit	4	3	7
DA-6b	Multi-family	30 units	0.22 / unit	19	12	31
Total South Trips (PM Peak Hour):				138	98	236
Internal Trips:				8	8	16
External Trips:				130	90	220

The above trip generation is based on the current plans for the site. However, the following trip assignment, traffic volumes and analysis are based on 186 more multi-family units and 22,200 sq. ft. more commercial / daycare space than outlined above. Overall, the difference in site trip generation between the above trip generation and the trip generation utilized in the analysis is 24 less trips in the AM peak hour and 82 less trips in the PM peak hour. The difference in trip generation is 7-12% less than in the analysis. Therefore, the results of the analysis are generally reflective of the current land use and the analysis is a worst case scenario.

3.4 TRIP ASSIGNMENT

The trips generated by the proposed development were distributed and assigned based on the existing traffic patterns and key origins and destinations for traffic in the area. Separate trip distributions were used for the residential and commercial components of the development. The distribution percentages are summarized in **Table 11**. The resulting trip assignments are shown in **Figures 7 and 8**.

Roundhouse at Bayview

Traffic Impact Assessment and Management Study



TABLE 11: TRIP DISTRIBUTION

Origin / Destination	AM Peak Hour				PM Peak Hour			
	Inbound		Outbound		Inbound		Outbound	
	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.
North	45%	15%	40%	15%	40%	15%	40%	15%
East	35%	50%	50%	50%	50%	50%	40%	50%
West	20%	35%	10%	35%	10%	35%	20%	35%





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PROJECT: V:\Project Files\2762 - Roundhouse @ Bayview Place\01 - Design\Roundhouse_Report\Figure_Nov 5-2020.dwg
 PLOTED BY: Tomer Volpert
 PLOT DATE: 11/9/2020 2:53 PM

SEAL:		SCALE:		NOT TO SCALE		TITLE:	
1	REVISIONS	DESIGNED:	DRAWN:	CHECKED:	APRVD:	TRIP ASSIGNMENT - PM PEAK ROUNDHOUSE @ BAYVIEW PLACE TRAFFIC STUDY	
2		TV					
3		DESIGN VEHICLE:		DESIGN SPEED:			
4		PROJECT NO:	2762.B01	DRAWING NO:			
5		DATE:	NOV 5-2020	REVISION:			
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WATT
 Consulting Group

#501, 740 - Hillside Ave
 Victoria, BC V8B 1Z4
 T. 250.388.9877
 F. 250.388.9879
 www.wattconsultinggroup.com



3.5 VOLUMES

The trips generated by the proposed development were added to the existing volumes to determine the post development volumes. The post development volumes are shown in **Figures 9 and 10** for the AM and PM peak hour.

3.6 ANALYSIS RESULTS

The AM and PM peak hour post development traffic volumes were analyzed using Synchro to determine the impacts due to the addition of the vehicle trips. **Table 12** summarizes the results of the traffic analysis. The intersection of Esquimalt Road / Main Site Access is analyzed as a signalized intersection due to the volumes expected from the access.

Subsequent to the vehicle analysis being undertaken the City has required a signal to be installed at Sitkum Road / Esquimalt Road. This signal is not included in the analysis as the need for the signal was not identified during the study. Therefore, the results for Sitkum Road / Esquimalt Road are based on the existing laning and traffic control. With the implementation of the signal at Sitkum Road / Esquimalt Road and the added northbound left turn lane (convert existing shared lane to a left turn lane and widen to add through/right turn lane). The side street operations will significantly improve while there will be a slight increase in east-west delays on Esquimalt Road (from free flow and no delays to minor delays). The addition of this traffic signal may draw some of the Roundhouse traffic from the Main Site Access, Catherine Street, and Tyeer Road as well as from the surrounding area as an alternative route to Esquimalt Road.

Roundhouse at Bayview

Traffic Impact Assessment and Management Study

26

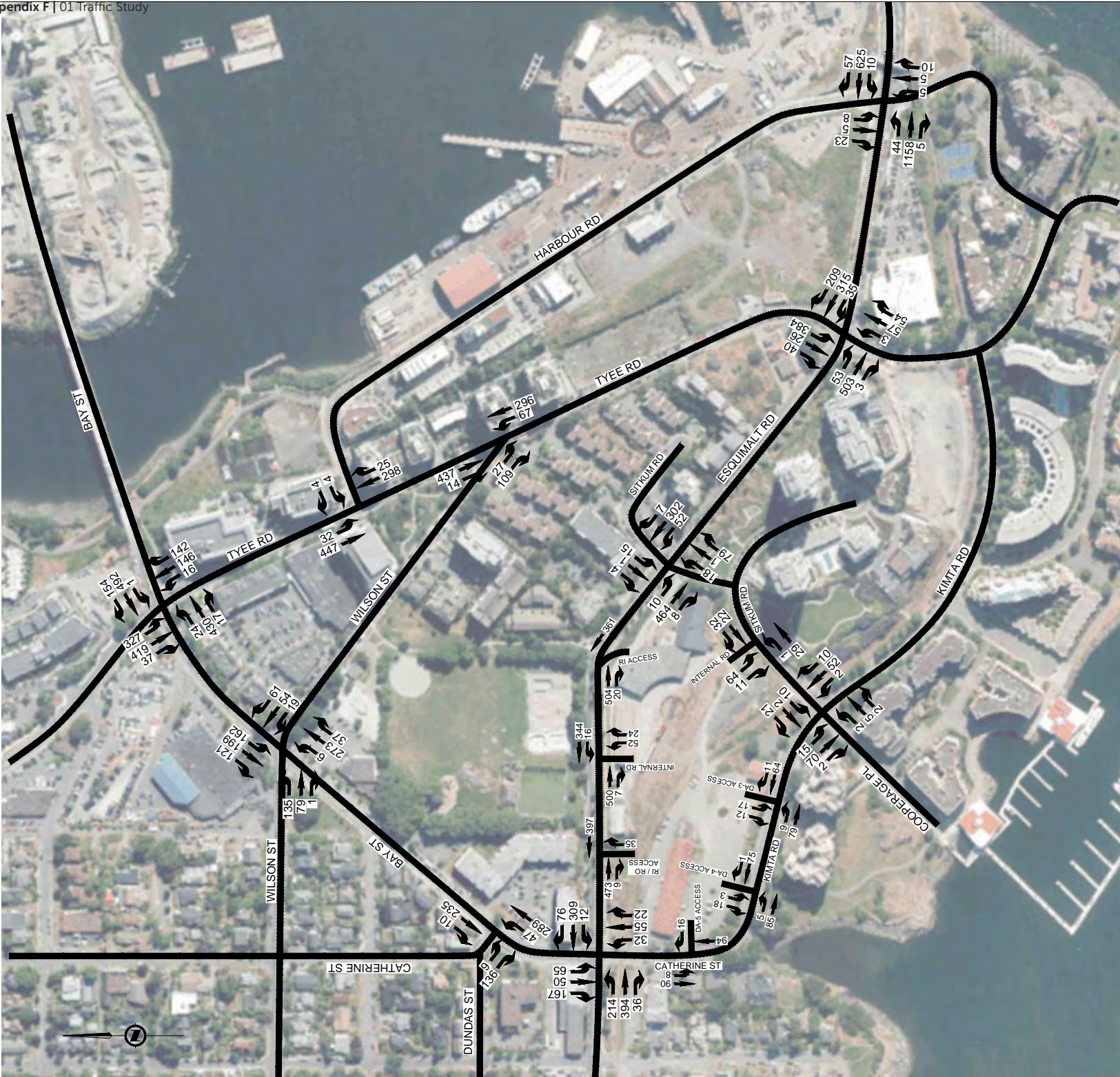






TABLE 12: POST DEVELOPMENT CONDITIONS – AM AND PM PEAK HOUR

Intersection (EW / NS)	Movement	AM Peak			PM Peak		
		LOS	Delay (s)	95 th % Queue (m)	LOS	Delay (s)	95 th % Queue (m)
Esquimalt Rd / Harbour Rd (signalized)	EBL	A	5.5	28.3	B	10.7	23.6
	EB T/R	E	66.4	172.1	D	50.4	188.0
	WBL	A	8.6	11.6	A	9.6	18.0
	WB T/R	A	5.5	43.0	B	15.0	77.4
	NB L/T/R	C	20.2	12.7	B	10.1	11.3
	SB L/T/R	B	15.1	18.9	B	17.0	28.7
Esquimalt Rd / Tyece Rd (signalized)	EBL	B	16.7	27.2	B	14.4	28.7
	EB T/R	C	21.9	77.7	B	14.4	75.5
	WBL	B	17.5	25.4	B	12.5	33.8
	WBT	B	15.9	55.7	B	14.6	93.9
	WBR	A	3.0	0.0	A	2.0	15.5
	NBL	C	27.7	5.3	C	27.6	10.3
Esquimalt Rd / Sitkum Rd (stop control)	NB T/R	C	25.7	28.8	C	34.2	34.1
	SBL	C	29.1	44.6	F	93.4	44.5
	SB T/R	A	6.0	105.9	B	15.6	120.4
	EBL	A	8.0	3.0	A	8.8	3.7
	EB T/R	A	0.0	0.9	A	0.0	5.0
	WBL	A	8.6	12.4	A	9.3	20.0
Esquimalt Rd / Catherine St (signalized)	WB T/R	A	0.0	0.0	A	0.0	22.3
	NB L/T/R	C	16.1	17.3	D	28.5	22.7
	SB L/T/R	C	24.4	9.6	E	37.0	9.5
	EBL	B	14.9	39.4	B	11.5	48.8
	EB T/R	A	9.1	46.5	A	9.4	71.5
	WBL	B	13.1	11.8	B	13.3	22.5
Kimta Rd / Sitkum Rd / Cooperage Pl (stop control)	WB T/R	C	23.2	63.2	C	24.5	65.6
	NB L/T/R	C	22.9	26.3	F	532.9	102.0
	SB L/T	C	22.3	27.5	F	148.0	73.2
	SBR	A	6.1	27.1	A	8.5	53.3
	EB L/T/R	A	1.3	2.6	A	0.8	3.9
	WB L/T/R	A	0.2	1.2	A	0.3	2.5
NB L/T/R	A	9.8	6.2	B	10.6	4.7	
SB L/T/R	A	9.2	10.9	B	10.1	11.7	

TABLE 12: POST DEVELOPMENT CONDITIONS – AM AND PM PEAK HOUR
(CONTINUED)

Intersection (EW / NS)	Movement	AM Peak			PM Peak		
		LOS	Delay (s)	95 th % Queue (m)	LOS	Delay (s)	95 th % Queue (m)
Wilson St / Tyee Rd (stop control)	EB L/R	C	21.4	20.9	C	19.2	126.3
	NBL	A	8.7	17.0	A	8.7	33.4
	NBT	A	0.0	5.5	A	0.0	136.4
	SB T/R	A	0.0	9.0	A	0.0	4.7
Harbour Rd / Tyee Rd (stop control)	WB L/R	B	13.6	6.1	C	18.8	14.0
	NB T/R	A	0.0	0.0	A	0.0	111.0
	SBL	A	8.0	10.0	A	8.7	6.3
	SBT	A	0.0	0.0	A	0.0	0.0
Bay St / Tyee Rd (signalized)	EBL	C	26.3	24.2	B	16.2	45.1
	EB T/R	C	29.4	79.1	B	14.8	86.9
	WB L/T	C	28.8	101.4	C	33.8	598.1
	WBR	A	5.8	48.0	A	7.4	0.0
	NBL	C	29.4	14.6	C	33.6	23.6
	NBT	C	30.9	45.4	E	64.7	222.3
	NBR	A	7.3	5.2	A	9.3	119.3
	SBL	B	18.2	59.9	D	53.8	66.7
	SB T/R	B	19.0	72.9	C	24.3	66.8
	EB L/T/R	D	41.5	52.7	E	63.9	82.7
Wilson St / Bay St (signalized)	WB L/T	C	28.2	34.5	D	51.4	79.3
	WBR	A	1.0	22.0	A	2.2	22.9
	NBL	C	26.2	8.1	C	22.1	8.8
	NB T/R	E	68.3	69.6	D	36.7	73.5
Catherine St / Bay St (stop control)	SBL	C	30.2	31.3	C	20.8	46.3
	SB T/R	D	42.5	36.2	C	21.3	74.2
	EB L/R	B	11.2	18.7	B	12.9	16.4
	NBL	A	7.9	9.1	A	8.9	15.7
	NBT	A	0.0	3.7	A	0.0	10.5
	SB T/R	A	0.0	0.0	A	0.0	23.7

Roundhouse at Bayview

Traffic Impact Assessment and Management Study

30



In the AM peak hour, the addition of the eastbound through traffic on Esquimalt Road at Harbour Road (one lane eastbound) due to the development drops the eastbound through movement to a LOS E due to the high volume of eastbound through traffic (west of Tyee Road) with the existing southbound left turn volume from Tyee Road. The combination of the higher eastbound through traffic with the high southbound left turn traffic as eastbound traffic at Harbour Road is above 1,000 vph which creates poor operations.

At the Catherine St / Esquimalt Rd intersection, the northbound and southbound movements drop to a LOS F during the PM peak hour. Signal timing optimization improves the southbound movement to LOS C and the northbound to LOS E, however the westbound through / right movement drops to LOS E as a result. Installation of a 15m northbound left turn lane improves the intersection operations to LOS D or better for all movements. If the property on the northwest corner of the intersection develops the City may want to consider additional right-of-way from that property to allow for a separate southbound right turn in the future.

The northbound through / right movement at Bay Street / Wilson Street drops to LOS E during the AM peak with the addition of the development traffic. With optimization of the signal timing all movement operate at a LOS D or better.

The southbound queues at Building DA-4/DA-5/DA-6's access on Catherine Street is less than 10m (one vehicle) in length and therefore will not extend back to the railway or the crosswalk for the bicycle facility on Catherine/Kimta since the access is located 50m from the railway crossing. The access does not require a separate southbound left turn lane.

The northbound 95th percentile queues at Esquimalt Road / Main Site Access are 18 to 20m in the peak periods. There is approximately 16.5m of space between the stop bar at Esquimalt Road and the internal east-west road. When the 95th percentile queue occurs in the peak periods (which will not be all the time) one vehicle may be queued in the DA-8 driveway or on the internal road. During detailed design of this area of the



development increasing the distance from the stop bar to 20m would be ideal. However, with stop signs on the internal east-west road legs the last vehicle in the queue will wait on the east-west legs. Stop signs should not be located on the north-south portion of the internal intersection to avoid queues back to Esquimalt Road and a three way stop at a four legged intersection should also not be permitted as this creates driver confusion as to why the one leg doesn't stop. The signalization of Sitkum Road / Esquimalt Road may also reduce the northbound queues at this intersection as it may draw vehicles, particularly from DA-2a, DA-2b, and DA-1.

4.0 SUSTAINABLE TRANSPORTATION

The site is already well provided for in terms of sidewalks, bicycle facilities, and transit facilities within the area surrounding the site. As part of the development new crosswalks will be installed at the main site access with the signalization of the intersection. This will provide additional safe crossings across Esquimalt Road for pedestrians and cyclists.

The transit stop along the frontage of Roundhouse will be reviewed, in consultation with BC Transit, to ensure a fully accessible and furnished stop is provided. The current design for the Esquimalt stop is a bus bay and the installation of a right turn lane on the west side of the intersection could provide a queue jumper lane (shared with right turners) for this future BRT stop (current transit stop).

Internally a pedestrian / bicycle connection is proposed from the north to the south side of the property. This connection will extend across Kimta Road, with a proposed raised crosswalk to connect Lime Bay Park, Roundhouse, and Victoria West Park. Additional pedestrian connections through the site will be provided in the form of sidewalks and multi-use pathways. Ultimately an east-west multi-use pathway is proposed parallel to the E&N tracks to extend the E&N Trail through the site in place of the City's interim cycling facility that is on Kimta/Catherine.



5.0 CONCLUSIONS

The Roundhouse at Bayview Place is comprised of two parcels: North and South. An assessment of existing residential trip generation of existing condominium units in the Victoria West neighbourhood found that vehicle trips are generated at a lower rate than typical (ITE). This is consistent with the highly walkable, bikeable, and high transit service nature of area and the existing mode splits in Victoria. The trip generation for the site is based on site specific residential rate for Victoria West and ITE for the commercial land use. The traffic volumes analyzed are based on 186 more multi-family units and 22,200 sq. ft. more commercial than is identified in the trip generation tables which translates to 24 to 82 less vph expected on the network than was analyzed. The difference in trips does not change the required mitigations.

The existing road network operates at a LOS D or better in the AM peak hour. The addition of the development adds delays; however, only the eastbound direction on Esquimalt Road at Harbour Road drops in LOS (from D to an E). This is due to the high volume of traffic heading into downtown Victoria in the AM. The segments of Esquimalt Road west of Tyee Road are not impact; however, the combination of the high eastbound through volumes and the existing high southbound left turn volume off Tyee Road in the AM creates volumes above 1,000 vph which exceeds a single lane of traffic's capacity at Harbour Road. Continuing to work to shift traffic to active modes and transit will help to reduce the added delay in the eastbound direction.

In the PM peak hour there are four existing movements that operate at a LOS E/F. The addition of the development traffic impacts movements at Wilson Street / Bay Street; however, with adjustments in signal timing all movements will be at a LOS D or better. At Esquimalt Road/Sitkum Road the southbound movements (from the condominium driveway) will drop to a LOS E due to increased traffic on Esquimalt Road which reduces gaps for left turning traffic from the driveway. As a signalized intersection this will operate at a LOS B or better. At Catherine Street / Esquimalt Road in the PM peak hour, the northbound left turn drops from a LOS E to LOS F (with significant delays) as well the southbound movement drops to a LOS F. These poor movements are mitigated



with the addition of a northbound left turn lane on Catherine Street and adjusted signal timing. The addition of the signal at Sitkum Road / Esquimalt Road may also draw some of the northbound left turning traffic from Catherine Street which will improve the operations at Catherine Street / Esquimalt Road.

The other site accesses on Catherine Street / Kimta Road will operate at good LOS in the long term. A review of the southbound left turn queues at the DA-4/DA-5/DA-6 access (closest to the Catherine Street crossing) found that the 95th queues are less than 10m in length and won't impact the railway crossing (located 50m away) or the crosswalk (approximately 12m away).

A right in / right out access for DA-9, that aligns with the 222 Esquimalt Road driveway will operate at a LOS B or better. The grades from Sitkum Road to the site are prohibitive to accommodating a driveway under DA-9 as well the parcel frontage is limited to less than 15m due to the Backshop (heritage building) which would make exiting towards Esquimalt Road difficult. The location of a driveway on Sitkum Road is not recommended due to the spacing from the intersection and the challenge motorists will have making a left turn out of the site. A parking facility under the heritage buildings is not planned which makes utilizing a Saghalie Road access for DA-9 not possible.

The northbound queue from Esquimalt Road / Main Site Access will extend to 20m in the peak periods which is approximately half a car length more than the spacing between the two intersections (on site) based on the conceptual design for the on-site road layout. One vehicle may queue on the east-west legs of the internal intersection. However, vehicles may utilize the Sitkum Road / Esquimalt Road intersection with the proposed change in traffic control to a traffic signal that will provide an easy alternative to access to Esquimalt Road.

The site is well situated for pedestrian facilities, bicycle facilities, and transit service. The transit stop along the Esquimalt Road frontage will be relocated to the far side of the main access and be provided with a queue jumper lane / right turn into the site and a receiving bus bay. New crosswalks at the Main Access intersection will provide

Roundhouse at Bayview

Traffic Impact Assessment and Management Study

34



additional crossing opportunities between Victoria West Park and the Roundhouse site. Internal pedestrian connections are planned to allow for movement of pedestrians through all frontages / portions of the site. A key corridor will connect the Roundhouse building to Lime Bay. A new raised crosswalk is proposed to extend this corridor across Kimta Road. Cycling facilities are provided on Esquimalt Road (bicycle lanes) and Kimta (protected facility) and ultimately a multi-use facility will parallel the E&N railway line through the middle of the site.

6.0 RECOMMENDATIONS

The developer is recommended to implement the following as part of the development of the Roundhouse at Bayview Place:

- Signalize the intersection of Esquimalt Road / Main Site Access (between Stores Building and Carshop) including crosswalks on all approaches.
- Provide a right in / right out access for DA-9 on Esquimalt Road. Extend the centre median to restrict the turn movements at this access.
- Add an eastbound right turn at Esquimalt Road / Main Site Access that could be a shared right turn into the site and a queue jumper lane for transit accessing the new far side stop.
- Relocate that bus bay on Esquimalt Road, eastbound, to a far side bus bay at the Main Site Access.
- Add a northbound left turn lane on Catherine Street at Esquimalt Road and optimize the signal timing.
- Adjust the signal timing at Wilson Street / Bay Street.
- Install a raised crosswalk across Kimta Road to connect Lime Bay Park with the internal Roundhouse pedestrian/bicycle corridor.
- Signalize the intersection Esquimalt Road / Sitkum Road and provide a northbound left turn lane and through / right on Sitkum Road. Add crosswalks on all approaches.



APPENDIX A: SYNCHRO INFORMATION

Roundhouse at Bayview
Traffic Impact Assessment and Management Study



SYNCHRO MODELLING SOFTWARE DESCRIPTION

The traffic analysis was completed using Synchro and SimTraffic traffic modeling software. Results were measured in delay, level of service (LOS) and 95th percentile queue length. Synchro is based on the Highway Capacity Manual (HCM) methodology. SimTraffic integrates established driver behaviours and characteristics to simulate actual conditions by randomly “seeding” or positioning vehicles travelling throughout the network. The simulation is run five times (five different random seedings of vehicle types, behaviours and arrivals) to obtain statistical significance of the results.

Levels of Service

Traffic operations are typically described in terms of levels of service, which rates the amount of delay per vehicle for each movement and the entire intersection. Levels of service range from LOS A (representing best operations) to LOS E/F (LOS E being poor operations and LOS F being unpredictable / disruptive operations). LOS E/F are generally unacceptable levels of service under normal everyday conditions.

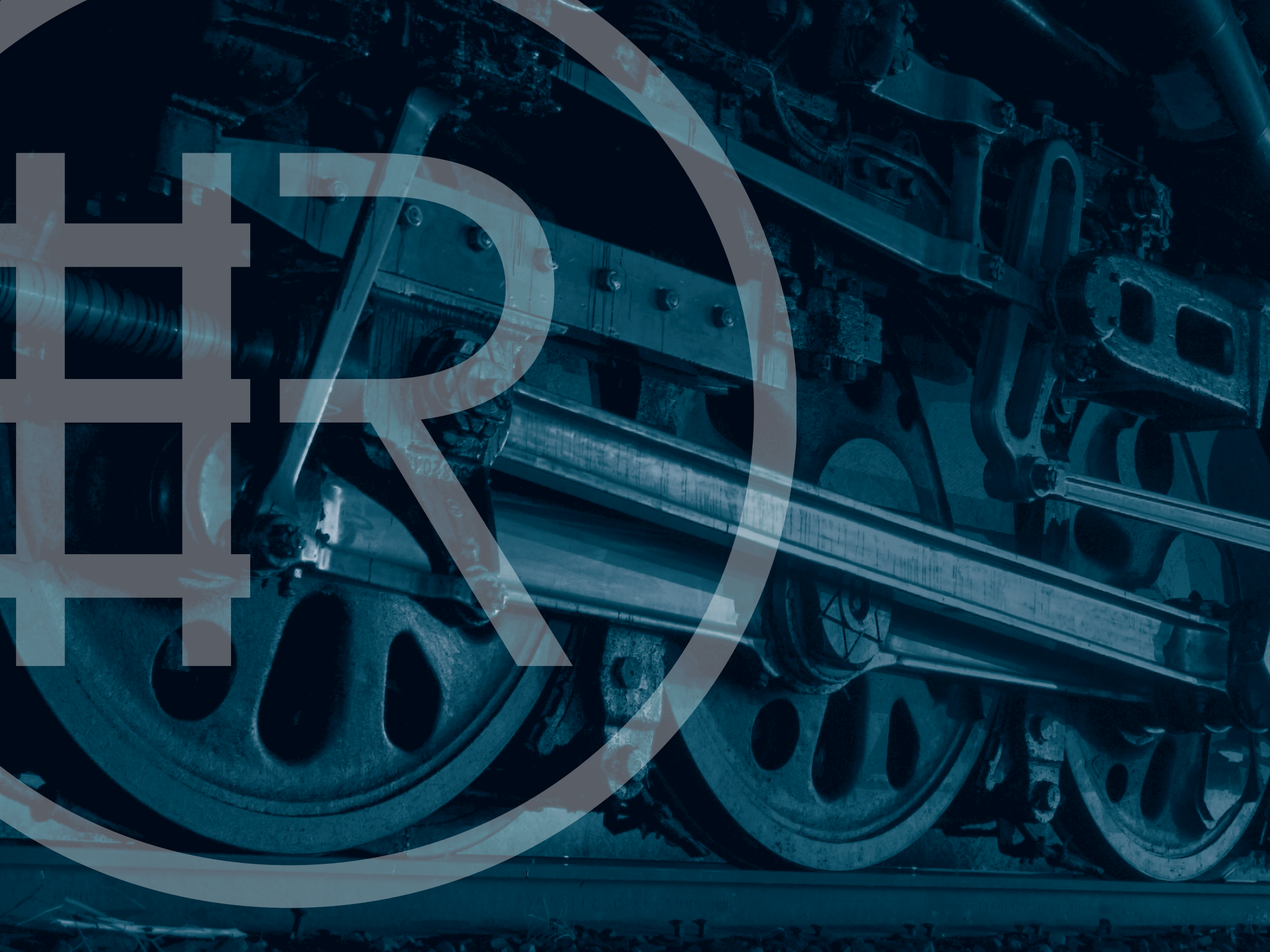
The hierarchy of criteria for grading an intersection or movement not only includes delay times, but also takes into account traffic control type (stop signs or traffic signal). For example, if a vehicle is delayed for 19 seconds at an unsignalized intersection, it is considered to have an average operation, and would therefore be graded as an LOS C. However, at a signalized intersection, a 19 second delay would be considered a good operation and therefore it would be given an LOS B. The table below indicates the range of delay for LOS for signalized and unsignalized intersections.

Table A1: LOS Criteria, by Intersection Traffic Control

Level of Service	Unsignalized Intersection Average Vehicle Delay (sec/veh)	Signalized Intersection Average Vehicle Delay (sec/veh)
A	Less than 10	Less than 10
B	10 to 15	11 to 20
C	15 to 25	20 to 35
D	25 to 35	35 to 55
E	35 to 50	55 to 80
F	More than 50	More than 80

Roundhouse at Bayview

Traffic Impact Assessment and Management Study





Roundhouse at Bayview Rezoning

File No: REZ00729

Final Submission

September 12, 2023

Appendix G: Site Servicing

- 01 Roundhouse at Bayview Place Development:
Sewage Attenuation Calculations - Rev 5 . . . G-2
- 02 Roundhouse Subdivision Master
Planning G-19

* drawings are resized to fit document and are not to scale



Stantec Consulting Ltd.
400-655 Tyeo Road
Victoria BC V9A 6X5

Sept 12, 2023

Project/File: 112610210

Deb Becelaere – Engineering Technologist – Land Development

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

Dear Ms. Becelaere

Reference: Roundhouse at Bayview Place Development: Sewage Attenuation Calculations – Rev 5

Stantec has prepared the following letter to summarize the findings of our recent investigation into the sewage attenuation requirements for the proposed Roundhouse at Bayview Place Development in Victoria, BC.

The City of Victoria has a policy in place concerning new development applications. All applications for rezoning which result in a potentially larger sewage flow than the original zoning must attenuate the additional flow on-site and release to the municipal system at a rate no higher than the maximum possible peak flow with the original zoning designation. The revised zoning to the Roundhouse site would potentially result in an increased density, and as such, sewage attenuation must be reviewed.

Calculations of the original sewage flows (pre-development calculations) were performed by Stantec and summarized in a technical report "Roundhouse Development: Sewage Attenuation Calculations" sent to the City of Victoria on April 10, 2012 and attached as reference with this report. Using the applicable standards at the time, the 2012 report calculations estimated that the sewage Peak Dry Weather Flow (PDWF) for the site was 33.14 L/s. Details of the calculations can be found in the attached report.

The remainder of this report outlines the calculations for the post-development flows based on the square footage and the various uses planned for the development.

1. Post-Development Sewage Flow Calculations

During this investigation, Stantec used design criteria from the 2014 Master Municipal Construction Documents (MMCD) Guidelines and the Sewerage System Standard Practice Manual Version 3 in the following calculations. The design criteria and process for calculating post-development sewage flows are summarized below:

AVERAGE DRY WEATHER FLOW CRITERIA

- Residential and Rental Average Dry Weather Flow (rADWF) /capita = 240 L/day/capita.

The rADWF is calculated by multiplying the population equivalent with a flow/capita/day value. Sanitary flow per person has been gradually decreasing over the last 10 years with the introduction of low flow fixtures and more public awareness surrounding water conservation. 2014 MMCD recommends a value for ADWF of 240L/cap/day for metered systems.

Reference: Roundhouse at Bayview Place Development: Sewage Attenuation Calculations – Rev 5

- Hotel Average Dry Weather Flow (hADWF)/capita = 200 l/d/capita.

For hotels we used the Sewerage System Standard Practice Manual Version 3 which recommends a value of 200 l/d/capita.

- Commercial and Heritage zoning ADWF (cADWF) = 5l/day/m² (Sewerage System Standard Practice Manual Version 3). The flow for commercial and heritage developments uses the gross floor area of the development to estimate the ADWF.

The ADWF per section of development is then calculated as follows:

POPULATION DENSITY CRITERIA

To calculate the population equivalent in the development, we used the following assumptions:

- Residential and Rental Development Density: 1-person equivalent per 450 ft² (approximately 42m²). We used a 900 ft² condo size as an average size, estimated unit numbers based on this assumption, and estimated 2 People per Condo unit. This is likely a conservative population density estimate.
rOccupancy = 1 person/450 ft²
- Hotel Density: the same factor as for residential zoning was used, assuming 1 person per 450 ft²
hOccupancy = 1 person/450 ft²

Note that currently the area of the development designated as hotel is unknown, so the hotel areas have conservatively been included in the Residential flow calculations.

AVERAGE DRY WEATHER FLOW CALCULATIONS

For each section of the roundhouse development the ADWF is then calculated as follows:

- $ADWF (L/d) = (rADWF * rOccupancy * residential \text{ and } rental \text{ Gross floor Area}) + (hADWF * hOccupancy * hotel \text{ Gross floor Area}) + (cADWF * commercial \text{ and } heritage \text{ gross floor area}).$

The ADWF is then converted into L/s which is more commonly used to illustrate peak instantaneous flows in a system.

PEAKING FACTOR AND PEAK DRY WEATHER FLOW CALCULATIONS

2014 MMCD recommends a peaking factor as follows:

- Peaking Factor (PF) = 3.2 if population served <1000 people
- or $PF = 3.2 / ((population \text{ served} / 1000)^{0.105})$ if population served > 1000 people

Sanitary flow through a municipal system is not constant throughout the day, and peaks during certain periods (typically morning rush times and evening rush times, with a less pronounced peak around noon) with other off-peak periods, notably at night. To allow for these peaks when designing a system, a peaking factor is applied to the ADWF calculated previously. The peaking factor is directly related to the population connected to a system; the larger the system, the less pronounced the peak is relative to the ADWF. We looked at the Roundhouse development as a whole with an estimated population equivalent of 4260 to calculate the total Peaking Factor.

Reference: Roundhouse at Bayview Place Development: Sewage Attenuation Calculations – Rev 5

- Peak Dry Weather Flow (PDWF in L/s) = PF * ADWF (in L/s)

INFLOW AND INFILTRATION CALCULATIONS

- Inflow and Infiltration (I&I) = 0.06 l/s/ha

I & I is an allowance for storm water migrating into the sanitary system and therefore reducing available capacity within the collection system and the treatment system. If system designs neglect to include this allowance, they inevitably become overloaded during heavy winter rainfall events. Although older systems have far higher I & I values, even new systems experience some level of infiltration through manhole lids and minor inflow through pipe joints. Using the estimate from MMCD for pipes above the groundwater table, an I and I allowance of 0.06 L/s/ha has been made in these calculations.

PEAK WET WEATHER FLOW CALCULATIONS

The Peak wet Weather flow is then calculated as follows:

- Peak wet Weather Flow (PWWF, in l/s) = PDWF + I&I

2. Proposed Zoning

Figure 1 below illustrates the proposed subdivision site plan:

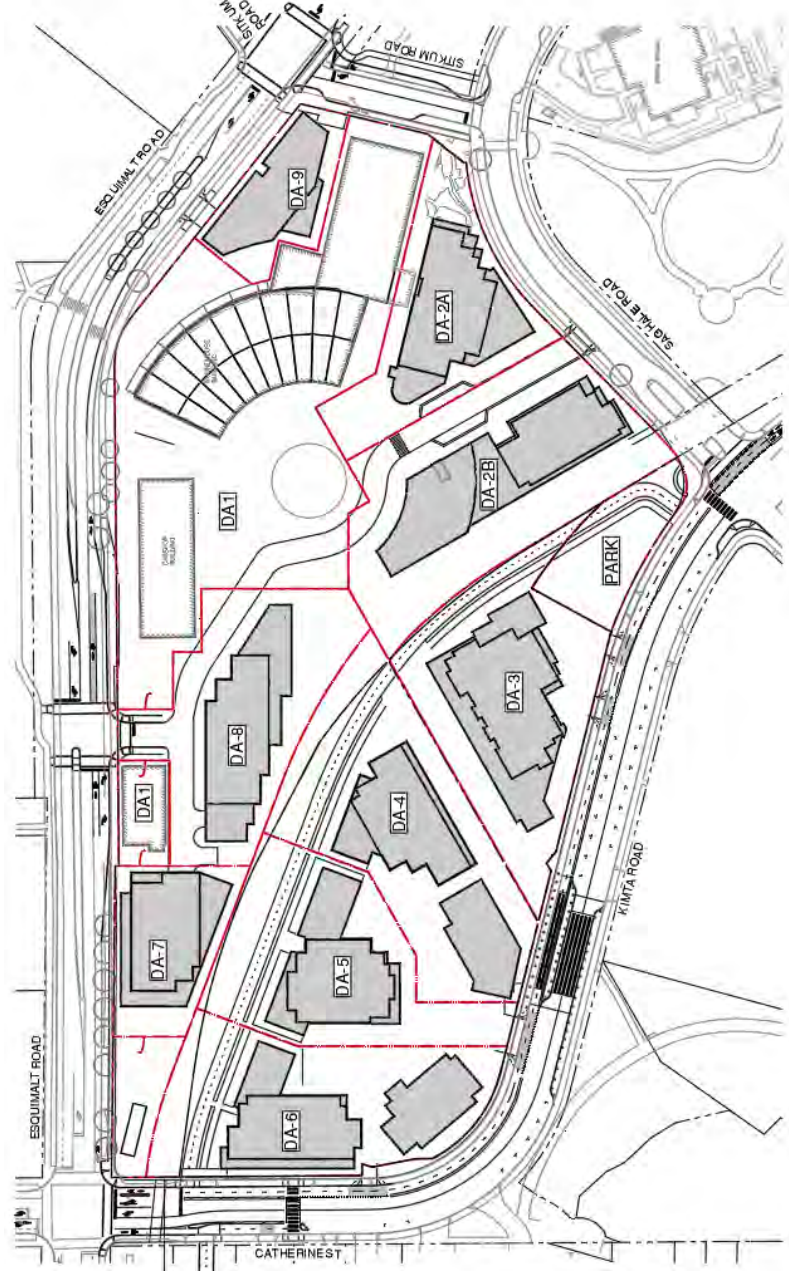


Figure 1. Bayview Site Plan

Reference: Roundhouse at Bayview Place Development: Sewage Attenuation Calculations – Rev 5

For the purposes of the sewage attenuation analysis the site has been split into Esquimalt Road and Kimta Road catchments. The proposed composition is described in the table below:

Table 1. Proposed composition of the site post development

Site	Land Use Description
ESQUIMALT ROAD CATCHMENT	
DA-7	Affordable Housing
DA-8	Rental
DA-9	Condo
DA-1	Stores Building
DA-1	Roundhouse + Backshop + Carshop (extension)
KIMTA ROAD CATCHMENT	
DA-6	Condo
DA-2A	Condo
DA-2B	Condo/Hotel
DA-3	E&N Tower
DA-4	Condo/Hotel
DA-5	Condo/Hotel

3. Results

The Average Dry Weather Flow (ADWF), Peak dry Weather Flow (PDWF) and Peak Wet Weather Flow (PWWF) for the above lots was estimated using the design criteria and calculations described earlier in this report. The following table summarizes the flows for the proposed lots of the Roundhouse Development, as well as for the whole site.

Table 2. Summary of Sanitary flow calculations for the Post Development Site

Site	Land Use Description	Site Area (Ha)	Residential/Hotel (SF)	Rental (SF)	Commercial (SF)	Total - Gross Floor Area (sqft)	ADWF (L/day)	ADWF (L/sec)	POP Eq.	Peaking Factor (PF)	PDWF (L/sec)	I&I (L/sec)	PWWF (L/sec)
DA-1	Stores Building	0.045			2,924	2,924	1,358	0.016	6	3.2	0.05	0.00	0.05
DA-1	Roundhouse + Carshop (extension) + backshop	0.789		5,200	37,976	43,176	20,414	0.236	96	3.2	0.76	0.05	0.80
DA-7	Affordable Housing	0.150		165,500	4,000	169,500	90,125	1.043	377	3.20	3.34	0.01	3.35
DA-8	Rental	0.336		204,200	4,000	208,200	110,765	1.282	463	3.2	4.10	0.02	4.12
DA-9	Condo	0.178	70,800		-	70,800	37,760	0.437	157	3.2	1.40	0.01	1.41
Subtotal Esquimalt Road Catchment		1.50	70,800	374,900	48,900	494,600	260,421	3.0	1,099	3.2	9.55	0.09	9.64
DA-2A	Condo	0.255	237,250		3,350	240,600	128,089	1.5	535	3.2	4.74	0.02	4.76
DA-2B	Condo/Hotel	0.445	233,360		5,640	239,000	127,079	1.5	531	3.2	4.71	0.03	4.73
DA-3	E&N Tower	0.364	205,190		8,610	213,800	113,434	1.3	475	3.2	4.20	0.02	4.22
DA-4	Condo/Hotel	0.413	260,100		3,500	263,600	140,346	1.6	586	3.2	5.20	0.02	5.22
DA-5	Condo/Hotel	0.320	215,000			215,000	114,667	1.3	478	3.2	4.25	0.02	4.27
DA-6	Condo	0.360	165,600			165,600	88,320	1.0	368	3.2	3.27	0.02	3.29
Subtotal Kimta Road Catchment		2.16	1,316,500	-	21,100	1,337,600	711,935	8.2	2,972	2.9	23.52	0.13	23.65
Total		3.65	1,387,300	374,900	70,000	1,832,200	972,356	11.3	4,072	2.8	31.08	0.22	31.30

the Highlighted numbers are peaked based on the whole site.

The Total Post-Development Peak Dry Weather Flow is therefore estimated as **31.08 L/s** and the Peak Wet Weather Flow is calculated as **31.30 L/s**.

Design with community in mind



Sept 12, 2023
Deb Becelesere – Engineering Technologist – Land Development
Page 5 of 5

Reference: Roundhouse at Bayview Place Development: Sewage Attenuation Calculations – Rev 5

4. Conclusion

As per the requirements of the City of Victoria, if development of a site results in post-development sewage flows being higher than the pre-development flows, it is the developer's responsibility to attenuate the post-development flows to not exceed the pre-development flows.

The 2012 sewage attenuation report outlined an original pre-development PDWF of **33.14 L/s**, based on the assumptions of the land use in accordance with the zoning bylaws at the time of writing the report. The 2012 report did not define pre-development PWWF. When applying the I&I calculations defined in this report (0.06 L/s/ha) to the pre-development area of 35,790m², the pre-development PWWF is estimated at **33.36 L/s**.

The calculations in this report estimate a PDWF of **31.08 L/s** and a PWWF of **31.30 L/s**. Therefore, the calculated post-development flows are less than the pre-development flows estimated in 2012 and no attenuation will be required for this site.

If you have any questions concerning the above, please contact the undersigned.

Regards,

Stantec Consulting Ltd.



Al Ghanam P.Eng.
Civil Engineer
Phone: 250 389 2347
Al.Ghanam@stantec.com



Keith Provan ASCT
Civil Technologist
Phone: 250 389 2366
Keith.Provan@stantec.com

Attachments: Roundhouse Development: Sewage Attenuation Calculations, April 10, 2012



Stantec

April 10, 2012
File: 112610210

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

Attention: Steven Fifield, Manager of Underground Utilities

Dear Mr Fifield:

Reference: Roundhouse Development: Sewage Attenuation Calculations

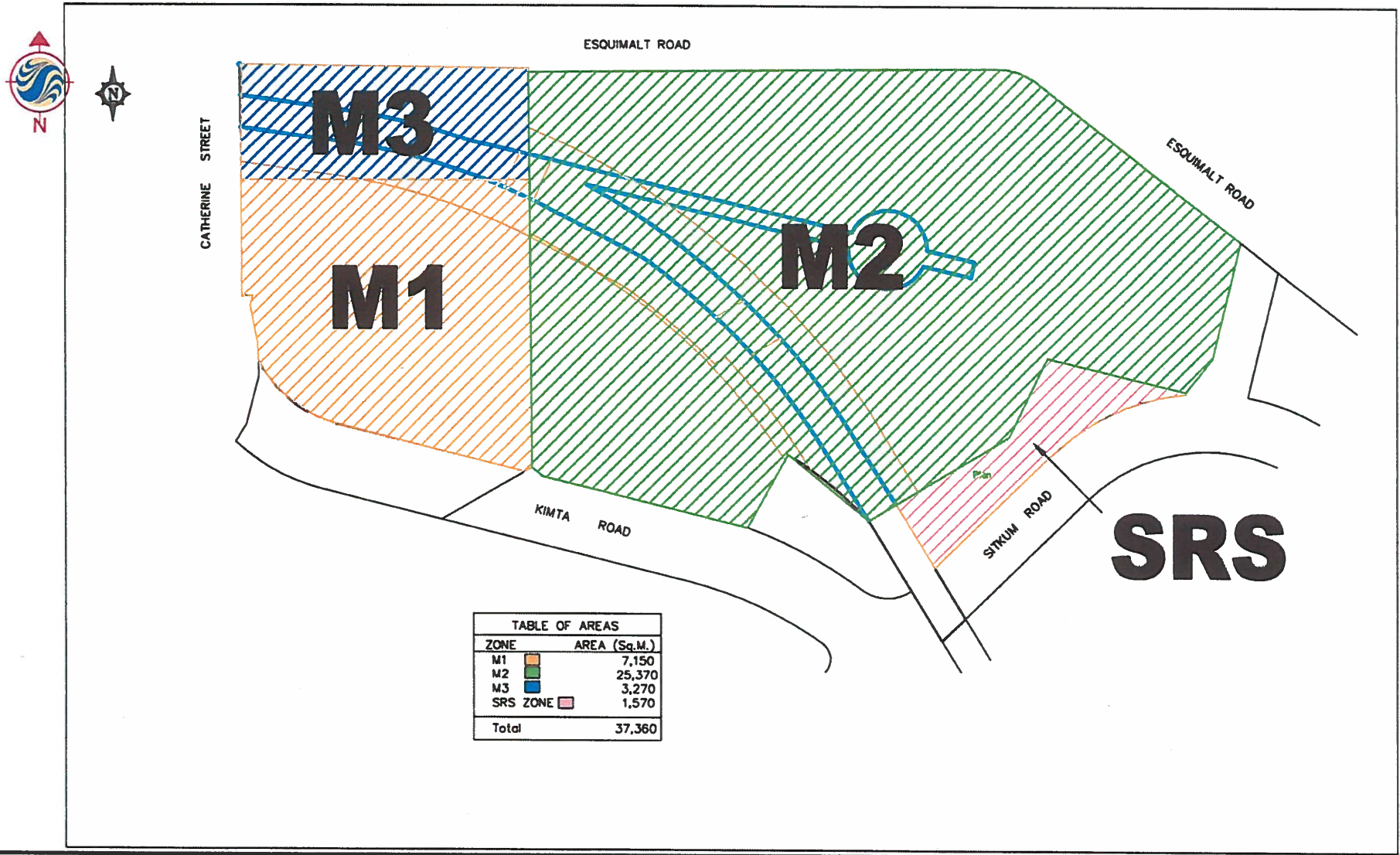
Stantec has prepared the following letter to summarize the findings of our recent investigation into the sewage attenuation requirements for the proposed Roundhouse Development in Victoria, BC.

The City of Victoria has a policy in place concerning new development applications. All applications for rezoning which result in a potentially larger sewage flow than the original zoning must attenuate the additional flow on-site and release to the municipal system at a rate no higher than the maximum possible peak flow with the original zoning designation. The revised zoning to the Roundhouse site would potentially result in an increased density, and as such sewage attenuation must be considered.

The site was originally divided into four different zoning designations:

- M1 Zone, Limited Light Industrial. Area = 7,150m²
- M2 Zone, Light Industrial. Area = 20,475m² (plus 4,895m² of rail easement also zoned M2)
- M3 Zone, Heavy Industrial. Area = 3,270m²
- SRS Zone, Songhees Single Family Residential District. Area = 1,570m²
- TOTAL SITE AREA = 37,360m²

Figure 1 on the following page shows the original parcels and zoning designations on the Roundhouse site:



APR. 2012
112610210

ORIGINAL SHEET - ISO A3



Stantec Consulting Ltd.
400 655 Tyee Road
Victoria BC Canada
V9A 6X5
Tel. 250.388.9161
Fax. 250.382.0514
www.stantec.com

Client/Project
CITY OF VICTORIA
ROUNDHOUSE DEVELOPMENT
SEWAGE ATTENUATION
Figure No.
FIG. 1
Title
ORIGINAL ZONING SITE PLAN

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April 10, 2012
 Steven Fifield, Manager of Underground Utilities
 Page 3 of 7

Reference: Roundhouse Development: Sewage Attenuation

To calculate the total amount of required retention, it is necessary to first calculate the potential flow from the existing site with the original zonings. The below summary details a method of calculating the original zoning sewage flow by using the maximum allowable FSR and allowable occupancies under the applicable zoning designations.

Calculation of the Original Zoning Sewage Flows

During this investigation, we have used figures quoted in the following publications:

- MMCD Design Guideline Manual, 2005
- The BC Sewerage Standard Practice Manual Version 2 (September 2007).
- City of Victoria Zoning Bylaw.

Calculation by Worst Case Scenario Based on FSR and Acceptable Uses

A potential method of calculating the potential sewage flows as per the existing zoning is by applying the allowable uses and FSR permitted in the zoning bylaw for each zoning designation. This method allows for an infinite number of potential scenarios based on what combination of the allowable uses was used to calculate the flow. Some of these potential scenarios may not be a realistic proposition, but the zoning bylaw allows these potentially unrealistic scenarios to be built.

We calculated the flows for a given scenario in which the areas zoned as M1, M2, M3 had various high sanitary use businesses on-site, such as car washes, gas stations, restaurants, manufacturing plants, dry cleaners/Laundromats etc. as allowed in the zoning bylaw. Although the scenarios may not be realistic, the exercise proved that it is possible to estimate very large flows for the original zoning designation by this method, to the point where the flows as per the original zoning designation can match and exceed the post-development sewage flows.

This method is typically used to calculate flows when the actual uses and the size of the non-residential units on a site are better defined. Using it in this instance, as mentioned earlier, can result in an infinite number of potential scenarios.

One potential scenario with its resultant original zoning flow is outlined below:

- The maximum allowable FSR allowed by Industrial zones M1, M2 and M3 is 3:1, and an allowable occupancy of all the zonings is a restaurant. This scenario assumes all zones designated as industrial are to be used exclusively as a large scale restaurant complex.
- The total area of the industrial zones on the site is 35,790m². With a FSR of 3:1, this results in total floor space on the site being 107,370m².
- It is assumed for this scenario that 2/3 of that space is restaurant seating area, with the other 1/3 being for other uses. Assuming dense table spacing, it is assumed that the density is 1 table of 4 per 9m². This results in there being a number of 7,953 tables with 31,812 seats.

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April 10, 2012
 Steven Fifield, Manager of Underground Utilities
 Page 4 of 7

Reference: Roundhouse Development: Sewage Attenuation

- The BC Sewerage SPM quotes a recommended figure for estimating sanitary loading of 90L/day/seat, which results in a total flow of 2,863,080L/day = **33.14L/s**.

While it is acknowledged that the scenario presented here is a very unlikely one in practicality, it is a possibility under current applicable zoning bylaw regulations.

Detailed calculations for the above described flows are provided at the end of this report.

A more practical example may be that of a brewery being placed on the site. The M3 zone allows for breweries to be built, and with a FSR of 3:1, the total area on the M3 portion of the site would be just over a hectare (the M3 portion of the site is less than 10% of the total site area). Stantec have in recent years performed sewage discharge reviews for breweries in BC and Ontario, and found the discharge rate to be approximately 1 Million L/day/hectare. If these numbers were applied to the original zoning on the Roundhouse Site, approximately 1Million L/day could be generated from the M3 parcel alone. This is an example of the potentially high sanitary discharges from uses such as breweries and distilleries.

The below table summarizes the existing sewage flows and projected sewage flows from a brewery located on a 2 hectare site on the BC mainland, as determined through Stantec's investigations:

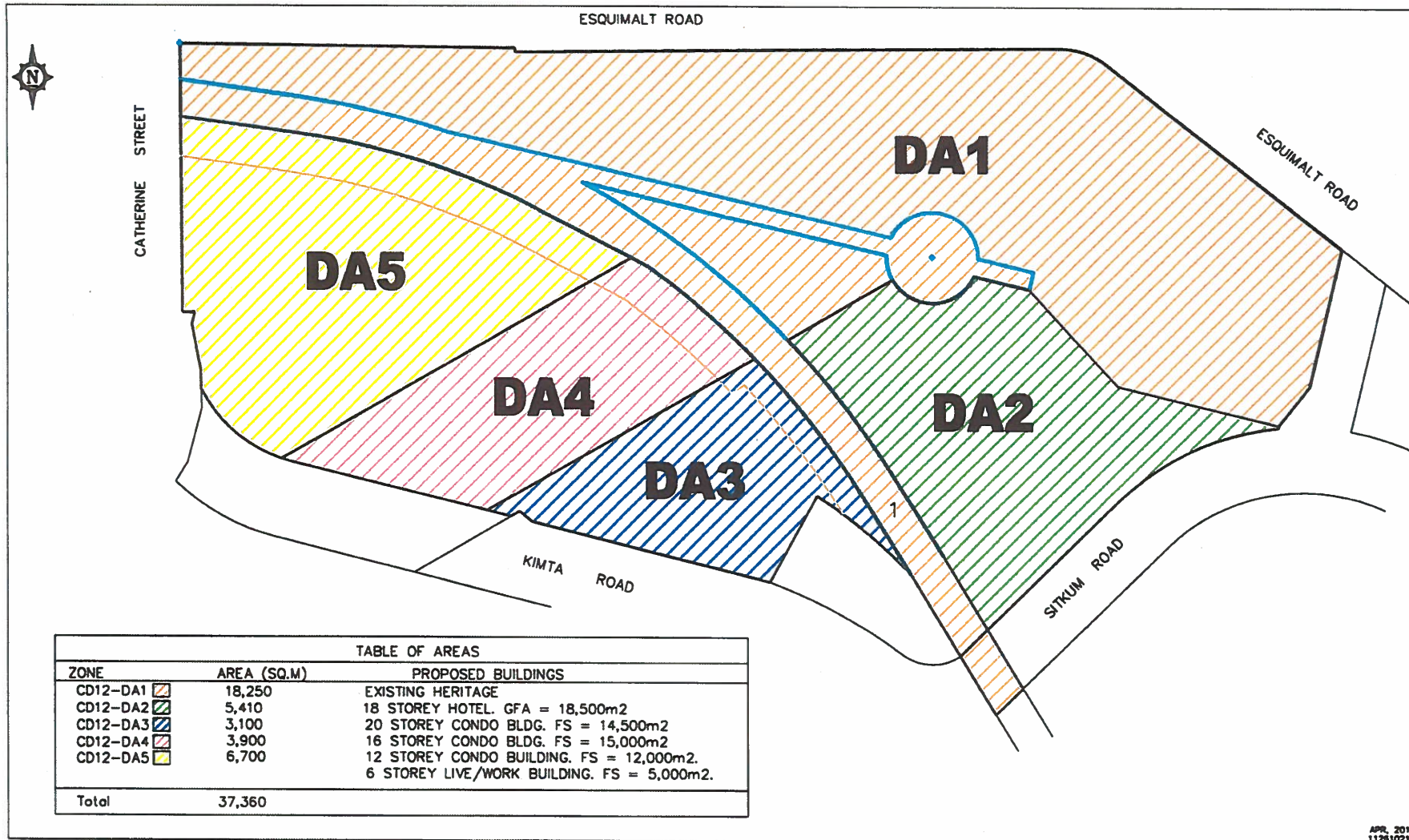
<u>Existing and Projected Flows from a 2 Hectare Brewery – BC Mainland</u>						
Year	2010	2011	2012	2013	2014	2015
Production Increase from 2010 Levels	0	0.2%	0.2%	9%	13%	23%
Average Sanitary Flow (m ³ /day)	1,925	1,928	1,928	2,096	2,181	2,375

Calculation of the Post-Development Sewage Flows

The following design criteria were used during this investigation:

- Average Sewage Flow per person = 300L/day
- Peaking Factor = Harmons Equation
- Residential Condo size = 900ft² (approximately 83m²)
- People per Condo unit = 2

Figure 2 on the following page illustrates the current zoning on the site:



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Stantec Consulting Ltd.
400 655 Tye Road
Victoria BC Canada
V9A 6X5
Tel. 250.388.9161
Fax. 250.382.0514
www.stantec.com

Client/Project
CITY OF VICTORIA
ROUNDHOUSE DEVELOPMENT
SEWAGE ATTENUATION
Figure No.
FIG 2
Title
CURRENT ZONING SITE PLAN

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April 10, 2012
 Steven Fifield, Manager of Underground Utilities
 Page 6 of 7

Reference: Roundhouse Development: Sewage Attenuation

The proposed development at the Roundhouse site is divided into 5 separate parcels. The proposed composition of the units for the parcels, which the following calculations are based upon, is as follows:

- Lot 1: Retail and Public Use (Existing heritage buildings)
- Lot 2: 18 Storey Hotel with 1 Storey Retail.
- Lot 3: 20 Storey Condo Building
- Lot 4: 16 Storey Condo Building
- Lot 5: 12 Storey Condo Building and 6 Storey Live/Work Space Building

The Average Dry Weather Flow (ADWF) for the above lots was calculated using the design criteria quoted earlier in this report. In the absence of more complete data for the commercial units, the Equivalent Population of 120 people/ha was used to estimate the sewage flows for those units.

The following table summarizes the ADWF for proposed Lots 1-5 of the Roundhouse Development:

<u>Lot # and Description</u>	<u>ADWF (L/day)</u>
Lot 1: Retail and Public Use	65,100L/day
Lot 2: 18 Storey Hotel with 1 Storey Retail.	133,795L/day
Lot 3: 20 Storey Condo Building	105,000L/day
Lot 4: 16 Storey Condo Building	108,600L/day
Lot 5: 12 Storey Condo Building/ 6 Storey Live/Work	123,600L/day
TOTAL	536,095L/day (6.2L/s)

Applying the Peaking Factor as per Harmons equation, the Total Post-Development Peak Dry Weather Flow is calculated as **22.44L/s**.

Detailed calculations for the above post-development flow summary are provided at the end of this report.

Sewage Attenuation Options and Volumes

As per the requirements of the City of Victoria, if development of a site results in post-development sewage flows being higher than the pre-development flows, it is the developer's responsibility to attenuate the post-development flows to not exceed the pre-development flows.

It should be noted that Inflow and Infiltration has not been allowed for in either the original zoning or Post-Development flow calculations for storage.

Stantec

April 10, 2012
Steven Fifield, Manager of Underground Utilities
Page 7 of 7

Reference: Roundhouse Development: Sewage Attenuation

Sewage Attenuation Required when Original Flows Calculated Using FSR and Allowable Occupancies

PDWF Pre-Development = **33.14L/s** (our demonstrated scenario).

PDWF Post-Development = **22.44L/s**.

As was noted earlier in this report, the method of calculating the original zoning sewage flows by Allowable Occupancies as per the Zoning bylaw results in an infinite number of potential scenarios which result in an infinite number of different sewage flows. Our calculations proved that the Post-Development flows could be matched by using the higher sanitary use allowable occupancies under the zoning bylaw and maximizing the FSR, to calculate the original zoning Flows.

In this case, no attenuation would be required.

If you have any questions concerning the above, please contact the undersigned.

Respectfully,

Stantec Consulting Ltd.



Ken French
Associate
Tel: (250) 389-2345
Fax: (250) 382-0514
ken.french@stantec.com

Attachment:

cc. Ally Dewji

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Stantec

January 25th, 2012
112610210 Task 302

①

Roundhouse Dev. Sewage Attenuation
Original Zoning (Pre-Development) Flows

Max Sewage Flows By Allowable Occupancies (Original Zoning):

- M1 Area = 7,150m²: Zoned Limited Light Industrial.
- M2 Area = 20,475m²: Zoned Light Industrial.
- M3 Area = 3,270m²: Zoned Heavy Industrial.

Scenario 1: Whole of the site is a restaurant

An allowable use for M1, M2, M3 is a restaurant. The following calc. assume the entire roundhouse site could be used as a large restaurant complex (except for the SRS Zone):

- Area of M1, M2 and M3 zones = 35,790m².
- Max Allowable FSR = 3:1. ∴ Total floor area = $35,790 \times 3 = 107,370m^2$

- Assume 2/3 of total area = Restaurant Seating Area.
- Assume dense table spacing of 1 table of 4 per 9m².

∴ $107,370 \times \frac{2}{3} = 71,580m^2$ (Restaurant Seating Area)

$\frac{71,580}{9} = 7,953.3 \approx 7,953$ Tables

$7,953 \times 4 = 31,812$ Seats

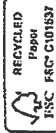
- As per BC Sewerage Manual, assume 90L/day/seat.

Total Estimated Flow = $31,812 \text{ seats} \times 90 \text{ L/day} = 2,863,080 \text{ L/day} = 33.14 \text{ L/s}$

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[Signature]

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January 6th 2012 112610210 Task 302
Roundhouse Dev. Sewage Attenuation (S)

Proposed Floor (By Area) CONFIRM THESE NUMBERS
WITH ALI DEWJI (388-9924)

Lot 1: Retail + Public Use

No new Buildings being added. Simply retaining existing heritage Buildings.

As per discussion with Ali Dewji (client), in the absence of more definitive information on restaurant size and other retail uses, we will use MMCD Equivalent population for Commercial buildings of 120 people/hectare

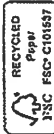
Total Floor space of existing buildings = $2860 + 735 + 270 = 3,865 m^2$

Total Area of lot = $18,082 m^2$
Equivalent Population = $1.8082 \times 120 = 216.98 \approx 217$ people

ADWF = 217×300 L/day/cap
= $65,100$ L/day

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January 6th, 2012 112610210 Task 302
 Roundhouse Dev. Sewage Attenuation 6

Lot 2: 18 Storey Hotel with 1 storey Retail. Approx 18,500m² floor space.
 - 17 storey Residential $\frac{17}{18} \times 18,500 = 17,475\text{m}^2$ Residential.

Assume 1 unit = 900ft² (~~880~~ $\approx 83\text{m}^2$)
 \therefore # of units = $\frac{17,475}{83} = 210.5$ units ≈ 211 units.

Assume 2 people per condo: $211 \times 2 = 422$ people.

ADWF from Lot 2 (Residential) = $422 \times 300\text{L/day/capita}$
 $= 126,600\text{L/day}$

1 storey retail (Assume General Retail i.e. no café or restaurant):

"BC Sewerage BPM ~~provides~~ provides figure of 7L/day/m² of floor space for shopping centre (excluding café or bakery).

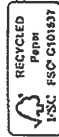
\therefore Estimated ADWF for retail = $\left(\frac{1}{18} \times 18,500\right) \times 7\text{L/day}$

= 7,194.44 $\approx 7,195\text{L/day}$

Total ADWF from both residential and retail = 133,795L/day

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 Landbase Dev. Sewage Attenuation

7

Lot 3: 20 Storey Condo Building

Floor Space = 14,500m² ∴ # of units @ 83m² each
 = ~~175~~ 174.69 ≈ 175 units

Population @ 2 people per unit = 175 x 2
 = 350 people

∴ ADWF = 350 x 300 L/day/c = 105,000 L/day

Lot 4: 16 Storey Condo Building

Floor Space = 15,000m² ∴ # of units @ 83m² each
 = 180.72 ≈ 181 units

∴ Population @ 2 people per unit = 181 x 2 = 362 people

∴ ADWF = 362 x 300 L/day/c = 108,600 L/day

Lot 5: 12 Storey Condo Building + 6 Storey Live/Work Space

12 Storey Condo: Floor space = 12,000m² ∴ # of units = 144.57 units
 ≈ 145 units

Population @ 2 people per condo = 145 x 2 = 290 people

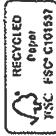
6 storey Live/Work: Floor Space = 5,000m² ∴ # of units = 60.25 units
 ≈ 61 units

Population @ 2 people per unit = 61 x 2 = 122 people

Total Lot 5 Equiv. Pop. = 122 + 290 = 412 people ADWF = 412 x 300 L/day/cap
 = 123,600 L/day

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 Roundhouse Dev.: Sewage Attenuation
 Task 302
 8

TOTAL POST-DEVELOPMENT FLOW:

- Lot 1 = 65,100 L/day
- Lot 2 = 133,795 L/day
- Lot 3 = 105,000 L/day
- Lot 4 = 108,600 L/day
- Lot 5 = 123,600 L/day

536,095 L/day = 6.2 L/s (ADWF) (Eq. Pop = 1,786-98)

PF = 1 + $\frac{14}{4 + \sqrt{11000}}$ (Harmons)

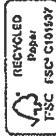
= 1 + $\frac{14}{4 + \sqrt{11786}}$ = 3.62

∴ PDWF = 3.62 x 6.2 = 22.44 L/s
 (Peakng Factor based on entire site, not individual parcels)
 1 and 1 allowance (MMD = 0.17 L/s/hectare)
 = 3.786 x 0.17 = 54,874 L/day
 = 0.635 L/s (Same as pre-development)

TOTAL POST-DEVELOPMENT FLOW = 22.44 + 0.635
 = 23.08 L/s

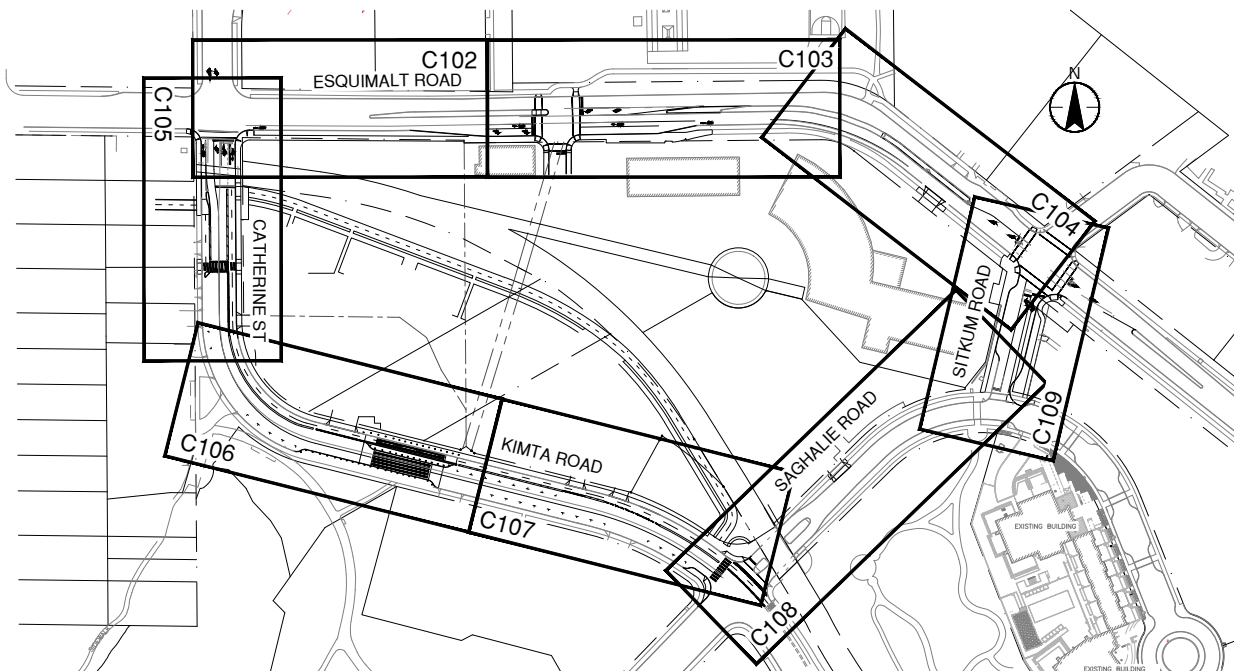
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ROUNDHOUSE SUBDIVISION MASTER PLANNING



KEY PLAN
SCALE: 1:1000

LEGEND:

- D - EXISTING PROPERTY LINE
- S - EXISTING DRAIN
- G - EXISTING SANITARY
- G - EXISTING GAS
- TEL - EXISTING TEL
- H - EXISTING HYDRO
- GE - EXISTING LIGHTING
- W - EXISTING WATER
- CD - EXISTING DRAIN MANHOLE
- CD - EXISTING DRAIN VENT LID
- CD - EXISTING CATCH BASIN
- CD - EXISTING SANITARY MANHOLE
- CD - EXISTING SANITARY CLEANOUT
- CD - EXISTING FIRE HYDRANT
- CD - EXISTING WATER VALVE
- CD - EXISTING WATER METER
- CD - EXISTING PARKING METER
- CD - EXISTING HYDRO MANHOLE
- H - EXISTING HYDRO BOX
- CD - EXISTING TEL MANHOLE
- T - EXISTING TEL BOX
- E - EXISTING LIGHT STANDARD
- V - EXISTING SIGN
- CD - PROPOSED SANITARY MAIN
- CD - PROPOSED DRAIN SERVICE
- CD - PROPOSED DRAIN MANHOLE
- CD - PROPOSED SANITARY SERVICE
- CD - PROPOSED SANITARY MAIN
- CD - PROPOSED SANITARY MANHOLE
- CD - PROPOSED WATER SERVICE

Roundhouse Development - Sanitary and Storm Servicing Flows - Preliminary Calculations

Site	Land Use Description	Site Area (m ²)	Hard Surface Area (m ²)	Soft Surface Area (m ²)	% Hard Surface	Residential (m ² /lot)	Retail (SF)	Commercial (SF)	Total - Gross Floor Area (sqft)	Sanitary								Storm								
										ADWF (L/Sec)	ADMI (L/Sec)	POP Eq.	Peaking Factor (PF)	FDMI (L/Sec)	ISI (L/Sec)	PWWF (L/Sec)	Q (l/s)	Q (l/s)								
DA-1	Stones Building	0.045	445		100%			2,934	2,934	1,958	0.016	4	3.2	0.05	0.00	0.05	14.245	0.165								
DA-1	Roundhouse - Carshop	0.789	7,795	95	99%		5,200	43,176	20,414	6,234	95	3.2	0.78	0.05	0.83	2,69.452	2.887									
DA-7	Affordable Housing	0.150	1,492		100%	165,500	4,000	169,500	90,125	1,043	3.77	3.20	3.84	0.01	3.35	67.915	0.535									
DA-8	Rental	0.158	1,559		100%	204,200	4,000	208,200	110,765	1,282	4.65	3.2	4.30	0.02	4.17	107.485	1.244									
DA-9	Condo	0.178	1,781		100%	70,800		70,800	37,760	0.437	3.2	1.40	0.93	1.41	34.960	0.659										
Subtotal Esquimalt Road Catchment										1.50	14,872	95	99%	70,800	374,900	48,900	494,600	260,421	3.0	1,099	3.2	9.53	0.09	9.54	476.08	5.51
DA-2A	Condo	0.255	2,079	473	82%	237,250		3,300	240,600	128,089	1.5	5.55	3.2	4.74	0.02	4.78	66.518	0.770								
DA-2B	Condo/Hotel	0.445	3,426	1,026	77%	233,940		3,640	239,000	127,079	1.5	5.31	3.2	4.71	0.03	4.73	109.617	1.269								
DA-3	EBN Tower	0.584	3,642		100%	205,100		8,650	213,800	115,484	1.5	4.75	3.2	4.20	0.02	4.22	116.550	1.349								
DA-4	Condo/Hotel	0.415	1,485	643	84%	265,100		5,500	268,600	146,548	1.4	5.68	3.2	4.20	0.02	5.22	111.524	1.292								
DA-5	Condo/Hotel	0.330	2,647	550	83%	213,000		215,000	114,667	1.3	4.78	3.2	4.25	0.02	4.27	84.702	0.990									
DA-6	Condo	0.580	3,102	500	86%	165,600		165,600	88,320	1.0	3.68	3.2	3.37	0.02	3.39	99.250	1.149									
Subtotal Kimta Road Catchment										2.16	16,580	3,190	85%	1,816,500	21,500	1,837,600	711,985	8.2	2,392	2.5	23.52	0.35	23.65	588.15	6.81	
Total										3.65	83,217	3,266	91%	1,887,800	374,900	70,000	1,832,200	972,956	13.3	4,072	2.8	31.48	0.22	31.93	1,064.23	12.92

The highlighted numbers are a peak rate based on the whole site.



LOCATION PLAN
SCALE: NOT TO SCALE

Sheet List Table

Sheet Number	Sheet Title
C000	KEY PLAN, LOCATION PLAN, LEGEND, GENERAL NOTES AND SHEET INDEX
C100	SITE PLAN - FRONTAGE ROADWORKS
C101	SITE PLAN - FRONTAGE UTILITIES
C102	ESQUIMALT RD STA 3+000 TO 3+130
C103	ESQUIMALT RD STA 3+130 TO 3+250
C104	ESQUIMALT RD STA 3+250 TO 3+380
C105	Catherine St STA 0+000 TO 0+100
C106	KIMTA RD STA 0+100 TO 0+230
C107	KIMTA RD STA 0+230 TO 0+360
C108	SAGHALIE RD STA 1+000 TO 1+150
C109	SITKUM RD STA 2+000 TO 2+080
C110	ACCESS PROFILES
C111	FIRE TRUCK TURNING MOVEMENTS

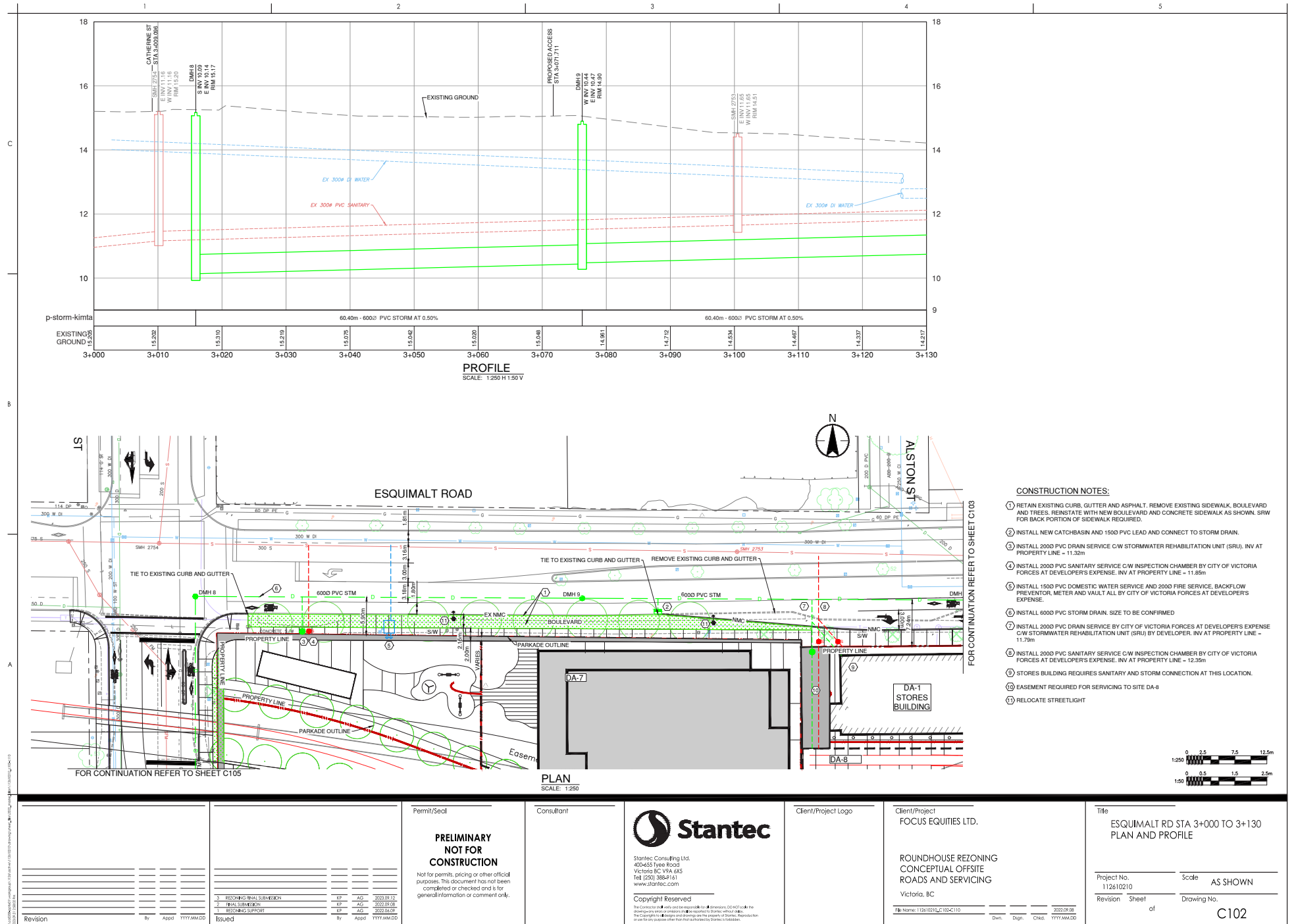
GENERAL NOTES:

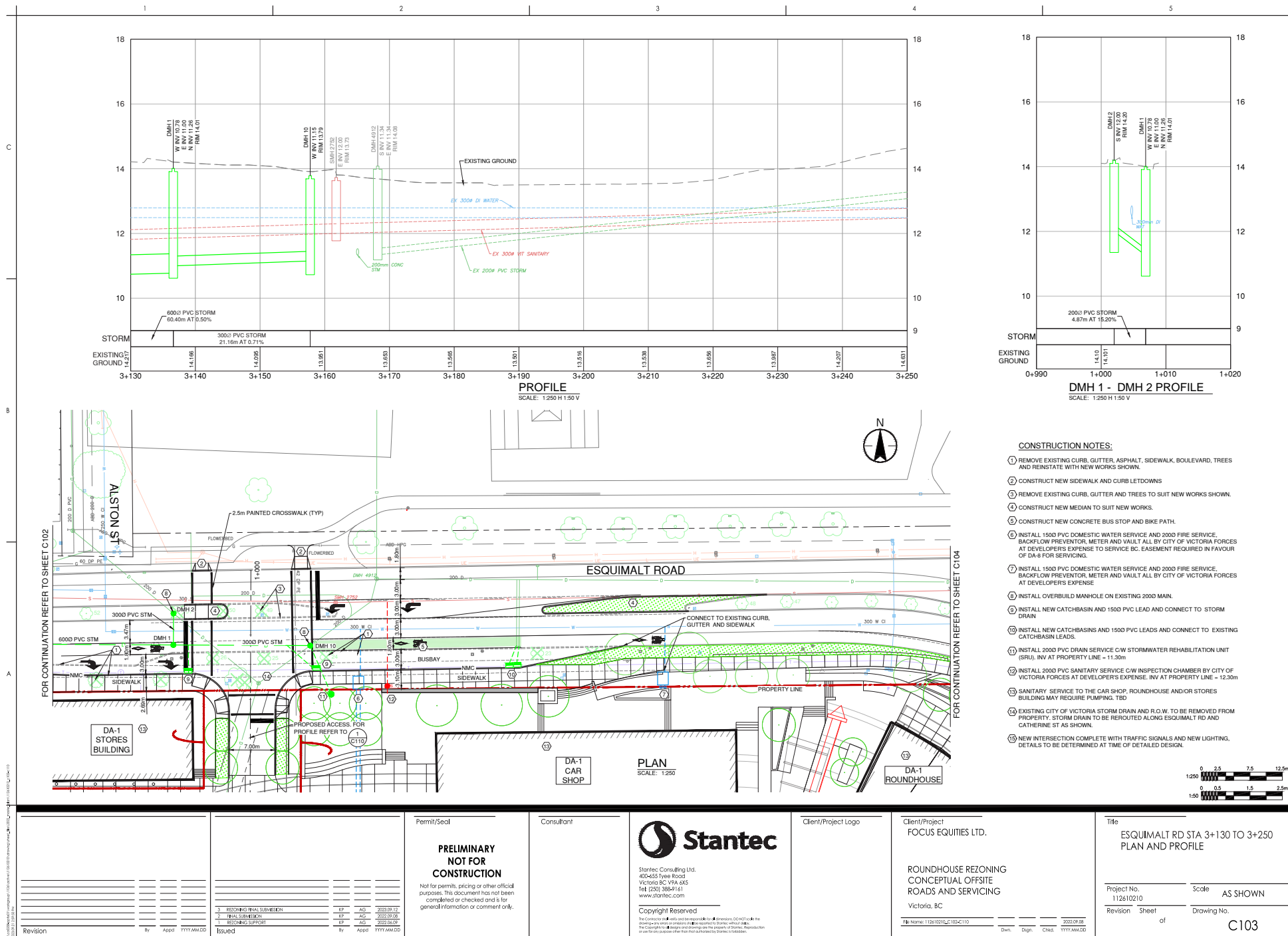
- ALL WORK AND MATERIAL TO BE IN ACCORDANCE WITH THESE DRAWINGS, PROJECT SPECIFICATIONS, CITY OF VICTORIA SUPPLEMENTARY SPECIFICATIONS AND APPLICABLE SECTIONS OF MASTER MUNICIPAL CONSTRUCTION DOCUMENT (MMCD), LATEST EDITION.
- CONNECTION TO, OR ALTERATION OF EXISTING CITY-OWNED UTILITIES TO BE UNDERTAKEN BY CITY OF VICTORIA FORCEWORKS ONLY, AT THE DEVELOPER'S EXPENSE, UNLESS OTHERWISE AUTHORIZED BY THE CITY ENGINEER. CONTRACTOR TO CONFIRM AND COORDINATE ANY OFF-SITE WORKS PRIOR TO CONSTRUCTION.
- A PERMIT TO CONSTRUCT WORKS WITHIN STREETS, LANES AND CITY PROPERTY AREAS ADJACENT TO THE DEVELOPMENT SITE WILL BE REQUIRED WHERE CONSTRUCTION IS TO BE UNDERTAKEN IN THESE AREAS.
- ALL PAVEMENT CUTS TO BE SAW CUT SQUARE.
- ALL ELEVATIONS BASED ON METRIC GEODETIC DATUM.
- REFER TO LANDSCAPE DRAWINGS AND CITY OF VICTORIA SPECIFICATIONS AND STANDARD DRAWINGS FOR PUBLIC REALM SIDEWALK PATTERNS AND TREATMENTS AS WELL AS TREE & SHRUB PLANTING DETAILS WITHIN CITY RIGHT OF WAYS.
- REFER TO LANDSCAPE FOR IRRIGATION REQUIREMENTS.
- REFER TO ARCHITECTURAL & LANDSCAPE DRAWINGS FOR STREET FURNITURE LOCATIONS AND DETAILS.
- NEW PAVEMENT MARKINGS AND SIGNAGE TO COMPLY WITH CITY OF VICTORIA REQUIREMENTS AND TRANSPORTATION ASSOCIATION OF CANADA - MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES FOR CANADA. ALL PAVEMENT MARKINGS AND LANE LINE ADJUSTMENTS TO BE BY CITY OF VICTORIA AT DEVELOPER'S EXPENSE.
- ALL AAA CYCLING FACILITY LANING IS AS PER THE CITY OF VICTORIA IPC DRAWINGS FOR THE PROJECT.

Roundhouse Development - Servicing Flows - Preliminary Calculations

Site	Land Use Description	POP Eq.	Domestic Water Demand				Peak Factor (PF)	Peak Flow (l/s)
			Average Daily Demand (m ³ /d)	Minimum (m ³ /d)	Peak (m ³ /d)	Peak (l/s)		
DA-1	Stones Building	7	2	0	0	1.5	0.1	
DA-1	Roundhouse - Carshop	37	22	0	0	0.8	0.6	
DA-7	Affordable Housing	200	624	253	454.2	3.9	17.268	
DA-8	Rental	330	102	123	483.3	3.6	15.647	
DA-9	Condo	158	498	252	532.7	6.2	28.274	
DA-2A	Condo	487	143	285	422.5	4.0	18.027	
DA-2B	Condo/Hotel	624	188	376	532.7	6.2	28.274	
DA-3	EBN Tower	475	546	292	619.0	5.1	24.828	
DA-4	Condo/Hotel	440	237	297	460.2	4.6	21.276	
DA-5	Condo/Hotel	319	410	209	510.4	5.9	27.040	
DA-6	Condo	150	486	211	315.5	3.9	17.816	
DA-9	Condo	158	498	252	532.7	6.2	28.274	
Total	None	1314	3701	1811	3701.0	6.0	167.906	

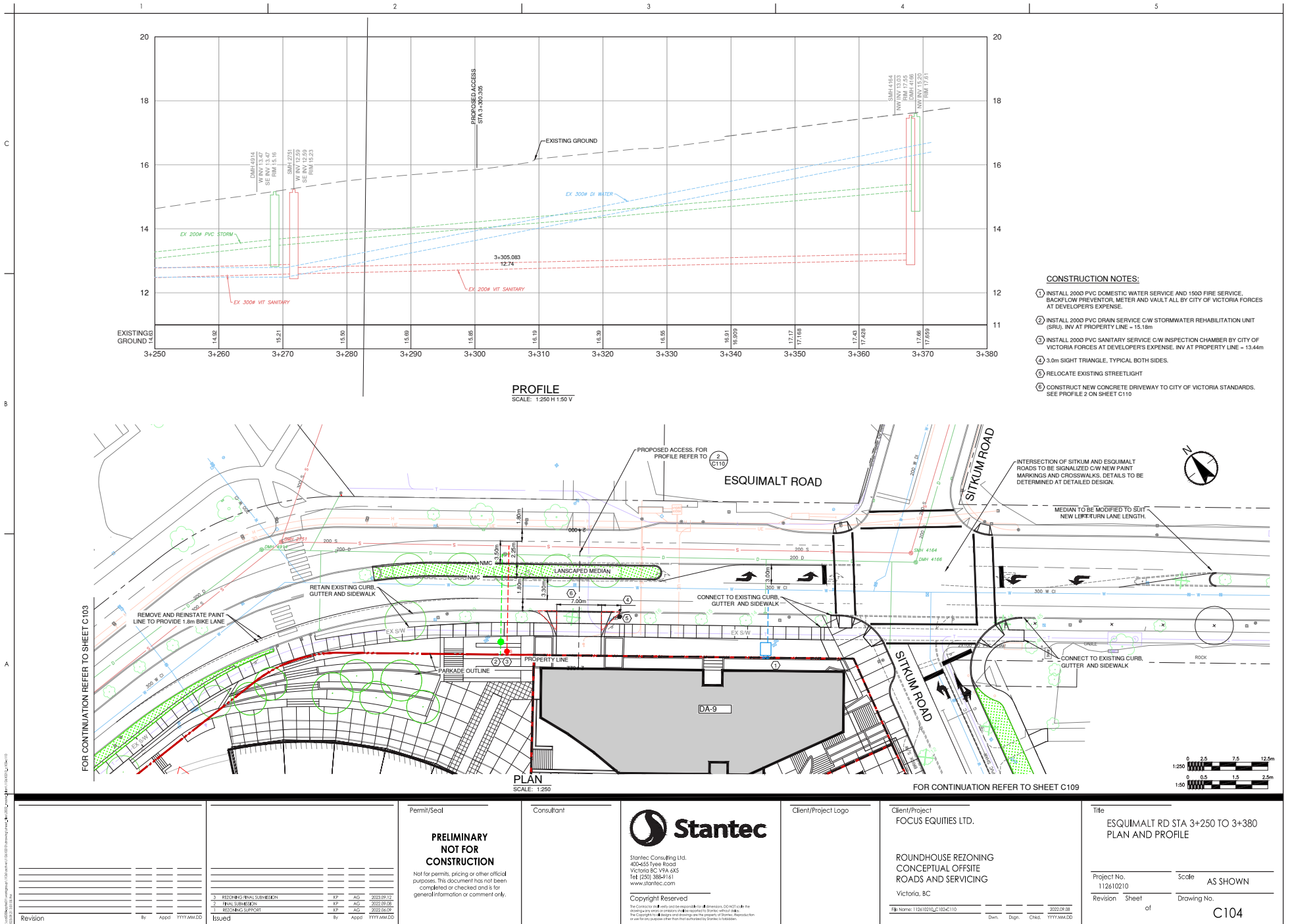
<p>Permit/Seal</p> <p>PRELIMINARY NOT FOR CONSTRUCTION</p> <p>Not for permits, pricing or other official purposes. This document has not been completed or checked and is for general information or comment only.</p>		<p>Consultant</p> <p>Stantec Consulting Ltd. 406/555 Hayes Road Victoria BC V9A 6X5 Tel: (250) 388-7141 www.stantec.com</p>		<p>Client/Project Logo</p> <p>Client/Project FOCUS EQUITIES LTD.</p> <p>ROUNDHOUSE REZONING CONCEPTUAL OFFSITE ROADS AND SERVICING</p> <p>Victoria, BC</p>		<p>Title</p> <p>KEY PLAN, LOCATION PLAN, LEGEND, GENERAL NOTES AND SHEET INDEX</p> <p>Project No. 112610210 Revision Sheet of</p> <p>Scale 1:1000 Drawing No. C000</p>																													
<p>Revision</p> <table border="1"> <thead> <tr> <th>Rev</th> <th>App'd</th> <th>YYYY-MM-DD</th> <th>Issued</th> <th>By</th> <th>App'd</th> <th>YYYY-MM-DD</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>2023-09-11</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td>2023-09-26</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td>2023-09-27</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Rev	App'd	YYYY-MM-DD	Issued	By	App'd	YYYY-MM-DD	1		2023-09-11					2		2023-09-26					3		2023-09-27					<p>Copyright Reserved</p> <p>This document is the property of Stantec Consulting Ltd. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Stantec Consulting Ltd.</p>		<p>Client/Project</p> <p>FOCUS EQUITIES LTD.</p> <p>FOCUS EQUITIES LTD.</p> <p>FOCUS EQUITIES LTD.</p>		<p>Date</p> <p>2023-09-28</p> <p>Drawn: [Name] Digit: [Name] Check: [Name]</p>	
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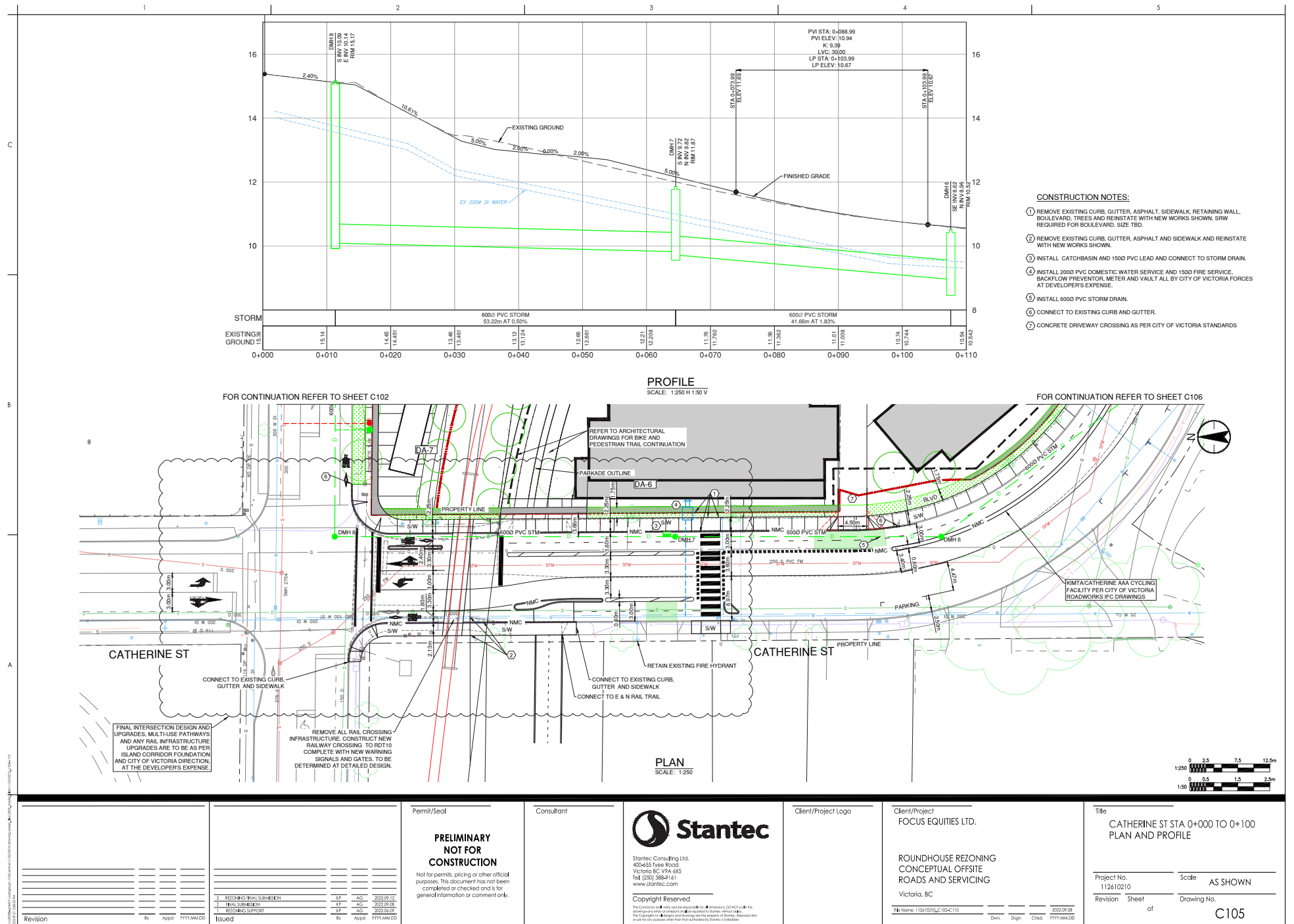


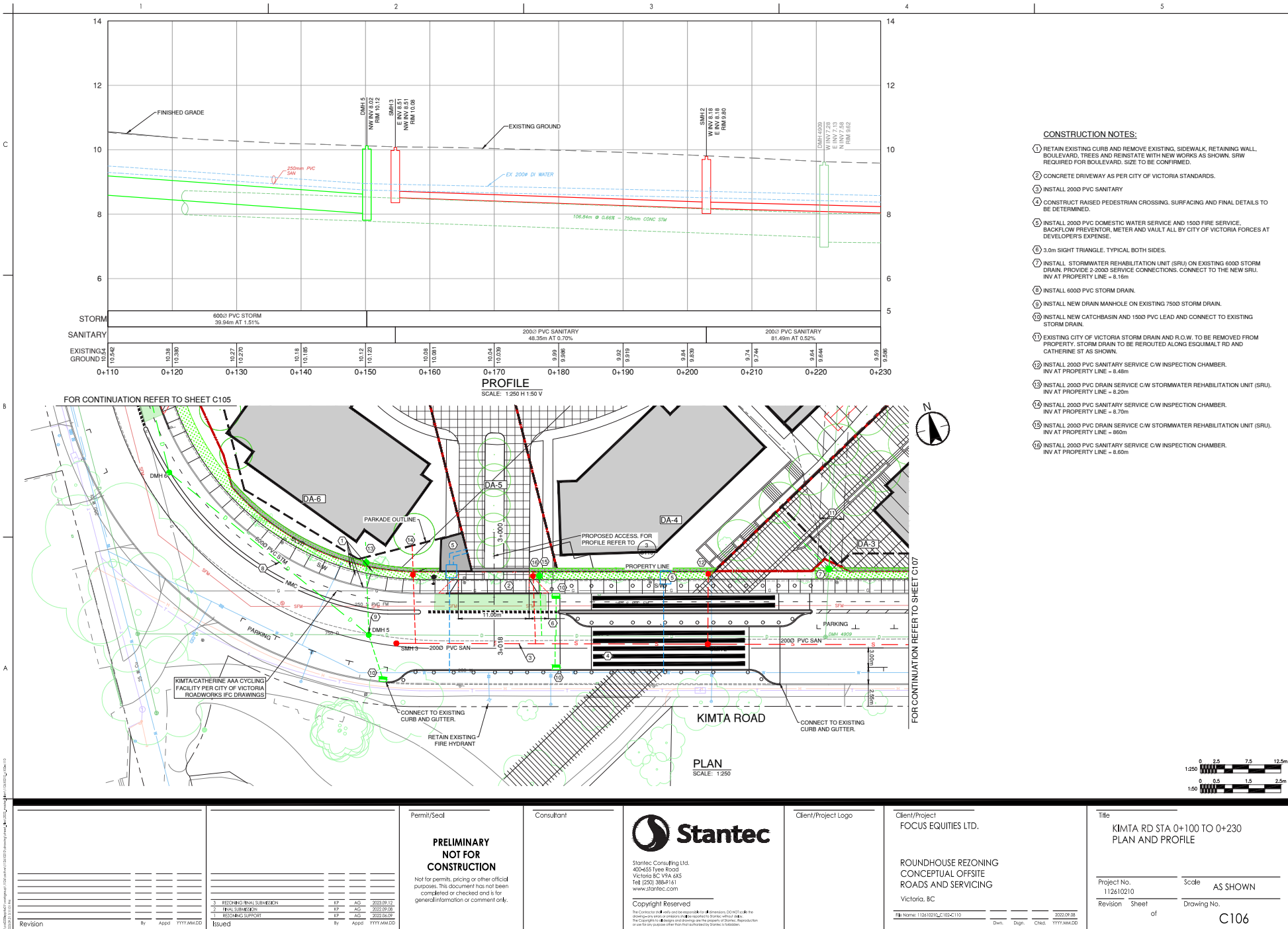


- CONSTRUCTION NOTES:**
- 1 REMOVE EXISTING CURB, GUTTER, ASPHALT, SIDEWALK, BOULEVARD, TREES AND REINSTATE WITH NEW WORKS SHOWN.
 - 2 CONSTRUCT NEW SIDEWALK AND CURB LETDOWNS.
 - 3 REMOVE EXISTING CURB, GUTTER AND TREES TO SUIT NEW WORKS SHOWN.
 - 4 CONSTRUCT NEW MEDIAN TO SUIT NEW WORKS.
 - 5 CONSTRUCT NEW CONCRETE BUS STOP AND BIKE PATH.
 - 6 INSTALL 1500 PVC DOMESTIC WATER SERVICE AND 2000 FIRE SERVICE, BACKFLOW PREVENTOR, METER AND VAULT ALL BY CITY OF VICTORIA FORCES AT DEVELOPER'S EXPENSE TO SERVICE BC. EASEMENT REQUIRED IN FAVOUR OF DA-8 FOR SERVICING.
 - 7 INSTALL 1500 PVC DOMESTIC WATER SERVICE AND 2000 FIRE SERVICE, BACKFLOW PREVENTOR, METER AND VAULT ALL BY CITY OF VICTORIA FORCES AT DEVELOPER'S EXPENSE.
 - 8 INSTALL OVERBUILD MANHOLE ON EXISTING 2000 MAIN.
 - 9 INSTALL NEW CATCHBASIN AND 1500 PVC LEAD AND CONNECT TO STORM DRAIN.
 - 10 INSTALL NEW CATCHBASINS AND 1500 PVC LEADS AND CONNECT TO EXISTING CATCHBASIN LEADS.
 - 11 INSTALL 2000 PVC DRAIN SERVICE C/W STORMWATER REHABILITATION UNIT (SRU), INV AT PROPERTY LINE = 11.30m.
 - 12 INSTALL 2000 PVC SANITARY SERVICE C/W INSPECTION CHAMBER BY CITY OF VICTORIA FORCES AT DEVELOPER'S EXPENSE, INV AT PROPERTY LINE = 12.30m.
 - 13 SANITARY SERVICE TO THE CAR SHOP, ROUNDHOUSE AND/OR STORES BUILDING MAY REQUIRE PUMPING, TBD.
 - 14 EXISTING CITY OF VICTORIA STORM DRAIN AND R.O.W. TO BE REMOVED FROM PROPERTY. STORM DRAIN TO BE REROUTED ALONG ESQUIMALT RD AND CATHERINE ST AS SHOWN.
 - 15 NEW INTERSECTION COMPLETE WITH TRAFFIC SIGNALS AND NEW LIGHTING, DETAILS TO BE DETERMINED AT TIME OF DETAILED DESIGN.

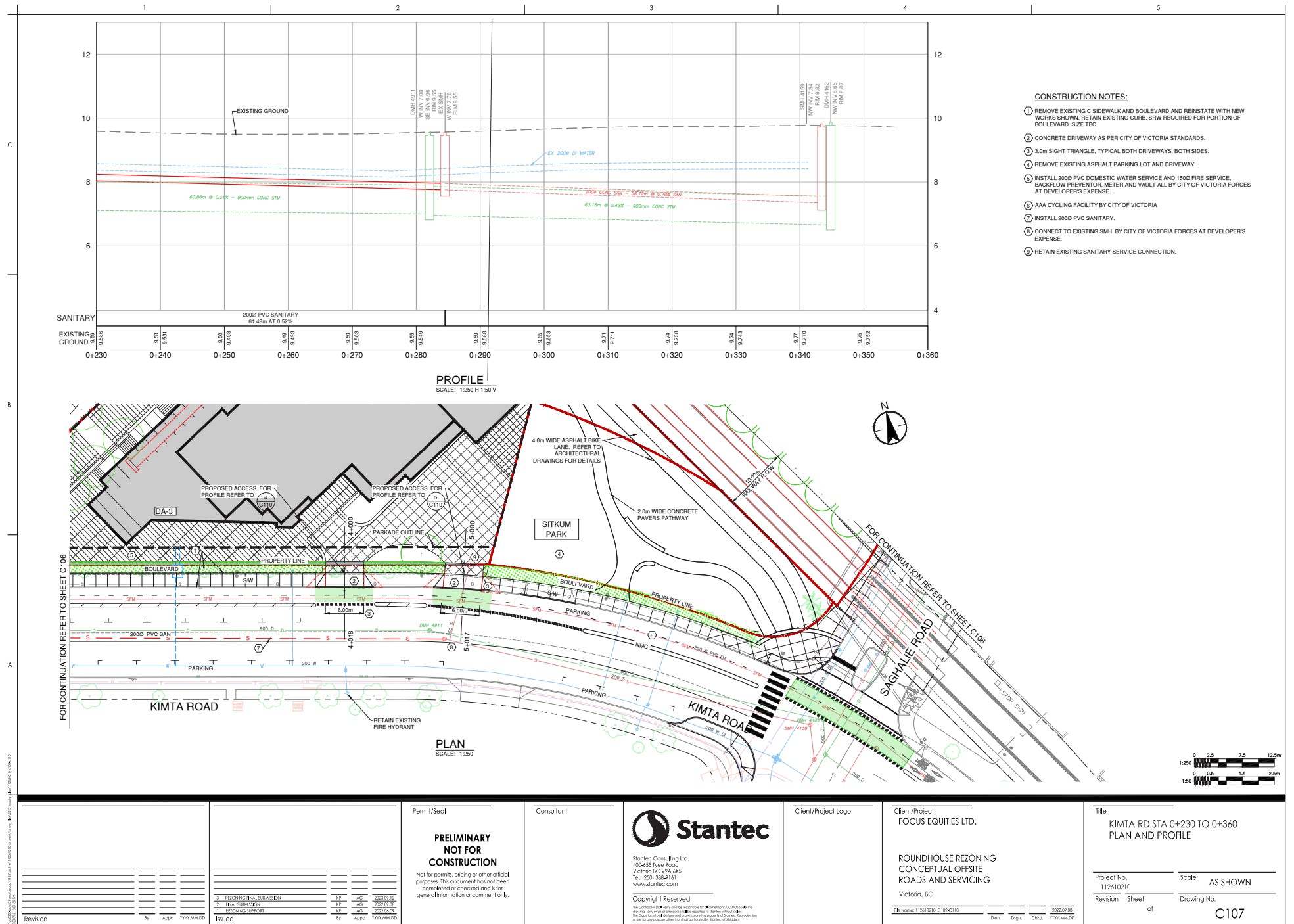
Permit/Seal PRELIMINARY NOT FOR CONSTRUCTION Not for permits, pricing or other official purposes. This document has not been completed or checked and is for general information or comment only.		Consultant Stantec Consulting Ltd. 406-555 Tyler Road Victoria BC V8A 6X5 Tel: (250) 388-7161 www.stantec.com	Client/Project Logo FOCUS EQUITIES LTD. ROUNDHOUSE REZONING CONCEPTUAL OFFSITE ROADS AND SERVICING Victoria, BC	Title ESQUIMALT RD STA 3+130 TO 3+250 PLAN AND PROFILE Project No. 112610210 Scale AS SHOWN Revision Sheet of Drawing No. C103
Revision 1 REVISIONAL SUBMISSION 2 FINAL SUBMISSION 3 REZONING SUPPORT	By: [Blank] App'd: [Blank] YYYY-MM-DD Issued By: [Blank] App'd: [Blank] YYYY-MM-DD	Permit/Seal Issued By: [Blank] App'd: [Blank] YYYY-MM-DD	Consultant Issued By: [Blank] App'd: [Blank] YYYY-MM-DD	Client/Project Logo Issued By: [Blank] App'd: [Blank] YYYY-MM-DD







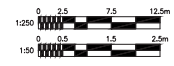
- CONSTRUCTION NOTES:**
- ① RETAIN EXISTING CURB AND REMOVE EXISTING SIDEWALK, RETAINING WALL, BOULEVARD, TREES AND REINSTATE WITH NEW WORKS AS SHOWN. SRW REQUIRED FOR BOULEVARD. SIZE TO BE CONFIRMED.
 - ② CONCRETE DRIVEWAY AS PER CITY OF VICTORIA STANDARDS.
 - ③ INSTALL 2000 PVC SANITARY
 - ④ CONSTRUCT RAISED PEDESTRIAN CROSSING, SURFACING AND FINAL DETAILS TO BE DETERMINED.
 - ⑤ INSTALL 2000 PVC DOMESTIC WATER SERVICE AND 1500 FIRE SERVICE, BACKFLOW PREVENTOR, METER AND VAULT ALL BY CITY OF VICTORIA FORCES AT DEVELOPER'S EXPENSE.
 - ⑥ 3.0m SIGHT TRIANGLE, TYPICAL BOTH SIDES.
 - ⑦ INSTALL STORMWATER REHABILITATION UNIT (SRU) ON EXISTING 6000 STORM DRAIN. PROVIDE 2-2000 SERVICE CONNECTIONS. CONNECT TO THE NEW SRU. INV AT PROPERTY LINE = 8.15m
 - ⑧ INSTALL 6000 PVC STORM DRAIN.
 - ⑨ INSTALL NEW DRAIN MANHOLE ON EXISTING 7500 STORM DRAIN.
 - ⑩ INSTALL NEW CATCHBASIN AND 1500 PVC LEAD AND CONNECT TO EXISTING STORM DRAIN.
 - ⑪ EXISTING CITY OF VICTORIA STORM DRAIN AND R.O.W. TO BE REMOVED FROM PROPERTY. STORM DRAIN TO BE REHABILITATED ALONG ESQUIMALT RD AND CATHERINE ST AS SHOWN.
 - ⑫ INSTALL 2000 PVC SANITARY SERVICE C/W INSPECTION CHAMBER. INV AT PROPERTY LINE = 8.45m
 - ⑬ INSTALL 2000 PVC DRAIN SERVICE C/W STORMWATER REHABILITATION UNIT (SRU). INV AT PROPERTY LINE = 8.20m
 - ⑭ INSTALL 2000 PVC SANITARY SERVICE C/W INSPECTION CHAMBER. INV AT PROPERTY LINE = 8.70m
 - ⑮ INSTALL 2000 PVC DRAIN SERVICE C/W STORMWATER REHABILITATION UNIT (SRU). INV AT PROPERTY LINE = 860m
 - ⑯ INSTALL 2000 PVC SANITARY SERVICE C/W INSPECTION CHAMBER. INV AT PROPERTY LINE = 8.60m



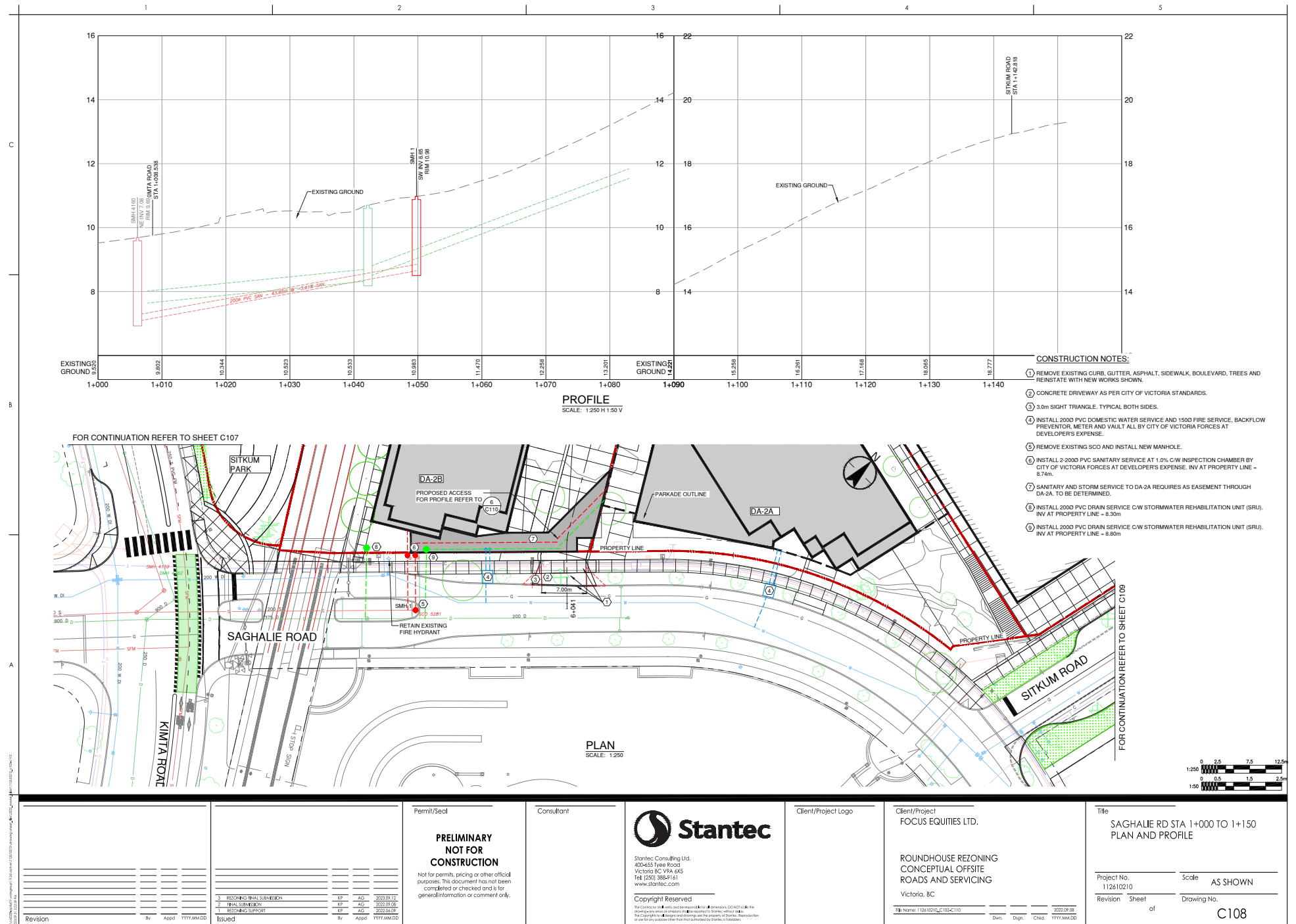
- CONSTRUCTION NOTES:**
- ① REMOVE EXISTING C SIDEWALK AND BOULEVARD AND REINSTATE WITH NEW WORKS SHOWN. RETAIN EXISTING CURB. SRW REQUIRED FOR PORTION OF BOULEVARD. SIZE TBC.
 - ② CONCRETE DRIVEWAY AS PER CITY OF VICTORIA STANDARDS.
 - ③ 3.0m SIGHT TRIANGLE, TYPICAL BOTH DRIVEWAYS, BOTH SIDES.
 - ④ REMOVE EXISTING ASPHALT PARKING LOT AND DRIVEWAY.
 - ⑤ INSTALL 2000 PVC DOMESTIC WATER SERVICE AND 1500 FIRE SERVICE. BACKFLOW PREVENTOR, METER AND VAULT ALL BY CITY OF VICTORIA FORCES AT DEVELOPER'S EXPENSE.
 - ⑥ AAA CYCLING FACILITY BY CITY OF VICTORIA
 - ⑦ INSTALL 2000 PVC SANITARY.
 - ⑧ CONNECT TO EXISTING SMH BY CITY OF VICTORIA FORCES AT DEVELOPER'S EXPENSE.
 - ⑨ RETAIN EXISTING SANITARY SERVICE CONNECTION.

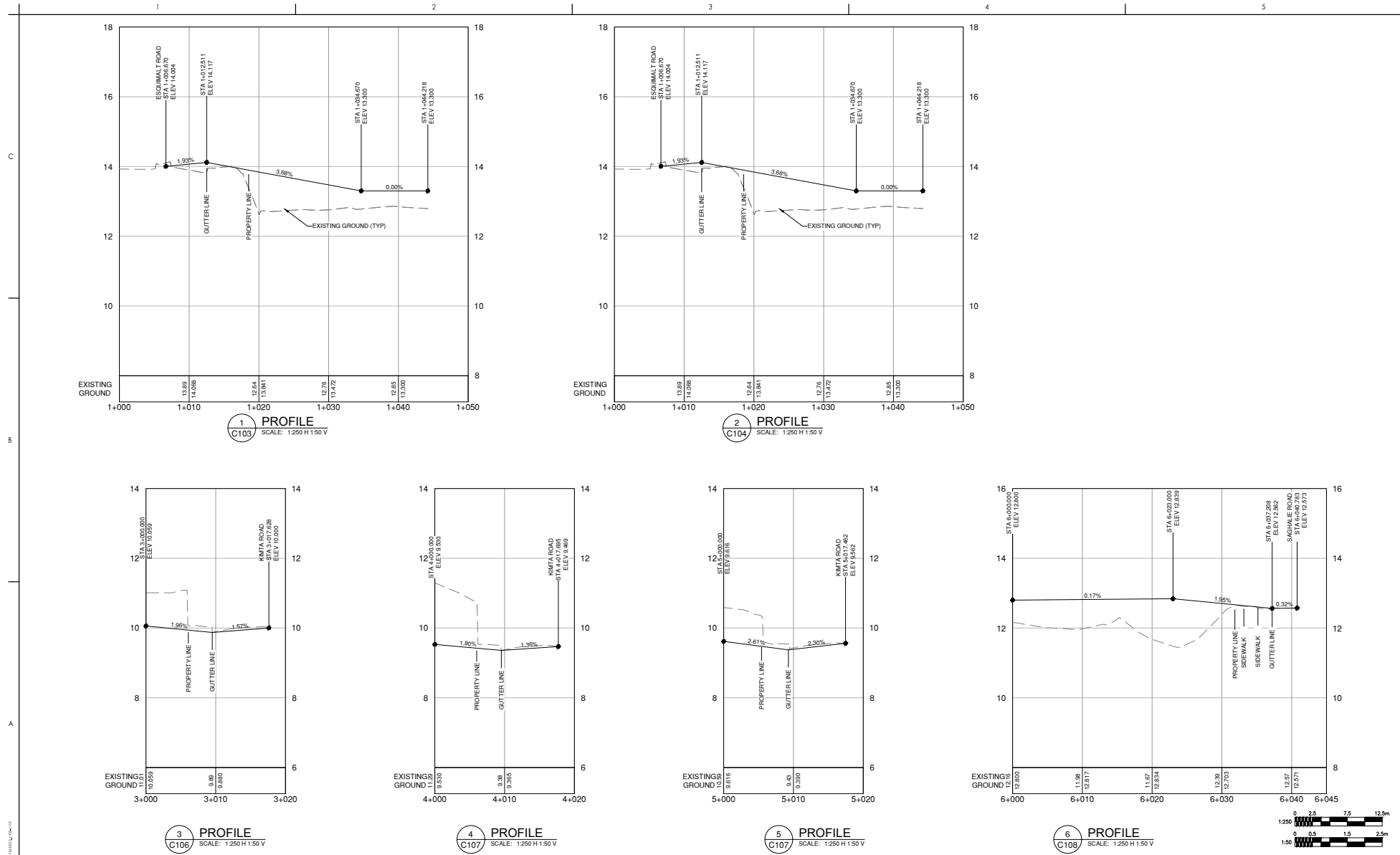
PROFILE
SCALE: 1:250 H 1:50 V

PLAN
SCALE: 1:250



Revision By: _____ Appd: _____ YYYY/MM/DD	Issued By: _____ Appd: _____ YYYY/MM/DD	Permit/Seal PRELIMINARY NOT FOR CONSTRUCTION Not for permits, pricing or other official purposes. This document has not been completed or checked and is for general information or comment only.	Consultant Stantec Consulting Ltd. 4046551 Yule Road Victoria BC V9A 6X5 Tel: (250) 388-7141 www.stantec.com	Client/Project Logo Client/Project FOCUS EQUITIES LTD. ROUNDHOUSE REZONING CONCEPTUAL OFFSITE ROADS AND SERVICING Victoria, BC	Title KIMTA RD STA 0+230 TO 0+360 PLAN AND PROFILE
		Project No. 112610210	Scale AS SHOWN	Revision _____ of _____ Sheet _____ of _____ Drawing No. C107	





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 Date: 2023.09.12

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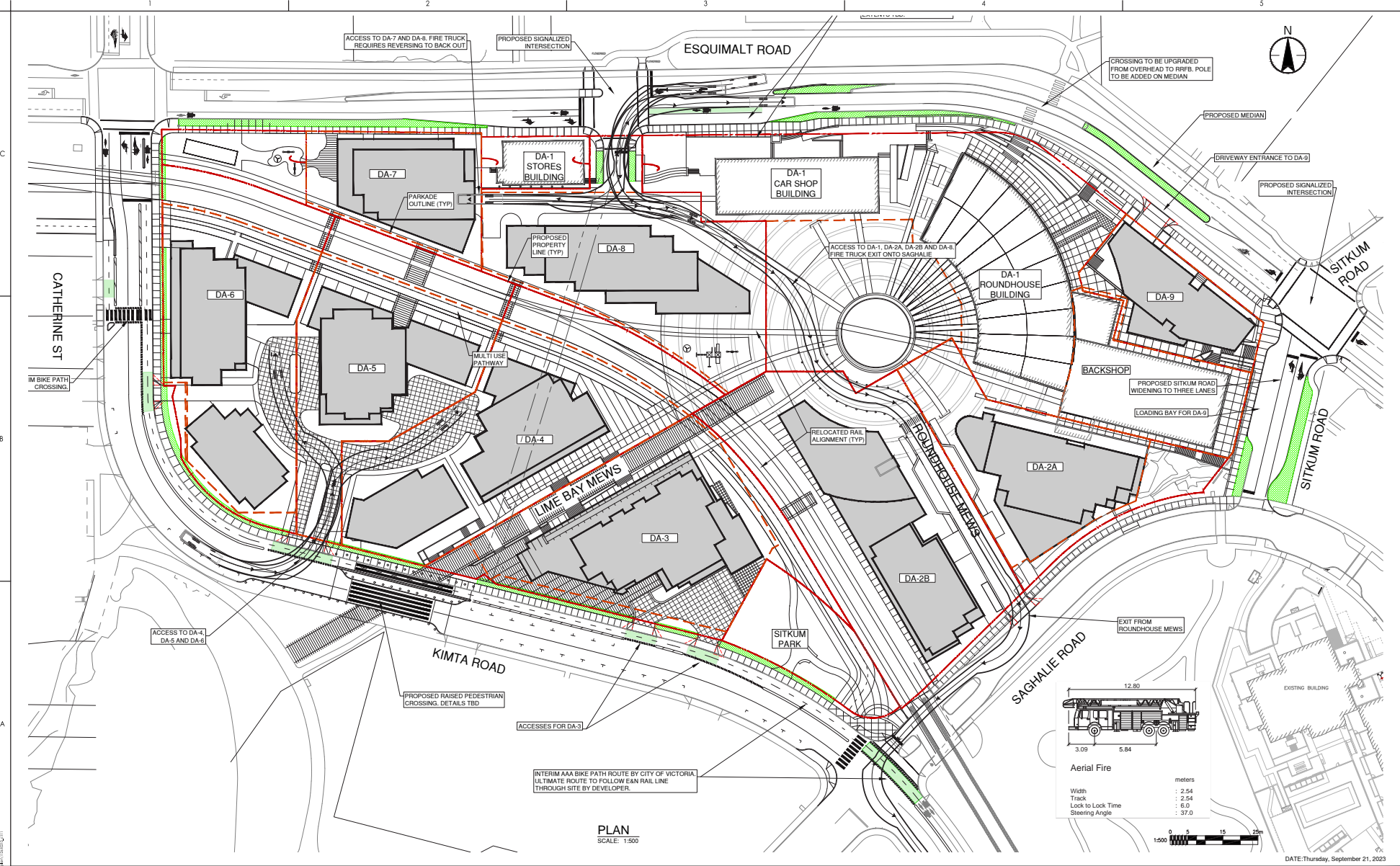
ROUNDHOUSE REZONING CONCEPTUAL OFFSITE ROADS AND SERVICING
 Victoria, BC

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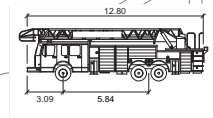
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Project No. 112610210 Scale: AS SHOWN

Revision Sheet of Drawing No. C110



PLAN
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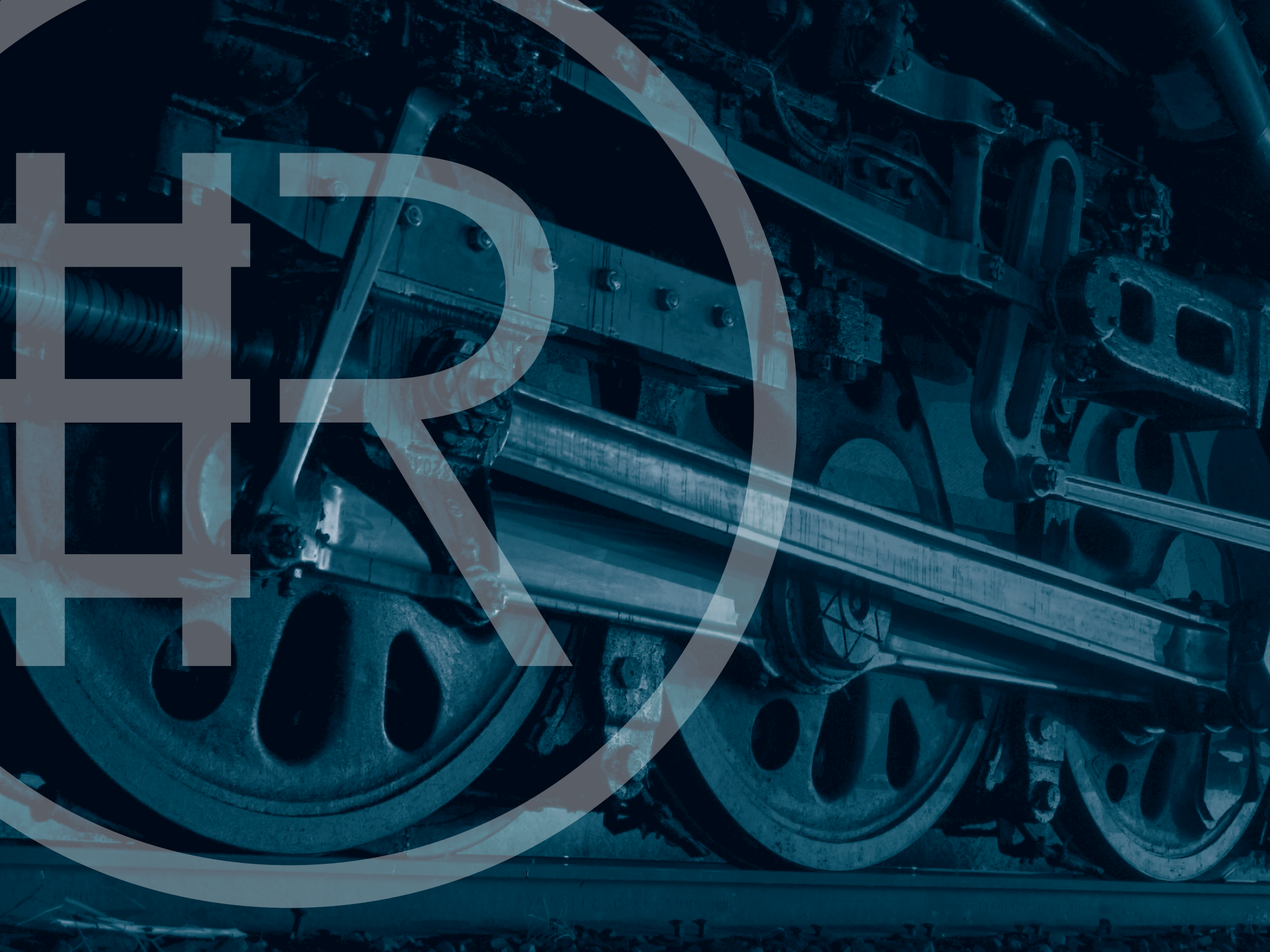
Aerial Fire

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Steering Angle	37.0



DATE: Thursday, September 21, 2023

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Dear Mayor and City Council

I write regarding the Coriolis Consulting Corp letter provided in regard to the application to rezone Bayview.

As you will know under your Inclusionary Housing and Community Amenity Policy residential rezonings are required to provide amenity contributions or affordable housing. The Bayview Place application is unsurprisingly considered an atypical rezoning; therefore an economic analysis was required to determine if the rezoning creates an increase in land value that can be used to support amenity contributions and/or inclusionary affordable rental units. Coriolis Consulting Corp. was commissioned by you to complete the economic analysis in this regard and reported by letter to you for the COTW meeting on May 4.

Here is what is missing in that analysis.

The Coriolis letter was almost all financial analysis. What it should have also included was an assessment of the potential social and environmental impacts of the proposed rezoning. This could have included more on the potential impact on traffic, access to public transportation, affordability of housing, and changes to the character of the Vic West neighbourhood. While much of this has been done elsewhere it certainly still bears upon this analysis indirectly. In my view the analysis should have also included an evaluation of the potential benefits and drawbacks of the proposed rezoning for the surrounding community, including the potential impact on existing businesses, residents, and community organizations. This analysis could have also been provided in the Colliers Consulting letter on file with you but was not. (The focus was on the Roundhouse and its commercial viability in the Colliers Consulting letter.) The Coriolis analysis should have also included a discussion of alternative approaches to achieving the desired outcomes of the proposed rezoning, and an evaluation of the costs and benefits of those alternatives.

It could also have been improved by including a detailed breakdown of the costs and revenues associated with the proposed rezoning, including a more detailed assessment of the costs of individual components of the project which we have not been given, for example, remediation and servicing. We have not been given the real costs here, what they were under the original proposals to transport the contaminated soil offsite to facilities now closed, what those costs would be transporting contaminated soil to the United States, or what the split is between the quantity of contaminated soil that will be 'dug and buried' somewhere on site versus what is supposed to be transported elsewhere. How will anyone know about this, what was held out and what was delivered if it is not explicit in advance? I am worried you will not stay on top of this. In fact, I am worried that if you approve this rezoning you may seek to demur in future should problems arise and say those are provincial matters and not for us? Similarly, while the revenue estimates were described as being based on parcel sales, there is no indication of how these sales were projected or what assumptions were made about market demand. For that matter what are the assumptions used to estimate the target

profit margin and the discount rate used to calculate the present value of the land residual? Why was this not asked for or included?

Another point can be made and goes straight to the motives for development; that is, while a profit margin of 15% was deducted from the total costs, there is no indication of how this margin was determined or whether it is appropriate for the specific project? Similarly, while a present value calculation was used to estimate the upfront land value supported by the project, there is no indication of what discount rate was used in this calculation or how this rate was determined? Could that not be provided?

In the end the value and importance of basing your decision on this analysis even in part depends more on the context and purpose of the decision. If your decision were related solely to the financial feasibility of the proposed rezoning, then the analysis may be helpful. However, as your decision is related to much broader social, economic and environmental impacts associated with the proposed rezoning, then this analysis does not provide enough information to make it fully informed. You need to bear this in mind and not over rely upon this letter. If you are truly focused on 'Community,' which you purport to be, additional analysis and information seems necessary to fully evaluate the costs and benefits of the proposed rezoning, and additional consideration given to alternative approaches to achieving your desired outcomes (e.g. amenities and housing). It is important for you to remember that any decision you make on rezoning should be based on a comprehensive and objective review of all relevant information, and that the Coriolis analysis should be considered only in the broader context of all the other available information either you have in hand or as yet to be acquired.

Sincerely,

JA McInnis

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Sincerely,

JA McInnis

To: Michael Angrove, Senior Planner - Development Agreements

Thank you for the opportunity to comment on the proposed OCP amendment for this site.

The original OCP was undoubtedly undertaken with much thought, great scrutiny and input from an esteemed group of experts. In the past few years we've seen exceptions allowed to that OCP for most new construction, which has been occurring at an unprecedented rate. Yet all the new construction has not had any noticeable effect on the housing shortage, or homelessness, or an improved downtown business environment; in fact, it has had the opposite effect. With the influx of so many more people, we have not seen corresponding improvements to critical infrastructure like hospital beds, medical facilities, rapid transit, parking, etc - in fact, service levels in all areas are at an all time low. In addition, this proposal will radically increase traffic where a crucial piece of the cycling route has just been completed. It would be ridiculously naive to think that this development, if allowed to proceed, would not increase vehicle, cycle and pedestrian traffic exponentially on the Catherine/ Kimta segment where lanes are extremely narrow (I suspect narrower than recommended lane width on a major route, which this would become).

And then density. There were originally to be 5 buildings, with heights between 19 and 88 meters. The current proposal is for 10 buildings, 9 of are hotel or residential, most with revised heights between 70 and 106 meters. DA-1, which was promised about a decade ago as a Granville Island style market, has been modified to squeeze in 2 more residential buildings. The developer will build, take their money and run, and the city will be left to manage the fallout. Esquimalt Road is already desperately underserved in terms of buses. There's one major route (the 15) which is an express route, which means it stops only at a subset of bus stops along the way. As a senior who moved here planning to use the bus, I've given up. At prime times the bus is already packed when it gets to Kimta or Tyee, in either direction.

Safety. Do planners really think most traffic to the new development will arrive on foot or bicycle? The Catherine/ Esquimalt Rd intersection is already the site of a high number of accidents. The bike lanes now cross Catherine just past that intersection. Increase the volume of traffic there and that crossing (coincidentally right where the entrance to the site is) will be very dangerous. Traffic coming from the east comes around a corner right before that bike crossing.

And finally - perhaps this is what council hopes for, as it will temporarily fill the city's coffers - if you build it, they will come. Does anyone doubt that there will continue to be an influx of people? The more expensive housing there is, the more people will be clamouring to buy it. Victoria is one of the most beautiful cities in the world. I know I'm not alone in hoping it will stay thus. I currently rent on Paul Kane and will likely need to move within the next year as my unit is being sold. I can no longer afford to rent here, and that's fair enough. I only hope we can preserve our beautiful city for all to enjoy, and I will happily bus in (if the bus isn't already full).

Cheryl Conrad
117-10 Paul Kane Place

To Mr. Angrove and Council Members,

We are writing in follow-up to the letter of June 6th in regards to the Bayview Development amended proposal.

We purchased our condo at the Promontory in 2011, prior to construction, and after a great deal of research. The sales staff shared the vision of the Bayview property which included some towers, a hotel, a “Granville Island” style community market and a great deal of open park public space. We were so excited to be part of this new neighbourhood.

Over the years we have received a few amended proposals with the latest including 9 towers offering over 1600 residential units and minimal “Community Market”.

Should this project proceed the neighbourhood will drastically change, the sky-line of Victoria will become a concrete forest, the density of the area will increase beyond the capabilities of the local utilities and the public park/green space will be reduced.

Victoria is in need of housing but not at the detriment of existing neighbourhoods. We request that Council deny this proposal.

Lisa & Dale Klimek
#1104- 83 Saghalie Road



I live on Kimta Rd kiddy corner from this development.

I believe it is time to favor high density developments in cities like Victoria. And therefore I support this one located in my backyard.

The N I M B attitude results, amongst other problems, in high prices housing, in homelessness and other headaches for our society.

This project will offer housing, expensive and affordable, amenities such as banks, Drs, pharmacies, groceries, liquor stores, restaurants, more buses, etc... all things making life easier of every body.

I am therefore all in favor.

L Traverse

We live across the street from this proposed development. This is a very exciting proposal that will offer a wide range of amenities as well as preserving the historical elements. I understand the proposal also includes a wide range of much-needed housing options.

This proposal will enhance the community and provide a vibrant centre for arts, entertainment, shopping, dining, etc.

We are very excited at the prospect of having this development near our home.

We are also confident that the proponent will develop this property to the highest standard. Certainly the Bayview towers and surrounding area reflect a developer who has a proven track record for doing things the right way. We also appreciate all of the community events that have been held over the years at the Roundhouse complex, and look forward to even more.

Michael & Margo Cooper
PO Box 36026 Esquimalt PO
Victoria, BC V9A 7J5



Attention: Mike Angrove

Regarding the development plans at 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road, as a neighbor, I have been asked to comment on the proposed development.

Having reviewed the presentation and comments, I fully support the development as proposed.

Sincerely

Thoralf Gran-Ruaz



Sent from my iPhone

To the Mayor and City Council.

I wish to bring to your attention a very misleading notice of public consultation that has just been circulated regarding the Bayview project. It is also unfortunate that your staff feels the need to put its thumb on the scale in this way. Here is why the notice is misleading.

Firstly, while it makes reference to the existing Floor Space Ratio or FSR at 2.5:1 - the all-important figure which goes to density - it makes NO mention of what is being proposed by the City following Jeremy Caradonna's amendment; that is, 4.4:1. This is a key consideration for anyone deciding whether to inquire further into this topic and participate directly in the consultation or not. Very few people are going to go the Development Tracker website to elicit more information with its hundreds and hundreds of pages or the 1000 plus pages filed for your COTW meeting on May 4th.

Secondly, to say "[i]t is important to note that this designation would not confer any additional development rights to the property beyond those included in the proposed zoning" is ridiculous and not the issue. The issue is whether to exceed the existing zoning so dramatically with the proposed zoning NOT some sop to the public which further misleads by implying in effect "don't worry we are not going to approve a 10th, 11th, or 12th building etc AFTER this". What an insult. I have expressed my firm displeasure with the content of this message to Mike Angrove and I am calling for another notice to be sent out which makes clear what is really at stake.

Regards,

Arthur McInnis

Mike Angrove, Senior Planner - Development Agreements

City of Victoria Planning Department

Dear Mike Agrove,

We are writing in response to the letter from the City of Victoria seeking input on the proposed Official Community Plan amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road. Specifically, we wish to express our enthusiastic support for the proposal for the mixed phase development consisting of nine towers with podiums, rehabilitation of the heritage structures buildings and securing new amenities including various public plazas. This includes our wholehearted support for the application to amend the Official Community Plan bylaw by increasing the envisioned height and density for these properties, and to replace the existing design guidelines with a new set of design guidelines.

We are long-time residents and property owners in Greater Victoria and have been living in The Promontory at Bayview Place since 2020. We love living at Bayview Place and the Songhees area of Victoria West for numerous reasons, including its location near the waterfront and proximity to services and amenities across the Johnson Street Bridge in Victoria's downtown core.

However, despite a growing population base in our neighbourhood, there is a disheartening lack of retail services and cultural amenities within walking distance beyond the aging strip mall on Wilson Street anchored by a small Save-on-Foods supermarket, the highly popular Boom and Batten restaurant on Paul Kane Place and the mainstay Spinnakers gastro brewpub on Catherine Street. The only recreation facilities of note in our area are the skateboard park and lawn bowling club across Esquimalt Road. There are no cultural facilities to speak of in our area.

In our view, the proposed Official Community Plan presents an incredible opportunity for Victoria to build a thriving and inclusive urban community, with incredible public benefits unique to our Vic West neighbourhood by: providing a contemporary mix of market and affordable housing options, and, repurposing the site's historic assets to create a broad mix of uses ranging from retail services and community amenities to public spaces and cultural places, that will be the envy of the city, region and the country.

In closing, we would note that this project has been in the works for many years, and would, therefore, ask that the proposed Official Community Plan amendment be advanced expeditiously for approval.

Respectfully,

Donald and Anna Haney

83 Saghalie Road, Unit 1002

Dear Mr. Angrove,

As a fairly long time resident of Victoria Harbour, (Paul Kane Place), I do recall the "original" plan for the entire area which was then commonly referred to as "The Roundhouse"; and a proposal which planned to create a complex which would very much resemble the very beautiful, and famous, community complex(es) on San Francisco CA Bay.

Indeed, I do not recall a single "harbourside", "Vic West" and "Songhees" resident, ever complaining about the concept which was proposed by the Mariasch Organization ... *i.e. Beyond the rather obnoxious whining from Victoria's 'downtown business association', which claimed that the beautiful complex would rob business from Victoria's downtown core.*

Therefore, may I summarize ...

As a fairly long time resident, who also years ago was responsible for recruiting City Planners for the City of Calgary Planning Department, may I advise you that given a choice, I will definitely support the original '**Roundhouse Plan**' rather than the current Plan.

AND, may I also urge you to demand that the original Victoria Harbour 'airport' plan be reintroduced. i.e. The original concept did not include a non-compliant and basically illegal 'runway' down the middle of the marine channel.

Regards,
Frank J. Gatto,
#514 10 Paul Kane Place.

You have received an email from George Glover via the City of Victoria website feedback form

Name: George Glover

Email: [REDACTED]

Topic: Development Services

Phone: [REDACTED]

Address: 1603- 60 Saghalie Road

Message: Regarding OCP Bylaw amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road:

My wife (Penny Thomsen) and I are fully in favour of developing these properties in a reasonable manner but we are totally opposed to the scope requested by Focus Equities. The proposal is grossly overreaching- too much density, too narrow set/backs, too tall buildings, too little public and green spaces.

We are also in favour of appropriate usage of the historic roundhouse buildings- such as restaurants, delicatessens, boutiques, fruit and vegetable markets, for example.

Thank you for your consideration.

Date: Wednesday, June 14, 2023 6:19:58 PM

Categories:

Attn: Mike Angrove, Senior Planner - Development Agreements.

As residents of the Bayview community in the Encore tower at 60 Saghale Rd we wanted to express our concern regarding the current proposal for the Roundhouse development.

We prepurchased our home at the Encore Tower in 2015 with the knowledge of the proposed Roundhouse development presented to buyers of the Bayview community that time, which appeared to fit in nicely with the official community plan.

We understand that development plans evolve, but the changes being proposed are a far cry from what the local residents expected or want for their future.

What is being proposed now appears to be more akin to a downtown development including 3 hotels in place, bringing more transient traffic and people.

Increased building heights will create shadows on the existing homes and parks in surrounding areas that currently enjoy lovely sight lines and sun throughout the day.

The increase density is not at all characteristic of the current surrounding residential areas and will cause multiple negative effects on the residents in the way of noise, dramatically increased traffic, garbage, waist pickup, and local parking which is already challenging.

With the new connecting bike lane, street parking stalls and narrower road on Kimta we have already witnessed multiple bike/car "near misses" on our daily dog walks. Increased traffic will only compound this new traffic issue.

There is potential for disruptive mechanical noise and night time light generated by the increased number and height of the proposed towers which would directly negatively effect those in a wide surrounding area.

The proposed building DA-9 tower shown anchoring the corner of Sitkum and Esquimalt is of special concern for all of the previous reasons but also goes against the original community/heritage guidelines to keep heritage buildings on the forefront on Esquimalt road.

The scope of the current proposal feels like it has become more about greed than healthy community building, which would stress the current residential community infrastructure.

Not to mention the negative impact on the environment that comes along with the process of building in general - and with a project of this proposed scale it will be substantial.

Lastly, the timeline to build out the proposed multiple towers and hotels etc. would have locals living in noise, building dust and discomfort for many years to come.

We are for development and community building in a thoughtful, healthy, environmentally respectful way and this is not it.

Sincerely,

Blair and Lisa Gurney
Encore Tower 60 Saghalie Road.

June 15, 2023

Victoria City Council

Here are my comments as it relates the recent letter I received about the Bayview Development proposal.... My initial response is "Woah woah woah, city council".

As a resident of the area (directly across the street) I was shocked when I started to read about what is proposed. With the official community plan showing recommended density of 2.5 to a proposed 4.1 under this proposal, that raises some real alarm bells with me. What is the point of even having a OCP if it is going to be completely ignored, especially when we are talking the large scale of this project and its impact on the community.

Nowhere in the information that I read could I find a detailed map (to scale) of what is being proposed. The one document I found did not make sense to me based on the number of towers in phase one as compared to the number of towers proposed in phase 2. There should be more and clear information on what the phase is proposing for the 9 new buildings and how that will appear (to scale) as compared to the phase 1.

I also could not find any information on research on the environmental impacts associated with the proposed rezoning. To give just one example, I am aware that the original proposal several years ago referred to removal of contaminated soil related to the rail lines, and yet I have to assume that the costs of dealing with the contaminated soil and the challenges of where to move it to, have become more expensive and more complicated. Has this been researched and has it been determined who may be impacted by these costs? Is the city liable for any of these costs? How about the province? What if there is no where to take the volume of contaminated soil that may be presented in this project? Are we going to try and ship this to the US? I would really like more information and I think you should too?

I also find there is very little information available to the average reader about the social impact of a project of this scale. How are those of us who live in this neighbourhood going to be impacted as it relates to parking, traffic, access to parks and playgrounds, access to public transportation? I have noted many other projects of a far smaller scale have had independent consulting firms commissioned to give reports to the city on the social impact. I don't see that this has been done on this proposal and the only analysis done seems to be commissioned by the developer and focuses on the economic impact and viability of the retail component of the proposal. I am not saying I am opposed, I am only saying I don't have enough information to make an informed decision, and I assuming that means that you don't have that information to inform your decision either.

It seems to me that the city has a responsibility to have (and share with residents of the area) more information about impacts before considering approval of a variation on the OCP to such a drastic degree. Again, I am not saying the project should not be approved, but you are asking residents, and ultimately your council to make a decision to support a massive project and extreme variation to the official community plan without much information other than the economic impact and viability the

developer has submitted. I recognize the value of an infusion of housing (and possible affordable housing) but that need should not cause you to rush to a decision without considering whether this massive shift from the OCP is warranted or if there are alternatives.

Please press the pause button on this development rezoning decision and gather and share more information with all of us before the decision is made. That is your responsibility as our representatives.

I appreciate your consideration.

Holly Olson

317-205 Kimta Rd

Victoria, BC, V9A 6T5

Dear Mayor and council.

We forward to you this communication we sent to Michael Angrove in response to the mailout flyer regarding the new development proposal by Focus Equities for Bayview Place. We think it is a fair and honest summation of the intent and information included and missing in the flyer. We certainly hope you will consider this feedback.

Regards,

Linda and Norm Saffin

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

From: Linda & Norm <[REDACTED]>
To: Michael Angrove <mangrove@victoria.ca>
Sent: 2023-06-13 4:09:34 PM
Subject: Re: It's Your Neighbourhood mailing

Dear Mike,

Having just received the '*It's Your Neighbourhood*' flyer from you in the mail with the closing statement 'We look forward to hearing from you.' - here goes:

We were just in conversation with you last week about the misleading signage on full display at the Bayview Place site. Yesterday, we and the rest of the neighbourhood received this somewhat vague and uninformative communication from you. We are so very frustrated and disappointed.

You are the Senior Planner for the city of Victoria and in that role should be concerned about the impact that developments have on the community and thus, genuinely seek informed input from the citizens who live there. The document you just sent out would, in our opinion, indicate quite a different intent.

First: we think you missed an opportunity to inform the public that the signage on site is not representative of the new proposal. A simple, please be aware that the signage on the site shows the 2008 proposal: the current proposal is much different would have been honest and informative.

You could have included the image shown on - *Architecture, Urban Design and Landscape B.1 Form of Development page 7/60 Image B-7* or another visual from the development proposal package. (see attachment)

Second: nowhere in this document does it indicate that the new proposal is for more than double the density which includes a 4 building increase from what is currently illustrated on the signage. (The only numbers are those in the *Official community Plan up to 22 storeys with floor space ratios up to approx. 2.5:1* - why is there no explanation of what the height and floor space ratios of the current proposal are??)

Third: most people, although they may care about their neighbourhood are not going to persevere on a website where they are required to wade through pages and pages of links to applications and documents in order to untangle the real height and location of buildings proposed. The link to the development tracker will not incentivise people to do that research. (especially when they see the beautiful billboards surrounding the site with what they will assume shows the development).

The '*It's Your Neighbourhood*' flyer in itself is vague and lacking useful information about what is proposed, but coupled with the huge signs erected on the property and advertising something entirely different becomes a complete misrepresentation.

Do you actually intend to have the public accurately informed about what the new proposal by Focus Equities actually entails?

As an employee of the City of Victoria and thus assumed to be working in the best interests of the residents why would you not want people to know what is actually on the table here?

We would guess the reluctance it is because the public would be appalled and the dissent would be enormous.

If you and the developer truly believe this is a positive step forward for this neighbourhood why would you not let the community know what it actually looks like (without having to access and then wade through a complex site and documents)?

Are you not interested in informed public feedback on the current proposal?

It would be prudent if you sent out another 'It's Your Neighbourhood' flyer with the image shown here and actual information about the newly proposed height and density information.

We are in no way against thoughtful development. We see the 2008 proposal for Bayview Place as currently advertised on property signage as an appropriate enhancement to Vic West, a positive increase in density and a backdrop highlighting the Roundhouse heritage buildings.

We very much look forward to hearing back from you with the answers to our queries.

Regards,

Linda and Norm



From: Dave <[REDACTED]>
Sent: June 15, 2023 12:51 PM
To: Development Services email inquiries
Subject: Proposed Official Community Plan for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road.

Categories:

[REDACTED] appears similar to someone who previously sent you email, but may not be that person. [Learn why this could be a risk](#)

- Attention: Mike Angrove, Senior Planner – Development Agreements

Pedestrian focus:

The current roadway in the project bisects the property (page 71) creating a less pedestrian friendly central zone.

A more pedestrian comfortable, fluid, safer and inviting pedestrian focus for the area would be allowed if the central roundhouse area was car free. Access and exit from the buildings parking areas and access for emergency vehicles could work with the current access from each side without dividing the whole site with a traffic road.

Dave Richardson
903-66 Songhees Road,
Victoria
[REDACTED]

Sent from [Mail](#) for Windows

Dear city council members,

Here is my response to the letter I recently received about the revised plans for Bayview Place. I have sent letters in the past to council about my concerns with this project and my position has not changed. The city should hold the breaks on this application and continue to gather more information from independent sources before agreeing to the increase in density.

As a resident of the area (directly across the street) I was shocked when I started to read about what is proposed. With the official community plan showing recommended density of 2.5 to a proposed 4.1 under this proposal. I thought the OCP was supposed to be the watchdog for community development. I question what is the point if it is going to be completely ignored, especially when we are talking the large scale of this project and its impact on the community.

There doesn't seem to be a detailed map to scale of the development. The map that is available looks odd, very odd. If you look at the scale of the buildings in Phase 1, two of the three take up a considerable area on the site. In contrast if you look at the ostensible area that the 9 buildings take up on Phase 2 upon close examination they appear minuscule in comparison. Why is this? Is it designed to hide the true density of this project? There should be more and clear information on what the phase is proposing for the 9 new buildings and how that will appear (to scale) as compared to the phase 1.

Is there any information on research to the environmental impacts associated with the proposed rezoning. In this day and age you would think this should be a critical component of any development. It may have been done, but there doesn't seem to be any information about it. As an example, I am aware that the original proposal several years ago referred to removal of contaminated soil related to the rail lines, and yet I have to assume that the costs of dealing with the contaminated soil and the challenges of where to move it to, have become more expensive and more complicated. Has this been researched and has it been determined who may be impacted by these costs? Is the city liable for any of these costs? How about the province? What if there is no where to take the volume of contaminated soil that may be presented in this project? Are we going to try and ship this to the US? I would really like more information and I think you should too and not from the developer.

There is very little information available to the average reader about the social impact of a project of this scale. How are those of us who live in this neighbourhood going to be impacted as it relates to parking, traffic, access to parks and playgrounds, access to public transportation. What is the impact of this increased size going to be on the infrastructure, sewage, roads etc? Many other projects of a far smaller scale have had independent consulting firms commissioned to give reports to the city on the social impact. I don't see that this has been done on this proposal and the only analysis done seems to be commissioned by the developer and focuses on the economic impact and viability of the retail component of the proposal. Of course the developer's perspective is all positive. To make an informed decision on this project more information is needed for both the public and I'm guessing city council as well.

It seems to me that the city has a responsibility to have (and share with residents of the area) more information about impacts before considering approval of a variation on the OCP to such a drastic degree. You are asking residents, and ultimately council to make a decision to support a massive project and extreme variation to the official community plan without much information other than the economic impact and viability the developer has submitted. I recognize the value of an infusion of housing (and possible affordable housing) but that need should not cause you to rush to a decision without considering whether this massive shift from the OCP is warranted or if there are alternatives.

Please do the right thing and pause this development rezoning decision, gather and share more information with all of us before the decision is made. That is your responsibility as our representatives. My experience in the past with the "consultation" process by city council is that the decision has already been made and consultation is really lip service only. Please prove me wrong this time.

Thank you for your consideration.
Erie Pentland
Resident of Ocean Park Tower
203 Kinta Road

Dear Mayor, City Councillors and City Planners,

I have received your notice dated June 6, 2023 regarding the proposed amendment to the community plan for the above listed addresses. I am writing to once again express my deep concerns regarding the proposed revisions for the Roundhouse property in Vic West. I have read through the many pages of the most recent proposal regarding the Bayview Roundhouse development, as well as the letters from the developer. The documents are unimaginative, transparent sales brochures disguised as a proposal to "help Victoria residents". To be clear, the developer asked for the Sun back in 2008, then revised their request to ask for the Sun, the Moon and the Stars in 2021, and has now come back with a new proposal asking for the Sun, the Moon and half of the Stars "only", and are painting the picture that they've conceded so much. This is a classic negotiation tactic to receive way more than you were originally approved for. The bottom line is that they are STILL asking for double the density that was approved in 2008. We cannot miss that important point. The future of our community depends on the City being reminded of that fact.

The actual reason why they want to sell so many more units is because their own costs to remediate the contaminated soil on the site have increased since the Shawnigan Lake Toxic Waste dump site has been shut down. They openly admit to this in their documents. They want to "make up for the additional costs" by doubling the density and selling that many more units. So, the rest of us have to suffer with an over-populated neighbourhood permanently plagued with traffic, garbage and people problems because the developer doesn't want to pay more to remove the contaminated soil on site? To add insult to injury, they are insulting your intelligence by attempting to sell this increase in density as them doing the City a favour.

The proposal, as it stands now, is nothing short of slap in the face to our beautiful Songhees community, and to the city of Victoria itself. I am aware of the submissions that you have received from local residents; providing detailed rebuttals and responses to each of the proposed changes and the City's questions. I urge you to review those submissions carefully. The Bayview developer has made it clear that they want to push this proposal through **once and for all**. Do you want this debacle to be the legacy you leave behind in your role as a protector of this City's citizens?

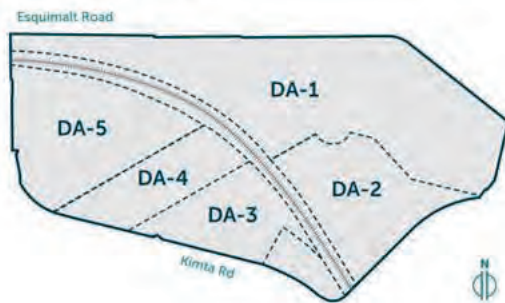
This one small parcel of land would have more units than every other building in the entire Songhees neighbourhood combined. The Songhees neighbourhood has a unique feel to it; a collective of high

end condo buildings ranging from 5-9 stories along the water. The current Bayview development (Bayview One, the Promotory and the Encore buildings) sits behind the row of Songhees condo buildings, the buildings are fairly well spaced out from each other and don't cause large areas of shade or encroachments on the buildings around them. Adding 9 more buildings (with proposed heights of 29 stories high, as well as 28 stories, 27 stories, 27 stories etc.) and including now a mix of a potential of 4 HOTELS (!!!) on the Roundhouse property will massively change the entire look and feel of the Songhees community. The new buildings will tower over the rest of the neighbourhood and the Victoria West Park on the other side of the property. Most of the newly proposed buildings themselves will end up in year-round shade from the other new buildings on the same property. The waterfront Songhees pathway and parks will become overrun with new residents, their pets, and the tourists from the new hotels. I've seen firsthand how this has played out in Vancouver and Toronto, and their waterfront areas have now become swarmed with people, pets, noise, and garbage. This is not needed in Victoria and the Songhees community deserves better.

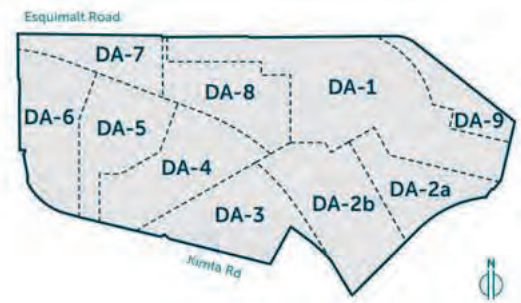
One only has to look at the drawing below to recognize how unreasonable the proposal is compared to the original. They are not even in the same ballpark.

2.2.1 Rezoning Application

CD-12 Land Use Zone (Current)



Proposed Land Use Zone



Furthermore, I hope each of you took notice of the obvious attempt to NOT draw attention to the drastic increase in the number of stories in the revised proposal by their choice to not show the original number of stories in their comparison chart shown below.

CD-12 Zoning Limitation				
Overall:	Maximum non-residential uses: 9,180 m ² (98,813 sf) Maximum Floor Space Ratio: 2.0			
	Maximum Floor Area (sf)			Max Height (m)
	Condo/Hotel/Rental	Non-Residential	Amenity/Other	
DA-1	-	53,820 sf	-	19 m
DA-2	156,077 sf	-	23,681 sf	76 m
DA-3	204,514 sf	8,611 sf	-	88 m
DA-4	161,459 sf	12,701 sf	-	66 m
DA-5	182,986 sf	-	-	52 m

Proposed Zoning Limitation / Conceptual Distribution of Density				
Overall:	Maximum non-residential uses: n/a Maximum Floor Space Ratio: 4.75			
	Maximum Floor Area (sf)			Max Height (floors / m)
	Condo/Hotel/Rental	Commercial/Retail	Common Property	
DA-1 ¹	-	35,733 sf	-	19 m
DA-2a	217,300 sf	4,250 sf	5,800 sf	28 / 103m
DA-2b	232,400 sf	8,700 sf	1,300 sf	24 / 88.0m
DA-3	205,162 sf	8,611 sf	-	25 / 88.0m
DA-4	266,900 sf	8,600 sf	6,000 sf	29 / 106.0m
DA-5	211,000 sf	-	8,000 sf	27 / 97.5m
DA-6	197,600 sf	-	2,500 sf	21 / 78.0m
DA-7 ¹	150,700 sf	2,000 sf	2,500 sf	18 / 71.5m
DA-8	146,700 sf	8,450 sf	3,300 sf	18 / 70.5m
DA-9	161,200 sf	-	300 sf	23 / 89.5m

¹ Heritage Buildings ¹ Below-Market Rental

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.
DATE: SEPTEMBER 9, 2022 | **FILE:** BAYVIEW-REZONING-FINAL-SUBMISSION-REZ00729-20220909.INDD

ROUNDHOUSE AT BAYVIEW PLACE REZONING FINAL SUBMISSION

I have spent over 2 decades in real estate development and the construction industry and I have seen how this approach to “development” has played out in other parts of the country. I can assure you that the communities and the City suffer in the long term from this approach. Not only do formerly-peaceful communities become overrun with residents & vehicular traffic, but this over-development leads to other problems for the City Administrative Staff itself in short order. Yes, you will receive an increase in property taxes by increasing the number of units you can sell per square acre of land, however each of those units become occupied with residents. Residents with needs, pets, vehicles... You end up with logistical challenges, traffic woes, and an inability to service that volume of people. The City ends up spending more and more money to correct the mistakes made by their choice to over-populate an area, which can never be undone... the entire neighbourhood begins to suffer, residents become frustrated and the community deteriorates. Victoria itself and the Songhees community deserve better than this.

With regards to this particular developer, I would like to raise your attention to their poor attention to quality with the last buildings built on the Bayview site. I lived at the newest building; the Encore, for 13 months from the time it was brand new, and it was plagued with quality issues. Again, I have a background in residential construction and I understand that some new buildings experience some “settling in” issues, however the Encore building’s quality issues went far beyond what is expected or typical. During the 13 months that I lived there, I think the Enterphone system worked for about 6

weeks total, the garage doors were out of commission many times, the AC / HVAC system was continually experiencing problems (leaving it very hot in the Summer and cold in the Winter)... the folks in the building and the strata used to joke that the building must be haunted because it experienced non-stop issues since day one. Apparently folks in the Encore, Promotory (and others around our neighbourhood) share a belief that “the Bayview developers used poorer and poorer quality products and installation methods as each new building was built. They cut many more corners building the Encore than they did the Promotory”. This should be noted to the City; they should know that this is the reputation of this developer, and what might that mean for the additional 13 buildings they now want to build. Are they going to be built with shoddy workmanship too, resulting in an endless stream of repairs and headaches? Why has this developer allowed the quality to slip?

Another important consideration for the city and its residents is the number of UNSOLD new construction units that currently exist across Victoria. There is clearly not the shortage of condos we keep being told by the media when the numerous developers across the city are still trying to sell units in buildings that are several years old. When I moved out of the Encore building (2 years after it was built), there were STILL a number of new, unsold units in that building! The units were lovely, reasonably priced, and yet were not selling. And this was not that long ago. Again, I think this would be relevant to the City; there are unsold units all across this City and the Encore building itself has struggled to sell all of the units 2 years after it was complete. Why would it make sense to now increase the density and number of units in the next phase of development when the first phase couldn't even sell out right next door?

The city does not need the additional buildings and increase in units being requested in the revised Bayview Roundhouse proposal. There is no shortage of development taking place in and around Victoria at the moment. All you have to do is **look at the massive list of proposed developments on your own website** or drive 5 minutes in any direction and you will encounter a number of tower cranes as new buildings are going up all over the city (all in a response to a “housing crisis”...). The “housing crisis” is a term coined by a City Council who themselves have created a stated goal of increasing the city's population by an additional 20,000 people in the near term. The City decides they want to attract an additional 20,000 residents to generate additional revenue, they use that revenue-generating goal to justify making a public declaration of a “housing crisis”, this incites public

outrage and demand for “more housing”, which in turn justifies the City’s recent behavior in expediting building permits, increasing building height restrictions and revising density restrictions all to meet a public outcry for a problem that they’ve artificially created to bring in more revenue via property taxes and massive development fees. Furthermore, there are already a large number of affordable housing developments underway across the city with a massive number of new affordable units being added to the market as we speak.

Please take the time to recognize the serious, permanent implications to an offensive proposal such as this and to look at examples of how this type of development has played out in other cities. I urge you to keep Victoria’s world-famous charm and beauty in mind as you continue to review this proposal and others that come across your desk. We want the tourists to come back; the unique beauty, look, feel and European-style charm that Victoria is famous for is what brings those tourists here. If they wanted to see another Vancouver or Toronto, filled with skyscrapers, the tourists would go there. Most of the residents of Victoria have themselves moved from major cities across Canada and have worked their entire lives to save up to live in Victoria for a reason. Please honour your residents and your tax payers by protecting our beloved City and in particular, the Songhees community.

Sincerely,

Keri Salvisburg

740-205 Kimta Road.

Victoria

To the Mayor and Councilors, and City Staff

Re: Official Community Plan amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road

I live in the neighbourhood of the development site, at 379 Tyee Rd, and am not in support of an amendment to the OCP for the following reasons:

1. **fails to provide adequate affordable housing** - towers with ocean views are sold at prices that are not affordable for most people. However, low rise rentals and townhouses can be bought or rented by many more people, which advances the Missing Middle Housing initiative.
2. **Fails to provide a diversity of housing that supports families and community** – towers are not a viable option for families, as they are not designed for families with multiple children, extended families or multi-generational situations, given that they are usually 1 or 2 bedrooms.
3. **imposes a tower dense neighborhood in a residential area** that is not in keeping with the open spaces and views currently a key part of the neighbourhood's character.
4. **negatively impacts the expansive views** currently enjoyed by many Vic West residents.
5. **imposes a massive strain on current infrastructure.** As examples - one small Save On serves the immediate neighborhood. Esquimalt Road is already congested.
6. **lacks essential services.** If the focus is a livable, walkable community, where are the grocery stores and pharmacies within walking distance to support it? Promised amenities from other developers such as Bosa to provide essential amenities in the Docksider Green vicinity have never materialized, again leaving Westside Village as the only place providing essential services.
7. **lacks adherence to community plans and guidelines** – successive rezoning amendments by this developer for this site keep upping the density and adding additional and higher towers. Why do we have guidelines if developers can work around them to develop what is in their financial interest? Why ask communities to come together to agree to community plans if developers aren't made to adhere to them? If needs have changed, let's have community consultation to develop a new community plan, not have a developer decide it for us.
8. **fails to resolve contaminated soil issue** - the plans for addressing contaminated soil keeps changing. I may have misheard this at the community update meeting held by the developer on April 26 but it sounds like rather than the soil being moved off site and remediated, it will be put under a dog park. Since when is OK to not fully remediate soil??
9. **lack of views of historical buildings and appreciation for the history of the space.** Building the towers right up against and towering over the existing buildings impacts the ability to enjoy those buildings. The towers proposed on the corner of Esquimalt and Sitkum (B4) and further on Saghalié (B5) block all views from those streets of the roundhouse and back shop, destroying any appreciation of the history of the site.

We appreciate the diligence of city staff in reviewing these ever changing plans. At a "community update" public meeting held at the developer's presentation centre on April 26, the speakers spoke disparagingly about the City's rezoning process and how it was costing them money. They expressed frustration that the guidelines don't allow them to build what they want and that they are expending over a million dollars a month to keep this going. I would like to counter that by saying I appreciate the work and care that has gone into the reviews, as this development could, if not designed well, negatively change this community.

Please ask the developer to consider:

- Fewer towers in favour of diverse housing options that advance the Missing Middle Housing initiative. Monolithic structures do not create community. Burnaby Mountain in Vancouver is a prime example. All towers. No community.
- More Townhouses and low rises. Let's create more space and light and air for people to get out and breathe!
- Developing a grocery store complex on site to service the Bayview neighborhood and take pressure off westside village.
- Really showcasing the roundhouse buildings by not impeding views of them – keep the towers away from those buildings.
- Remediating the soil

Thank you.

Tanya Howes
379 Tyee Rd.

From: Tony Keble <[REDACTED]>
Sent: June 16, 2023 11:07 AM
To: Development Services email inquiries
Subject: 251 Esquimalt Road development

Categories:

To Mr. Mike Angrove and Council,

I live across the road from the proposed development, at 203 Kimta Road and have lived in the area for about 20 years. To date its development has been attractively and sensitively approved by earlier Councils. Well done !

The map/plan in the circular was obviously not drawn to scale, nor showed, to scale, how the proposed towers would fit in while preserving all the railway buildings.

The proposal to build nine 22 storey towers in that small parcel of land, currently partially occupied by attractive brick buildings of historical interest, would be funny if it weren't so scary !

Others more articulate than I am have sent in objections to the project, but may I add mine.

* The site is the entrance to the harbour which calls for especially attractive development not a ghetto of towers. It needs to be beautiful and unique.

* Protecting and developing the historical railway buildings is vital.

* Kimta Road has already been dangerously diminished by the construction of bicycle lanes (just watch the corner by Spinnakers pub or the 4 way stop at Kimta and Tyee , generally ignored by cyclists; just a matter of time...).

* Most of the occupants will want cars and parking, not traffic jams.

* With 9 towers most occupants will have no view apart from the balcony of the next building a few meters across the way .

* With this proximity, if there were major fire or (Heaven forbid), an earthquake, it would be a disaster !

* There would be a huge demand for more services: water, electricity, sewers, schools, police, etc.

* Vastly increased traffic on Esquimalt Rd.

*The city does need development of the site for a greater tax base; however, vast developments and increased housing should be spread throughout the municipality, as is happening. Songhees is unique in the city.

*The proposal to squeeze in 9 towers on the old railway site is grotesque to the point of obscene.

The City would lose a jewel ; only the developer's greed would benefit. Originally, five towers were proposed and allowed for this site and 5 would be fine.

*Future generations would wonder how the Council could ever have been so short sighted as even considering 9 towers !!

* Please think of you place in Victoria's history and reject the current proposal.

Sincerely
Tony Keble

[REDACTED]
Apt212-203 Kimta Rd.
Victoria V9A 6T5

Get [Outlook for Android](#)

We wish to register our strong opposition to the proposed amendment to the Bayview Roundhouse Development.

While they may profess to create this extremely high density urban quagmire for 'the good of the City', we all know that these developers are motivated solely by profit and greed, and care nothing for the people left in their wake who will have had their community forever destroyed. The Songhees neighborhood simply can't cope with such a rapid expansion to an extremely high density population. Will the infrastructure to deal with issues of traffic congestion, parking, public transit, suddenly appear by magic?

This proposal is an absolute insult to the City of Victoria and to us, the residents of the Songhees community.

Please, please don't let these developers destroy our beautiful Songhees community.

Christine Baugh and Leslie Papp
Homeowners and Permanent Residents for 29 years.
#528 - 205 Kimta Road
Victoria



Mike Mangrove
Senior Planner
Development Agreement
Victoria, B.C.

This email is to address the additional buildings that have been added to the Roundhouse Development submitted by the developers to the Victoria Council May 2023.

Why crowd twice as many buildings, services, parking spaces, etc. into relatively the same space as the previous development Encore, with no regard to the surrounding grounds?

The answer is simple, greed. The developer made the area around Encore beautiful, a wonderful addition to the neighbourhood. The new proposal for the Roundhouse is overshadowing the heritage buildings which was supposed to be initially the focal point of the whole development.

The new proposal is so out of alignment with the surrounding area in every aspect, please consider not going forward with as many new buildings and floors and focus on the heritage buildings that are already on the property.

This is what makes Victoria so unique to tourism, people come to see the history of the city, not new 29 story buildings.

I look forward to your response regarding this matter, yours respectively,

Lorraine Romanchuk
Ocean Park Towers
Unit 848
203-Kimta Road
Victoria, B.C.
V9A 6T5
[REDACTED]

Good morning,

I am NOT in favour of the proposal. In fact I am 100% opposed.

The area is already too dense with the traffic. Too many people are already coming and parking, including sightseeing buses. Some come to walk along the waterfront path and others are just driving around. Traffic has increased dramatically.

Parking has been severely reduced due to an excessive amount of bike lanes being installed.

Many people say that council has ruined the downtown and the adjacent areas with an imbalance of provisions for bikes with detrimental effects on residents and cars that are needed by residents to get to where people are going.

The four way stop by the railroad tracks is ridiculous, bikes roll through there and this sign again congests the movement of traffic.

It seems to me that the goal is density, density, density, with no regard to quality of life for residents in the area. That means the impact on people living in the area doesn't matter.

Unfortunate and disappointing.

--

Leanne Sutherland

Dear Mike Angrove, Mayor and Councillors,

We are responding to the notice we received on June 12 regarding the Official Community Plan amendment for 200 Kimta Road, etc. We have previously expressed our opposition to the development in emails copied below.

We understand that the City wants to provide more housing, however, so many large towers, including hotels, will in our opinion create more problems than it will solve. A well considered development of the Roundhouse site has potential for enhancing the community. However, the number and height of the proposed buildings is a serious concern for existing residents and users of the Songhees area.

Please give careful consideration to comments opposing this proposed development. Such an extensive development would have a negative impact on our community's future viability.

Thank you,
Preston and Janet Medd
846, 205 Kimta Road

Sent from [Mail](#) for Windows

From: [Janet](#)
Sent: February 16, 2023 12:58 PM
To: [Victoria Mayor and Council](#)
Cc: mangrove@victoria.ca
Subject: Bayview Roundhouse Development Proposal

Dear Mayor and Councillors,

We understand that the mayor and councillors have recently met with Bayview Developers regarding their Roundhouse development proposal. There is a concern that the new council may be unaware of previous communication from residents to the former council. We are therefore copying below two emails which we sent to the former mayor and council.

We oppose this extensive development and ask that you please consider the strong opposition from current residents of the affected community and reject this proposal.

Thank you,
Preston and Janet Medd
205 Kimta Road

Feb 3/22

We just read portions of the April 14/21 Master Plan Staff Comments. Although it was prepared ten months ago, we appreciate the staff comments made in items 0.1.3 and 0.1.4 regarding the number of towers and density.

We are opposed to such an extensive development in our community. We reside in a condo at 205 Kimta Road just opposite the proposed development. The current plan will adversely effect our road access, our pathway access, noise issues, traffic issues and general population issues. It will change the character of the community.

If the current plan were revised to reduce the number of towers, the height of the towers and the density, it could be an asset even though there would be some negative impacts.

Please consider the opposition by current residents of the neighbourhood as well as users of Lime Bay Park and the Songhees pathway. We do not want to see this kind of aggressive development in our community.

Dec 16/21

We are residents of the condo complex at 205 Kimta Road. This proposed development is directly across from us on Kimta Road. We are opposed to the extent of this development. Both the number and height of the buildings are a serious concern.

- . Road systems do not support this density. Traffic in the area will increase exponentially.
- . Dockside Green's additional buildings will already present a traffic problem.
- . Pathway systems along Songhees will be overwhelmed.
- . Noise will impact a quiet residential community.
- . So many large buildings will change the character of the community.
- . Construction of this number of buildings will be a disruption for many years.
- . An example of delayed completion is Aquara on Tyee and Kimta, as is the pile of excavation refuse on the Roundhouse site
by Saghalie Road.

Thank you for considering the strong opposition from current residents of the affected community.

Sent from [Mail](#) for Windows

Attention: Mike Angrove, Senior Planner - Development Agreements

We live at 601 - 60 Saghalie Road and strongly support the amendment to allow the development of the subject property.

The proposed redevelopment offers so many positives - more housing, more affordable housing, gift of portion of property at Esquimalt/Catherine corner & additional public amenities, I wonder why it hasn't been approved long before now.

The small increase in density seems like a small price to pay for a project that meets so many of the broad objectives of the OCP.

Michael & Barbara Barry

Mike&Barb

Good day,

I've just been reviewing various documents relating to the proposed development at the location of the Roundhouse at 251 Esquimalt Rd.

While this development sounds good on paper and all the appropriate buzzwords are checked off on your list (diversity, affordable, inclusive etc) I believe this is not going to be the result. As with most proposals, the affordability is always subject to change. I highly doubt you'll accommodate those who actually require affordable housing. But I'm just skeptical. The project itself does look appealing and will certainly bring the area to life. My one major concern, and I speak for quite a few others when I say this, is the height of the proposed towers. My god! Do you really have to make them up to 29 stories? Is 16 stories not enough? The current two towers at Bayview are tall enough and yet you feel you need to climb higher? Are you actually considering those who live here already and enjoy their views? Are you considering the shadow zones you'll create? Seriously, why are you intending on such high buildings? You will not solve the housing crisis by doing this. As wonderful as your presentation package is, it is NOT as attractive as you think.

I really think this is more in the interest of the developers and not the community. Have you considered schools? Water? Traffic Congestion? Other infrastructures?

Anyway, it saddens me that you will get away with this. The developer is known for not being so open (sorry for the hearsay but reliable sources have pointed this out from previous examples).

I reside in one of the older Dockside Green towers. They are a reasonable height though the last two are also too high for this area. Why?

I'm not opposed to development but I expect responsible development. This is not responsible development solely based on the height of at least two of the towers.

Thank you,
Brent Carney
373 Tyee Rd
Victoria, B.C.

I along with the majority of residents opposed to this rezoning, have been subjected to years of various schemes and each year, we grow increasingly weary marshaling our response only to see a modified, equally unpalatable scheme re-emerge.

Please refer to my most recent email attached below. I believe that it continues to reflect my views. I only would add, that I am afraid that Council appears to be almost afraid of opposing any development which includes residential regardless of the merits, which bodes poorly for those who justifiably illuminate the serious shortcomings of this latest scheme.

At an absolute minimum, I would ask The City ensure that ZERO DEVELOPMENT be allowed on this site until financial arrangements are in place to ensure that Roundhouse restoration and Environmental Remediation occurs in whatever development sequence necessary to best facilitate construction efficiency.

I suspect that the plan is to rezone, sell off smaller parcels to capable developers, leaving the heavy lifting undone and ultimately either coming back to the City pleading for more, or simply walking away. The plan is so unpalatable, that I don't care if it's approved, because I do not expect any qualified and well capitalized developer will ever build it as contemplated. Focus is entirely lacking and there is absolutely no possibility that they will build it, so aside from being an absolute waste of City resources to allow this to proceed (to the detriment of real projects with real possibility of bringing housing to fruition), my only concern is that you facilitate his ability to parcel off pieces and leaving us all with a financial liability.

This possibility is entirely foreseeable and this council has a responsibility to ensure it doesn't happen.

Regards Mischa

On Mon, Feb 6, 2023 at 10:16 AM Mischa Gringras <[REDACTED]> wrote:

There are at least a dozen reasons that I a resident in the Bayview Development, am opposed to this application. I will try to provide the key points below.

Developer

The track record of the developer and their inability to follow through with previous promises is or should be, well known.

I believe it is well known in the development/financing community, that in spite of appearances, this developer lacks the financial strength to complete the physical development.

Before Council allows their substantial and valuable investment of time and resources be committed to this process (to the detriment of the many real developments which will be forced to wait), Council should require at minimum, a concrete plan including verifiable financial capacity for the unfulfilled requirements related to environmental remediation and heritage restoration of the Roundhouse Buildings, be submitted for scrutiny.

When the Master Plans were originally approved, I suspect there were a series of still unmet requirements on behalf of the Developer, and before throwing out the current Master Plan, it's only reasonable and fair to have the unfulfilled obligations issue resolved.

Density

Lies, Damn Lies and Statistics

Whatever skills this Developer may lack in actual development, they make up for in creative misrepresentation of facts, including density figures.

The fact is that a significant portion of the overall Bayview lands were and always will be 'undevelopable'. The Roundhouse Buildings are why the Master Plan was awarded an unprecedented level of density on the available lands originally. In today's more density friendly environment, is there an argument for revisiting these numbers? Possibly, but crowding the site with multiple towers jammed together and never before height allowances is hardly a winning solution. We must also recognize that these lands themselves enjoy one of the highest elevations in the core area of Victoria. The overall impact of even the current approved plans, will mean that when built, Bayview will be a visually dominant feature of the skyline and from the inner harbor, will already look like they dwarf the actual downtown. Adding several more towers and adding additional height will present an entirely out of proportion skyline.

The Roundhouse

I expect that there is a universal acceptance that The Roundhouse Buildings represent some of the city's finest heritage structures and their preservation an essential element of what makes Victoria unique.

These buildings represent the singular defining elements of the development, the neighborhood, the community and possibly the Greater Victoria region.

It's essential that under no circumstance shall the new buildings be allowed to surround, crowd and overwhelm The Roundhouse to the point of overwhelming this collection of heritage structures to the point of rendering their presence to be entirely inconsequential.

It's not simply a matter of please...no density in my neighborhood...or don't block my views...there are just too many reasons to stop this rezoning in its tracks (pun intended). The neighborhood, Vic West Community and the entire region stands to lose what could be a wonderful piece of what makes Victoria a special liveable community.

Please do the right thing and put an end to this.

There is nothing wrong with the current Master Plan. The problem is with the Developer. There would be a lineup of highly qualified and well capitalized developers to take this development to fruition. In fact, many have invested heavily into trying to acquire these lands. Again, the obstacle was the Developer.

The sad reality is, that in the unlikely event that this rezoning actually be successful, this Developer lacks the capacity to deliver. Unfortunately, no qualified developer would be interested in following through on what would undoubtedly be a poorly conceived development strategy and their first order of business would be to start over.

Council's most valuable asset is your time and the most appropriate allocation of it, possibly your most important decision.

Regards Mischa

I am in receipt of a proposed amendment to the already approved Official Community Plan (OCP) at "251 Esquimalt Rd" as noted below:

Application Contact:

JONATHAN TINNEY

Telephone: [REDACTED]

Email: [REDACTED]

Project Type: Rezoning Application
Number: Application Date: Jan 30, 2020
REZ00729

Folder

City Contact: MICHAEL ANGROVE. Status: ACTIVE

Purpose:

The City is considering a Rezoning application and Official Community Plan Amendment to increase the permitted height up to approximately 29 storeys and density up to 4.74 Floor Space Ratio for the proposed Roundhouse mixed-use precinct

Response:

I appreciate the opportunity to respond to this application amendment.

I am writing to express my objection to this amendment as outlined.

This project has been longstanding (since at least 2020) and carefully vetted through a number of studies (as outlined in the Document Section on the City of Victoria Development Tracker accompanying this proposal).

There are few details provided regarding the rationale for why this amendment to increase "the envisioned height and density for these properties" is coming forward at this time other than being "consistent with many of the broad objectives in the OCP".

Although densification and making available "affordable" housing are current goals of Victoria city council, the pursuit of this with minimal attention to longer term "community well being" is shortsighted and hollow. It serves to "kick down the road" actual considerations of the impact of densification and increased floor space ratios.

Proposals to provide infrastructure (shopping, healthcare and other amenities) to this area are aspirational.

Proposals to provide human transportation through this area by rail are aspirational.

Unaddressed in long term city planning is the reality that Vic West access to Victoria proper is provided by only two routes - Johnson Street running over the jackknife bridge of the same name and Bay Street running over a two lane bridge (one in each direction) of the same name. This is insufficient for the anticipated increase in human traffic envisioned.

Given the lack of rational provided or actual rather than aspirational planning for the anticipated further increase in population numbers in this area, the amendment to increase tower height from 22 to "approximately 29" stories should be set aside.

Regards,
Jeff Pivnick
#404 - 75 Songhees Rd



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Mike Angrove,

I'm a resident and owner in the Promontory at 83 Saghalie Rd. I wanted to reach out and express my support (knowing there may be a number of contrary opinions) for the OCP amendment proposed at 251 Esquimalt Rd (and others). I think the additional density, public areas and additional services will be a great asset to the community.

Unclear the best mechanism to do so, but if possible, I would love to see a more aggressive sequencing requirement to ensure the revitalization of the Roundhouse buildings can be sequenced in the early phases of development as that will be a massive community benefit. The language currently in the proposal allowing 70% of density before a need to invest in those heritage buildings feels as though it'll put it in the "that'll never happen" camp. Additionally, from the developer side, I can only imagine a thriving market like Granville Island would only improve the sale values of buildings that follow it's improvement.

Thanks,
Sean Heisler

Dear Mr. Angrove,

Re: 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road Rezoning Request

When my husband and I first moved to the Songhees area, we were aware of this Official Community Plan and the intended development of the Roundhouse land. In fact, we bought our condominium **because of the approved design.**

Allowing the developer to amend this plan would be unjust to those of us who chose to live here based on the original approved plan. We wholeheartedly welcome that plan.

However, considering an amendment to allow **nine** towers with **22+ storeys** is, quite frankly, absurd. The density this would create is unimaginable. The stress on the infrastructure, especially water usage, and lack of facilities (medical especially) would be catastrophic. Do we really want the beautiful city of Victoria to be aligned with the congestion that exists in cities like Toronto and Vancouver?

Not long ago, the developer tried to presell units in an upcoming tower on this property. It seemed the interest was not satisfactory; is this just another attempt to garner as much profit as he can while the community suffers the consequences after he is long gone?

In a recent interview, the developer said he would “try to restore” the heritage structures on site. This does not instill confidence that he will. In addition, the tall towers will eclipse those building and diminish their prominence of being the “Roundhouse” development.

To say that this proposal is “consistent with many of the broad objectives...related to housing...and community well-being” is grossly inaccurate. It is my understanding that the affordable housing is being outsourced to someone else and there are no guarantees how this will proceed. A senior’s residence on the adjacent site has yet to be built. In addition, there are **no positive effects that this density would any way contribute to community well-being.**

I urge you to deny this amendment and allow the original plan to continue unheeded.

Yours sincerely,

Roy and Lorraine Dimond
#632 – 205 Kimta Road

Victoria, BC V9A 6T5



Dear Mike Angrove,

I understand that this Council wants growth and has a keen eye on the Bayview lands.

I'd like to express the thought that diversity, not excessive density, is a way forward that will increase quality of life for all residents and improve the environment. Having buildings of various sizes, with different purposes and reasonable density as was originally laid out in the plan seems the optimum way to move forward while respecting the area's quality of life.

Instead of a thoughtful, qualitative approach, we have nine 18 – 29 story buildings (condos and hotels), cheek by jowl creating a density and environment more at home in the biggest cities in Canada. Past promises of developing the Roundhouse, bringing rail back to the area, creating a Cultural Centre and neighbourhood amenities have all been proposed to get Victorians eager to let the developers build more density. Based on past experiences, are the developers trustworthy? Look at the poor quality that came out of the last Bayview condo they built. I remember when The Falls on Douglas was built, City Council had promises of a beautiful waterfall and local businesses on the street level premises. The promises were quickly thrown out the window and replaced with a trickle of water running down the building, a 7-11, an HSBC and a Browns Social House – all chain businesses with not a local business in sight. I'm sorry to be pessimistic but developers have one key goal – maximize their profits from any land parcel – and I'm greatly concerned that you will just let them.

The Roundhouse was originally set to be developed in 2016, which was another promise fallen by the wayside. I see that this developer and media are leading with lovely pastel renderings of the Roundhouse with lots of trees and space, and in the background, greyed out partial images of the towers as if they are a minor part of this pastoral vision. Such trickery, pshaw! Based on prior performance there might be a chance that after they've erected all 9 buildings and created an untenable place to live they might deign to add some token commercial and minimal common area. Too little and not worth the stress created for the area.

I'm curious, is this City so blinkered that when they think to add density that it should only be in one location? What crazy community planning is this? Is there no interest in listening to a community that has been making itself very clear that this increased density is not in the interests of the Songhees and Vic West residents? How does a neighborhood community plan have no influence on the build and tax ethos of the City. I understand that getting some below-market units is the goal and – while a lovely thought – I will be surprised if it comes to fruition in a way that will be affordable because, well, as the developers will remind us down the road, the conditions have changed.

The recent bike lane addition on Kimta, while a great environmental move, has created congestion and a bit of a dangerous scenario as large trucks and City of Victoria vehicles stick out into the road lane. Often cyclists don't move over to the bike lane when coming from Esquimalt Road, I don't want

to imagine the impact when you've quadrupled the density.

I am making a request that you stop the increased density.

Kind Regards,
Kathy Kay she/her

Subject: Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 – # 251 -# 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and #200 - # 210 Kimta Road.

Dear Mayor and City Council,

We are gravely concerned about the revised Roundhouse Bayview Development proposed by Focus Equities, which projects a Floor Space Ratio (FSR) of 4.1 with nine new towers of up to 29 stories high.

This outrageous proposal still does not address the long standing issue of density NOT meeting the originally approved density FSR of 2.0 and the city of Victoria Maximum Official Community Plan (OCP) guideline of 2.5. What has happened to the Victoria city standards? The new proposed density of 4.1 is double the originally approved density. This will result in excessive population in our area. This is beyond the design infrastructure for Victoria. This will result in congestion to our roads, which may need to be widened, and increased capacity for the drainage and sewage system, which may need to be expanded, and increased foundation requirements. The congestion will spill over to the pedestrian traffic along the Songhees walkway, and destroy the amiable, relaxed atmosphere of this community. Indeed, the new proposed density of 4.1 could transform Victoria into another Vancouver or Toronto, and destroy the uniqueness, charm, and elegance that is Victoria. That is the true cost of this proposal, if it is approved. We fear that an inner city atmosphere with increased traffic congestion and crime, is likely to develop, not unlike some undesirable areas in downtown.

There are some outstanding issues that need to be resolved and disclosed to the public before this proposal can even be considered by the city council. Has due diligence been performed on the following issues:

1. Remediation of contaminated soil due to past railway operations – is there a definitive research report on the method of remediation and quantity of material involved? What is the probability of having to export the contaminated soil to the US? Who is liable for this expense – the city or the province?
2. Is there a detailed map (to scale) of the towers in phase 2 compared to phase 1? Why is there such a wide disparity between the phases in the placement and concentration of towers? Is the Focus Equities proposal for phase 2 simply too big for the site? Please see attached google earth map of phases 1 and 2.
3. What is the social impact of this proposed development on parking, traffic, access to parks, playgrounds, and public transportation? Have independent consultants been contracted to give reports specifically on the social impacts of parking and traffic?
4. Affordable housing – what is the current status – who is going to build it and carry it forward?
5. Are the 6 historic buildings going to be preserved, and the rail right of way maintained? What about the cultural centre that was promised in 2008? What are the clearances used? The land plot appears very tightly constrained.
6. What is the energy efficiency rating of the proposed buildings and is it consistent with the city's climate action plan?
7. What are the building practices of the developer?
Some former residents from the new Bayview facility were dissatisfied with Bayview and have moved out. How reputable is the developer? How many units are still unsold in the new Bayview facility?

8. What is the estimated increase in demand of garbage disposal and water supply, waste treatment and sewage capacity? Have these costs to increase capacity been included?

We purchased our Kimta condo twenty years ago. During this time we have anxiously worked hard and saved our money for the opportunity to move here. True to form, we have found Victoria to have world-class charm with a unique beauty and feel. We fear this may not continue if the Roundhouse development is approved.

We hope the mayor and city council have the wisdom to stop it now. The developer has tried to take advantage of the current zoning liberties with the city council, and the hype of a "housing crisis".

We hereby voice our strong objection, and respectfully request that you do NOT approve the re-zoning proposal. It should not even be considered until the above outstanding issues are properly resolved and disclosed to the public. Please consider REDUCING the current zoning for the phase two proposal to better balance the two phases of the site.

Sincerely,

Wayne and Elizabeth Eng
634 - 205 Kimta Rd.
Victoria, BC V9A 6T5





Victoria, BC - Port Angeles, WA

Pelly Island

Roundhouse Project

REZ00729: 251-259 Esquamilt Rd,
45 Saghalie Rd, 355 Catherine St.
and 200-210 Kimta Rd

Legend

-  Boom + Batten Restaurant & Cafe
-  Spinnakers Gastro Brewpub & GuestHouses

Google Earth

Data: SIC, NOAA, U.S. Navy, NGA, GEBCO

June 30, 2023

Proposed Community Plan Amendment for 252 Esquimalt Road, 355 Catherine Street and 200 Kimta Road.

Dear Mayor, City Councillors and City Planners,

I have received your notice dated June 6, 2023 regarding the proposed amendment to the community plan for the above listed addresses.

When I moved to Victoria in 2015 I was aware of the proposed site plan for Bayview. In fact, I even viewed for sale units in Bayview One and the Promontory. I thought the site plan showed good future potential with a mix of Senior Care, condos, hotels, restaurants and rental units. However the new proposal drastically increases the number of towers and the height of those towers. As Bayview seems to be divided into two Phases, they seem out of sync with each other. Bayview Phase one has approximately 10 acres as does Phase 2. Yet there are 9 new proposed buildings on Phase 2 when Phase 1 only has 3 buildings on it (and potentially 2 more). Phase 2 was supposed to have 5 buildings and is now up to 9. This site also includes the heritage buildings so it seems like 9 buildings are being put up in a footprint less than where 3 buildings are in Phase 1.

I moved here from the White Rock area. I was there visiting friends last week and was shocked by the huge number of high towers that now dominate the town. The nice seaside village of White Rock has lost its charm. I would hate to see that happen here.

I agree that we need more housing and more density. This site makes sense to me as a good place for that but I think it has gone too far. The official community plan showed a recommended density of 2.5 and this new proposal raises that to 4.1. That's a pretty dramatic increase!

In addition, what plans are in place for proper disposal of contaminated soil? The cleanup of Peter Pollen Park in front of the Laurel Point seemed like a massive project with soil being carried away by barge. The Expo grounds in Vancouver (now part of Yaletown) took years to clean up. Does the developer have a specific plan? Who will make sure this happens?

Finally, what thoughts have been given to the existing residents of the area in terms of noise, pollution and disruption? When they were preparing the site for Aquara, blasting took place and huge dump trucks sat along Kimta Road for hours with their motors running. Now that the road is extremely narrow due to new bike lanes, how will heavy equipment be moved to the site? What noise restrictions will be in place? Has any thought been given to the quality of life for current residents considering this project will last multiple years? How are residents of the area going to be impacted by noise, access and egress issues, access to public transit, parks and bike lanes as well as dust from the ongoing excavation?

The website of the developer is very much a marketing tool to "sell the vision" but does not show a "to scale" view of the proposals. Have the council and city planners had independent reports on the proposed architectural and structural components as well as on the social impact? It seems to me more is needed than just "the word of the developer".

A lot of my questions may be due to the fact that there is insufficient detail of information to the public. It is incumbent on city council and the city planning department to ensure that all pros and cons are weighed and that the public is fully informed at all stages.

I am not opposed to the development of this site, just to the scale that is now being proposed and to the fact that little is explained about the timeline of work and the impact on the neighbourhood.

Thank you for giving me the opportunity to share my concerns.

Diane Scott
633-205 Kimta Road,
Victoria, B.C. V9A 6T5

Dear Mr Angrove

I am writing to express my concern regarding the revised Bayview Roundhouse Development

I think the increase in the number of buildings from the original proposal in 2008 (revised 2015) to the current proposal about to be considered is completely unacceptable. I believe this densification goes against the City's own green initiatives and environmentally-responsible practices.

Kind Regards
Kristofer Gardhner

Dear Mayor & Council,

The proposed Roundhouse redevelopment by Focus Equities does not deserve to be supported and approved by Council. There are a number of reasons for my position on the issue:

The plan as outlined by Focus Equities has made no allowance for the necessary infrastructure required to support the proposed increased density. There is no or scant reference to how such a dramatic increase in population will be serviced for water, sewage, fire, police, ambulance, recreation, medical, retail, transportation. While I supported the proposal approved by Council in 2008, I cannot support the current proposal which exceeds Council's own provisions.

The construction of so many buildings in such a small space will create its own micro-climate - winds will prove to be a problem, the documentation provided by Focus regarding sun and shade lacks rigour.

I have read the documents prepared by Focus, I have attended community meetings hosted by Focus, but remain unconvinced that the proposal warrants Council's support.

Focus committed to re-developing The Roundhouse, if only Council supported their 2008 proposal. What happened to those commitments? The track record of Focus in the entire Bayview development leaves a lot to be desired. Council and community should not be fooled by the promises that Focus makes, based on past experience.

I trust that Council will not be fooled into approving this proposal.

Thank you for reading this.

Norm Leslie
205 Kimta Road, Suite 739
Victoria, BC
Canada V9A 6T5

Dear Mr. Angrove,

Cards on the table, I do not live near the planned Bayview Roundhouse development, but I do live in the City of Victoria, and I do have some serious concerns about the high density development proposed for the site.

Having looked at the evaluations of heritage experts, density ratios, and the new request for the development by Focus Equities, I, and any reasonable person, would only see an urban blight in the making. The proposed density far exceeds the normal ratio. Buildings numbers and heights are overwhelming, not only for the location, but for the city of Victoria and it's unique and much envied, harbour aesthetic.

While I fully understand the pressures in the city to have more housing, this proposal, with its carrot of including some subsidized units, is not the solution to the problem the city faces. Not only will it not be a solution, but it will create over densification issues.

As city planner, I hope you take into consideration, your overall stewardship to maintain the quality of life this city affords, and reject the new rezoning request. Victoria can, and should remain, "The Garden City" and not deteriorate into "The Urban Jungle".

Lynne Hill
Victoria BC

Sent from my iPad

...355 Catherine St and 200 Kimta Rd.

Dear Mike Angrove.

I received the flyer titled "It's Your Neighbourhood" in June. It's taken many weeks and a great deal of digital stamina to unearth the details of this re-jigged proposal. And I'm sorry to say, the proposal to cram 9 towers, ranging from 18 to 29 floors, on the Roundhouse land, isn't fostering a "my neighborhood" feeling.

To be clear, I support density in principle and thoughtful development when it serves communities by enhancing livability through green and public space, balanced with density. The original proposal with 4 or 5 towers felt reasonable, and contributed to a sense of spaciousness in spite of density. With the spiffed up heritage Roundhouse as the jewel in the crown, it had all the right ingredients to be a legacy making project here in Vic West and BEYOND.

But the new proposal is preposterous! On paper, it appears as a greed fueled, concrete Lego creation, bereft of any parks or green space.

With new towers in nearby Railyards and Dockside Green, we are already feeling the pinch of increased traffic and pressure on the sole grocery store and services available.

I bought my micro unit in the Bayview Promontory 3 years ago so that I could live in that sweet spot of being a 15 minute (or less) WALK to everything I need. I choose to be car-free and was pleased that my unit purchase came with a MODO car share membership. But sadly my unit also came with an underground parking spot that sits empty. So why are we still building towers with maximum underground parking spaces, when many of us choose to minimize our environmental footprint? It's been suggested that building just one underground parking spot adds ~\$15-20K in construction costs.

In closing, I also want to express grave concern for the apparent lack of transparency around this current proposed iteration for the Roundhouse land. All of the wooden signage, those public notice boards placed throughout the area, depict the old proposal. The old proposal bears zero resemblance to the new proposal. Not a great approach if the developer wishes to garner support!

I know that the majority of my neighbors are either not tech savvy and/or simply don't have the time to uncover the appalling truth of the current proposal. You need to be a digital archeologist and have the patience of a saint, in order to unearth the vital facts about this development proposal.

If it's such a great project for the neighbourhood, and input from those of us already residing here is important, then why not be totally transparent in the process of making details available?

Please clarify that there will in fact be two (2) separate public hearings: one for the OCP amendment, the other for Bylaw No. 80-159?

Best regards,
Ginger Mason
83 saghalie road
[REDACTED]

251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road
Focus Equities proposal with City of Victoria

July 4, 2023

Good morning Mr. Angrove

Well where do I start...

When my husband and I purchased our condo at Promontory and moved here from out of province back in 2014, we were enchanted with the Focus Equities proposal for the Roundhouse development. I am sure you have records of what the 2014 proposal was so I won't go into it.

We have since been told over and over again the excuses of remediation difficulties, the inability of securing an anchor store due to lack of populous etc...never ending and year over year the same presentation. Tired of hearing about what great things Focus Equities had done to the land and wants to do when we are now 2023 and nothing has been done!

We are ALL quite aware of the housing issues the City faces as I gaze out my windows and see a tent city in Victoria West park and know rent costs are high and inventory is low. We ALL know we need affordable housing and rental units. We welcome the new towers B2 and B3 to help.

Here is the concern I have...

The upper 10 acres, already developed, houses approximately ~620 units, including the aging in place complex which has yet to be built. We are 4 towers, 21 floors with 177 units, 17/5 floors with combined 134 units, 10 floors with 133 units and the aging in place with ~175units(?).

The latest proposal for the lower 10 acres is 9 towers with ~2000 units!!!

The upper 10 acres has limited square footage of greenspace; dog park and Promontory's lawn. Let's just say the Roundhouse and turntable combined takes up far more square footage with less land to build on than the upper 10 acres...!! So City Council is considering the latest **2000 unit proposal on less land?**

Focus Equities' latest proposal seems to be making up for revenues lost by adding the B2 and B3 towers...by breaking down DA2 and reorienting and then adding B4 and B5

I recently received a notice from Bayview Place where they are asking for support etc... What I found intriguing is their comments regarding 'unlocking the site's full potential'...see attached, where it is written "the new buildings must be clustered away from the central Turntable Plaza to the west **to respect the heritage buildings**" ... the new proposal has B4 and B5 towers **within feet** on either side of the 'heritage' Boiler building. Not sure I follow the logic.

There is NO surface parking for the marketplace proposed...where do you think outlying visitors will park?

With the addition of almost 2000 new vehicles, as there will be one assigned stall per unit, I am concerned about the congestion.

1. will there be traffic lights added at Sitkum/Esquimalt? Or anywhere else to control the congestion
2. Will there be a left hand turn lane added on Esquimalt to enter the community between the Stores and Car Shop?

Promontory's south and west side will lose be ALL their west views!

Encore casts a late afternoon shadow during most spring and summer months but we do see the

sunsets in summer, and we knew that when we purchased our unit but now Promontory will be in TOTAL late afternoon shadow caused by the addition of B4's 23 floor and B5's 28 floor towers!

This latest design is not what we envisioned when we chose to move to Victoria. The charm of Vic West will be lost with the addition of the new proposal of 9 towers.

I am certain the property values of the upper 10 acres properties will be devalued as a result if you approve the current 2000 unit/9 tower design

PLEASE consider eliminating the NEW B4 and B5 towers from the design as they infringe on the heritage buildings and will alleviate the density congestion for everyone

Teri Holtbu

Victoria, BC



BAYVIEW PLACE

2. Second, the proposal embraces the **bigger opportunities and public interests** that the City of Victoria is facing. City leaders have challenged us, and indeed we have challenged ourselves, to do more to tackle the climate emergency, the housing crisis, the health of the downtown post-pandemic, and many other issues facing Victoria that have become even more pressing since the original 2008 plan. **We're confident that the new proposal will now deliver a more diverse, sustainable and resilient climate-friendly community for everyone that will take advantage of the proximity to downtown and the ocean, the walking, bicycle, and other transportation corridors, place making in the heritage buildings, and the 20 acres of adjacent open space around the site like Vic West Park, Lime Bay Park, the ocean walk, and the famous Bayview Dog Park that everyone in Vic West uses.**

Unlocking the Site's Full Potential

Our current proposal will fix the guidelines, improve the plan, unlock long-awaited community amenities, and realize the site's full potential by moving the E&N rail right-of-way south to utilize the vacant north half of the site to accommodate a new affordable housing site and market rental housing that was not part of the original plan.

Master planning this site has been one of the most challenging exercises of our careers and the many successful design firms that were hired from Canada and the US at a very large cost from time to time over 25 years. Among other things, **the new buildings must be clustered away from the central Turntable Plaza to the west to respect the heritage buildings**, maintain the large two-acre rail ROW, provide the mews to Lime Bay, and avoid the soft, unstable land reclaimed from the ocean on the south side of the site that cannot support large buildings. Years ago, some of the Lime Bay lots were provided by Bayview Place/Roundhouse to the City of Victoria to complete the harbour walk.

After the problems with the developments on the harbourfront, the Songhees was perceived as the "wrong side of the bridge" and the province could not sell the remaining development sites. Finally, Focus purchased all the sites with the intention of doing a **consolidated masterplan that became Bayview Place Phase One and Phase Two**. We have long been committed to this neighbourhood to not only create a livable and successful community and place for everyone, but also to position the entire Songhees area for success. We continue to be very proud of Bayview Hilltop Phase One, which now has the highest value on the island. We are confident that the new proposal for Roundhouse Phase Two will continue and expand on the success of the phase already developed.

Ongoing Community Conversations

We hope you will join us on April 26th. After the community meeting, we will continue discussions with members of the community at the Presentation Centre **every Wednesday from 4:00 PM to 6:00 PM** and, if you wish, **please join us for lunch any day Monday to Friday with 24 hours notice by e-mail or phone at 250-388-9924**. We would appreciate if you would send a letter of support to City Council (direct e-mail addresses for your use are attached). Some comments on the Phase One success are welcome. If you have concerns or questions about this final phase of the project, please contact us or come to the presentation centre.

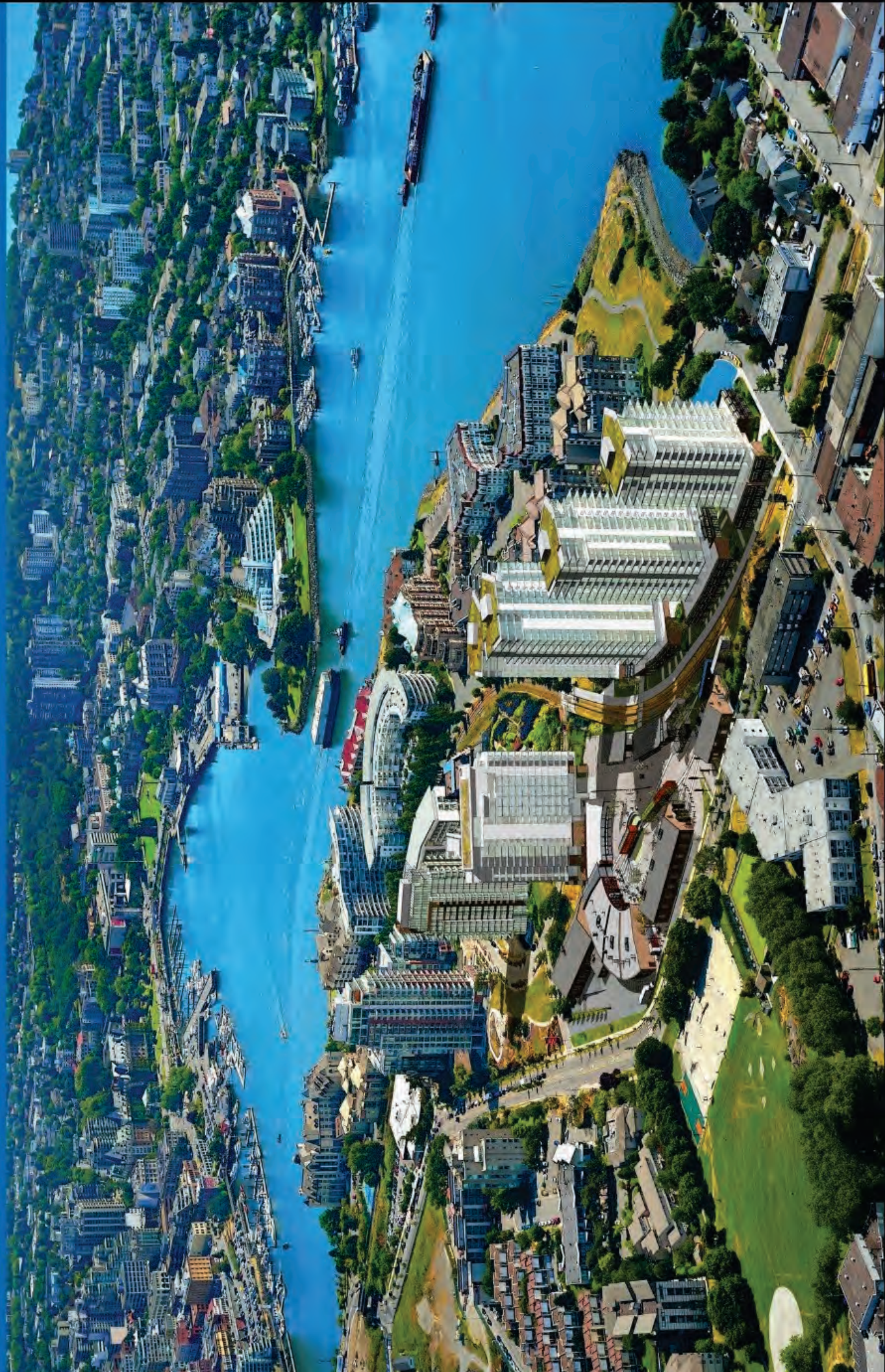
We will continue to post answers to your questions on our website regarding, among other things, the problems with the 1998 Phase One and 2008 Phase Two guidelines. We have spent an average of \$1 Million per month carrying this project over the last 20 years, making the economics very disappointing, and growing worse as the delays continue. We are now at approximately \$200 per buildable square foot in zoning costs (or \$200,000 per unit) on the existing 800,000 sq. ft. with very large costs to remediate the land and restore, renovate, and reposition the Roundhouse which should succeed with a larger population to support good tenants.

Thank you very much for your years of participation and contributions to our shared community.

Sincerely,

The Bayview Place Team
& Patricia and Kenneth W. Mariash, Sr., BA, BArch, BComm, MBA

THE NEIGHBOURHOODS OF
BAYVIEW PLACE



There are countless reasons for opposing this amended proposal and here are some of them:

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significant concerns and opposition to this project
for the last couple of years

- There is a lack of information about how retail fits into the development
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, or the demands on medical services, etc.

Morton Berman
66 Songhees Rd.
Unit T201
Victoria BC V9A0A2



Life Sustenance Love Art

Good Morning,

please register us s being opposed to the rezoning proposal by Focus Equities for the land that includes the Roundhouse.

Edwin Mitchell/Cheryl Bejcar Unit 303 65 Songhees Rd, V9A 6T3 - Phone [REDACTED]

July 9, 2023

Dear Mike Angrove, Senior Planner – Development Agreements

In regards to the proposed Official Community Plan amendment for 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road

I, along with the majority of residents I know, are opposed to this rezoning. It's been years of delays, various schemes and each year, we grow increasingly weary marshaling our response only to see a modified, equally unpalatable scheme re-emerge.

Why is the original plan not built already? We were all sold on the Bayview roundhouse development plan in place and approved since 2012. How much better of a real estate market over the last few years could the developer ask for? This development should be finished, built and occupied. I can't imagine people in the Encore and my building the Promontory would have purchased knowing or thinking that as many as 9 high rise buildings and that kind of would be built beside and across the street rather than what they were sold and told. It is an approved plan not just a thought or a vision.

I hope City Management and Council would not be afraid of opposing any development which includes residential regardless of the merits, which bodes poorly for those who justifiably illuminate the serious shortcomings of this latest scheme. Is this simply a plan to rezone? Sell off smaller parcels to capable developers, leaving the heavy lifting undone and ultimately either coming back to the city pleading for more, or simply walking away.

The new proposal plan for rezoning is awful! The complete Bayview Place site is some 20 acres comprising Bayview Place Phase 1 and the Roundhouse at Bayview Place Phase 2. Phase 2 is 9.18 acres suggesting some 10.82 acres in Phase 1. So therefore Phase 1 site is some 15% larger than the Phase 2 site. And yet the city appears ready to approve 9 new buildings on the Phase 2 site when the Phase 1 site has only 3 buildings on it. Recall under the current zoning that it is supposed to be 3 on Phase I and 5 on Phase 2 (not 9). Taking the Phase 2 site one must also then subtract the area that six heritage buildings take up and the area the current rail line takes up (realigned or not). Even without knowing the exact area this entails it is substantial. It would appear that almost 1/3 of the Phase 2 site is given over to these subtractions. In Phase 1 two of the three take up considerable area on the site. In contrast if you look at the ostensible area that the 9 buildings take up on Phase 2. Phase 1 has a wide road going thru it which feeds our building parades, allows for courier access, moving and some short term street parking. We have a large green space and a dog park. Phase 2 proposal does not appear to show to have any of this! How will this affect our current street parking, and traffic in and out? Are the applicant's drawings and diagrams showing scale portrayals of what is coming? do the drawing these 9 buildings to scale on the area available to each on Phase 2 of the site with the subtractions noted? I imagine this is being looked at to show this to both the public and City Council before the City approves this application.

Other reasons that I a resident in the Bayview Development, am opposed to this application.

Developer - The track record of the developer and their inability to follow through with previous promises is or should be, well known. Before Council allows their substantial and valuable investment of time and resources be committed to this process (to the detriment of the many real developments which will be forced to wait), Council should require at minimum, a concrete plan including verifiable financial capacity for the unfulfilled requirements related to environmental remediation and heritage restoration of the Roundhouse Buildings, be submitted for scrutiny.

Density – Is it not fact is that a significant portion of the overall Bayview lands were and always will be

'undevelopable'. The Roundhouse Buildings are why the Master Plan was awarded an unprecedented level of density on the available lands originally. In today's more density friendly environment, is there an argument for revisiting these numbers? Possibly, but crowding the site with multiple towers jammed together and never before height allowances is hardly a winning solution. We must also recognize that these lands themselves enjoy one of the highest elevations in the core area of Victoria. The overall impact of even the current approved plans, will mean that when built, Bayview will be a visually dominant feature of the skyline and from the inner harbor, will already look like they dwarf the actual downtown. Adding several more towers and adding additional height will present an entirely out of proportion skyline.

The Roundhouse - The Roundhouse Buildings represent some of the city's finest heritage structures and their preservation an essential element of what makes Victoria unique. These buildings represent the singular defining elements of the development, the neighborhood, the community and possibly the Greater Victoria region. It's essential that under no circumstance shall the new buildings be allowed to surround, crowd and overwhelm The Roundhouse to the point of overwhelming this collection of heritage structures to the point of rendering their presence to be entirely inconsequential.

It's not simply a matter of please...no density in my neighborhood...or don't block my views...there are just too many reasons to stop this rezoning in its tracks (pun intended). The neighborhood, Vic West Community and the entire region stands to lose what could be a wonderful piece of what makes Victoria a special liveable community.

There is nothing wrong with the current Master Plan. Its been well thought out, it what we all were sold, it fits the community. Perhaps it needs a new developer that is qualified and well capitalized take this development to fruition.

Please do the right thing and do not approve this amendment but rather ask that they move on with the plan already in place!

Thank you

Frank Naccarato
Unit 1703 – 83 Saghali Road
Victoria, BC , V9A 0E7

[REDACTED]
[REDACTED]

Hello Mike Angrove, Senior Planner

Please add my name to the list of unhappy neighbours to this rezoning plan for the Roundhouse.

The City of Victoria planning department has ruined Kimta Road with the bike lines, reduced parking spots, and narrow car lanes. To add more congestion to this area is abysmal planning.

Below is a list of more reasons why I strongly disagree with the rezoning plan.

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties which has yet to happen.
 - It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR. •
- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!
- “The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.” Page 14, City Planning Staff report, April 20, 2023.
 - “The proposals at 4.75 FSR appear inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E & N transportation corridor, respects the heritage precinct and overall OCP policies geared towards positive placemaking.” City Planning Staff report, April 20, 2023.
 - The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to see or experience.
 - It would totally overshadow and diminish the Roundhouse and heritage properties.
 - Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round. •
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years. • There is a lack of information about how retail fits into the development.
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

Janice Marr
50 Songhees Road

Via iPad

Dear Mayoress and Councilors,

As a resident of West Victoria, I am increasingly concerned about congestion on the Esquimalt Road and the Johnson Street Bridge, and this before the new buildings on Tyee Road are even occupied. Does the council have plans for a new bridge, or would that merely add to the congestion in the core?

The city needs more housing and developers deserve rewards for their risk taking. However, in my opinion the city should not concede to developers' wish to maximize profits, but rather oblige them to compromise, so they can be profitable without maximizing profits. This would mean **limiting the height of new construction (perhaps 21 floors) and limiting density**. The proposed development has merit, but there is a trade-off with infrastructure (and aesthetic) constraints.

Thank you for your attention to the above

Neil Ridler

68 Songhees Road.

Dear Mike Angrove,

I am a resident of the Promontory, a condo building in Bayview Place. When my wife and I purchased our condo in 2016 what was presented to us was a plan for a certain number of condo buildings plus the amenities to go with them including the development of the Roundhouse buildings into retail stores. It was a very attractive plan which in fact drew many of the residents to buy here.

What is proposed here is a complete betrayal of what we were promised. Granted that circumstances do change and have to adapt, I really don't see how putting in a glut of high priced condos in this small area will help solve the problem of scarcity of rental accommodation or homelessness that need to be resolved in Victoria. If it is allowed to be built, I can only see a very congested area of high rises going up as high as 29 stories, devoid of beauty and creating all kinds of problems.

What was initially a wonderful vision of restoring and developing these lands will become quite the opposite, a mess that the developers can then walk away from.

Please do not allow the proposed rezoning for the sake of our community.

Sincerely,
Ben Salvatore

Dear Victoria City Council,

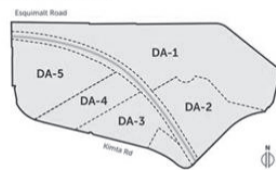
I am writing to voice concern and oppose the rezoning application for the Roundhouse Development Site at Bayview Place [REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and # 200 - # 210 Kimta Road]. This project is located from Saghalie Road to Catherine Street and bordered by Kimta Road and Esquimalt Road is an area of land whose future evolution is being undertaken by Focus Equities (a Mariash Master Plan Community).

The following serves as background and reasons for opposing this amended proposal at Bayview Place.

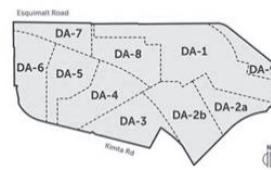
1. The diagram on the left below is what was submitted and approved by the City back in 2008. The diagram on the right below is the AMENDED proposal that is now before the City. Not only has the number of buildings being proposed almost doubled (from 5 buildings to 9 buildings, including up to 3 hotels!), but the heights of the buildings have also increased dramatically with the density of the property itself almost doubling what the neighbourhood plan allows for (from 2.5 to 4.1).

2.2.1 Rezoning Application

CD-12 Land Use Zone (Current)



Proposed Land Use Zone



2. Other reasons for opposing this amended proposal, listed below:

- It more than doubles the current zoning density for the area
- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties which has yet to happen
- It offends the Victoria West Neighbourhood Plan. The Songhees

pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings & hotels are approved

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- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, or the demands on medical services, etc.

3. I would also like to draw your attention to concerns from the Tax-paying residents of Victoria on the following platforms:

- SIGNED PAPER PETITION placed in the lobby of neighbouring buildings
- SIGNED ONLINE PETITION already created and found at [https://www.change.org/p/stop-victoria\[1\]city-council-from-approving-rezoning-on-the-bayview-project](https://www.change.org/p/stop-victoria[1]city-council-from-approving-rezoning-on-the-bayview-project)
- Individual emails written to Mike Angrove, Senior Planner - Development Agreements (ph [REDACTED]) at developmentservices@victoria.ca
- Discussion Group on Facebook called StopBayviewRezoning
- In-person Meeting Hosted at neighboring buildings related to this rezoning application and distribution of development information
- Information about this project and/or events coordinated by Victor at [REDACTED] or Wayne at [REDACTED]

I appreciate your consideration and review of this letter.

Regards, Errol Bosman [REDACTED]
Shutters – Strata Plan VIS 6261, Unit 607, 66 Songhees Road, Victoria, BC

Dear Victoria residents and visitors – this is what is coming to our city’s beautiful, unique, world-renowned waterfront unless Focus Equities’ current AMENDED proposal to rezone the Bayview Place property is stopped. Take a good look. Have you seen this?

**The deadline to oppose the rezoning application is August 4th.
The time to act is NOW.**

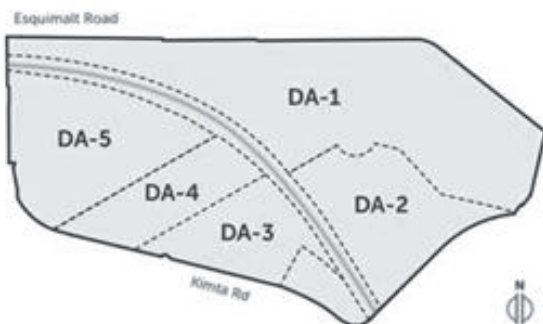


Original drawing shown at p 164 of the COTW meeting of City Council on May 4, 2023 included in the Final Submission of the applicant for rezoning

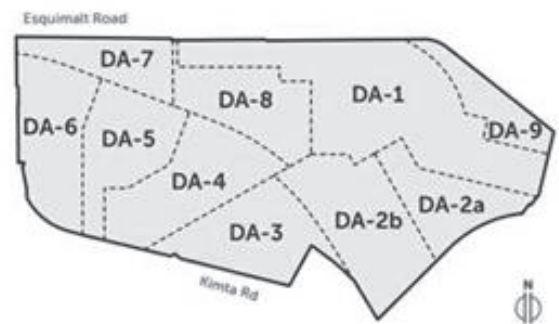
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- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, or the demands on medical services, etc.

If you share our concerns about this project, please consider taking the following actions:

- ✓ **SIGN A PAPER PETITION** placed in the lobby of your building
- ✓ **SIGN THE ONLINE PETITION already created and found at <https://www.change.org/p/stop-victoria-city-council-from-approving-rezoning-on-the-bayview-project>**
- ✓ Write your own email to Mike Angrove, Senior Planner - Development Agreements (ph. [REDACTED]) at developmentservices@victoria.ca the **deadline is August 4**
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- ✓ **If you're not on Facebook, for further information about this project and/or to be notified about upcoming events please contact:**
Victor at [REDACTED] or Wayne at [REDACTED]

There is strength in numbers and together we can make our voices heard in the best interest of our beautiful city!

Attention: Mike Angrove, Senior Planner

Hello;

I am emailing to support the current proposal for the Bayview Roundhouse lands and hope some development activity can take place sometime in the very near future.

Maureen McComb
1401 60 Saghalie Road

I live in the Shutters condo complex on Songhees Road and I am adding my name to those who are concerned with the current proposal to develop the Roundhouse property bordered by Esquimalt and Kimta roads. There is already a detailed objection submitted to the City of Victoria, so there is no need to repeat those concerns.

Overall, the proposed development is much more dense than our community can handle. Esquimalt Road is already impacted by developments further west and having the Johnson Street bridge raising and lowering 2-3 times per day only makes the traffic congestion worse. At present, many individuals from outside our neighbourhood drive to and park along our streets to walk along the sea wall. This proposed development will increase this activity even more.

Robert Hinkley
317 - 68 Songhees Rd.
Victoria, BC
V9A 0A3

Sent: Monday, July 10, 2023 12:18:08 PM

Subject: Rezoning Application for the Roundhouse Development Site at Bayview

Dear Mayor, Councillors, Developer and Concerned Parties,

Please see the attached letter of my concern for the proposed development at Bayview. As stated, this is greed at the highest degree. Please do not approve the proposal. The original plan was more than I would like and not good for our local community.

I trust you will do the right thing and say NO to the development.

Thank you,

Sandra Foss

T501, 66 Songhees Rd,

Victoria, BC

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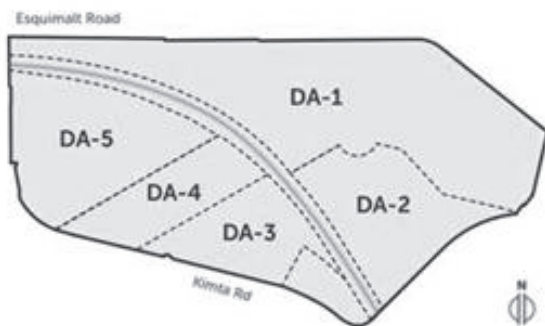


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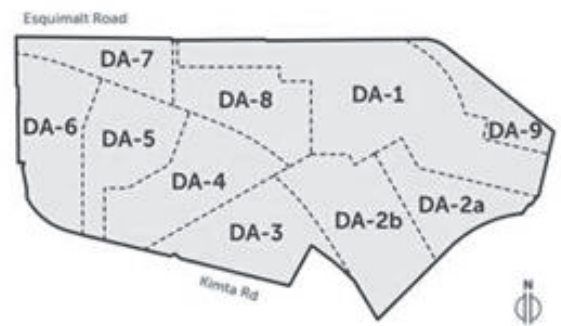
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Victor at [REDACTED] or Wayne at [REDACTED]

There is strength in numbers and together we can make our voices heard in the best interest of our beautiful city!

“Much of Victoria's charm and character stems from its unique and well-preserved historic buildings. Victoria's turn-of-the-century architecture creates a sense of pride among residents and throughout the community. These heritage buildings are symbols of permanence and stability in an ever-changing world.” (City of Victoria website)

Sadly, our city's historic character is under assault. A rezoning proposal currently before City Council for the E & N Roundhouse in the Victoria West neighbourhood envisions 9 towers at heights ranging from 18 to 29 storeys. The scale and height of these massive towers threatens to overwhelm the modest scale of the nationally significant E & N Roundhouse, its associated industrial heritage structures, and the Vic West neighbourhood. The original master plan for this site does contain some exciting ideas to rejuvenate these heritage structures through adaptive re-use, and we support these concepts. However, the current application far exceeds what is appropriate for conservation and redevelopment of a relatively small parcel of land.

Further, the new proposal does not comply with either the Official Community Plan or the Vic West Neighbourhood Plan. Despite Planning staff's suggestion of a lower density, most City Councillors seem inclined to advance this proposal at the enormous density proposed. Planning staff have stated *“The proposed density, which is more than double the currently approved 2.0:1 FSR (Floor Space Ratio), represents a significant amount of new building mass which is challenging to fit on the site in a comfortable manner.”*

We need to remember that this site has been recognized as being of national historic significance as, according to the description from Parks Canada: *This imposing brick roundhouse is a particularly fine example of an industrial structure associated with the steam railway era in Canada. This site is an important reminder of Canada's rich railway heritage. The Esquimalt and Nanaimo roundhouse complex is the most intact facility associated with the servicing of steam locomotives in western Canada.* Planning staff have identified the threat in their report as follows: *Concerns exist around the scale of the tall towers and large podiums adjacent to the heritage structures, which may feel out of scale with the one storey historic buildings and **could detract and overwhelm the historic site.***

At the Committee of the Whole meeting on May 3, 2023, Urban Design staff made an excellent presentation to the committee showing how a reduced density would result in more slender towers, more widely spaced and set back, with a greatly improved pedestrian experience. We certainly recognize the need for additional housing, and we do support the scaled-down version of this project. In addition, we note that Victoria does already have several new developments built at a modest scale in keeping with historic character, including the Selkirk Waterfront, Dockside Green and The Railyards. There are numerous underdeveloped sites such as the parking lots along north Douglas Street which could accommodate more housing for Victoria.

Visitors from around the world come to Victoria due to its historic charm and character, and its modest scale. It may not last much longer. Perhaps the visitors won't either.

WE, the undersigned urge City Council to reject this massive redevelopment which is not in keeping with the modest scale and historic character of Victoria.

Signed;

Steve Barber, former Senior Heritage Planner, City of Victoria

Michael J. Prince, Lansdowne Professor of Social Policy

John R. Basey KC, former Director of Planning & City Solicitor. City Of Victoria.

Wendy Zink, former Manager of Social Planning & Housing, Retired

Martin Segger, Director, Government & Community Relations, University of Victoria -Retired

Jim Kerr, AIBC Architect

Ray Hunt, AIBC Retired Architect

John Keay, AIBC Architect

Jennifer Nell Barr, Retired Executive Director, Victoria Heritage Foundation

Ian Sutherland, Heritage Building Developer

Christopher Gower, AIBC Architect

Pamela Madoff, Retired City Councillor

Michael Elcock, Former CEO, Tourism Victoria

John Dam, B.A.Sc., M.Sc., P.Eng., CAHP

Marilyn Palmer, Architect

Marilyn Bowering, Author

Martin Golder, Retired Architect

Our details are:

Elizabeth Dean and Don Hazleden
601-66 Songhees Rd.
Victoria
V9A 0A2
[REDACTED]

On Wed, Jul 12, 2023 at 9:06 AM Elizabeth Dean01 [REDACTED] wrote:

Dear Mike,

I am looking out over the above parcel of land this morning. Blasting starts today for two months which suggests things are moving along rather than the city being responsive to citizen input. How can dynamite blasting be even permitted in this already high-density residential area? This is not to say we should not persist but where are things really at? How do we rally round the citizenry to address this?

We cannot leave this to the city councillors who appear to be in the pocket of the developers. City should not be a machine for making money for developers and needs to be strictly guarded against.

A survey needs to be commissioned and conducted of not only Victorians at large, but particularly those of us in Vic West and even more especially those residents immediately surrounding the land in question encompassing the historic roundhouse buildings. We don't recall this ever happening. The roundhouse buildings are 'our' history and their fate cannot be left to the whim of developers.

Residents need to be 'ASKED' and 'not told' how this historically and indigenously significant land needs to be developed.

Clearly, the development of the roundhouse and its buildings is a 'public' issue. They should be the focal point and not dwarfed by high rises. How about a public market like Granville Market and seniors centre, surrounded by park, fountains and splash park for kids, playground, and open spaces for families living in the high-density housing around the space? The area is already 'high density'. Vic West has done its part and this parcel of land cannot be viewed as the solution to all of Victoria's housing problems.

We appreciate plans have been approved with apparently little acknowledged consultation with the public who we cannot imagine agree with the proposed development in their neighbourhood. The developers will continue to push relentlessly. The OCP is already excessive but we remain idealistic, consistent with the long-standing philosophy of the 'City

Beautiful' movement.

Please, this plan is clearly short-sighted and puts the needs and wants of the residents secondary to those of the developer. Let's do the right thing and honor and heritage as well as meet the needs of the community. As stated, Vic West has already done its part in densifying.

Any recommendations you can give to enable the voices of those opposed is needed. We like hundreds of others have signed petitions, written letters over the past few years, yet receive ongoing flyers from your department regarding 'It's Your Neighbourhood'. Our voices do not appear to be heard. What more can we do?

Elizabeth Dean and Don Hazleden

Sent from my iPad

To Mike Angrove, Senior Planner

I would like to provide my feelings towards the planned development at the Roundhouse in Vic West.

In general, I am in favour of the development for the following reasons:

1. The development will provide needed housing for our city. Some of this housing will be available to middle- income citizens.
2. The development will essentially be "infill" housing.
3. The development will include the refurbishment of heritage buildings, which would not occur unless the site be available for commercial development. The Roundhouse could be a mini-Granville Island.
4. The city income from the real estate tax would increase significantly.

I do have a few reservations with respect to the development:

1. The size (number of buildings) and heights seems excessive.
2. Impact on the services in the Vic West area. Lack of banks, grocery stores, etc. This of course has been exacerbated by the construction of Dockside Green.
3. The need for an improvement and increase in the transit service provided to the area.

My wife and I live in the Encore building, and our condo on the southwest corner overlooks the entire Roundhouse site. We have resided in Victoria for four and a half years and have found living in Vic West suited to our lifestyle. We particularly like the ability to walk downtown and we rarely use our car.

I will acknowledge that most of the input you receive, will probably be negative, because that seems to be human nature, so your final decision will have to ultimately be decided with what is best for the entire city.

Please acknowledge your reception of this email

Sincerely,

Terry Imhoff
1303 - 60 Saghali Road
Victoria V9A 0H1

(I found your website which provides details of the development completely unusable.)

I am looking out over the above parcel of land this morning. Blasting starts today for two months which suggests things are moving along rather than the city being responsive to citizen input. How can dynamite blasting be even permitted in this already high-density residential area? This is not to say we should not persist but where are things really at? How do we rally round the citizenry to address this?

We cannot leave this to the city councillors who appear to be in the pocket of the developers. City should not be a machine for making money for developers and needs to be strictly guarded against.

A survey needs to be commissioned and conducted of not only Victorians at large, but particularly those of us in Vic West and even more especially those residents immediately surrounding the land in question encompassing the historic roundhouse buildings. We don't recall this ever happening. The roundhouse buildings are 'our' history and their fate cannot be left to the whim of developers.

Residents need to be 'ASKED' and 'not told' how this historically and indigenously significant land needs to be developed.

Clearly, the development of the roundhouse and its buildings is a 'public' issue. They should be the focal point and not dwarfed by high rises. How about a public market like Granville Market and seniors centre, surrounded by park, fountains and splash park for kids, playground, and open spaces for families living in the high-density housing around the space? The area is already 'high density'. Vic West has done its part and this parcel of land cannot be viewed as the solution to all of Victoria's housing problems.

We appreciate plans have been approved with apparently little acknowledged consultation with the public who we cannot imagine agree with the proposed development in their neighbourhood. The developers will continue to push relentlessly. The OCP is already excessive but we remain idealistic, consistent with the long-standing philosophy of the 'City Beautiful' movement.

Please, this plan is clearly short-sighted and puts the needs and wants of the residents secondary to those of the developer. Let's do the right thing and honor and heritage as well as meet the needs of the community. As stated, Vic West has already done its part in densifying.

Any recommendations you can give to enable the voices of those opposed is needed. We like hundreds of others have signed petitions, written letters over the past few years, yet receive ongoing flyers from your department regarding 'It's Your Neighbourhood'. Our voices do not appear to be heard. What more can we do?

Elizabeth Dean and Don Hazleden

To Whom it May Concern,

We wish to express our apprehension and opposition regarding Focus Equities' amended proposal to rezone the Bayview Place property.

Our concerns include but are not limited to the following:

1. It more than doubles the current zoning density for the area.
2. The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings.
3. It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties which has yet to happen.
4. It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings & hotels are approved.
5. The views from tourists and people arriving via the harbour will look like any overly-developed large city waterfront; this is not what people come to Victoria to see or experience.
6. It will completely overshadow and diminish the Roundhouse and heritage properties.
7. Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year round.
8. Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
9. There is a lack of information about how retail fits into the development.
10. The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, or the demands on medical services, etc.

Victoria is a beautiful city that has not yet been ruined by over-development.
Let's do everything we can to keep it that way.

Yours truly,

Boris Petriw
Anna Maslo-Petriw
410, 68 Songhees Road
Victoria, BC V9A0A3

Hi there.

I just wanted to show my support for the upcoming Bayview development project proposal.

I've lived in Bayview for 7 years now, and have been disheartened every time the city blocks this development.

We've finally got a great proposal, with housing for our service industry, and affordable rental options for others. Both which we desperately need.

We have a vocal minority in opposition to the project, and primarily about their view being blocked, and the density increases.

The hypocrisy is that their buildings have blocked the views of other buildings, so why is it ok for them but no one else?

We need affordable housing, and this is the 3rd revision to the proposal.

We need our service industry to live within walking distance of downtown. We need our next generation to have affordable housing, and not end up missing retirement because they are in debt.

--

Brij Charan

Owner, Brij Charan Photography

Dear City Council members and Mike Angrove

I have written a number of emails to council to voice my concerns about the Bayview rezoning application and I continue to be against this proposal. I was in favour of the original plans, but city council should hold the breaks on this new one.

Here are the main points for my concerns with the proposed changes.

1. It doubles the current zoning density
2. It drastically contradicts the first amended rezoning from 15 years ago which Focus Equities sought and had approved by City Council in exchange for agreeing to refurbish The Roundhouse and heritage Properties. **To date nothing has happened.**
3. The current proposal is 9 buildings with up to 3 hotels instead of the prior approved 5 buildings
4. This outrageous proposal still does not address the long standing issue of density NOT meeting the originally approved density FSR of 2.0 and the city of Victoria Maximum Official Community Plan (OCP) guideline of 2.5. What has happened to the Victoria city standards? The new proposed density of 4.1 is double the originally approved density.
5. It contradicts the terms of the original Master Development Agreement between the City and Focus Equities.
6. It is missing a Cultural Centre which was held out and was to be designed by Frank Gary
7. Due diligence with respect to developer has not been carried out by City Council
8. There doesn't seem to be a detailed map to scale of the development. The map that is available looks odd, very odd. The 9 buildings look miniscule in comparison to the original 5. What is being hidden here?
9. There are too many unanswered questions about the environmental impact of this project, for example the removal of the contaminated soil.
10. What about the social impacts of a project of this scale, as it relates to parking, traffic, access to parks and playgrounds, access to public transportation. What is the impact of this increased size going to be on

the infrastructure, sewage, roads etc? There doesn't seem to be any independent consulting firms commissioned to give reports to the city on these social impacts.

Please do the right thing and halt this application for rezoning.

Erie Pentland
203 Kimta Road

The information available about the proposals for this area show no response to the disastrous housing situation across Canada, including Victoria. At least 15% of this development should be made available to the co-op sector at a cost that is well below market rates, on condition that it is run as a non-profit. There is plenty of housing co-op expertise available in Victoria, huge need for affordable housing. Make good use of this opportunity.

Yours co-operatively,

Vanessa Hammond, CELTS and CO-OPs
/  **Victoria, BC, Canada V9A 0G3**

Hello Mr. Angrove,

I have attached my concerns and comments on the proposed Official Community Plan amendment to bylaw 80-159 applicable to the guidelines for Roundhouse designs.

Thank you for your consideration.

Regards

Carolyn Watters

To: Victoria City Council and Planning Committee

Re: OCP Bylaw amendment for Vic-West Roundhouse Development between 251 Esquimalt Rd, 355 Catherine St and 200 Kimta Rd

From: Carolyn Watters, 165 Kimta Rd, Victoria

Date: July 16, 2023

Thank you for the opportunity to comment again on the Roundhouse development. I have read the documents including the Roundhouse Design Guidelines provided by the city and by the development proposers. I have reviewed this proposal and proposed amendment to the OCP Bylaw in the context of the city's Official Community Plan in which the vision is stated as

Victoria is an urban sustainability leader inspiring innovation, pride and progress towards greater ecological integrity, livability, economic vitality, and community resiliency confronting the changes facing society and the planet today and for generations to come, while building on Victoria's strengths as a harbour-centred, historic, capital city that provides exceptional quality of life through a beautiful natural setting, walkable neighbourhoods of unique character, and a thriving Downtown that is the heart of the region. (OCP_Section 3-2, underlining added)

In this context, there are good reasons to develop the Roundhouse parcels (north and south) consistent with these principles.

At the same time, the proposed bylaw amendment, "to increase the permitted height up to approximately 29 storeys and density up to 4.74 Floor Space Ratio for the proposed Roundhouse mixed-use precinct", is problematic. The proposed OCP bylaw amendment introduces serious risks to the OCP principles and commitments to "generations to come." The density and height specifics in the proposal are at odds with achieving the city's vision with respect to community well-being and to Victoria's city unique beauty and historic ethos. Research has shown that visual features and the scale of buildings affect the human sense of place related to human perceptions of community, safety, wealth, and beauty. It is clear that allowing towers of 20-30 stories in this area is simply inconsistent with the OCP plan. The potential impacts of the proposed development plans are alarming. Let me restrict my comments to main areas of concern.

Concerns in plans related to community building:

1. Vibrant Communities. Communities and neighbourhoods are not formed in vertical blocks of thousands of people travelling up and down 20 or 30 floors in elevators. Communities emerge from the familiarity of neighbors in human-scaled social contexts founded in the village mosaic that is unique to Victoria.
2. Social Equity. The earlier announcement in the Times Colonist, July 28, 2022, reporting on a proposal by the developers to build a specific 18 story building exclusively for affordable housing is alarming. This proposal represents an egregiously regressive social policy that separates and identifies those needing "affordable" housing from those able to

afford living in the other buildings. This will have a multigenerational impact. Please do not do this.

Concerns of increases in approved construction height:

1. Sight Lines. The street level impact of 29 story buildings, as those proposed, is to block the sightlines of that natural setting that is so special to Victoria: the Sooke Hills, the west coast trees that line the streets, the Olympic Mountains, the ocean, the rocky undulations of the city, and the vistas of skies beyond buildings. These lines of sight that we take for granted when we walk, bike, or drive in the city are a unique feature of Victoria and would be seriously impacted by blocks of construction of the heights proposed. In the proposal Design Guideline document the proposed extension to building heights will irrevocably diminish the “beautiful natural setting” of West Vic!
2. Precedence: The separation of approval of the north parcel from the future approval of the south parcel is problematic. Clearly decisions made for the north parcel will have the weight of precedence on future decisions.

Thank you for your consideration of these and other comments that you receive, as you weigh the issues of the proposed OCP bylaw amendments in the context of the principles of the city’s Official Planning Vision.

A handwritten signature in blue ink that reads "C. Watters". The signature is written in a cursive, flowing style.

Dear Mike,

Please see our very serious concerns about the Bayview development and the highly inappropriate amendment to the 2008 approved plan. Vic West is already very dense in that area. We have done our part to 'densify'. We need to respond to the needs of the citizens of Vic West and the historic site that it is. It cannot be left in the hands of corporate interests who are concerned about making money and not about preserving this historic site.

How the development area has come to this is unbelievable. Anyone passing through this area can only observe that Vic West is the most densely populated area of Victoria outside downtown. We have done our part to densify. **The Roundhouse and its adjacent buildings should be the focal point of the area and not dwarfed by highrises. How about a Granville Island type of public market and seniors centre, surrounded by park, fountains and splash park for the kids, playground, and open spaces for families living in the high-density housing around the space? This area is already 'high' density. This parcel of land should not be seen as a solution to all of Victoria's housing issue. Anyone simply passing through the area can only acknowledge that Vic West has well done its part to densify over the past couple of decades. It is sufficient. We are already living in a densely populated area, we need spaces for families with children and seniors who are living in these dense housing situations. How this has not occurred to many others, suggests that there are other motivations behind the scene. This needs to be remedied if the people of Victoria really matter.**

Dr. Elizabeth Dean and Don Hazleden

66 Songhees Rd.

Apt. 601

Victoria, BC V9A 0A2



On Wed, Jul 19, 2023 at 4:38 PM Elizabeth Dean01 <

Letter of Concern to Victoria Mayor and City Councillors re Bayview Place Development.

There are several concerns about the plan for Bayview Place Phase 3 in Vic West.

The plan fails to consider the Victoria context, particularly VicWest. A vision of an emerging 'Shanghai' characterized by multiple, up to 32-storey towers, is inconsistent with this context and heritage of the Roundhouse buildings, the development's focal point. Currently, the tallest building in Victoria is 25 stories, Hudson Place One. This may be appropriate for downtown but NOT VicWest. In context, the proposed buildings should be under 15 stories, consistent with others in the Songhees area. This is characteristic of the neighbourhood that attracted

residents to it.

The development plan fails to consider population density. This would become the most densely-populated area of the city, beyond downtown, and well exceeds density of the neighbourhood. Despite city efforts to encourage walking and cycling, roads and bridges in and out of VicWest would be overwhelmed.

Victoria is a 'windy' city. Excessively high and closely-positioned towers will contribute to increased wind tunneling compromising the space as a welcoming 'people place'. High wind patterns will result in uninhabitable spaces for shoppers and patio establishments.

The Roundhouse vision would be far more attractive with a Granville Island concept, in conjunction with lower-rise, less-dense buildings. This plan would attract residents and visitors to the area given its accessibility by foot, bike, bus, and water taxi. Containing motorized vehicular traffic is consistent with the city of Victoria's vision.

We would like to have confidence that those who govern Victoria's development have foresight to do the right thing for current and forthcoming generations, as well as those of us who will be immediately impacted.

The horse may well be out of the barn but clearly the development of the historic Roundhouse land and buildings is a public concern and should be left not to the whims and money focused private developers. They should be the focal point of the and not dwarfed by highrises. How about a Granville Island type of public market and seniors centre, surrounded by park, fountains and splash park for the kids, playground, and open spaces for families living in the high-density housing around the space? This area is already 'high' density. This parcel of land should not be seen as a solution to all of Victoria's housing issue. Anyone simply passing through the area can only acknowledge that Vic West has well done its part to densify over the past couple of decades. It is sufficient.

Dr. Elizabeth Dean and Don Hazleden

66 Songhees Rd.

Apt. 601

Victoria, BC V9A 0A2



Dear Mayor and city council,

I am writing to express my concerns regarding the rezoning for this project. I am not against the development of this area, in fact I was very excited for the original proposal. It was fair and would add a lot to the community without interfering with the existing neighbourhood.

I am however not in favour of the new 4:1 density proposed and the added buildings. This brings in problems with traffic and congestion, sewage and other infrastructure issues such as water and waste. To date I have not been satisfied with answers or any studies provided to answer these questions on the impact this will have on the community.

Victoria is a tourist destination because of its charm and beauty and this massive development on the waterfront is not in keeping with that image. Once it is done it would forever ruin that image and will open up the floodgate for further overdevelopment. Please take care when considering the future of our elegant city. It is in your hands and will be forever be a stain on the city if it is not properly considered.

I understand the need for densification and development but I ask the city to be reasonable and fair to the existing community and spread out the required development into more areas than this one site. Again, I am not opposed to the original proposal but this new one seems like it is being rushed and has the potential to ruin the cityscape of our beautiful Victoria forever.

I ask you not to approve this rezoning and stick with the original proposal for the site.

Regards,
Elizabeth Patrick
Kimta Road

To:
Mike Angrove, Senior Planner - Development Agreements

I wish to express my support for the proposed Official Community Plan amendment to allow for the re-development of the Roundhouse site. I live in the neighbourhood at Shutters and look forward to seeing the property developed in the manner outlined in the proposed re-zoning. The City must acknowledge the need for increased density and height in neighbourhoods located so close to the city centre, and move forward with bold plans to address the housing crisis and make this city truly liveable, walkable, and rich with amenities.

Regards,
Lynn

Lynn Gordon-Findlay . 61 Kimta Road . Victoria BC . V9A 0B1 . 

Attached please find my input to the proposed OCP amendments.

Thank you.

.....
Michael Shepherd, Ph.D.
Professor Emeritus
Faculty of Computer Science
Dalhousie University

Date: July 19, 2023

To: Mike Angrove, Senior Planner – Development Agreements
City of Victoria

From: Michael Shepherd
302-165 Kimta Road
Victoria, BC
V9A 7P1

Regarding: Proposed OCP amendment for
251 Esquimalt Rd., 355 Catherine St., and 200 Kimta Rd.

I am retired and live fulltime in the Legacy Building, across the road from the site of the proposed development of the Roundhouse property.

I recently received the notice, "It's Your Neighbourhood", dated June 6, 2023, asking for input on the proposed OCP amendments for the above property.

Please note that I would support developing this property with low and mid-rise buildings. However, I am against the proposed development in its current form as it is not consistent with the vision, values and goals of the Official Community Plan of the City of Victoria. I am even more strongly against the proposed amendments as they will exasperate the problems with the original development proposal.

The current OCP would permit buildings up to 22 stories and a FAR of 2.5. The proposed amendments would increase these limits to 29 stories and a FAR of 4.74. While the proposal stresses community building, a 29 story high-rise building does not build community. It warehouses people.

The proposed FAR is almost double the original FAR, indicating a large increase in the number of units and residents. An addition of 7 stories, from 22 to 29, should only increase the FAR by about 1/3 to 3.3, not to 4.74. Does this mean that the building footprints are being enlarged? The large number of residents of the proposed development will far outstrip the population of the surrounding neighbourhood, changing the nature of the existing community.

The bicycle lanes recently installed on Kimta Road has made this road quite narrow. The addition of thousands of more residents will lead to traffic congestion along Kimta and the surrounding area. The congestion will affect both vehicle lanes and bike lanes, to say nothing of the increased traffic on the Point Ellice and Johnson Street bridges.

In closing, I urge Council not to approve the proposed amendments to the Official Community Plan of the City. While I appreciate that Victoria needs more housing, I really question if this is

the right way to go about solving the housing problem. These amendments will lead to warehouses of people and, sadly, will not build communities.

Thank you for your attention and consideration.

Regards

A handwritten signature in black ink, appearing to read "M Shepherd". The signature is written in a cursive, flowing style.

Michael Shepherd, Ph.D.
Professor Emeritus
Faculty of Computer Science
Dalhousie University

Attention Mike Angrove

Regarding your letter dated June 6, 2023 concerning the changes to the OCP requested by the developer for the above properties.

Your letter states, 'The proposal is consistent with many of broad objectives of the OCP'. This statement weighted in favour of the proposal leads to the following questions:

1. What broad objectives of the OCP is the proposal not consistent with?
2. What specific objectives of the OCP is the proposal not consistent with?

As these and an adjacent property have been vacant with development permits for many years, with no attempt by the developers to begin the development except for fencing:

1. Does the proposal contain any date for the commencement of work?
2. Will the city make a requirement for such a date when redevelopment must commence?
3. In either of the above cases, what financial penalty will the developer incur if work does not commence by the agreed date?
4. What financial penalties will the developer incur if irreparable damage occurs to the historic buildings on these sites?
5. Does the city receive any windfall from the increasing value of land and buildings once the permit is granted?
6. What are the city's criteria for 'affordability' when owner occupied or rental properties are placed on the market?
7. How does the city ensure that the developer meets the affordability criteria.

I look forward to your reply.

Yours truly,

Stephen Lewis
330 Tyee Road

I wish to express my strong opposition to the Bayview Roundhouse Rezoning application. The original development plan was welcomed and enthusiastically accepted by the Songhees residents. It was proposed as a 'Granville Island' type of development with a good mix of residential buildings, shops, galleries and cafes/restaurants. It was to be a vibrant living and visiting space for both locals and tourists. This new application bears no resemblance to that original plan. It is nothing more than a ugly, very high density tower jungle that will put money in the pockets of the developers and forever destroy the nature and ambiance of this area and of Victoria itself. I expect that many other concerned residents who are writing letters to Council will list the many, many issues of infrastructure that are not addressed by this new plan so my only comment there is simply - please, please just pause and think about it.

The developers would have Council believe that the strong opposition to this new plan by local residents is simply 'NIMBY' and that is not at all the case. Of course the Roundhouse are will be developed and of course that development will include new and much needed housing units. The question is - who will determine the appearance and character of the new development. Will it be the council and permanent residents of our beautiful city or a group of developers who are motivated solely by greed and profit? Once the developers have completed this horrible eyesore and made their money they will disband and disappear and we will be left behind to live with it.

Please, please don't let these developers drive the future of this area. Their profit margin is not as important as the impact on our city - now and in the years to come.

Thank you.

Christine Baugh

#528 205 Kimta Road

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First of all I would like to make it clear that I am in favour of development in Victoria, and the original proposal for a "Grandville Island" approach to development of the Roundhouse area was heartily welcomed. In fact, the city's accomplishments I have witnessed in my 45 years as a resident are nothing short of remarkable. However, my feeling is that to cave to the developers request to rezone the Roundhouse area would be a huge mistake.

I realize that the city is under tremendous pressure to address the demands for much needed new housing, but it is also necessary to preserve the charm and natural beauty of our city which draws visitors from around the world. Our city constantly receives glowing reports as proven by such headlines as follows:

April 5, 2023, Forbes: "The second Canadian city to visit is the charming city of Victoria ...",

Oct 4, 2022, [curiosity.com](https://www.curiosity.com): "Victoria ranked as one of the world's best small cities in the world",

Nov 24, 2020, CBC News: "Victoria ranked among top 5 small cities in the world ...",

People come here, not because the skyline boasts 30 storey buildings, but because the "charm" of Victoria is not crushed by tall buildings!

From an infrastructure point of view, there are only two, 2-lane bridges currently providing easy access from Vic West to Victoria proper. It seems pretty clear that the increased density requested by the rezoning proposal will require that major (and very expensive) changes would need to be made in the infrastructure if the proposal was approved.

The developers are clearly driven by greed and self-interest, and are preying on council's need to provide more housing. They are offering to provide a few "affordable" units in exchange for a very major increase in high-end accommodation and density. Please, please, please do not approve this ridiculous rezoning proposal.

Leslie Papp
Suite 528
205 Kimta Road
Victoria

To the Mayor and Council, and Mike Angrove

I write regarding Bayview. I wish to draw your attention to the fact that the Times Colonist appears to not be willing to publish a letter to the Editor from the former Senior Heritage Planner for the City of Victoria not to mention that it was signed by 12 others including a former City Councillor Pam Madoff. Is our newspaper so cowed by its sponsors (e.g golf in the case of Focus Equities) that it will not be a newspaper?

The Times Colonist not publishing letters to the Editor critiquing Bayview has a history at least according to Leslie Campbell who wrote in Focus on Victoria on June 12, 2020, following the so-called Global Issues Dialogue (I have addressed that with you before):

(Perhaps unsurprisingly, the T-C didn't publish Chaland and Kitzul's op-ed. The T-C's before and after coverage of the Mariashes' forum, along with three pages of puff pieces on the Mariashes last November, and a recent op-ed by Mariash, not to mention the big golf tournament the paper and Bayview jointly sponsor, all testify to the cozy relationship Mariash enjoys with the city's daily.)

Campbell, drawing on research that Chaland referred to by John Rose, an instructor in the department of geography and environment at Kwantlen Polytechnic University, wrote:

Rose's research paper "The Housing Supply Myth" seems hard to refute. Rose reviewed the rate at which housing cost increased between 2001 and 2016, alongside how wages increased. He did this for 33 cities across Canada, using Statistics Canada data. He found that in most cities during those years, the rate at which housing costs increased was never more than double the rate of wage increases—a situation that would still degrade affordability. But Victoria's housing increases were almost three times those of wages. In Vancouver they were six times more.

More number-crunching around building volumes allowed Rose to conclude: "the expensive markets are providing not only enough units to satisfy growth in the number of households between 2001 and 2016, but to also provide (in absolute terms) surplus units to the market at rates comparable to (indeed, slightly higher than) less expensive markets."

He continued: "In all of the seven 'severely unaffordable' markets where housing affordability degraded most significantly between 2001 and 2016, the relative amount of surplus dwellings, as a percentage share of total dwellings, increased in number." Or, as he put it in a Globe and Mail interview, "Here [in Vancouver] we've had more than enough supply and yet the housing costs have gone crazy." The same is true of Victoria. Here, as Chaland told the luncheon audience, over the past 15 years, for every 100 new residents, 113 new units of housing have been added.

This is the point that I take from Campbell's article and how we should really look at Bayview I and II. The total site area is some 20 acres. Focus Equities has developed

three towers since it acquired the site in 2005. It took some 13 years to complete those three towers and none of them were “affordable”. An additional 9.2 acres has sat undeveloped now for almost 20 years. Honestly, what would have helped address affordability would have been for Focus Equities to have moved faster on the first three towers, then started and constructed the remainder of the towers which it gained zoning approval for in 2008. However, it chose not to and thus it owns that decision. That said, and much to the surprise and chagrin of Focus Equities and other developers for that matter, in the meantime (around mid 2019), the City of Victoria mandated a 20% affordable rental housing requirement for projects with more than 60 units as part of the so-called inclusionary housing policy. At the time it was bitterly criticised by developers:

In fact, the city’s new housing policy will more likely result in less affordable housing being built, said Chard, whose projects include Yello on Yates, Escher on Broughton, Corazon at 732 Cormorant St. and The 834 on Johnson Street.

‘A requirement of 20 per cent affordable housing will not push developers to build more rental. It will simply send a loud and clear message to developers that they are not welcome in the city and it will push them to other municipalities, Chard said.

A city-commissioned analysis by Vancouver-based Coriolis Consulting agreed, noting a policy requiring 10 per cent of units be affordable rental was all the Victoria market would bear. Anything more would make projects not viable for developers and discourage them from applying to rezone properties, the analysis said.” Times Colonist, 29 June 2019

So here we are with developers including Focus Equities who have been sitting on land they have owned for decades being caught with this change and for that matter the provincial speculation tax. How may Focus Equities be trying to offset it? Perhaps with outlandish height and density concessions. Still, even with what Focus Equities is offering, it falls far short of what it is supposed to be providing under the current policy for developments of this size. Far short.

So, when we keep hearing about the donation of land by Focus Equities to the City let’s remember the whole picture before getting carried away, believing this to be some magnanimous philanthropical act which justifies the City Council devastating the real value of that site – the historic Roundhouse and 5 other heritage buildings.

Sincerely,

Arthur McInnis

ps I have spoken to one of the architects on Steve Barber's letters and I can confirm he is distraught bordering on devastated with this move you appear about to make. Maybe you should talk to some of them

Hi. We live in one of the other Bayview family of buildings.

We are not opposed to development on this site but feel that 9 buildings is excessive. And the height is excessive.

Is there any way to cut this back to 5 or 6 buildings and lower the height? It really will change the nature of the historic area and will shade the neighbouring park.

Plus 9 building means a lifetime of building noise for a senior.

Thanks

Arlene and Pierre Morin

Dear Mayor Alto and Councillors Caradonna, Kim, Dell, Loughton, Thompson, Coleman, Hammond and Gardiner,

Victoria needs housing. Victoria needs AFFORDABLE housing. But not like this. The Bayview property is unique. Larger than any in the city. We have one chance to do it right and this rezoning proposal ISN'T it. The sheer density and height of the buildings proposed completely overshadow and overwhelm the site and surrounding areas. Presumably, these requests have been inflated so that a slightly reduced proposal seems like a compromise. BS!

As a (renting) member of the Vic West community, I can tell you this isn't healthy growth - more like a tumor of unrestrained size. Please reject this offer and demand a proposal more harmonious with natural beauty, unique heritage, and vibrant community of the area.

Thank you,

Juniper English

To the Mayor and Council, and Mike Angrove

I write regarding Bayview. I wish to draw your attention to the fact that the Times Colonist appears to not be willing to publish a letter to the Editor from the former Senior Heritage Planner for the City of Victoria not to mention that it was signed by 12 others including a former City Councillor Pam Madoff. Is our newspaper so cowed by its sponsors (e.g golf in the case of Focus Equities) that it will not be a newspaper?

The Times Colonist not publishing letters to the Editor critiquing Bayview has a history at least according to Leslie Campbell who wrote in Focus on Victoria on June 12, 2020, following the so-called Global Issues Dialogue (I have addressed that with you before):

(Perhaps unsurprisingly, the T-C didn't publish Chaland and Kitzul's op-ed. The T-C's before and after coverage of the Mariashes' forum, along with three pages of puff pieces on the Mariashes last November, and a recent op-ed by Mariash, not to mention the big golf tournament the paper and Bayview jointly sponsor, all testify to the cozy relationship Mariash enjoys with the city's daily.)

Campbell, drawing on research that Chaland referred to by John Rose, an instructor in the department of geography and environment at Kwantlen Polytechnic University, wrote:

Rose's research paper "The Housing Supply Myth" seems hard to refute. Rose reviewed the rate at which housing cost increased between 2001 and 2016, alongside how wages increased. He did this for 33 cities across Canada, using Statistics Canada data. He found that in most cities during those years, the rate at which housing costs increased was never more than double the rate of wage increases—a situation that would still degrade affordability. But Victoria's housing increases were almost three times those of wages. In Vancouver they were six times more.

More number-crunching around building volumes allowed Rose to conclude: "the expensive markets are providing not only enough units to satisfy growth in the number of households between 2001 and 2016, but to also provide (in absolute terms) surplus units to the market at rates comparable to (indeed, slightly higher than) less expensive markets."

He continued: "In all of the seven 'severely unaffordable' markets where housing affordability degraded most significantly between 2001 and 2016, the relative amount of surplus dwellings, as a percentage share of total dwellings, increased in number." Or, as he put it in a Globe and Mail interview, "Here [in Vancouver] we've had more than enough supply and yet the housing costs have gone crazy." The same is true of Victoria. Here, as Chaland told the luncheon audience, over the past 15 years, for every 100 new residents, 113 new units of housing have been added.

This is the point that I take from Campbell's article and how we should really look at Bayview I and II. The total site area is some 20 acres. Focus Equities has developed

three towers since it acquired the site in 2005. It took some 13 years to complete those three towers and none of them were “affordable”. An additional 9.2 acres has sat undeveloped now for almost 20 years. Honestly, what would have helped address affordability would have been for Focus Equities to have moved faster on the first three towers, then started and constructed the remainder of the towers which it gained zoning approval for in 2008. However, it chose not to and thus it owns that decision. That said, and much to the surprise and chagrin of Focus Equities and other developers for that matter, in the meantime (around mid 2019), the City of Victoria mandated a 20% affordable rental housing requirement for projects with more than 60 units as part of the so-called inclusionary housing policy. At the time it was bitterly criticised by developers:

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So here we are with developers including Focus Equities who have been sitting on land they have owned for decades being caught with this change and for that matter the provincial speculation tax. How may Focus Equities be trying to offset it? Perhaps with outlandish height and density concessions. Still, even with what Focus Equities is offering, it falls far short of what it is supposed to be providing under the current policy for developments of this size. Far short.

So, when we keep hearing about the donation of land by Focus Equities to the City let’s remember the whole picture before getting carried away, believing this to be some magnanimous philanthropical act which justifies the City Council devastating the real value of that site – the historic Roundhouse and 5 other heritage buildings.

Sincerely,

Arthur McInnis

ps I have spoken to one of the architects on Steve Barber's letters and I can confirm he is distraught bordering on devastated with this move you appear about to make. Maybe you should talk to some of them

Mayor Alto, you recently thanked me for paying my taxes and I replied that I feel privileged to be able to do so. However, as a taxpayer and proud city of Victoria resident I am extremely disappointed that the Mariash plans for the development of the historic Roundhouse property has been tentatively approved by city council.

Please, Mayor Alto and council, reconsider.

Why?

(a) The Roundhouse is a historic gem, on traditional First Nations Land, at the entrance to the much admired entrance to the Victoria harbour. The first glimpse of Victoria as ferries from the USA and private yachts and float planes enter the harbour. It could be developed as a gathering place for the thousands of present residents of surrounding high rises and townhouses already occupied and about to be occupied. Only one block up from the inner harbour, it could attract the many Victoria residents and tourists who stroll the walkway around the inner harbour.

Mr. Mariash sold the owners of the condo buildings surrounding the Roundhouse a vision of a Granville Island type attraction with with boutiques, ice cream shops, restaurants and grocery store on the ground floor of the five (5) high rise buildings, none over 22 stories, one possibly being a hotel. Attractions inside the historic buildings could possibly include a theatre, art gallery, museum, children's play area and a working train on the remaining track. All with a railroad theme. Several massive signs surrounded the area depicting this plan.

What is the city getting instead of this original plan for the Roundhouse property?

It is getting thousands of duped taxpayers who are angry at being misled by the developer and disgusted at Victoria Council at being manoeuvred into approving this project on the promise of one building of affordable apartments at the most difficult corner to build on. (That corner contains a massive rock outcrop that will need major blasting disturbing and even damaging surrounding properties). This whole site is also known to be contaminated from the years of use by the railway so will need much remediation. Not sure how low cost housing can be built on such an expensive site.

It is getting nine (9) high rise crammed into the area around the historic buildings, very little space for public gatherings, overshadowed by all the buildings. The entrance to the harbour will be dominated by glass and steel buildings dwarfing the historic view of the Empress Hotel and historic buildings along Wharf Street. The community around the Roundhouse is already a high density area of condo's and these nine massive buildings will add to the congestion of surrounding roads. Already, when the Blue Bridge is up there is a line of traffic stretching back along Esquimalt Road, Johnson and Wharf Streets for blocks. The only other bridge, Bay Bridge already backs up to Douglas Street most times of the day but especially at rush hours. Emergency vehicles already have difficulty manoeuvring past the bridges.

I invite council to visit this site and size up the area. A sense of scale can be found by noting the size of the Van Gough exhibit, adding 20 plus stories and multiplying it by nine.

City council will also get thousands of discontented residents who move into this area. Their windows will look right into their neighbour's windows. They will not have a place to park because the parking allotted to these buildings has been reduced and the surrounding streets are already overloaded. They will be living in a gridlock of traffic. The argument that many will use public transit and bicycle trails is

overstated. Even most minimum wage residents in subsidized housing need a basic vehicle to get to work, school, medical appointments etc. Victoria does not, and will not in the foreseeable future, have plans for convenient public transportation.

What does the developer, Mr. Mariash, get out of this? He is a successful business man who knows how to maximize his investment and is doing just that. He will be able subcontract or sell off plots of the land to other developers and turn this historic, valuable property into and huge profit for himself. That is what developers do and more power to him.

Victoria Council's responsibility is to the tax payers of Victoria who deserve better.

Carole Forster

Attention Mike Angrove, Senior Planner - Development Agreements

First I want to thank you for replying to my questions regarding the amendment notice mailout and allowing me to voice my concerns to you over the phone.

As you probably gathered, I am totally opposed to the amendments proposed to the current OCP. After careful consideration of the rezoning proposal put forth by Focus Equities I, like many others, have come to the conclusion that the density and the height of these new buildings are too much for this site. Most of my objections can and are summed up nicely in a critical analysis opposing this rezoning which was written by Arthur McInnis and which I have attached to this email.

There is no need to go over every issue for I am sure you are familiar with all of them suffice to say that all of the questions asked by Mr. McInnis in his critique should be fully answered before any rezoning can be approved. This is a monumental project that will play a major role in Victoria's development history and therefore should not be taken lightly.

The other document that I have attached is a letter written by Steve Barber, who you may well know was a former Senior Heritage Planner for the city of Victoria. In the letter Mr. Barber and many prominent Victorians, who signed their approval, expressed their concerns over how the proposed development would "overwhelm the modest scale of the nationally significant E & N Roundhouse, its associated industrial heritage structures, and the Vic West neighbourhood." This was acknowledged by the city's own Heritage Advisory Panel who recommended to Council that the rezoning application does not sufficiently meet the applicable design guidelines and policies and should be declined

In the Committee of the Whole Report for the Meeting of May 4, 2023 there was an alternate motion with two options. Option 1 was to (advance the application as submitted) with all its flaws and to have Focus Equities provide more information and studies which are too numerous to mention. The other option 2 is to decline the application which as it is written is the most prudent course of action.

Over the course of the last 3 weeks we have provided citizens with more information on the current Bayview proposal. Once people realized the scope and magnitude of said development they were alarmed especially because the subdivider Focus Equities continues to show their old 5 building proposal signs on their site. We have currently gathered over 700 signatures of people who are not only opposed to this proposal but also an amendment to the OCP.

Our goal as PFSR (People for Sensible Rezoning) is not to discourage development but to make sure it is done in such a manner that captures the very essence of Victoria. This current subdivider with greed as his motive (as you can see on his own website) has his own vision. A vision of having the City Council rubber stamp his project so he can then sell it off to the real developers who will actually build it.

As senior Planner I do not envy your position. The City Council seems hell bent on getting something done. The trade offered by Focus Equities 7 towers for affordable and rental housing is an uneven one. Their original plan called for 5 buildings with 1,100 rental units. Then in 2021 it was reduced to two rental buildings with 600 units. Now it's 150 affordable housing units and 150 rental units for 7 towers and 1,600 units. Not quite a fair trade. The councillors' short sightedness on this issue should not impair your vision on what needs to be done to make this a successful project for future generations to come. Ask the hard questions and don't sacrifice diligence for expedience. If this subdivider decides he can't abide by your rules then another developer will take his place. Your name will forever be associated with this property development make sure it is one you can be proud of.

Kindest regards,
Victor Mattu

“Much of Victoria's charm and character stems from its unique and well-preserved historic buildings. Victoria's turn-of-the-century architecture creates a sense of pride among residents and throughout the community. These heritage buildings are symbols of permanence and stability in an ever-changing world.” (City of Victoria website)

Sadly, our city's historic character is under assault. A rezoning proposal currently before City Council for the E & N Roundhouse in the Victoria West neighbourhood envisions 9 towers at heights ranging from 18 to 29 storeys. The scale and height of these massive towers threatens to overwhelm the modest scale of the nationally significant E & N Roundhouse, its associated industrial heritage structures, and the Vic West neighbourhood. The original master plan for this site does contain some exciting ideas to rejuvenate these heritage structures through adaptive re-use, and we support these concepts. However, the current application far exceeds what is appropriate for conservation and redevelopment of a relatively small parcel of land.

Further, the new proposal does not comply with either the Official Community Plan or the Vic West Neighbourhood Plan. Despite Planning staff's suggestion of a lower density, most City Councillors seem inclined to advance this proposal at the enormous density proposed. Planning staff have stated *“The proposed density, which is more than double the currently approved 2.0:1 FSR (Floor Space Ratio), represents a significant amount of new building mass which is challenging to fit on the site in a comfortable manner.”*

We need to remember that this site has been recognized as being of national historic significance as, according to the description from Parks Canada: *This imposing brick roundhouse is a particularly fine example of an industrial structure associated with the steam railway era in Canada. This site is an important reminder of Canada's rich railway heritage. The Esquimalt and Nanaimo roundhouse complex is the most intact facility associated with the servicing of steam locomotives in western Canada.* Planning staff have identified the threat in their report as follows: *Concerns exist around the scale of the tall towers and large podiums adjacent to the heritage structures, which may feel out of scale with the one storey historic buildings and **could detract and overwhelm the historic site.***

At the Committee of the Whole meeting on May 3, 2023, Urban Design staff made an excellent presentation to the committee showing how a reduced density would result in more slender towers, more widely spaced and set back, with a greatly improved pedestrian experience. We certainly recognize the need for additional housing, and we do support the scaled-down version of this project. In addition, we note that Victoria does already have several new developments built at a modest scale in keeping with historic character, including the Selkirk Waterfront, Dockside Green and The Railyards. There are numerous underdeveloped sites such as the parking lots along north Douglas Street which could accommodate more housing for Victoria.

Visitors from around the world come to Victoria due to its historic charm and character, and its modest scale. It may not last much longer. Perhaps the visitors won't either.

WE, the undersigned urge City Council to reject this massive redevelopment which is not in keeping with the modest scale and historic character of Victoria.

Signed;

Steve Barber, former Senior Heritage Planner, City of Victoria

Michael J. Prince, Lansdowne Professor of Social Policy

John R. Basey KC, former Director of Planning & City Solicitor. City Of Victoria.

Wendy Zink, former Manager of Social Planning & Housing, Retired

Martin Segger, Director, Government & Community Relations, University of Victoria -Retired

Jim Kerr, AIBC Architect

Ray Hunt, AIBC Retired Architect

John Keay, AIBC Architect

Jennifer Nell Barr, Retired Executive Director, Victoria Heritage Foundation

Ian Sutherland, Heritage Building Developer

Christopher Gower, AIBC Architect

Pamela Madoff, Retired City Councillor

Michael Elcock, Former CEO, Tourism Victoria

John Dam, B.A.Sc., M.Sc., P.Eng., CAHP

Marilyn Palmer, Architect

Marilyn Bowering, Author

Martin Golder, Retired Architect

Opposition to the Rezoning Application REZ00729 (Roundhouse/Bayview)



Dr Arthur McInnis
July 2023

Dear Mayor Alto and Councillors Caradonna, Kim, Dell, Loughton, Thompson, Coleman, Hammond and Gardiner,

I last wrote to you with my compendium of submissions in November 2022. Since that time, I have expanded on my critique of your rezoning and thus I wished to consolidate those more recent submissions with the earlier submissions in one document. As with my original submissions they are set out in reverse chronological order hence the oldest to the newest. They may be read against the applicant's submissions as at the times they were made or are dated. It asks too much that every change in the application be addressed in real time. In my submission the pace at which these changes were made by the applicant was deliberate and would have led to confusion by members of the public. There is substance to my submissions and many of them have not been addressed by the applicant nor the City in its staff Report for the COTW meeting on May 4. This then with the haste that was shown at the meeting with the Mayor's abridgment of the period for consultation notwithstanding being informed how this would impact replies from stakeholders, the voted-down attempt to prioritise this project over every other project before the City, and the rejection by Council of the staff recommendation on density suggests almost recklessness in terms of how this is being handled. I urge more careful deliberation and caution with respect to your course.

Brief description of opposition (mostly submissions to the Mayor and Council) and their respective dates and pages are as follows:

1. 15 November 2021 - Flyer mailed and distributed headed "Stop the Rezoning at Bayview Place Enforce the Master Development Agreement between the City of Victoria ('City') and Focus Equities/a Mariash Company". Page 4.
2. 15 November 2021 - Due Diligence is Required Before Rezoning. Pages 5 – 6.
3. 15 November 2021 – Bayview Place: The Proposed Rezoning Contradicts Much of the City of Victoria's Official Community Plan. Pages 7 – 9.
4. 28 November 2021 – The Rezoning Application – Questions and Comments from a Layman. Pages 10 – 12.
5. 6 December 2021 - Resolution of the Architectural Institute of BC on Illegal Practice of Kenneth William Mariash Sr and Patricia Mariash. Page 13.
6. 19 December 2021 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part I. Pages 14 – 17.
7. 26 December 2021 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part II. Pages 18 – 20.
8. 29 December 2021 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part IIA. Pages 21 – 22.
9. 1 January 2022 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part III. Pages 23 – 25.
10. 6 January 2022 - Aquara – Is this the Fate that will Befall Bayview Place? Pages 26 – 27.
11. 12 January 2022 - The Speculation Tax and Focus Equities. Pages 28 – 29.
12. 23 January 2022 - A Critique of the Design Strategies in Point Form. Pages 30 – 32.
13. 6 February 2022 - Focus Equities was in Breach of the Roundhouse Master Development Agreement. Page 33.
14. 23 February 2022 - Beware Taking Things at Face Value. Page 34.
15. 23 February 2022 - Comments on Ken Mariash Interview on CHEK News. Pages 35 – 39.
16. 25 February 2022 - Capital Park – A Model for what Bayview Could Be. Pages 40 – 42.
17. 6 March 2022 - Some Legal Considerations. Pages 43 – 46.
18. 10 March 2022 - Density and Vic West Neighbourhood Plan. Pages 47 – 48.
19. 13 March 2022 - *G.S.R. Capital Group Inc. v. White Rock (City) 2022 BCCA*. Pages 49 – 50.

20. 1 August 2022 - What's Behind the 'Donation' by Ken Mariash? Pages 51 – 52.
21. 10 September 2022 - The Last City Council Did Not Consider the Application Despite Haste of the Applicant. Page 53.
22. 11 September 2022 - Public Opposition – Is There Public Housing or Just the Prospect of It? Page 54.
23. 19 September 2022 - Here is How Bayview Place will Really Look and the Site at Present From Google Earth. Pages 55 – 56.
24. 19 September 2022 – 9 Bayview Place Towers. Pages 57.
25. 22 September 2022 - Here is How the Project Grew Beyond All Bounds Between 20 and 2022. Page 58.
26. 4 November 2022 – Jonathan Tinney Replaces Patrick Cotter as New Application Contact. Page 59.
27. 17 February 2023 – Back to the Future. Pages 60 – 61.
28. 28 February 2023 – More Answers are Needed. Pages 62 – 63.
29. 18 March 2023 – 'The Vision Continues for Vic West'. Pages 64 – 65.
30. 26 March 2023 - Frequently Asked (though not yet suitably answered) Questions. Pages 66 – 68.
31. 6 May 2023 - Disappointing City Council COTW Meeting. Pages 69 – 70.
32. 21 May 2023 - The Colliers Report. Pages 71 – 74.
33. 10 June 2023 - Diagrammatic or Dramatic. Pages 75 – 76.
34. 11 June 2023 – Coriolis. Pages 77 – 78.
35. 14 June 2023 – “Its Your Neighbourhood”, notice of consultation period from City on amendment to the Official Community Plan and Comment. Page 79.
36. 18 June 2023 – Our first notice to neighbours on the same consultation period and project drawing. Pages 80 – 81.
37. 26 June 2023 - You have a right to call a meeting of your Strata Council. Page 82.
38. 28 June 2023 – The experts do not like this application either and want changes. Pages 83 – 84.
39. 1 July 2023 - Our second notice to neighbours and residents, drawing and sample petition. Pages 85 – 88.

Respectfully submitted,
Dr Arthur McInnis

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████████████████████

1. 15 November 2021

Stop the Rezoning at Bayview Place Enforce the Master Development Agreement between the City of Victoria ('City') and Focus Equities/a Mariash Company

Some 13 years ago Ken Mariash of Focus Equities agreed with the City that in exchange for the significant relaxation of height restrictions on a site at 355 Catherine St, 251 Esquimalt Rd, 200 Kimta Rd and 210 Kimta Rd that Mariash *et al* would redevelop the historic Roundhouse properties.

Their agreement was set out in a Master Development Agreement ('MDA') in 2008 (amended in 2014 and 2018).

Pursuant to that MDA (as amended) the City gave Mariash permission to build at least 4 huge towers of 76m, 88m, 66m and 52m. The 88m tower is the proposed 32 storey E & N Tower. BUT, rather than fulfil the MDA forthwith, Mariash has returned to the City years later and asked for the bylaws to be amended AGAIN in 2021 to rezone the site and permit 5 or 6 MORE huge towers to be added to those already approved. In a word, this is outrageous, and it seems that the City is "getting its lunch eaten" (*viz* is being outwitted). The complete application is available on the City's *Development Tracker* website and is accessible here:

<https://tender.victoria.ca/WebApps/OurCity/Prospero/Details.aspx?folderNumber=R EZ00729>

The City dealt with Mariash as a "developer" which is how Focus Equities describes itself and its principals ("Ken Mariash, working alongside wife and partner Patricia A. Mariash, is regarded as one of the most visionary real estate developers in North America..."). However, Focus Equities Alberta Inc (presumably the same company), according to Dunn & Bradstreet, is in the "Land Subdivision Industry". Dunn & Bradstreet: "[t]his industry group comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders". Holding land for longer periods and applying for rezoning in this sector is common. This is what is happening with Bayview. A typical developer does not wait 13 years to essentially begin construction on projects. Look at how quickly Bosa has moved at Dockside Green to begin construction since acquiring the site. Land subdividing though does not move fast and does not always work best for some of the participants or public. For example, Focus Equities sold a lot for \$6.7 million for a retirement home called Aquara to Element Lifestyle Retirement Inc but that project has now stalled. The problem is that on Aquara, and Bayview in general, the City has failed to get any guarantees the projects will be built as held out and within set timeframes. This is why Mariash is able to come back and ask for more concessions from the City before he does anything substantive on the Roundhouse properties. This is not really how "development" is or should be done.

Now is the time for the City of Victoria to protect our property values by enforcing your contract with us:- Victoria residents, get the Roundhouse properties developed at last, minimize construction disruption and traffic and reduce the associated shadow effect that would be expected if the rezoning were approved.

2. 15 November 2021

Due Diligence is Required before Rezoning

It is important that the City of Victoria carries out a full due diligence exercise of the proponents: - Ken Mariash, Patricia Mariash and Focus Equities before approving significant amendments to the relevant zoning bylaws; in particular, answers to the following questions should be obtained:

Bayview Place <https://bayviewplace.com> holds out: “REGARDED AS ONE OF NORTH AMERICA’S MOST VISIONARY DEVELOPERS, Kenneth and Patricia Mariash of Focus Equities have developed, purchased and sold more than 15 million square feet of real estate and more than 10,000 residential condominium units in North America.”

- Who regards Focus Equities as one of North America’s most visionary developers?
- List the location, date, name of development, and Focus Equities’ exact role regarding these “more than 10,000 residential condominium units in North America.”

“Founded over 50 years ago, Focus Equities provides...” according to <https://bayviewplace.com> yet Focus Equities <https://focusequities.com> states: “[f]ounded over 35 years ago by Canadian entrepreneur and visionary Ken Mariash, Focus Equities has...

- So when was Focus Equities founded, 50 years ago or 35 years ago?
- How many companies named Focus Equities (in part) has Ken Mariash or Patricia Mariash controlled? Have any of these companies been wound up, suspended or struck off a company register?

“With his (Kenneth William Mariash, Sr) baccalaureate degrees in mathematics, science, business, accounting and architecture, plus an MBA...” <https://focusequities.com>

- Please list when and by whom these six degrees were conferred.

Please confirm whether Ken Mariash and Patricia Mariash have architecture degrees and ever been registered and entitled to practise as architects in British Columbia or elsewhere.*

- Ken Mariash has stated: “[w]hen I sit with an architecture firm, I don’t care how famous they are, they will not have done as many big projects as we have,” said Mariash. “I usually end up doing all the design myself.”
- Quoted by Richard Watts, Times Colonist Nov 12, 2017
- <https://www.timescolonist.com/islander/developer-s-vision-coming-to-fruition-atbayview-place-1.23091908>
- Similarly, Patricia Mariash describes herself as “THE INTERIOR ARCHITECT/OWNER...”
- From <https://bayviewplace.com/downloads/RoundhouseLeasing.pdf>

* This question has now been answered in the negative by the Architectural Institute of BC (see page 13). However, it leaves open whether Ken Mariash really did “[do] all the design myself” and what implications there might be from that.

“After doing hundreds and hundreds of one-off downtown towers in 20 or 30 cities around the world, I just wanted to do more bigger-scale neighbourhood designing and district planning,” Mariash said.

- Per Steve McLean, Renx.ca Real Estate News Exchange in an article dated Oct 17, 2017 entitled “Focus Equities’ Mariash sets sights on master plans”.
- <https://renx.ca/mariash-focused-master-plans-focus-equities/>
- Please list all details of the “hundreds and hundreds of one-off downtown towers in 20 or 30 cities around the world” Mariash has done.

“For more than 40 years, Patricia A. Mariash has been a commercial real estate entrepreneur, investor and commercial interior designer who has successfully completed thousands of prestigious corporate headquarters at notable, high rise architecture addresses.”

<https://focusequities.com>

Please list all details of the “thousands of prestigious corporate headquarters” Patricia Mariash has successfully completed.

Inquire into whether Ken Mariash or Focus Equities have been named as defendants/respondents in any civil actions and if so what resolution was there if any.

3. 15 November 2021

Bayview Place: The Proposed Rezoning Contradicts Much of the City of Victoria's Official Community Plan

The placemaking policies of the City of Victoria Official Community Plan collectively address 12 broad objectives and the Mariash request to rezone contradicts many of them including:

8 (a) That urban design at every scale from sites to local areas is responsive to Victoria's geographic context and existing pattern of development, achieves excellence, and creates memorable places.

The Mariash request contradicts the existing pattern of development. There are no other < 10-acre sites in Victoria which have allowed 10 or 11 high-rise towers that exceed the original cap on height.

8 (b) That the views from the public realm of existing landmarks are maintained, and that new landmarks are introduced to enhance the visual identity and appearance of Victoria and to improve wayfinding around the city.

Notwithstanding how the proposals present views in their plans and drawings they do not portray the whole site such that it can be seen how they will infringe upon current views. No drawings in the application show how the entire redevelopment with all 10 or 11 high-rise towers will look. It is submitted that if they were shown the public could quite likely be stunned by the actual proposed density. It must be asked how could 10 or 11 towers not impact let alone obstruct existing views?

8 (c) That new buildings and features contribute to the sense of place in development permit areas and heritage conservation areas through sensitive and innovative responses to existing form and character.

Heritage conservation is one of the supposed rationale for amending the current zoning bylaws. But the zoning has already been amended to permit the Focus Equities development but only one step of the seven promised by Mariash at the outset has been met. Too much has been left undone and it asks too much for more at this stage.

8 (d) That social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces.

There is nothing about the proposals which strengthens human scale design of buildings. In fact, it is the complete opposite. The proposed density for the rezoning approaches or exceeds that of New York and Hong Kong (see submission of Ron Meyers to City Council).

8 (e) That each neighbourhood is connected and integrated to the Urban Core, other neighbourhoods and to the region through urban design elements.

Unusually the Bayview site sits next to the urban core so this is less of an issue. The new bridge and Esquimalt corridor already achieves this and thus the proposals cannot be a justification for seeking to meet this objective.

8 (f) That the built environment is beautified and softened through natural features in the public realm.

The problem here is that the proposed density is so great that there is almost no space left for natural features in the public realm that would beautify or soften the built environment. The development itself is all consuming.

8 (g) That a sense of place is developed and enhanced through urban design features.

A sense of place will be difficult to achieve because it is being overwhelmed and overshadowed by the development itself. Comparisons have been made to Granville Island which 'has been regarded internationally as a model of vibrant urban placemaking.' (*Granville Island 2040: Bridging Past & Future*, 2021 <https://granvilleisland2040.ca>) but if one looks at Granville Island you will see that there are no high rises there. Try and imagine Granville Island if it had 10 high-rises crowded around and on top of it. Victoria needs to follow that lead and focus on heritage and streetscape development rather than density over almost everything else.

8 (h) That the public realm is animated through street life and festivals, celebrations and special events.

No one would object to this.

8 (i) That heritage values are considered in land management at every scale from sites to local areas.

Agreed.

8 (j) That heritage property is conserved as resources with value for present and future generations.

Agreed.

8 (k) That streetscape improvements include art in public places and reflect the culture and heritage of Victoria.

Agreed.

8 (l) That heritage and cultural values are identified, celebrated, and retained through community engagement.

Agreed. However, while there is agreement with this thus far the proposals provide few details aside from repurposed boxcars etc. There is a Focus Equities video which includes a clip of David Foster but this is not meaningful without details. Similarly, the video holds out that there will be a world class cultural facility designed by Frank Gehry (now 92) on site but that is not convincing. To persuade the City Council of that a full and costed business plan should be provided along with signed contracts for the design and construction of the venue otherwise what guarantees are there for this.

Ken Mariash held out something similarly when Focus Equities was shortlisted on the Lebreton Flats project in Ottawa before withdrawing from the bidding, <https://building.ca/feature/troubled-land/> Here are some quotations regarding that project at the time:

- “Focus Equities is proposing to house the headquarters of an international institution, accompanied by cultural venues and the ubiquitous green space and residential and commercial development.” <https://obj.ca/article/ncc-invites-fourgroups-submit-lebreton-flats-development-proposals>
- “‘Focus Equities’ bid raised eyebrows with its promise to bring the headquarters of an international organization to Ottawa. Everyone’s interested in who the tenant is,’ said David Fullbrook, the Victoria company’s director of acquisitions and development, adding that the firm has had discussion with an organization looking for a location in Ottawa...Fullbrook also pointed out that the site is contaminated and it’s still unclear what it will cost to remediate the lands and who’s paying for what. The company has been involved in the Ottawa market for the last decade, but declined to name any specific projects.” <https://ottawacitizen.com/news/local-news/0220-lebreton>
- “As for the last two proposals [for the Lebreton Flats project in Ottawa], well they might be just about anything. All we know about a bid led by Devcore Group is that the Gatineau developer is proposing to build ‘multiple cultural institutions’ around ‘a grande allée.’ And the bid from Focus Equities is bizarre: it’s proposing to ‘house the headquarters of an international organization,’ along with building some cultural venues. What international organization? You probably should have one more-or-less signed up before you put in a bid promising to house its headquarters in your new real estate development.” <https://ottawacitizen.com/news/local-news/chianello-lebreton-contendersannounced-in-traditional-ncc-style>

4. 28 November 2021

The Rezoning Application – Questions and Comments from a Layman

Here are some points from the rezoning application in single quotes and my comments in bullet points.

‘Vic West’s cultural hub: a performing arts centre designed by renowned architect Frank Gehry’

- Really where? Show us the contract.

‘A vision for a more complete and diverse mix of uses to intensify and activate retail amenities and public spaces.’

- Try just ‘more’.

‘Deliver Housing Diversity and Increase Overall Affordability.’

- Really? How is this going to be done? It seems to be missing from the plan.

Establish a Transportation and Mobility Hub?

- What does that mean? In the public presentation Aug 17 it seemed to have been conceded it might be no more than the buses which currently go by.

‘Remediate Contaminated Lands’.

- How? By excavating for parking. That is it. Where is this ‘contaminated’ soil going? Adopts a ‘dig and bury’ approach. Presumably it will be buried on site. If wrong please advise. Who will supervise this? Where will it be transported off site? Contamination is one of the reasons the site would have been purchased at a steep discount and the risks need to be fully addressed. Put specifics in a P3 contract, require supervision and reporting throughout.

‘Action for Climate Change and Resilience’.

- Really? By building 10 or 11 high-rises. See 7 Reasons why High-Rises Kill Livability.
- <https://www.smartcitiesdive.com/ex/sustainablecitiescollective/7-reasons-why-highrisers-kill-livability/561536/>

‘Enhance Human Experience, Health, and Community Wellbeing’

- Of course, how could this development not!

‘Establish a Robust Financial Strategy to Support Municipal Objectives.’

- Robust for whom? Certainly it will be profitable for Focus Equities.
- “We’re a master developer and we subdivide everything into parcels,” said Mariash. “We’ll carve out one parcel for this guy and one for that guy.”
- Renx.ca Real Estate News Exchange
- <https://renx.ca/mariash-focused-master-plans-focus-equities/>
- Steve McLean, Oct 17, 2017 entitled ‘Focus Equities’ Mariash sets sights on master plans’

Trail and Rail

- How can rail possibly be held out when the rail bridge has been removed? And rail to Langford? Where are the specifics?

Seniors Housing

- Focus Equities sold the site where seniors housing is supposed to go to Element to build Aquara. It is currently suspended, experiencing financial problems and very unlikely to proceed. While zoned for seniors housing currently there is nothing to prevent another application to amend the zoning bylaws and try and erect another 30 storey building.

Cultural Centre

- This is supposed to be designed by Frank Gehry. Show us the contract with the 92 year old or his firm and not other famous cultural centres that he has actually designed.

Revitalized Heritage Spaces.

- Really. What guarantee is there for this?

2+ Acres of Parks and Open Spaces.

- Big difference here between parks on the one hand and open spaces on the other. Open space would include walkways etc. Does this figure include existing park at Hillside? Lime Bay?

Office, Retail, Live-work.

- Very unlikely there will be any offices there. Just do not see it.

Flexible Indoor and Outdoor Public Spaces.

- There is empty space there already. How much credit should Focus Equities be given for this? Should always have been part of any plan for the site when you have a turntable which is a natural plaza.

Lime Bay Mews – ‘consolidate the site’s relationship to the natural environment by providing an active pedestrian link to Lime Bay that takes advantage of stunning views of Victoria’s Inner Harbour.’

- What does this mean? Currently if you want to go to Lime Bay Mews you cross the street to reach Inner Harbour.

‘Maintain Views Through the Site’.

- What is the problem with this? The drawings omit showing all of the buildings in one portrayal. Sure there may be cracks between the buildings but the views will largely and ultimately be of more buildings.

‘Minimize Shadow Impact’

- During an Aug 17 2021 Zoom meeting when asked specifically about shadows Mr Patrick Cotter on behalf of Focus Equities said this work was not complete yet but mentioned words to the effect that shadows would be minimal on the park. Well,

there will be no objections from the park will there? The real concern is shadows on every other building outside the perimeter of the site and we need to know exactly about that. Depending upon the time of year and time of day it will impact surrounding buildings in real ways. This should have been fully addressed and the application is materially deficient without it. The proposed solution here is to ‘align towers to minimize shadows within the site and on surrounding developments’. Minimizing is not good enough. People should have a right to their ‘ancient lights’.

Shape the Skyline

- Well, who can argue with that. Does not every high rise ‘shape the skyline’? Surely that should not be the basis upon which approval is given. It is circular reasoning.

‘Urban Edge. Create an urban edge around the site that steps back to highlight historic buildings. Use the site’s southern edge to create a distinct gateway, defined by cultural amenities, that also integrates with neighbouring development.’

- What is this supposed to mean? Looking at the drawings this urban edge looks to be mostly Esquimalt Road. Does that mean Focus Equities is going to plant trees on Esquimalt Road? Should they be given credit for this? Further, how much ‘urban edge’ is there really going to be with 2 metre setback from the property line in places? Not much.

Districts

- Look there won’t be any districts!

‘The North Parcel consists of 5 distinct Character Areas that create a cohesive and vibrant community, while connecting residents of Roundhouse at Bayview Place to each other and Greater Victoria.’

- For instance, the turntable is still a turntable. Billed as ‘the public heart’ district it remains a turntable. Let’s not lose ourselves in this hyperbole.

The Heritage Strategy

- Really, who says so and what guarantees does the City have after it gives permission for 9, 10 or 11 towers. This is a very high risk strategy. What guarantees does the City have that Focus Equities will continue to remain a viable ‘developer’ over the course of the next 22 year (estimated) construction cycle. Similarly, with the cultural centre which seems to have been largely forgotten in this. Even if Focus Equities returns with grand designs from Frank Gehry for a cultural centre again it should be asked what guarantees, what assurances are there that this will ever be built? So what does the City do? Create a P3 and hold Focus Equities to what they have held out. Reserve a right to resume the development if milestones are not met. Get serious about this. Stop giving in on everything. Represent our interests as the City.

5. 6 December 2021

Resolution of the Architectural Institute of BC on Illegal Practice of Kenneth William Mariash Sr and Patricia Mariash

The Architectural Institute of British Columbia ('AIBC') is the statutory body that regulates the profession of architecture in the public interest. It is given this authority pursuant to ('the Act') R.S.B.C. 1996 cap 17. On the website of the AIBC it provides in part:

“The *Act* is, broadly speaking, public protection legislation. It is provincial law that applies to everyone in British Columbia. It prohibits those who are not registered as architects from practising architecture, or holding themselves out or implying that they are able to do so...”

Below the heading “Misrepresentation” the AIBC website further provides in part:

“Under the *Act*, only those who are appropriately trained, qualified, and registered with the AIBC as architects are permitted to call themselves architects, use derivative forms of the word, or offer to provide architectural services.”

“Section 63 of the *Act* requires that individuals or firms not registered with the AIBC must not be misrepresented as “architects”, offer architectural services, or imply that they are entitled to practice architecture. Using similar titles such as “architectural designer” or “interior architect”, or offering services such as architectural design or architectural drawings is not permissible.”

“The AIBC’s regulatory mandate includes taking action against those who unlawfully use the titles protected under the *Act*. This ensures that the public can easily identify who is lawfully qualified to offer and provide architectural services.”

Below the heading “Recent Illegal Practice Resolutions” and shown as a screenshot here is the following resolution:

Recent Illegal Practice Resolutions		
Effective Date	Posted On	Summary
2021-10-06	2021-10-29	Kenneth William Mariash Sr. & Patricia Mariash of Focus Equities Inc. were using an unauthorized title on their company's website and other third-party websites. Mr. and Mrs. Mariash took the necessary steps to address AIBC's concerns and corrected the misrepresentations.

This AIBC resolution addresses one of the questions asked in the post in this Group discussion headed “Due Diligence is Required before Rezoning”.

Now the City Council must seek answers to the remaining due diligence questions which were asked.

6. 19 December 2021

Responding to the Amended Rezoning Application filed 7 December 2021 Part I

General

Focus Equities is beginning to respond to the public demanding more details and more accountability. I would submit without the public pressure that has been exerted and your letters to the Mayor and Council that some of these details would not have been forthcoming. This is a win for the public who deserve full disclosure, just as the City Council does, if this application is to be judged on its full merits and demerits. On Dec 7 the revised application was submitted and is now on the City of Victoria Development Tracker website here.

<https://tender.victoria.ca/.../Prospero/FileDownload.aspx...>

Anyone can subscribe to and access the full application on this site at no charge.

Heights

The proposal now clearly shows building heights on the drawings. The heights are 26, 30, 32, 26, 28, 28, 23, 26 and 24 stories. These thus total 243 stories on that 9.2 hectare site before allowing for what has to be taken out of consideration given preservation of the historic buildings. By comparison, the tallest building in Victoria is currently Hudson Place listed at 25 stories. Therefore this ONE SITE will have the tallest, 2nd tallest, 3rd tallest, 4th tallest, 5th tallest and 6th tallest buildings in Victoria. By comparison the Telus Ocean building just approved for downtown is only 11 stories and that was fought over. The tallest building on the Bayview site is almost 3 times the height of the Telus Ocean building. It may be asked what is wrong with this picture? The fact is that what was held out for this site was Granville Island but what the City of Victoria is getting is the West End. This is a far cry from what Ken Mariash of Focus Equities was saying prior to the 2008 rezoning:

“In exchange for saving the rare intact railyard designed in 1912 — with industrial roots going back to the era of coal baron Robert Dunsmuir — the developer wants to build larger buildings than would normally be allowed on one part of the site. Mariash says the overall density wouldn’t exceed what’s already permitted in the Songhees area. The plan submitted to the city mentions buildings with heights of 16, 18 and 20 storeys, although a city planner said none of the project details has been finalized and the application is in ‘flux.’”

Sept 30, 2007, Properties in Victoria

Professionals, <https://propertiesinvictoria.com/victoria-bc-real-estate-theroundhouse-project/>

Aquara

The seniors home still appears on the application and yet it is moribund. It should be removed and any thought of applying to rezone it marked ‘paid’.

Condo/Hotels

Three condo/hotels are listed in the application. Given that the City just approved what is its first new hotel in two decades (the Wintergarden) this seems overambitious if not unrealistic.

<https://www.timescolonist.com/local-news/new-hotel-coming-to-downtownvictoria-4750513>

Presentation Centre. Lot 4b

This part of the Bayview I site is left open for 'Future Development'. If there are plans for this part of the site they should be disclosed now so they may be taken into consideration with the current application.

Distribution of Approved and Proposed Building Area & Massing

The justification for adding new buildings is that this results in 'a balanced distribution'. What this means is that because the previous zoning approved in 2008 did not permit the blanketing of the entire site with buildings that it was unbalanced and this application will now allow for balance. It is also justifying the application by saying "building massing that is focused on the east and west ends of the site... [allows] the preservation of the existing historic rail buildings and rail infrastructure, tracks and turntable at the centre of the site." Let's be frank here. We do not need "building massing" to preserve the historic rail buildings as the 2008 rezoning already required their preservation.

Density

The proposed density is without precedent. In summary the proponent is seeking to more than double the maximum OCP of 2.5 Floor Space Ratio or FSR. The FSR building density, commonly referred to as Floor Space Ratio (FSR), is defined as the ratio between the total amount of gross floor area of a building and the area of the parcel upon which the building is located. The application shows the FSRs for Phase I and Phase II of Bayview Place both separately *and* combined. By showing both in this way the intention is to get the City to focus on the lower *average* number of 3.76 which still far exceeds the City's current OCP of 2.5. However, Phase I is done and should not play any part in deciding what FSR the City should approve now on Phase II. I repeat Phase I is done. There is no justification to average the two lots. What the City has before it is an application to rezone the Phase II site ALONE. The FSR for this site is proposed to be 5.21 and thus dramatically exceeds the current zoning. The application should be rejected on this basis ALONE but there is more; that is how the application seeks to add BOTH height and density.

Height and Density

The application not only seeks to add new buildings it seeks to increase the density of those buildings that are already approved. Consider that for a moment. And consider it especially given that the same party behind the proposal (Focus Equities) was behind the 2008 application. In that application it sought and obtained significant concessions from

the City largely in exchange for redeveloping the Roundhouse properties and yet it is still not done let alone started. Further, the Master Development Agreement with regard to Phase II has also been amended twice in 2014 and 2018. Ken Mariash, a director of Focus Equities, who has taken these applications forward through designated consultants (viz. Patrick Cotter at present) has said in the past that it would only take 10 years:

“Mariash, who expects development of the project to take place over 10 years, has brought in architect Norman Hotson to work on the project. Hotson’s firm, Hotson Bakker Boniface Haden Architects + Urbanistes, worked on Vancouver’s Granville Island and rehabilitation of Vancouver’s 1888 CPR Roundhouse as a pavilion for Expo 86. That roundhouse building now serves as a community centre.” Sept 30, 2007, Properties in Victoria Professionals, <https://propertiesinvictoria.com/victoria-bc-real-estate-theroundhouse-project/>

Well, ten years is up. In fact, 14 years is up since that the deal was done. Rezoning is not a game of ‘double or nothing’. The anticipated redevelopment did not occur. Instead the City is met with another application that seeks not only MORE buildings to redevelop the Roundhouse properties but MORE density for the buildings that were approved in 2008. Let me repeat that. This application is seeking not only MORE buildings but MORE density for the buildings that were approved in 2008 even though the quid pro quo (a favor or advantage granted or expected in return for something) never happened. What is the consideration for this? Focus Equities is asking for more when what is being offered in return is what was offered before. This looks more like a failure of consideration than not. *Wikipedia*: “**Failure of consideration** is a technical legal term referring to situations in which one person confers a benefit upon another upon some condition or basis which fails to materialise or subsist.” Is this what we have here?

Cultural Centre

In the Bayview Place promotional video Ken Mariash says, while pointing out a very large area between what appears to be DA4 and DA5 on the new application, (though differently configured):

“...and here a kind of a cultural district that we’re looking at a performance facility there with David Foster and the architect Frank Gehry and he’s also participating in the design of these two buildings in conjunction with that...”. <https://vimeo.com/555927044>

- at about the 4:50 mark

David Foster, makes an appearance in the video, and heartily endorses it. Frank Gehry does not appear which is perhaps understandable given he is 92 now (and was still old when the video was done). While these representations appear clear the actual situation appears far less clear and notwithstanding that there is a red star on the drawings meant to show where the Cultural Centre would be built. It is also unclear if the Cultural Centre would comprise two buildings as there are two buildings designated no. 4 although only one red star. This must be contrasted with the note next to the Cultural Centre red star three pages below where it first appears and which reads:

Note: If included, will come out of proposed density

Hence, if the Cultural Centre is included, it will come out of proposed density. That is a very big “if”. And how likely is that?. I imagine most developers would want to give up residential, commercial or retail space to make way for an expensive amenity such as a Cultural Centre especially one designed by a famous and no doubt expensive architect if given the chance. Actually, I think not, and, would submit, that it is highly unlikely that a Cultural Centre will be built in Bayview II let alone one designed by Frank Gehry. I would be delighted to be proven wrong but at present, and if I were deciding on this application for rezoning, I would need more than a video clip, red star and note on the plans before accepting that it is ‘coming soon’. What I would need is a P3 commitment, business plan, needs assessment, drawings, and financial and operational plans. Now the City could ask for these as well or it could just take its chances.

7. 27 December 2021

Responding to the Amended Rezoning Application filed 7 December 2021 Part II

This is Part II of comments on the December 7 further rezoning submission of Focus Equities through its designate with Part III to follow.

Affordable Housing

The rezoning application holds out the addition of affordable housing; in particular some 250 units comprising 50 bachelor and 200 1 BR units. Like the Cultural Centre though this comes with its own asterisk. The asterisked caveat this time reads:

** Affordable housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a non-profit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning*

What does this mean in practice? It means that there is no obligation to provide the affordable housing unless another developer steps up with design and development, approvals are given, the developer must be a non-profit, who is also either an operator or along with a separate operator who steps up willing to take it forward.

Once again, that is another very big 'if'. Given the importance of this the proponent should come to the table with a developer *cum* operator in hand, not simply hold out that it will come down the road. In fact, why should such developer come as envisaged? From a commercial point of view this may be one of the most unattractive aspects of the development and hence the most difficult to interest third parties to take over and assume responsibility therefor. If the City drove this project as a P3 details of such a developer/operator would all but be mandated. In short, there is simply no way that this big an out should be given to the proponent with regard to this application.

Further, while described here as a very big 'if'; strictly speaking, this is a 'subject clause'. Subject clauses are used when an exception is set out. Hence the rezoning application states what will be done including the construction of affordable housing but it is subject to this exception; e.g. only if there is a qualified willing third party or third parties who take it up and approval is given for it. It should be noted that no such exception is set out with regard to the other parts of the application. This is because the proponent must be reasonably confident that those other commercial parts in the rezoning application can be sold, and that those parts will attract the interest of other parties. It is presumably on that basis that the proponent is incurring costs from not only his original application but all subsequent reapplications over a very long period of time. This development is not being undertaken as a charitable endeavour for the City of Victoria but as part of a deliberate and carefully honed commercial plan. Sometimes confidence in such plans though can be misplaced as it appears to have been with the sale of part of phase I of Bayview Place to Elements for the Aquara seniors complex and which is now stalled. What might stall here? Affordable housing?

Public Amenity Plans (2015) and (2021)

There was a list of improvements and miscellaneous items in what is described as the Public Amenity Plan in 2015. In other words, these items were held out previously by Focus Equities' consultants. The changes proposed for 2021 all fall under the heading 'On-site Improvements'. In 2015 there were 6 items listed with the area they comprise. In the 2021 proposal four so-called 'new' items are added. These call for closer examination.

Firstly, it should be noted that one was dropped from 2015; that is '**Naturalized Landscape Knoll**'. For those familiar with the site this refers to the rocky outcrop at the top of the site fronting on Esquimalt Road. It is a feature that is affectionately regarded by some in the vicinity. Again, it appears to have been dropped in favour of something described as 'New Esquimalt Gateway'. In the process 11,350 SF of amenities appears to have been lost. But, this lost space comes close to what is proposed with 'New Roundhouse Green Space' which totals 11,450 SF. This New Roundhouse Green Space would appear to be part of the current driveway that enters the site off Sitkum. Inasmuch as there are no drawings of what this new Green Space would look like it will probably be grass. My feeling is that if residents' opinions were sought on this most would prefer the naturalized landscape knoll to some grass.

There is also a '**New Urban Forest**'. Really, a forest. In other words a "complex ecological system in which trees are the dominant life-form" (Brittanica); "a large area of land covered with trees and plants..." (Cambridge Dictionary); or "1. a dense growth of trees and underbrush covering a large tract" (Merriam-Webster). So, is this really a forest then per these definitions or will it be some individual trees planted along the rail right-of-way which is what the drawings appear closer to? I think the latter. Few would describe planted trees along a street in Victoria for instance as a 'forest'. Again, it speaks to the application which is replete with 'planning speak' and as here seems exaggerated.

Lastly, there is '**New Reinstating Active Rail**'. This certainly sounds interesting, but it would contradict almost everything else in the proposal. How would it sit with the 'New Urban Forest' for example, or the repurposed boxcars which are supposed to be on the rails on site, or safely fit with any pedestrianisation etc? The answer is it would not sit comfortably unless of course one welcomes trains cutting through your developments. The sad fact is that Rail is gone for the moment at least, the Rail Bridge is gone, and if it returns it is very unlikely to ever be part of Bayview Place. Perhaps with the support of the Island Corridor Foundation Rail may one day be reinstated from Esquimalt to parts northward on the Island but even this appears to be highly tenuous at present given the cost and the state of the tracks. These comments are made notwithstanding that Mr Mariash appears to have had some exploratory meetings on this subject with City Councillors while seeking subsidies. However, if this were a serious proposal, it would have been included in the most current original rezoning application and not as an afterthought now. Looked at in their entirety the Public Amenity Plan 2021 adds very little in return for what is now sought.

Public Benefit Commitments (2015) and (2021)

The amended application again contrasts what was held out in 2015 versus what is held out now in 2021. There is one commitment which has been delivered and credit should be given

for that; namely ‘Roundhouse building emergency shoring and stabilization work’. This is shown as ‘complete’. However, this has also been beneficial to Focus Equities in the short term as presumably it has enabled the site to be rented and revenue generating when used by occasional tenants: e.g. film crews, parties, Christmas fairs and the like. It was important to be done but it is really the minimum and as noted the only commitment to have been done leaving among others the far more extensive and important ‘Rehabilitation of the Roundhouse’ undone.

Importantly, it is understood that the site has a contamination problem. This follows from the use of the site as a service yard for trains and locomotives with all that would entail from 1913 until operations ceased. In the 2015 public benefit commitments it was addressed in this way:

Contaminated Soils Remediation	Remediate brownfield site to appropriately remediate contaminated soils for community development
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What does this mean? It is hard to tell because this commitment is so unclear as to be possibly unenforceable. Scrutinized, it is highly ambiguous, and notwithstanding what is said in other parts of the application, because this is the most recent submission it can be argued that it should govern. Other questions arise; for instance, why is the benchmark ‘appropriately’? This may only go to processes and say nothing about standards which should be applicable from an environmental standpoint. Why are the site and the soils referred to? And why is it all ostensibly limited by reference to ‘community development’? Is this some further form of limitation on how or where remediation will be carried out as opposed to wherever on-site excavations are revealed to be contaminated with reference to agreed guidelines. The 2021 commitment repeats this uncertainty though it also adds: ‘Additional site area to be remediated using new approach’.

Contaminated Soils Remediation	Remediate brownfield to appropriately remediate contaminated soils for community development Additional site area to be remediated using new approach
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Where is this coming from and what is this new approach? Has the City asked more of the proponent here? Have sufficient questions now been raised that the proponent is being obliged to offer more in terms of its remediation plan? Is it that the ‘dig and bury’ approach originally put forward was recognised as too little to be approved when questions are now being raised about the plan? Is it a move away from e.g. a former ‘bury zone’ under the historic buildings? If so, who will decide what is buried on site and what is transported elsewhere for processing? Lastly, when these commitments are made who will ensure that any subsequent purchasers; e.g. substantive developers, will assume and fulfil them as held out here? These questions must be answered.

End of Part II, Part III to follow.

8. 29 December 2021

Responding to the Amended Rezoning Application filed 7 December 2021 Part IIA

Further to my most recent comments 'Responding to the Amended Rezoning Application Part II' this is a brief addendum to it. These comments further develop one aspect of my Part II Comments; namely those addressing 'New Reinstating Active Rail'.

I wrote in part:

This certainly sounds interesting but it would contradict almost everything else in the proposal. How would it sit with the 'New Urban Forest' for example, or the repurposed boxcars which are supposed to be on the rails on site, or safely fit with any pedestrianisation etc? The answer is it would not sit comfortably unless of course you welcome trains cutting through your developments. The sad fact is that Rail is gone for the moment at least, the Rail Bridge is gone, and if it returns it is very unlikely to ever be part of Bayview Place. Perhaps with the support of the Island Corridor Foundation Rail may one day be reinstated from Esquimalt to parts northward on the Island but even this appears to be highly tenuous at present given the cost and the state of the tracks...

Since posting those comments I have found this article which is directly relevant. The headline is "Developer wants commuter rail service up and running in one year". It was written by Pamela Roth and dated 8 December, 2016 from a story in *Victoria News*. In the story Ken Mariash made a rail line sound easy.

If all goes according to plan, by this time next year commuters from the West Shore will be arriving in Victoria West by train along the E&N Rail corridor.

It's a plan that prominent developer Ken Mariash, owner of Focus Equities, has been working on for the last six to eight months, meeting regularly with key stakeholders in the region such as city mayors.

As the developer behind Bayview Place (located adjacent to the Inner Harbour), bringing a commuter rail service is something Mariash has had his eye on ever since planning began for the Roundhouse Marketplace — a development that offers a mix of retail, culture and gathering places in Vic West.

Mariash has read through numerous studies done over the years on a commuter rail service in the region and has hired a bunch of engineering firms to further look at the idea. If the project gets off the ground, he'd provide a station inside the Roundhouse site.

'It's not very complicated,' said Mariash, noting the capital cost to get everything up and running is about \$7 million to \$10 million — something he calls pocket change compared to some of the other infrastructure projects his company has done with developments in Calgary and Edmonton.

Here is the link: <https://www.vicnews.com/news/developer-wants-commuter-railservice-up-and-running-in-one-year/>

Actually, it is complicated, as anyone at the Island Corridor Foundation, or the Esquimalt & Nanaimo Division of the Canadian Railroad Historical Association, or the engineers at WSP who prepared the recent Summary Report on “Island Rail Corridor Condition Assessment” would know.

For example, would anyone considering buying a 7, 8 or 9 hundred thousand dollar condo in Bayview want to smell the creosote soaked rail ties (heritage of course) that it might entail except me? You see while I am still partial to that smell from my days as a young man working on the British Columbia Railway in Northern BC I have not come across many others who are. What would an active rail line do for the standards of refurbishment of the Roundhouse: enhance or detract from them? Who would pay for it and would it fit with the Vic West Neighbourhood Plan? The compromises that it entails would conflict with other parts of the development that are held out as noted above. So, in the end, the Mayor and City Council will need to take their rose-coloured glasses off when looking at this being held out.

9. 1 January 2022

Responding to the Amended Rezoning Submission filed 7 December 2021 Part III

Design Exploration – Shadow Studies

At last, the shadow diagrams have now been provided. I note that these are being provided very late in the day.

The shadow diagrams comprise 12 drawings: the first 6 showing shadows at different times of the day upon Spring Equinox, March 21st (the first day of spring) and a second set of 6 diagrams showing the shadows at different times of the day upon the Summer Solstice, June 21st, (the first day of summer). Sunset at the Spring Equinox would be expected around 7:27 p.m. and at the Summer Solstice around 9:18 p.m.

Examining the first 6 drawings it can be seen that all of the buildings on the site are in the shadows almost for the entire day. Most will receive no sunlight at all. Those few buildings that do have some sunlight front on Kimta. However, the drawings do not show what shadows are cast by the waterfront condos directly opposite them on Kimta. These buildings too will limit the sunlight for them save for those condos which are on storeys tall enough to look over the current buildings opposite them. Oddly, regarding the 6th drawing in the first set of diagrams, there is no attempt to show the shadows that the buildings would cast *outside* of the site, unlike in the first 5 shadow diagrams. What this 6th diagram appears to show instead is a site covered almost entirely in shadows.

Turning to the second set of 6 drawings showing the shadows at Summer Solstice they are less prominent than the almost complete shadowing of all the buildings on the site in the Spring Equinox drawings. However, even with the sun at its zenith there are still pronounced shadows shown on the 3rd diagram. And significant shadows on all the other drawings especially the 1st, 5th and 6th but even to a considerable degree on the remaining 2nd and 4th diagrams.

Here is the reason there are such significant shadows. **THESE BUILDINGS ARE TALL.** Tall buildings cast long shadows and there is not much you can do about it. Even on Bayview Place Phase 1 Encore casts very extensive shadows on Promontory and vice versa depending upon the time of day. Encore casts those shadows later in the day while Promontory casts them earlier in the day.

I note there is no attempt to show how these shadows affect Bayview Place Phase 1 or for that matter how Bayview Place Phase 1 shadows affect Phase 2. There may be a legal doctrine though that could assist the current residents in Phase 1. It is a doctrine called ancient lights and in effect holds that if a window admits light to a room that has been in place for a time, then a right is acquired to that light so that a neighbour cannot build in a way that blocks the light. The right forms what is really an easement over neighbour's property and thus rights to light are acquired for the original building and balanced by the loss of rights to fully develop any nearby property. Thus, the doctrine embodies an old feature of property ownership; that is the need to give up absolute property rights in favour of more limited rights to support the well-being of the community as a whole. See Howard

Davis, "The Future of Ancient Lights," *Journal of Architectural and Planning Research*, 6(2) (1989) 132-153.

Here is the thing. Should anyone care if some renters or purchasers just have the bad luck to rent or purchase property that gets little or almost no sunlight? Probably not. And why? Because their views are not really being given weight right now. Directly, they do not have a voice as they are an as yet unidentifiable group. They will come later and frankly they will have to take or leave what the City, and any developers involved in this project, offer them. And if that offer is condos without light, so be it. I understand this from a pure Darwinian perspective, but should we not try and take into account what might be in the interests of and preferences for this group nevertheless? I think we should. In fact, would that not be the main reason the City could have required Focus Equities to include shadow studies in the first place? I believe so.

Views

Views are addressed as will be elaborated upon below in two ways: 1. 'Views to the Site'; and 2. 'Aerial Views'. Let me take the latter first. The drawings show 3 aerial views on pages 17, 18 and 19 of the rezoning submission. They are hard to parse for one main reason. They are not drawn to scale. That is, they are not in exact proportion either to each other or to the other buildings. When something is drawn to scale it means that every component within the drawing is the same proportion to one another and is represented by common measures. That is not the case here and the drawings seem to differ in size and presentation not only from one drawing to another but from one building to another within the drawings. Looked at the buildings appear to be different sizes and different heights in their different portrayals. For instance, in aerial view 1 two of the buildings appear to be less than ½ the width of buildings in Phase 1. Another example may be given. From aerial view 3 the tallest building shown is Promontory in Phase 1 which is 22 stories high. By comparison, the E & N Tower, which is 32 stories high, appears shorter. Now, notwithstanding that there is a difference in gradient, is it really a 10-storey difference? Lastly, in aerial view 2 only 6 buildings appear to be shown. How is this possible? It is also very difficult to try and compare these views; e.g. aerial view 2 with its 6 buildings, aerial view 3 with its 7 buildings and aerial view 1 with its 10 buildings. An architect may reply by saying it is a question of perspective and that these taller buildings appear smaller the further they are from the point of view. However, that is not true if all the buildings are effectively aligned as they are in aerial view 2.

Turning to the 'Views to the Site'

It can be pointed out 8 different 'Views to the Site' are shown on pages 10 to 13 under the heading 'Design Exploration'. Then there are three aerial views that are also presented. Here is what is missing though; there are no views THROUGH the site. The reason is simple, and it is likely because these views are extremely limited. They are extremely limited because of the so-called building massing. Thus, if one walked along Esquimalt Road in either direction between Sitkum and Catherine, then using the Design Exploration – Shadow Studies drawings, you would find there are no views through the site. None. As one looks toward and for a view of the water on the walk all one would see instead of water are buildings in every instance. This is because those buildings are placed in one of three

successive lines and hence even if you have a view through the first line of buildings the view will become blocked by either the second or the third line of buildings as you progress. The same would occur if the walk took place on Kimta. This is an interesting point of contrast with Dockside Green. Thus, in the 2005 Design Guidelines for the Dockside Area, 5 types of views are described: 1. View Type A: Pedestrian level views into and through the site; 2. Type B: Intermittent, narrow pedestrian views into the site; 3. Type C: Views towards the site; 4. Type D: Upper-level views through site; and 5. Type E: From Bay and Skinner Street. The Bayview Rezoning Submission presents only two of these types of views; namely 3 and 5 but then adds the aerial views. The views INTO or THROUGH the site noted above in Dockside viz. numbers 1. Type A; 2. Type B; and 4. Type D are missing. Again, it is submitted, the reason for this is clear. Those views are not to be had. It should be noted that the Design Guidelines submitted by Focus Equities on March 1st, 2021, as part of its rezoning application do address views. However, those details are again views to the site (albeit fewer of them) and what are described as ‘interior sightlines’. Hence the depiction of the sightlines and views here are internal or what one sees from inside the site. This has the effect of removing one or two of the lines of buildings referred to above which serve to obscure views when looking into or through the site, for instance when walking along Esquimalt or Kimta again.

Dockside Green

Considerable prominence is given in the drawings to the buildings proposed for Dockside Green especially in the aerial views. Looked at the Dockside Green buildings being built by Bosa seem as high as those at Bayview Place. However, if correct, the final phase of Dockside Green’s tallest building will be only 18 stories. Assuming a 22-storey limit Bosa would not even have had to seek concessions from the City to construct to that height. It could all have been done under the current zoning bylaws and plans. It begs the question then why does Focus Equities need extra concessions? Is that much really called for given the approvals that have been given already? While Bosa has no historic properties to protect and refurbish it has nevertheless committed to 2 focal points/plazas, a minimum 2 pedestrian east/west pathways, parks and green space, a boulevard and streetscapes, an internal north/south greenway, improvements to the Galloping Goose Trail, a pedestrian lookout pier from the Point Ellice Park and small boat launch Waterfront walkway and public art. Ultimately, Dockside Green now under construction, will continue what was begun years ago with the first phase of that development. It strikes me as a natural extension of what has gone before.

On the other hand, there is very very little about Bayview Phase II which appears to be a natural extension of the original Phase I. This is a genuine concern.

10. 6 January 2022

Aquara - is this the Fate that will Befall Bayview Place?

It was announced with fanfare at the time. The Times Colonist blazed:

Construction of \$88M seniors centre to start this summer on Songhees

In the article published on January 26th 2019 by Andrew Duffy it was reported:

“The company behind an \$88-million seniors development is hoping to have construction start this summer after receiving a development permit this week.”

The article also reported:

“Ken Mariash, the founder of Focus Equities, which is the master developer of the site, has called Aquara ‘a critical element for this community.’”

And lastly Duffy reported:

“The intention is to complete the project in 2021”. This is the link to the story:

<https://www.timescolonist.com/real-estate/construction-of-88m-seniors-centre-to-start-this-summer-on-songhees-4669432>

Here we are though. It is now 2022 and there has been no start to the construction. This is similar to what has happened at Bayview Place albeit with one very important difference; that is, Ken Mariash’s company Focus Equities has already been substantially paid for this part of the site.

Here is how GlobeNewswire reported the payment on August 30th 2017:

“Element Lifestyle Retirement Inc. (“Element” or the “Company”) (TSX.V:ELM) is pleased to announce that Element completed the purchase of a 1.96 acres property along the harbourside of Victoria at Bayview Place, British Columbia (the “Lands”) pursuant to the terms of an amended offer to purchase agreement (the “Agreement”) with Focus Equities Inc. (“Focus Equities”).

“Under the terms of the Agreement, the Company agreed to pay to Focus Equities \$6.7 million for the Lands. An aggregate of \$300,000 had been paid to Focus Equities in deposits against the purchase price, \$4.7 million was paid to Focus Equities on closing and the balance of \$1.7 million is held in trust by the Company’s counsel, which will be released and paid to Focus Equities when Focus Equities has completed certain excavation work on the Lands, including site levelling work and certain underground excavation work, pursuant to the terms of an excavation agreement entered into between the Company and Focus Equities, as previously announced on August 17, 2017. Furthermore, upon commencement of the

excavation work on the Lands by Focus Equities, the Company will deposit \$1.8 million plus GST in trust with the Company's counsel, to be drawn and paid to Focus Equities on a monthly basis as work progresses."

You can read the full news release here:

<https://www.globenewswire.com/news-release/2017/08/30/1104325/0/en/ElementLifestyle-Retirement-Completes-Property-Acquisition-in-the-Victoria-Harbour-Arealong-with-Convertible-Debenture-Private-Placement.html>

So Focus Equities has been paid but that is about it. Meanwhile Element Lifestyle Retirement Inc continues to putter along further away than ever from starting construction on the seniors home and with its shares trading at just 0.070 (on Jan 5th at 4:00 p.m.).

What this shows is that Bayview Place needs real engineering not financial engineering. We cannot and should not let this happen to any integral part of the remaining Bayview Place development.

11. 12 January 2022

The Speculation Tax and Focus Equities

Here is what the newspaper Press Progress reported on June 15, 2018

“BC Developer Used United Nations Charity Event to Attack Tax on Wealthy Real Estate Speculators” “Charity points finger at luxury condo developer after housing crisis event was rebranded as a dialogue on BC’s ‘Housing Insanity Tax’”

“A full-page ad in Victoria’s Times-Colonist newspaper last week, co-branded between the United Nations Association in Canada and a Victoria-based real estate firm called Focus Equities, bizarrely billed the event as a discussion about the quoteunquote “Housing Insanity Tax.””



<https://pressprogress.ca/bc-developer-used-united-nations-charity-event-to-attack-tax-onwealthy-real-estate-speculators/>

The story by Press Progress followed closely on this tweet from the United Nations Association Canada:



<https://www2.gov.bc.ca/gov/content/taxes/speculation-vacancy-tax/exemptionspeculation-and-vacancy-tax/corporations-trustees-business-partners>

Land development is important, but it needs to be done with the wider community in mind. The BC Government has a “Land Development Toolkit” which states on its landing page:

“Land parcels available for development are important community assets, providing you with a basis to attract a new business, help an existing business to grow, or execute an economic development strategy.” (emphasis added)

This is a link to the Toolkit website.

<https://www2.gov.bc.ca/gov/content/employment-business/economicdevelopment/market-and-attract/land-development-toolkit>

There are some questions which these the stories raise as to the nature of the development and whether it is speculative? Recall that Dun & Bradstreet situate Focus Equities in the “Land Subdivision Industry”. Dun & Bradstreet: “[t]his industry group comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders”.

Caveat. While Focus Equities is held out as the developer behind Bayview Place it is unclear which Focus Equities it is. This is because there are other corporate entities which have been incorporated in Alberta (and registered in British Columbia extraprovincially) with this name at least in part but also numbered at times; for instance, Focus Equities Alberta Inc which also has an assumed name of 208280867 Alberta Inc per BC Registrar of Companies on January 14, 2011 with this notice from the Registrar of Companies: “A0108487 FOCUS EQUITIES INC., a foreign corporation registered in ALBERTA and registered as an extraprovincial company under the laws of British Columbia with certificate number A0097491 and 1432410 ALBERTA INC., a foreign corporation registered in ALBERTA, were amalgamated as one company under the name FOCUS EQUITIES INC. amalgamated at 01:15 PM Pacific Time” as on January 21, 2019.

Here are some questions. Which entity is beneficially behind Bayview Place and is it a resident BC corporation so as to be exempt from the BC Government Speculation and Vacancy Tax? Notwithstanding the tax is provincial and not municipal, will the City inquire as to whether any taxes are currently due in respect of the landholding? Will residency and tax status be factors for the City Council in considering the current rezoning application?

Here is a link to the Government webpage on the exemptions and requirements for eligible corporations regarding this tax.

<https://www2.gov.bc.ca/gov/content/taxes/speculation-vacancy-tax/exemptionspeculation-and-vacancy-tax/land-under-development>

12. 23 January 2022

A Critique of the Design Strategies in Point Form

On April 27, 2021 Focus Equities filed *Revised Design Guidelines for the Roundhouse at Bayview Place*. These updated Guidelines filed on March 1st, 2021. The *Guidelines* state under the heading “iii. Design Strategies” on p 16: iii: “[t]he following strategies are intended to guide the development of Roundhouse at Bayview Place and inform the design guidelines that follow this section.” **They are listed under the headings below in bold with some points in their elaboration also in bold and my comments on them in italics.** You will see much of it is fluff and meaningless planning speak.

View Historic Buildings as a Collection. *Yes, the buildings are a collection though it appears one is to be sacrificed.*

Build up the Ends, Carve out the Middle. *It certainly will be built up, and up and up. In fact, all the ends will be built upon and the middle left as that is principally where the historic buildings are located. There will also be middle that is built up as with the E & N Tower which oddly is not shown in colour as are the other buildings on p 18.*

Visually Connect the Site to its Context. *Meaningless.*

Create a Connected Landscape. *Yes, there are parks adjacent to the site and it makes sense to have greenery leading to greenery but it is going to be awfully limited.*

Curated Rail Integrated Through Site. *If miraculously the Island Corridor ever takes shape then come back to this. In the meantime, that prospect is so unlikely that the rail corridor should be better used than being integrated to no end. This plan has to be realistic.*

Connected and Pedestrian Oriented. Route pedestrian activity along building faces to activate and animate. Flank both sides of internal vehicle route with pedestrian circulation *Really? Yes, people will walk on the sidewalks in front of all the high-rises and with a road in between. Hardly ‘activating’ and ‘animating’.*

Turntable Plaza as a Focal Element. *This has to be the focal point as it is the only spot for it and one of the very few parts of the site not being intensively developed.*

Respond to the Turntable. *I just don’t see this. The buildings face in all directions. They do not ‘respond’ to the turntable at all. If they did they would be arrayed around the turntable in a circle which they clearly are not.*

Outward-Inward Expression. *Turning the project outward to animate public street frontage is clearly intended to enhance the commercial character and visibility of the retailers. It is unclear how this will impact retaining of the inward focus of the buildings to historic rail activity.*

Create wayfinding and interpretive opportunities at gateways to the site. *Otherwise known as signage.*

Explore storytelling opportunities along the Carriage Lane and E&N Rail Trail that speak to rail heritage and intangible values. *Otherwise known as e.g. a plaque.*

Use diverse interpretive media to express site history. *OK so what are they? Where is your Interpretive Management Plan?*

Identify opportunities for locating nodes for public art and historic interpretation. *Please do not tell us about “opportunities”. Tell us what precisely you will do, where and when.*

Adapting Historic Buildings. *Here we go again with “opportunities”. Not good enough. Show us the plans. Tell us who the counterparties are on this and show us the contracts.*

Site new building relative to existing Historic buildings and surrounding public streets. *What does this mean exactly? You are proposing tall new buildings everywhere there are not historic buildings. They are not being ‘sited’ or situated in any other meaningful way.*

Mitigate shading and massing impacts on Esquimalt Road and adjacent park. *How thoughtful. Shading will be minimised on the road and park. What about everywhere else? What about vis-à-vis every other building that is adjacent to this massive proposed development? The shadow studies in the latest rezoning submission make clear not only will all the huge towers being built cast long shadows it is very likely this entire development will cast a very long shadow, not just over Vic West, but Victoria.*

Massing Transitions. *Isn’t that generous. Outside the turntable everything else can be up to what 32 stories? That is mass alright but there is not much transition.*

Anchor the Corners. *This sounds so good to be almost reasonable. And the little anchor diagram over three of the buildings is almost quaint but they do not disguise the fact that we’re just talking about three huge buildings with almost no setback on three of the effective corners. Oddly the fourth “corner” of the site and which will have its own huge building is neither shown nor described as anchoring any corner, presumably because it is in just a bit from the corner. Anchoring the corners adds nothing and is just another way of describing ‘overdensity’.*

Orient Buildings to the Interior of the Site. *Again, meaningless. These gigantic skyscrapers will have residents on every floor looking in every direction. There is no “orienting” to the interior of the site for ¾ of all the residents in every building.*

Create distinction between background and foreground buildings. *OK, so background are the new ones and foreground the old ones that would seem to follow doesn’t it? After all, some are new and some are old. They do look different and that is the idea behind conservation. This is pretty basic stuff. However, the next bullet point is again a stretch.*

New buildings should relate to the historic buildings in their orientation, form and character. *Firstly, insofar as orientation is concerned that makes sense. It is just that it doesn’t seem to be the case when the drawings are looked at (see p 25). Secondly, as to their*

form I don't think so either or you would probably have only low rise brick buildings as the best exemplar. Instead what is proposed is steel, concrete and glass. Hardly Roundhousian! Lastly, the new buildings should relate in character to the old. Character of course has many meanings but none of them seem to be a good fit here especially because the term is most often used in relation to individuals and not buildings. Even if character is read here as having to do with 'characteristics' it is unclear how this design guideline will be meaningfully translated when dealing with two types of buildings, new and old, and which are obviously so different.

Hierarchy of Public Open Space. *Well, this is hard to construe because there really is so little public open space that it is again a stretch to seek to impose a hierarchy on it. Maybe a planner might think in these terms, but few others would with the amount of public open space in these plans at least.*

Podiums Transition to Scale. *How thoughtful. In places, which are not spelled out anywhere, it states that “taller buildings can incorporate “a podium of 4 – 8 storeys in height to transition to building scale”. Transition is good but just imagine an eightstorey podium! Do you know how ridiculous that is in the City of Victoria? I cannot think of another building in Victoria with an 8-storey podium. Even internationally that far and away exceeds practice. This is so wrong.*

Undercutting Buildings at Grade. *This is interesting and I wonder how it aligns with point 18 above? Nevertheless, this underscores again just how massive these buildings are going to be. They are going to be so huge that the architects are proposing for their design guidelines that buildings are **undercut** or **recessed**. This diminishes their mass at grade level but ends up with these tall dense structures looking rather precarious overhead once completed. Undercutting also has the effect of exaggerating the building's appearance as large because of the contrast it introduces as well. You see trying to hide the true scale of these buildings is not a solution to overdevelopment. Refusing amendment to the zoning plans would be.*

Landscape that Supports Architecture and 21 Landscape as a Framing Element.

Consider using trees to support and reinforce architectural transitions.

Use street trees to define the street edge and form a backdrop that unifies historic buildings as a collection. *Boy oh boy. Trees better be more than just considered in this development and as for the trees planted on the street saying they are going to unify the historic buildings seems to be the final stretch in these Guidelines.*

While these are the official stated objectives in this part of the application there is one of my own I would like to add: Crowding in as much Profitable Development as Possible. It is suggested that this is the true overriding objective of these Design Guidelines to which all others are in service on this project.

<https://tender.victoria.ca/.../Prospero/FileDownload.aspx...>

13. 6 February 2022

Focus Equities was in Breach of the Roundhouse Master Development Agreement

I write to remind you of a prior breach of the Roundhouse Master Development Agreement by Focus Equities. I do so to underscore that it is never a good sign when an agreement is breached essentially before performance has begun. I also disagree with the characterisation of certain future action not being taken and referred to below as ‘minor’. The key facts may be shortly put:

1. There is an agreement between the developer/Focus Equities and the City of Victoria that is called the Roundhouse Master Development Agreement (‘RMDA’) dating back to the original application for rezoning in 2008.
2. Section 15 of the RMDA required that the developer/Focus Equities provide, at the City’s option, an area for community space. The community space could be provided either on the Roundhouse site or a mutually agreeable location off-site.
3. However, this community space requirement was amended it appears in 2014 such that the developer/Focus Equities could pay cash in lieu of the community space prior to submitting a Development Permit Application for the first building to be constructed in the Roundhouse District.
4. *“On November 30, 2017, a Development Permit Application was submitted to the City [by the developer/Focus Equities] proposing a 26-storey, mixed-use building at 210 Kimta Road which is located within Development Area 3 of the CD-12 Zone, Roundhouse District; however, the applicant did not make the necessary cash-in-lieu payment prior to their submission and, **therefore, they are currently in breach of the MDA** and the application has been placed on hold until the monies are received.”* [emphasis added]
5. This quotation in para 4 is from your Jonathan Tinney, the Director of Sustainable Planning and Community Development for the City to its Committee of the Whole for a meeting dated May 3, 2018.
6. At that time the expected payment stood at approximately \$725,000.00.
7. A prior justification, excuse and request for deferral of the payment and a plea to overcome the breach was made in a letter by the developer/Focus Equities to the City dated April 12, 2018.
8. While the City eventually accepted the request the City noted that deferral of the payment to the Building Permit stage presented a ‘minor’ risk, in that there was no guarantee that the developer/Focus Equities would move forward with a Building Permit Application upon receiving Development Permit approval.

In summary, the breach of the Roundhouse Master Development Agreement by the developer/Focus Equities is ominous, does not bode well and should be carefully weighed by you when considering Focus Equities current rezoning application. Further, the real risk is not that this payment is not made in the future but that significant parts of Bayview Place simply do not happen if you approve the rezoning application without demanding more.

14. 23 February 2022

Beware Taking Things at Face Value

There is an inciteful long form article in Hong Kong Free Press (today) dated 12 February 2022 by Suzanne Pepper entitled ‘Beijing, Britain, pan-democrats or localists: Who is to blame for the death of Hong Kong’s democracy movement?’ Here is a link:

<https://hongkongfp.com/2022/02/12/beijing-britain-democrats-or-localists-who-is-to-blame-for-the-death-of-hong-kongs-democracy-movement/>

My intention in referring to it is not to weigh in on the merits. I shall leave that to the historians. No, my intention is to extract one quote and show how it could apply to the Bayview rezoning application.

Here is the quote under a sub-heading ‘Learning the hard way’

Conversely, the key failure of the old-style moderate pan-democrats was their insistence on taking the Basic Law’s words at face value, without questioning the conventional Western understanding of those words. They never asked what Beijing intended when it promised eventual universal suffrage elections for LegCo and the chief executive.

And here it is with a few changes on what we might see looking back one day:

Conversely, the key failure of the old-style City Councillors was their insistence on taking the Master Development Agreement’s words at face value, without questioning the conventional realistic understanding of those words. They never asked what Focus Equities really intended when it promised a neighbourhood by an urban visionary team.

So what is the lesson? As this post began it is pretty simple and that is ‘beware taking things at face value.’ If something sounds too good to be true it likely is. What a City Council should do in such circumstances is investigate, define, specify and enforce. Nothing, and certainly not just promises, should be left untested. What worries me is whether our City Council is up to the challenge.

15. 23 February 2022

Comments on the Ken Mariash Interview on CHEK news

I am setting out a link below to an article from CHEK News today (Feb 23) on Bayview that includes a short interview with Ken Mariash. You should read it. I have done a reply to it below in a table with quotes from the article in the left column and my comments opposite in the right column. I am not sure whose comments are more telling, mine or those of Ken Mariash. I would ask you to carefully read them both again and weigh them just as you should the application coming before you. I would also suggest that you look long and hard at what is most likely to come from this rezoning – the plans you might wish to rely upon, or whatever a subsequent purchaser with whom you may have no relationship is willing to offer. You see this is what is really at the heart of the matter and it would appear to me that the City of Victoria may be missing it.

Here is a simple solution. Tell Ken to build what he agreed. The zoning bylaw is in place and in no need of amendment. It respects the Community Plan and is more in keeping with Victoria. The downside risk for the City in this is low and your current Council would be absolved from any future problems given the original approval and rezoning took place years ago. The truth is that Ken Mariash could develop this site as is if he wanted to. I just don't think that he wants to. Presumably he would rather get your approval and sell it wouldn't he? He is quoted in the article below as already saying "the project hasn't been profitable" so what is he up to? Is the City supposed to underwrite it now? Or was this always the intention? Read my comments below. Let me underscore that if you rezone you are effectively potentially imposing a substantial premium on the development by creating the opportunity for the site to be resold consistent with land subdivision industry practices. Now that would be profitable. But, is that really what the City wants given its twin crises of housing availability and affordability? I would hope not.

<https://www.cheknews.ca/32-storey-building-proposed-for-vic-west-neighbourhood-inrevitalization-efforts-957752/>

CHEK News Article Quotes	Comments in Reply
23 Feb 2022, 6:06 pm	23 Feb 10:00 pm
'Iconic structure to define the skyline': 32-storey building proposed for Vic West neighbourhood in revitalization efforts	'Ironic structure to define the skyline'...

<p>For more than 20 years, Ken Mariash and his team at Focus Equities have been working on a revitalization plan for Vic West.</p>	<p>Focus Equities is in the Land Subdivision Industry, Dun & Bradstreet: “[t]his industry group comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders”.</p>
<p>When he first moved to Victoria, Mariash says Vic West was a completely different neighbourhood, with leaking, bankrupt and unfinished buildings. So he set out to fix it.</p>	<p>Not sure how the residents of Vic West would feel about this description.</p>
<p>The site is split into two parcels: north and south. The south side has already been zoned for five buildings, while the north side is still in the rezoning application process.</p>	<p>Yes, 13-14 years later little has been done following the original rezoning. Still 5 buildings at the agreed height and density is not enough I guess. In effect the application is saying we want more, MORE height, MORE density and 4, 5 or 6 (cannot be sure because the number keeps changing) MORE tall buildings plus podiums BEFORE we even start.</p>
<p>The north side of the site houses the railway and has four proposed buildings: one rental, two condos, and one affordable housing building. This brings the total to nine buildings.</p>	<p>But what about the two hotels and the Cultural Centre? Remember this asterisk in the application:</p> <p>* <i>Cultural Centre Note: If included, will come out of proposed density</i></p> <p>And that affordable housing which is rather described this way in the application with another asterisk:</p> <p>* <i>Affordable housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a non-profit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning.</i></p>

<p>“The buildings are pretty much the same as what we [already] have,” Mariash said. “Sort of around 26 floors.”</p>	<p>Really? What about the podiums, the added density and the added height. What you have in Bayview 1 are 11 stories, 17 stories and 22 stories. BUT, the Mariash Focus Equities proposal now clearly shows building heights on the drawings and described as 26, 30, 32, 26, 28, 28, 23, 26 and 24 stories. These alone thus total 243 stories on that 9.2 hectare site before allowing for what has to be taken out of consideration given preservation of the historic buildings. Again, this one-half of your total Bayview site will have the tallest, 2nd tallest, 3rd tallest, 4th tallest, 5th tallest and 6th tallest buildings in Victoria.</p> <p>So, “The buildings are pretty much the same as what we [already] have,” Mariash said. “Sort of around 26 floors.” I don’t think so.</p>
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<p>“There’s been some height fright, but we aren’t doing anything we haven’t done before. It’s just a continuation of the vision,” he explained.</p>	<p>Done before <i>where</i> I would like to know?</p> <p>Certainly not what you did before in Bayview I – See ABOVE. And it is not a continuation of the vision. If it were you would have roughly same heights and densities and number of buildings; that is 3. OK I will spot you 2 more BUT NOT 7, 8 or 9 MORE.</p> <p><u>And recall that the approvals given in Bayview II by the City were in exchange for variances that Focus Equities was already given for agreeing to redevelop the Roundhouse properties – which have not been developed anyway despite repeated assurances that it would be.</u></p>
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“That was put in the middle of the skyline sort of to define it, because when you get out to the far harbour where the cruise ships come in, you actually can’t even see this project because the front buildings cover it, so we thought adding those floors would make a big difference.

Views are addressed as will be elaborated upon below in two ways: 1. ‘Views to the Site’; and 2. ‘Aerial Views’. Let me take the latter first. The drawings show 3 aerial views on pages 17, 18 and 19 of the rezoning submission. They are hard to parse for one main reason. They are not drawn to scale. That is, they are not in exact proportion either to each other or to the other buildings. When something is drawn to scale it means that every component within the drawing is the same proportion to one another and is represented by common measures. That is not the case here and the drawings seem to differ in size and presentation not only from one drawing to another but from one building to another within the drawings. Looked at the buildings appear to be different sizes and different heights in their different portrayals. For instance, in aerial view 1 two of the buildings appear to be less than $\frac{1}{2}$ the width of buildings in Phase 1. Another example may be given. From aerial view 3 the tallest building shown is Promontory in Phase 1 which is 22 stories high. By comparison, the E & N Tower, which is 32 stories high, appears shorter. Now, notwithstanding that there is a difference in gradient, is it really a 10-storey difference? Lastly, in aerial view 2 only 6 buildings appear to be shown. How is this possible? It is also very difficult to try and compare these views; e.g. aerial view 2 with its 6 buildings, aerial view 3 with its 7 buildings and aerial view 1 with its 10 buildings. An architect may reply by saying it is a question of perspective and that these taller buildings appear smaller the further they are from the point of view. However, that is not true if all the buildings are effectively aligned as they are in aerial view 2. Might this account for the fact that “you actually can’t even see this project because the front buildings cover it,”?

<p>“We’re negotiable on anything like that but it just seemed like the right thing to do to have at least one iconic structure to define the skyline in a dome shape.”</p>	<p>Sure, just the one iconic structure to define the skyline and let’s not dwell on those pesky little 26, 30, 26, 28, 28, 23, 26 and 24 storey other buildings. They’re not iconic in the least.</p>
<p>In the end, Mariash said, the project hasn’t been profitable.</p> <p>“We’re just doing it because this is what we promised.... whether this is an economic project or not, that’s not the main event. The main event is to get it built the way we had in mind. We didn’t expect it to take 25-30 years, but here we are.”</p>	<p>This is understandable, what business wants to make money.</p> <p>No, actually this is not what you promised. In fact I wouldn’t even object if you delivered what was agreed or promised in the Master Development Agreement with the City. That was reasonable. What is not reasonable in my humble view is what is being sought now. And in closing whatever he “had in mind” it differs markedly from his original applications and that’s what this should be all about City of Victoria.</p>

16. 25 February 2022

Capital Park A Model for What Bayview Could Be

I take the liberty of forwarding you an email from Concert Properties that I just received. Concert Properties is a genuine developer.

This is where I now live having sold our flat in Bayview I. Sadly, it was sold because I lacked confidence that you – Mayor and City Council - would do the right thing on the ZGF/Focus Equities rezoning application and turn it down. I had a contract in effect with the City as well when I bought in Bayview I and its terms were the current zoning bylaws and planning guidelines. I would submit it is unfair that someone can come along and convince you to amend the relevant bylaws and change the neighbourhood beyond all recognition. Every resident of Victoria should be allowed to rely upon what you have said collectively in the past. My submission here in that regard is on behalf of many other like-minded West Victorians and Victorians in general who agree with me but lack the time or skills to advance these critiques.

Nevertheless, you see, Capital Park is really what Bayview II should look like:- (some) low rise, high specification, mixed use, community facilities, commercial facilities, heritage homes, rental, open-space, public art, parking and in keeping with the Community Plan. Not 9 or 10 towers stuffed into a 9.2 hectare site that loom over, surround and suffocate the heritage buildings. Not 9 or 10 towers that so dramatically exceed current height and density requirements and the spirit of the Community Plan that you could be inviting a jurisdictional challenge. It is all so easy.

In short, Ken Mariash has a terrific site in Vic West and he should be able to do something that is needed, innovative, conforming and yet still profitable for him without the excess sought. He made his deal with the City – and with the residents like me – years ago. He should have to stand by it.

Hence I am asking you to do the prudent and responsible thing; that is to not amend the zoning bylaw and instead send it back to the drawing board and tell Ken Mariash and Focus Equities that they should double-down and give Vic West and the City of Victoria what they deserve:- another Capital Park.

Thank you,

JA McInnis



Dear Arthur,

We are thrilled to share the exciting news that all the homes at Capital Park Residences have sold. We acknowledge those who have chosen to make Capital Park your home and we hope you are as excited as we are to see this vision for Victoria come to life. Together in partnership with Jawl Properties, Concert is proud have created this vibrant, master-planned community.



The vision for Capital Park evolved from the Victoria Accord, a planning agreement established with the City of Victoria over 20 years ago that sought a mixed-use approach for the area. A network of expansive courtyards, calming water features and garden pathways connect James Bay back to the legislature and beautiful Inner Harbour through Capital Park, making it an integral part of the broader neighbourhood.

Also interconnected by the extensive landscaping are condominium and rental residences, office buildings, a Victoria Public Library branch and other

community amenities including locally owned businesses such as Red Barn Market and Good Earth Coffeehouse.

Guided by Concert's people-first design principles, Capital Park has transformed this neighbourhood into a connected, walkable community while remaining true to its historic character. If you haven't visited Capital Park recently, we encourage you to walk through the complete community and witness the incredible transformation.

Sincerely,

Concert & Jawl Properties

17. 6 March 2022

Some Legal Considerations

I am writing to you again in respect of this matter. I do so briefly and so as to remind you what governs your actions:- the Local Government Act, whose purposes may be set out in abbreviation from section 1; namely:

- (a) to provide a legal framework and foundation for the establishment and continuation of local governments to represent the interests and respond to the needs of their communities,
- (b) to provide local governments with the powers, duties and functions necessary for fulfilling their purposes, and
- (c) to provide local governments with the flexibility to respond to the different needs and changing circumstances of their communities.

You are tasked with representing my interests in this community. The powers, duties and functions which you exercise must be done so judicially, reasonably and fairly. You need to be flexible and respond to my needs which may be different from a developer's and circumstances which have changed over the last 13 years. Yours is a very challenging position to hold no doubt. You do not always get it right as with the recent successful legal challenge to your plastic bag bylaw.¹ This is notwithstanding that I am sympathetic and appreciate that it is not always clear what course of action should be taken or your legal position vis-à-vis given issues. I would submit this to be the case with respect to the Bayview Rezoning application. You are in somewhat uncharted territory. In effect you have the same application you had before you some 13 years ago. You decided on that application but you are now being asked to rule on it again and go further. This raises a host of questions.

There is a precedent in the neighbourhood that involves what turned out to be a legal back and forth for many years over another City of Victoria Master Development Agreement with a developer – in effect the City's contract with the developer; namely *Pacific National Investments Ltd. v. Victoria (City of)*² and before the *Supreme Court of Canada Pacific National Investments Ltd. v. Victoria (City of)*.³ The Supreme Court split 4 – 3 in that case and while a close analysis is outside the scope of this submission I would say there is much in that judgment which should still give you pause as you weigh this rezoning application and notwithstanding changes to the municipal legislative framework.

There are a host of other cases which could be relevant to judging the actions you have taken and are yet to take in this matter. They raise questions of standing, statutory duty, standard of care, negligence, and immunity. Again, I do not have the time to deal with them. My intention here is to flag two trends of which you may be unaware. The first trend concerns the movement away from *Anns v London Borough of Merton*⁴ which you and other municipal authorities in Canada routinely rely upon in part to insulate themselves from liability and notwithstanding that is no longer the case in some other jurisdictions.⁵ The second trend reflects the adoption of the doctrine of good faith as a general organising principle in Canadian law by the Supreme Court of Canada.

In the 1970s, courts sought to identify an overarching formula by reference to which the existence or otherwise of a duty of care might be tested. In *Dorset Yacht Co Ltd v Home Offices*⁶ Lord Reid observed that the well-known passage in *Donoghue v Stevenson*⁷ in which Lord Atkin stated that in law where the command to love your neighbour became a rule that you must not injure your neighbour should be regarded as a 'statement of principle'.⁸ The high water mark of this development was the speech of Lord Wilberforce in *Anns*⁹ in which he formulated what has become known as the two-stage test. The court was to inquire:

1. whether it was reasonably foreseeable that damage would arise as a consequence of the act or omission of the defendant of which the claimant complained; and if so,
2. whether there was any reason of policy or justice which suggested a duty of care should not be imposed.

However, in practice, this test proved unworkable. It was almost always possible to answer 'yes' to the first question, and, in circumstances where the first question had been answered 'yes', it was frequently difficult to see why the second question should not be answered 'no'. As a result, *Anns* provided a theoretical basis for an almost indefinite extension of the scope of liability in negligence.¹⁰ Although reasonable foreseeability might be an adequate test for the imposition of liability in straightforward cases involving the direct infliction of physical damage,¹¹ it was still unable to provide 'intelligible limits' in more complex cases concerning economic loss in order to keep the law within the bounds of common sense and practicality ... and it is likely for this reason that courts outside Canada moved away from the *Anns* two-stage test.¹²

I addressed these changes in a law journal article 25 years ago.¹³ The open question is whether the Canadian Supreme Court will remain with this line of authority given changes in the law with regard to relational contracting and good faith. I am not sure about that.

That is because very recently, the doctrine of good faith came before the Supreme Court of Canada in a trilogy of cases that has made new law beginning with *Bhasin v Hynnew*¹⁴ followed by *C M Callow Inc v Zollinger & Ors*, and *Wastech Services Ltd v Greater Vancouver Sewerage & Drainage District*.¹⁵ In the landmark *Bhasin* case, the Court affirmed the existence of a duty of good faith as a general organising principle in Canadian law.¹⁶ In particular, the Court recognised four distinct duties that manifest a general organising principle of good faith:

- (a) a duty of co-operation between the parties to achieve the objects of the contract;¹⁷
- (b) a duty to exercise contractual discretion in good faith;¹⁸
- (c) a duty not to evade contractual obligations in bad faith; and
- (d) a duty of honest performance.¹⁹

If those duties were not expansive enough in their import, the Court emphasised that considerations of good faith are apparent in the process of contractual interpretation, in the law of implied terms, and in the doctrine of unconscionability.²⁰ The *Pacific National Investments Ltd* case too was about implied terms in part and it would appear the Supreme Court of Canada has moved on. The importance of the more recent cases decided by the Court is in how they begin to fill in the gaps left by *Bhasin* which are subsidiary to good faith as an organising principle and which underpin it. Thus, in the

Callow and *Wastech Services* cases, the Court considers whether a party who exercises a contractual right in an honest and reasonable manner may still breach its duty of good faith if its conduct undermines the other party's business interests, and how the exercise of discretionary power in a contract may be constrained by good faith. This trilogy of cases is going to have profound implications for Canadian law.

The effect of the organising principle is to require contracting parties to have appropriate regard to the legitimate contractual interests of their counterparties and not act in bad faith. At the time *Bhasin* was argued, Canadian law was divided over whether the Court should recognise a general duty of good faith in contract or circumscribe good faith to the more modest and familiar classes of cases in which it had been recognised. Notwithstanding that the Court declined to uphold good faith as a general duty, it recognised that there were numerous rules and doctrines that call upon the notion of good faith in contractual dealings which could be explained through a general principle. Could such duties be found in the actions of the City of Victoria? Could they be found in the actions of Focus Equities? It remains to be seen but I would not rule anything out. Good faith will not be implied, interpreted or construed in a vacuum either. Other fulsome legal concepts such as due diligence, being put on inquiry, constructive knowledge, and wilful blindness are but a few that could be relevant here. I have sought to make the case to you that before you approve a rezoning application that you need to look at all the facts which may be relevant. You may think your inquiry can be limited but I would disagree as you do not know that. You may think that you have a defence to any claim made against the City under Part 18 Division 2 of the Local Government Act but I do not know that nor should you conclude that there are no exceptions when your actions might not give rise to a successful action as I have pointed out above.

The City of Victoria has a great deal at stake in considering this matter. Your decision will reverberate for many years and perhaps decades given the time the Bayview project may take to come to fruition or not. If this project goes wrong it is very likely that only the City of Victoria will be around to pick up the pieces down the road. In effect this would make you the ultimate risk bearer and that is why you need to proceed cautiously and informedly. The most cautious approach of course is to allow the project to proceed only as approved already and within the confines of the existing zoning bylaws and planning requirements.

1. *Corporation of the City of Victoria v. Canadian Plastic Bag Association* (2020) CanLII 3694 (SCC).
2. *Pacific National Investments Ltd. v. Victoria (City of)* (1998) 58 BCLR (3d) 390, [1999] 7 WWR 265, (1998) 165 DLR (4th) 577 (BCCA).
3. *Pacific National Investments Ltd. v. Victoria (City of)* [2000] 2 S.C.R. 919.
4. *Anns v London Borough of Merton* [1978] AC 728 (HL) at 751-752.
5. See J.A. McInnis (Gen Ed), *Emdens' Hong Kong Construction Law*, 2 vols, looseleaf, LexisNexis.
6. *Dorset Yacht Co Ltd v Home Office* [1970] AC 1004 (HL).
7. *Donoghue v Stevenson* [1932] AC 562 (HL).
8. [1970] AC 1004, at 1027.
9. *Anns v London Borough of Merton* [1978] AC 728 (HL) at 751-752.
10. See the observations of Lord Oliver in *Caparo Industries v Dickman* [1990] 2 AC 605 (HL) at 643C-D.
11. *Caparo Industries Ltd v Dickman* [1990] 2 AC 605, 633A (per Lord Oliver).
12. Eg the *Anns* case was not followed in *Yuen Kun-yeu v Attorney General* [1988] AC 175, 194 (Lord Keith of Kinkel) Privy Council and overruled in *Murphy v Brentwood* [1991] 1 AC 398,
13. J.A. McInnis, "Commonwealth Courts and the Move Away from English Authority," (1997) 27 HKLJ 28 - 39.

14. *Bhasin v Hryniew* 2014 SCC 71, [2014] 3 SCR 494. It has been called ‘an excellent example of a court doing exactly what a court, particularly a Supreme Court, should do’: Robertson, JT “Good Faith as An Organizing Principle in Contract Law: *Bhasin v Hryniew* — Two Steps Forward and One Look Back” (2016) 93(3) *Can Bar Rev* 811, 866.
15. *CM Callow Inc v Zollinger* (2020) SCC 45; and *Wastech Services Ltd v Greater Vancouver Sewerage and Drainage District* (2021) SCC 7.
16. See Hall, G “*Bhasin v Hryniew*: Towards an Organizing Principle of Good Faith in Contract Law” (2015) 30 *Banking and Finance Law Review* 335, 335–336. See, generally, Gray, A “Development of Good Faith in Canada, Australia and Great Britain” (2015) 57(1) *Canadian Business Law Journal* 84. *Bhasin*, too, has been cited favourably outside Canada including in Australia in *Clarence Property Corp Ltd v Sentinel Robina Office Pty Ltd* [2018] QSC 95, paras 72–73; and in New Zealand in *Heli Holdings Ltd v Helicopter Line Ltd* [2016] NZHC 976, para 114 and *SCC (NZ) Ltd v Samsung Electronic New Zealand Ltd* [2018] NZHC 2780, para 176.
17. *Bhasin v Hryniew* para 49. 18. *Bhasin v Hryniew* para 50. 19. *Bhasin v Hryniew* para 51.
20. *Bhasin v Hryniew* para 73.

18. 10 March 2022

Density and the Vic West Neighbourhood Plan

I just had a question on density from a concerned citizen. He was stunned that the Mariash/Focus Equities proposals could so exceed the governing FSR. So am I. The question is what is planning, community involvement, neighbourhood plans and the like for if someone can just come in and usurp them. **If you approve this just throw out your neighbourhood and community plans because they will have been rendered meaningless.** As I have said send the request back and simply say return to us when you are compliant. What is wrong with that? Compliant. It is easy. And it should have been understood by the applicant rather than to put something before you that so exceeds everything which planning is currently about in this City that it is almost laughable. In reply to the question this is what I wrote:

Let me remind people that Focus Equities is asking for a density of 5.21 FSR (Floor Space Ratio). That is more than double what Vic West has proposed across the Board. Here is the cover page on the Vic West Neighbourhood Plan (119 pages), and below it the FSR for different types of developments on page 54:



	Uses	Density	Building Types
Traditional Residential	<ul style="list-style-type: none"> Residential Commercial uses may be supported at the intersection of major roads or in limited areas identified in Policy 6.4 and 6.10. 	Density generally up to 1.0 FSR Density in most areas limited by housing types identified in Chapter 6. Opportunities for density up to 1.2 to 1.5 FSR in limited areas as identified in Chapter 6.	Single-detached dwellings, detached dwellings with accessory suites and duplexes. Generally ground-oriented residential buildings, including houseplexes, townhouses, and house conversions consistent with the policies in Chapter 6. Multi-unit residential buildings up to three storeys along Esquimalt Road, south of Esquimalt Road, adjacent to Catherine at Edward Street Village, and in the Pioneer Housing Cooperative site.
Urban Residential	<ul style="list-style-type: none"> Residential Commercial uses may be supported at grade fronting Esquimalt Road 	Up to 1.2 FSR Opportunities for bonus density up to approx. 2.0 FSR.	As above, plus: Multi-unit residential buildings up to approximately 4 to 5 storeys are generally supported, where indicated in Chapter 6, with variable setbacks and front yard landscaping. Residential or mixed use buildings fronting Esquimalt Road Upper floors above the streetwall generally set back.
Small Urban Village	<ul style="list-style-type: none"> Active commercial uses* on the ground floor in most locations, with residential or commercial uses above. 	Up to 1.5 FSR	Commercial or mixed use buildings up to 3 storeys. Conversions of single detached houses to commercial or mixed use. In some areas, residential or live-work buildings (see Chapter 8). For new buildings, ground level generally built up to the sidewalk, with parking located to the rear of buildings or underground.
Large Urban Village	<ul style="list-style-type: none"> Commercial uses on the ground floor, with active commercial uses* in most locations (see Chapter 7) Residential or commercial uses in upper floors Live-work or work-live** 	Up to 1.5 FSR Opportunities for bonus density up to approx. 2.5 FSR	Commercial or mixed use buildings mostly up to 6 storeys. Buildings set close to the street to define the public realm along retail streets, with landscaped setbacks in more residential areas. Upper floors above the streetwall generally set back. Parking located in structures or underground.
Core Songhees	<ul style="list-style-type: none"> Varied commercial, residential, and limited light industrial uses 	Up to 2.5 floor space ratio or as identified in a Master Development Agreement.***	Commercial, residential or mixed use buildings of varying heights Buildings set close to the street to define the public realm along retail streets, with landscaped setbacks in more residential areas. Upper floors above the streetwall generally set back. Parking located in structures or underground.

* Active commercial uses are those that tend to generate foot traffic and pedestrian interest, and include retail stores, food and drink establishments, personal services, theaters and entertainment, and may include some professional services, medical services or personal services.

As I have also said before the proposed density is without precedent. In summary the proponent is seeking to more than double the maximum of 2.5 Floor Space Ratio or FSR. The FSR building density is defined as the ratio between the total amount of gross floor area of a building and the area of the parcel upon which the building is located. The application shows the FSRs for Phase I and Phase II of Bayview Place both separately *and* combined. By showing both in this way the intention is to get the City to focus on the lower *average* number of 3.76 which still far exceeds the City's current 2.5.

However, Phase I is done and should not play any part in deciding what FSR the City should approve now on Phase II. I repeat Phase I is done. There is no justification to average the two lots. What the City has before it is an application to rezone the Phase II site ALONE. The FSR for this site is proposed to be 5.21 and thus dramatically exceeds the current zoning. The application should be rejected on this basis ALONE but there is more; that is how the application seeks to add BOTH height and density. You must consider the two together as well.

As a footnote I note the irony in Focus Equities now having Jonathan Tinney as their contact after the sudden and unexplained departure of Patrick Cotter of ZGF as Jonathan was involved in the Vic West Neighbourhood Plan (see page 58 below, per his CV).

19. 13 March 2022

***G.S.R. Capital Group Inc. v. White Rock (City)* 2022 BCCA 46**

I write to bring to your attention the recent judgment of the BC Court of Appeal in *G.S.R. Capital Group Inc. v. White Rock (City)* 2022 BCCA 46 dated Feb 4th where it ruled in favour of the White Rock City Council and against a developer seeking a building permit to effectively block a project. Here is a link to the judgment:

<https://www.canlii.org/en/bc/bcca/doc/2022/2022bccca46/2022bccca46.html?resultIndex=1>

By way of summary the petitioner and appellant G.S.R. obtained a development permit to develop a twelve-storey residential building in White Rock. In October of the same year, a new City Council was elected but it was not in favour of the development, and ultimately downzoned the land to six-storeys maximum *before* G.S.R. had obtained a building permit. Wasting no time in fact the new elected City Council actually did this during its first week in office.

G.S.R. unsurprisingly unhappy with the decision of the City Council challenged the downzoning in Court and argued two main points:

1. that the development permit served to preserve the former zoning for a period of two years; or
2. in the alternative, that it was entitled to build the twelve-storey structure on the basis that its commitment to do so established a lawful non-conforming use.

These arguments were taken by G.S.R. before a Judge of the Supreme Court in Chambers on an application for judicial review. The application sought various orders including a declaration that it was entitled to proceed with the development as set out in its development permit, and an order compelling the issuance of a building permit. Finally, G.S.R. also sought orders amended bylaws which the new City Council had passed in the interim. G.S.R. also sought a declaration that its proposed development was protected as a lawful non-conforming use of the property, pursuant to s. 528 of the Local Government Act.

In Chambers the Judge dismissed the petition in toto and ruled that White Rock was entitled to deference in respect of its interpretation of the Local Government Act, and that its interpretation of the Act was not unreasonable. Legal parlance for the City Council could do what it wanted and the Court would not interfere.

The Judge further considered that existing case law and the plain meaning of s. 463 supported White Rock's view that it was entitled to withhold the building permit and rejected the proposition that G.S.R.'s proposed development constituted a lawful nonconforming use.

Three issues were taken to the Court of Appeal with the most material to the Bayview rezoning application being that concerning the downzoning of the property and the denial of a building permit. In other words could this be repeated in Victoria?

This is what Justice Groberman wrote in the *White Rock* case:

“[31] I am not persuaded the City’s interpretation of the section was an unreasonable one. It is true that the City had issued a development permit, and that, in that sense, the proposed development had moved beyond its earliest stages. It seems to me, however, reasonable to describe the project as a ‘proposed development’.

Construction had yet to commence, and there was no assurance that it ever would. It is true that G.S.R. was bound by the terms of the development permit, but those terms did not compel it to go ahead with the project. From a grammatical, contextual and purposive standpoint, it was not unreasonable to describe the project as a ‘proposed development’ when G.S.R. made its application for a building permit.”

Thus this would appear to be similar to the current situation in Victoria with the Bayview II development.

Following the judgment the Mayor of White Rock said:

"We did what we believed we had to do, and what we had the right to do under the community charter, to try and protect our community and maintain some of the levels within the community in regards to building heights..."

"We had hoped all along that there would be some sort of resolution where the two sides could come together and find some common ground..."

"The ball is now in the hands of the proponents to decide what they want to do...It's their property. It's their land. They're the ones who have to make a decision as to what they want to do with it ... but also, are allowed to have a set of rules that give those broader guidelines as to what is possible."

CBC News, 4 Feb 2022 “After years long battle B.C.’s highest court rules city was within its rights to pause condo project”

<https://www.cbc.ca/news/canada/british-columbia/white-rock-development-alexandrapark-court-battle-1.6340112>

In summary, clearly this is an important precedent and one the City of Victoria must consider.

The judgment suggests that there is much more at stake in Victoria than whether Focus Equities is simply given more density and more height on Bayview II by amending the bylaws. It suggests there could be an issue whether Focus Equities can even keep what it has with the status quo if the current City Council wanted to take a different view from the former City Council and begin a process to revisit Bayview II in its entirety. This is huge and means it is wide open where the City of Victoria might go with this application. It would seem with the timely arrival of this judgment that the City of Victoria has been given a reason to pause this for a second look.

20. 1 August 2022

What's behind the 'Donation' by Focus Equities?

A recent story in the Times Colonist dated 29 July was titled 'Roundhouse developers donate \$15M property for affordable housing'. So what gives.

Here are four reasons why Ken Mariash may be donating this land:

1. He is trying to set a benchmark value for the other plots which he might sell if he can persuade City Council to green light his development.
2. He is trying to generate some good will with City Council; Mariash knows there is considerable opposition to his plan.
3. He wants to donate the plot which could attract some of the most vocal opposition as it has the most interesting features on the site; namely the rock outcrop at the intersection of Catherine and Esquimalt Streets.
4. He has no alternative. He was called on the qualifications he included in one of his last or recently amended rezoning applications. That is, it became clear that a project which was being sold to the public at least in part on the basis of its affordable housing was only in the application *qualifiedly*. Last December the rezoning application held out the addition of some 250 affordable units of housing. However, it came with a very big asterisk. The asterisked caveat read as follows:

**Affordable housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a nonprofit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning*

What did this mean in practice? It meant according to Mariash's own application that there was no definitive obligation for him to provide the affordable housing *unless* another developer stepped up with design and development, approvals were given, the developer had to be a non-profit, who was also either an operator or along with a separate operator who was willing to take it forward.

The question to be asked is whether we were ever going to see this absent a spotlight being shone on it? This very point was made by me in a submission to City Council near the time when I wrote:

You see this was a very big 'if'. Given the importance of this the proponent should come to the table with a developer cum operator in hand, not simply hold out that it will come down the road. In fact, why should such developer come as envisaged? From a commercial point of view this may be one of the most unattractive aspects of the development and hence the most difficult to interest third parties to take over and assume responsibility therefor. If the City drove this project as a Public Private Partnership details of such a developer/operator would all but be mandated. In short, there is simply no way that this big an out should be given to the proponent with regard to this application. Further, while described here as a very big 'if'; strictly speaking, this is a 'subject clause'. Subject clauses are used when an exception is set out. Hence the

*rezoning application states what will be done including the construction of affordable housing but it is **subject to** this exception; e.g. only if there is a qualified willing third party or third parties who take it up and approval is given for it.*

It should be noted that no such exception is set out with regard to the other parts of the application. This is because the proponent must be reasonably confident that those other commercial parts in the rezoning application can be sold, and that those parts will attract the interest of other parties. It is presumably on that basis that the proponent is incurring costs from not only his original application but all subsequent reapplications over a very long period of time. This development is not being undertaken as a charitable endeavour for the City of Victoria but as part of a deliberate and carefully honed commercial plan. Sometimes confidence in such plans though can be misplaced as it appears to have been with the sale of part of phase I of Bayview Place to Elements for the Aquara seniors complex and which now appears to be abandoned...

In sum, look at what's really going on here. Donating land and creating the *opportunity* for another developer to add some 'affordable housing', when more than 90% of the rest of the housing proposed for the site – some 2000 units – will be sold at market commercial rates should be seen for what it is. The Bayview project is simply too big for the site, and too much to take.

21. 10 September 2022

The Last City Council Did Not Consider the Application Despite Haste of the Applicant

I take this as good news as Ken Mariash appears to have been pushing to bring it before them. There has been a flurry of submissions by those working for Mr Mariash and Focus Equities on the application and he tried to generate some support for it in a Memorandum that was sent to residents of Promontory in Bayview I. Printed on Bayview Place letterhead, dated July 26, 2022, and signed by Ken and Patricia Mariash, the Memorandum promoted attendance at what was billed as a Community Meeting at the Bayview Presentation Centre on August 4th this way:

“We will discuss and inform you regarding our current application that has been slowed down for presentation to the Committee of the Whole (COTW) in September with a poor chance to get to a public hearing with the current council before the election ***unless the community stresses the need to make the project a more urgent priority over other urgent priorities***”. [emphasis added]

The Memorandum adds:

“We also strongly encourage all community members to write letters of support to planners and councillors as soon as possible **to expedite and approve the project before the election**”. [emphasis added]

It is unclear if the same Memorandum was also sent to residents in Encore and Bayview in Bayview Place. This all seems a little desperate to me. *Could it be that a new Mayor and City Council might feel less beholden to Mr and Mrs Mariash and Focus Equities given changing public sentiment, other priorities, or even because they would be less invested in it than the current Mayor and City Council? Quite possibly.*

The Memorandum has also sparked some very strong opposition to the application and the manner of its publicity by at least one resident of Promontory who returned from being away and found the Memorandum taped to the door of the unit.

Perhaps if more residents felt the same way and expressed their concerns to the current or incoming Mayor and City Council the Bayview Place application might get the critical consideration that a project of this magnitude should entail, and yet which has so far been wholly absent in the press.

22. 11 September 2022

Public Opposition – Is There Public Housing or Just the Prospect of It?

Some of the public opposition to the application to rezone may be having an effect. Hence, in the recently filed Rezoning Submission Summary dated June 9, 2022, and listed on the Development Tracker website June 15, 2022, the applicant states that building heights have been lowered, shadows significantly reduced, the number of dwellings reduced and affordable housing added. As such building height is capped at (just) below 30 floors (which in turn will reduce the shadowing by that much), and the number of dwellings goes down from 2,186 to 1,900. This is progress but on the most miniscule scale. The Floor Space Ratio (FSR) also drops from 5.25 to 4.75 though which is noted still exceeds by almost double the current bylaw/guideline.

The revised rezoning application also indicates that affordable housing has been *added*. To describe it as 'added' in the resubmission is odd though because it seems it was always supposed to be there.

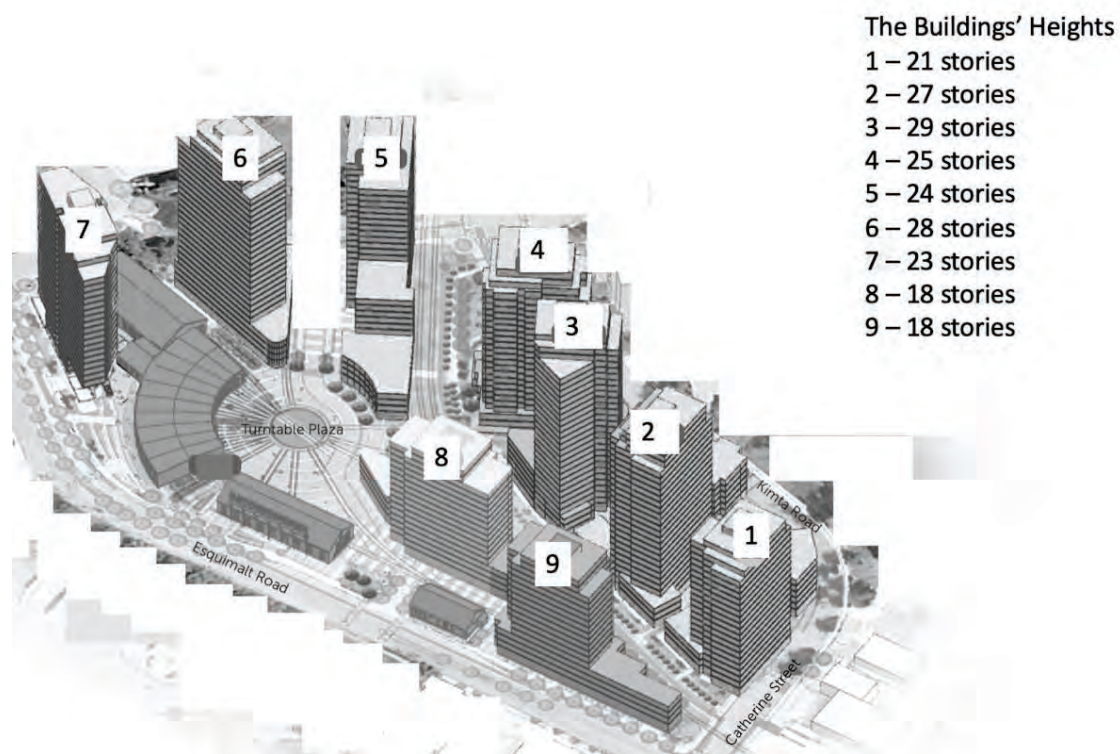
The dilemma for the applicant though notwithstanding how often it seemed to come up was that the plans that had been submitted beforehand showed 0 square feet for affordable housing. This could be taken to mean 'not sought'. It may be that the City noticed and the applicant responded – as it should have... by *adding* it. It is unclear. Here is the point though: given how heavily affordable housing was promoted in the applicant's publicity materials etc before this addition was announced arguably it had to be done. Nevertheless, and while a net positive, it seems it is still not guaranteed to be built.

This is because The Memorandum of Understanding (MOU) entered into between Bayview Place LP and the Greater Victoria Housing Society dated Feb 2, 2022 states at the top: "*This document is not binding and does not create enforceable legal rights or obligations and is only intended by the parties to create a common understanding of their mutual goals.*" Now that is what I call a caveat. If the City Council approves the rezoning application without properly weighing this it is City Council's problem. It should form part of judging the application as a whole.

Lastly, if affordable housing can be *added* so too should the Cultural Centre be *added* as it too has been held out and heavily promoted by the applicant for years without any square footage reserved for it in the revised plans. That suggests to me it is not coming.

23. 19 September 2022

Here is How Bayview Place will Really Look and the Site at Present From Google Earth



The Buildings' Heights

- 1 – 21 stories
- 2 – 27 stories
- 3 – 29 stories
- 4 – 25 stories
- 5 – 24 stories
- 6 – 28 stories
- 7 – 23 stories
- 8 – 18 stories
- 9 – 18 stories

Bayview Place from Google Earth

Below is a satellite photo of Bayview Place phase 1 complete and the site for phase 2 proposed. Look carefully at the three towers in phase 1 and you can see how they occupy the area and are tempered by the Songhees Hillside Park and unnamed green space fronting on Esquimalt Road.

Now, by comparison, look at the phase 2 site and ask how nine towers (3 x phase 1) most at substantially greater heights than in phase 1 (and some with podiums) can reasonably be built there. Given that the applicant must preserve six historic buildings, and has agreed to maintain rail right of way, it would appear that the land available is going to be very very tightly constrained.

To take one example of this constraint and how it would impact the project look carefully at the triangle space behind the Roundhouse fronting on Esquimalt Road and beside Sitkum Road. Then, try and envisage how a 23-storey tower can reasonably be built there?



23 storeys here? Really?

24. 19 September 2022

9 Bayview Place Towers – at last we see what Bayview will look like – AFTER THE CONSULTATIONS HAVE ALL BUT FINISHED

We now know what ‘Bayview Place’ and the current application for rezoning and amending the Official Community Plan will look like once fully ‘developed’; that is:*

- 9 highrise towers
- 1 thru 9 below
- 21, 27, 29, 25, 24, 28, 23, 18 and 18 stories
- Totaling 213 stories
- Significantly exceeding current height and Floor Space Ratio limits
- Some with podiums which add a greater footprint
- Covering the rock outcrop at the corner of Catherine Street and Esquimalt Road and
- Dramatically overshadowing the heritage buildings

To date there have been very few (if any) drawings showing the entire site once redeveloped and rather illustrate parts of it rarely to full height from different perspectives. In fact, this drawing shows the scaled back plans as the application originally envisaged some slightly taller towers.

Here is the \$64 question: is this *really* what should be approved for this site?

Wasn’t it supposed to be about the Roundhouse and related properties given the original approval and MDA?

After all no one is stopping Mr Mariash and Focus Equities from refurbishing the Roundhouse and related properties as originally promised right now.

Maybe he should start there.

* based on an original drawing that is part of the applicant’s Roundhouse at Bayview Place Conservation Strategy publicly submitted to the city on September 14, 2022 and available on the Development Tracker website and set out in 23 above

25. 22 September 2022

Here is How the Project Grew Beyond All Bounds Between 2008 and 2022

The application has been all over the map. It seems more to represent a negotiation than a planning application. This can be seen by the wild fluctuations set out below and which portray how it has changed from the original 2008 zoning until today. *

2008 Zoning

- 2.0 Floor Space Ratio
- 80,000 sq feet
- Max 25 floors

Jan 2020 Rezoning Application

- 5.95 Floor Space Ratio
- 2.3 million sq feet

May 2021 Rezoning Submission

- 4.73 Floor Space Ratio
- 1.9 million sq feet
- Up to 30 floors

Dec 2021 Revised Rezoning Submission

- 5.25 Floor Space Ratio
- 2.1 million sq feet
- Up to 32 floors

June 2022 Rezoning Submission

- 4.75 Floor Space Ratio. But this comes with this note:
 - “4.75 FSR is the proposed zoning limitation / All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.
 - Page iii disclaimer: “A Floor Space Ratio of 4.75 is the proposed density for the overall rezoning of the site. As with other contemporary CCD-zoned sites, the zoning is intended to allow for some flexibility in distribution of density between development cells located across the site (conditions to be outlined in the MDA and to be confirmed at Development Permit stage). The density allocations identified in this rezoning application for each development area are based on the concept massing and layout as prepared in support of this application, and are subject to change at time of each Development Permit Subdivision. Please note that this application does not exceed a density of 4.8 FSR indicated to CALUC in August 2021.” - It may be pointed out that the earlier application was based on separate north and south land use zones but which were consolidated for the final submission into one zone now providing for 10 development areas.
 - 1.9 million sq feet
 - Max 29 floors

It is also noteworthy among the reasons given for the changes from the 2008 application to current rezoning application is that the initial zoning was based on very different site development parameters and environmental constraints. Here is the question this raises though and that is at whose risk were they in the first place? *From September 2022 submission of the applicant

26. 4 November 2022

Jonathan Tinney Replaces Patrick Cotter as New Application Contact

The Bayview project now has a new application contact. After helming the project on behalf of Focus Equities and Mariash, Patrick Cotter is now out. Cotter, who is a well-known Vancouver architect and planner, combined his architectural firm Cotter Associates with ZGF in 2014. ZGF is an American architectural firm which expanded into Canada through its partnership with Cotter. Cotter has been instrumental in the Bayview project for the last several years and perhaps longer and really has been the public face of the project second only to Ken Mariash. His name having been the sole contact on the City's Development Tracker website underscores his central role. It is unclear if Cotter has also left ZGF. On a call to ZGF today there was no comment from the firm whether he was still working there. Neither could Cotter be reached directly for comment either. This is a major development and should be inquired into inasmuch as submissions have come from Cotter and ZGF on behalf of Mariash and Focus Equities and it's reasonable to know if this change is material to the project and its appraisal.

Quite apart from the uncertainties Cotter's departure raises there is another question and that is the background of his replacement. Cotter is being replaced by Jonathan Tinney. Tinney is a principal at SvN, a firm of architects and planners and is based in Toronto. He has been with SvN for less than two years and immediately before that was a principal at Stantec Consulting. (As an aside Mariash has had a very long history with Stantec in Alberta.) Prior to Stantec, Tinney was the Chief Planner for the City of Victoria for a period of almost four years. There he worked on a range of projects including four Neighbourhood Plans (Fairfield, Vic West, Gonzales, and Burnside Gorge). I can only wonder whether that is the reason Mariash has turned to him and SvN?

Tinney is well outside any cooling-off period (notional or otherwise) that might be relevant when a person returns to deal with a former employer. So that is fine, though I cannot help but wonder whether I am missing something here. Whatever might be the actual reasons for Cotter's departure from Bayview at least, at a critical juncture for Mariash, and Tinney's hiring:- I would not think that it will be easy for Tinney to now take a position that flies in the face of his Neighbourhood Plans. The fact is that those Neighbourhood Plans, and Vic West in particular, have never contemplated an application with the densities and heights that Bayview is now seeking. It should be recalled that Mr Tinney had some contact with the application in the past. If you visit page 33 dated Feb 6th you will see this quote:

“On November 30, 2017, a Development Permit Application was submitted to the City [by the developer/Focus Equities] proposing a 26-storey, mixed-use building at 210 Kimta Road which is located within Development Area 3 of the CD-12 Zone, Roundhouse District; however, the applicant did not make the necessary cash-in-lieu payment prior to their submission and, therefore, they are currently in breach of the MDA and the application has been placed on hold until the monies are received.”

This quotation is from Jonathan Tinney, then described as the Director of Sustainable Planning and Community Development for the City to its Committee of the Whole for a meeting dated May 3, 2018. I would say this is not an auspicious start.

27. 17 February 2023

Back to the Future

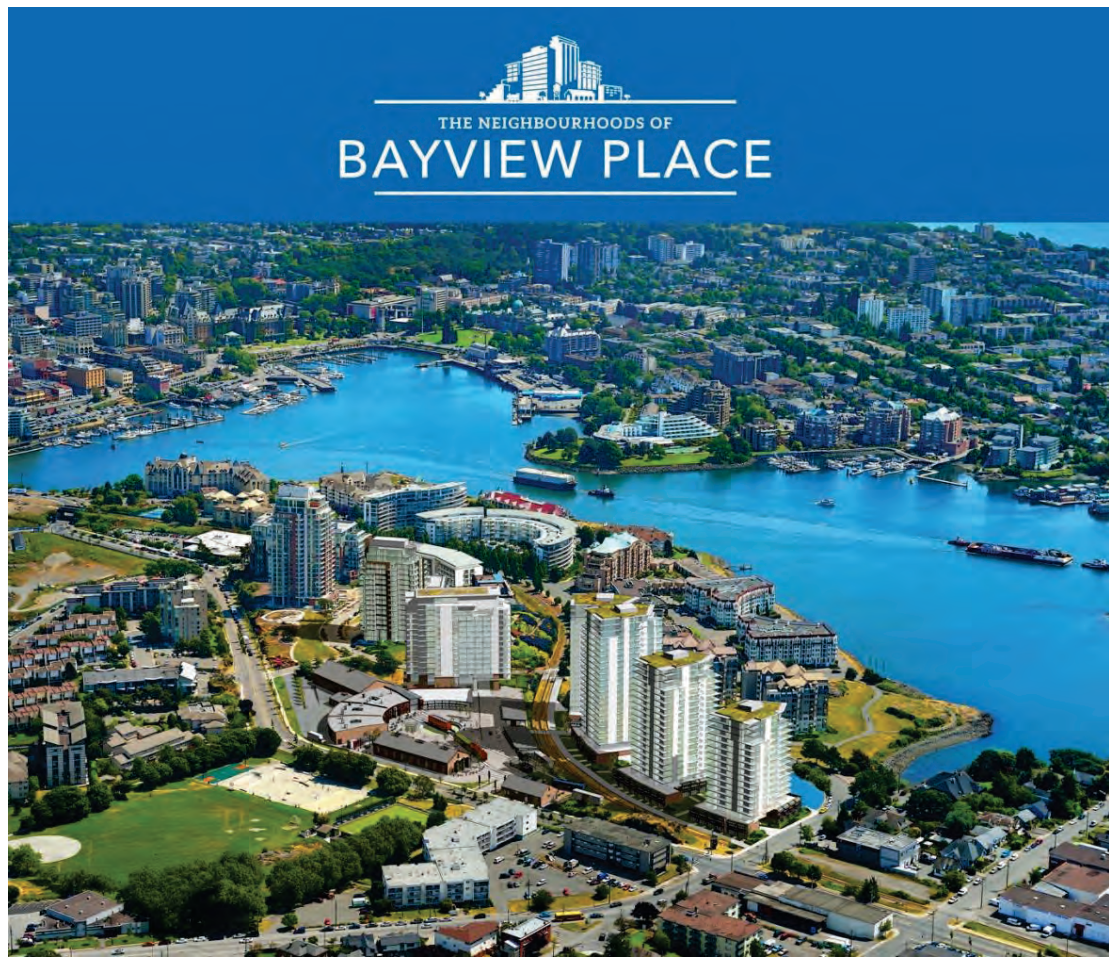
It was June 11, 2015 that the last significant approvals were given to Bayview 2 by City Council. What a difference a few years and rising property values makes. As we come up on the 8th anniversary of that approval let's remind ourselves what Bayview 2 was going to look like when complete. Here are some images below from that time all published by Yahoo Finance. How different it is all supposed to be.

The City approval at the time, and the significant planning concessions it entailed, was given principally in exchange for preservation and redevelopment of the Roundhouse properties. However, rather than fulfill that agreement according to its terms Focus Equities has returned and asked for a near doubling in size and scale of the project.

Again, these images depict what the project would look like upon completion without the City approving the current application. And what is wrong with that? Nothing. In contrast, ask yourself how what appears to be 4/5 more huge towers could reasonably be put on that site:- let alone without all but overshadowing and overawing the Roundhouse Properties? There appears to be no room!

You see, and quite apart from many other applications the City has before it currently, this one is easy. It is easy because the City gave approval already. There is really nothing more the City need concern itself with and it can do so with a clear conscience. Nothing currently prevents, and everything in fact commends, the City saying to Focus Equities, "we gave you a pretty good deal here, so please just respect that. There's still money to be made even if you just subdivide and sell". And I really think that is the case. The City needs to ask itself how much incentive does it really need to give Focus Equities for what now seems to almost be an afterthought:- preserving and renovating the Roundhouse properties.

If the City were met with "fine, we will just walk away," from Focus Equities, so be it. I understand and anticipate that others could pick up where it was left off. That is how the City needs to go into its Committee of the Whole meeting, resolute. In my view, it is better to lose a year or two now than build the wrong project or part of the wrong project there or that the development simply comes apart under its own weight as eg. Acquara has. The City is in fact in a strong position, and it should understand that.



28. 28 February 2023

More Answers are Needed

You may be aware that Focus Equities has new promotional material out in support of Bayview on their website.

In their material they ask and answer these two questions:

Why do we need an amendment to the application? and

Why not build what was approved in 2008?

Here is their answer:

“The 2008 zoning included extremely rigid design guidelines and restrictions that, combined with a ‘conceptual masterplan’ that was also treated very rigidly, made it impossible to achieve a viable development permit to proceed with the development. An unusual ‘stepped’ approach to the built form was mandated that was very difficult to construct and excessively expensive, and also had the disadvantage of being highly energy inefficient. Despite the important principle that guidelines and conceptual plans should be flexible to changing conditions (for example, the chaos and stress of the 2008 global recession), or more viable and buildable ideas, no flexibility in built form, phasing etc was permitted in the 2008 approvals.

Despite these obstacles, Mariash/Focus made best efforts to proceed with community-building, but many reputable design firms over years could not resolve the problems to get a viable development permit, leading us to conclude that the site was unbuildable under the current approvals.

The proposed new zoning would resolve the barriers in the design guidelines and restrictions, the masterplan problems, and the issues with the master development agreement on phasing and sequence of work. In short, the proposed revised zoning would allow community-building to proceed.

In addition, after years of careful listening to city leaders and the community, the revised zoning would also add much-needed rental and affordable housing, with additional ownership housing density to improve community planning, support successful on-site retailing/services, and help offset the financial burdens that come with the affordable housing and other challenges. We’ve accepted the challenge we’ve heard to be more ambitious in helping the City meet its many goals, particularly around more diverse housing and better affordability. We’ve also considered our new proposal carefully in light of the City’s important declaration of a Climate Emergency.”

This answer has prompted me to ask some questions of my own all of which come from their answer. Most are for the proponent though some are for the City. Here they are:

1. Does the 2008 zoning include extremely rigid design guidelines? If so, what are they?

2. Does the 2008 zoning include extremely rigid restrictions? If so, what are they?
3. Has the 'conceptual masterplan' been treated very rigidly? If so, what does that mean? Please provide examples.
4. Does the 2008 zoning make it impossible to achieve a viable development permit to proceed with the development?
5. How many applications have been made by the proponent for a development permit?
6. How many of these applications have been turned down by the City?
7. Did the City mandate a 'stepped' approach to the built form?
8. If so, did the City rely upon any cost indicators?
9. If so, did the City have comparables for the stepped versus other approaches to the built form?
10. What makes a stepped approach to the built form highly energy inefficient?
11. What is the authority for the principle that zoning should be flexible to changing conditions?
12. How is the 2008 global recession impacting this project today?
13. What phasing was anticipated with the original approval?
14. If so, can the phasing be viewed as an impediment to construction?
15. Is the City aware that this site with the current zoning is 'unbuildable' according to the proponent?
16. If so, does the City agree?
17. To the extent that any of these matters constitute barriers to the development does the City accept that amending the zoning bylaws and Community Plan will resolve them all?
18. Is the addition of rental and affordable housing through the BC Housing Society (albeit conditionally) a necessary or sufficient condition for approval?
19. How will 'additional ownership housing density to [sic] improve community planning'?
20. How much housing will really be provided when the plans indicate that 3 of the 9 buildings proposed may be hotels?
21. Did the City challenge the proponent to be more 'ambitious'?
22. If so, in what way?
23. Other than the one possible building which could be built through the BC Housing Society what is it about this project that offers 'more diverse housing and better affordability'?
24. What measures in this project specifically go to meeting the City of Victoria's March 2019 declaration of a climate emergency?

Once again these are the kind of tough questions that need to be answered satisfactorily in weighing and before approving the request to rezone. Time is short but I would call for the City to ask Focus Equities to answer theirs in the public interest and so that an informed decision can be made. Answers to these questions go straight to the heart of this matter, the long wait while no steps were undertaken, and whether approval is justified today.

29. 18 March 2023

‘The Vision Continues for Vic West’

This is the heading for new marketing materials being used for Bayview Place.

The materials open with one drawing of the Master Plan (MP) and if you click at the bottom of this post you can see it.

But it is only an overhead view. I cannot be sure but it strikes me this is because a view across the MP or from a street view would portray something very different and something that may not be as marketable given the greater heights and densities they would reveal.

The MP has a legend which lists various parts thereof but its main feature and presumably main purpose is to draw viewers into the project by highlighting a series of hotspots. These hotspots take you to more detailed drawings showing components of the MP.

There are 13 hot spots shown on the MP with their white crosses in red bubbles. I would imagine some thought went into choosing their locations on the MP to highlight what might be the most appealing aspects of it. If the designer wished to show every aspect of the Plan then there could have been hotspots for each building and the other features. This was not done though and there are important features which are not highlighted and go unmarked: for instance, buildings B1, DA5 and DA4.

There is another more important aspect to this MP though and that is it really does not convey what could be coming.

To illustrate this I have opened all of the links and done a comparison of the buildings , their described heights, their podium heights when relevant, and their heights as shown on the drawings. This comparison reveals significant discrepancies as you will see from the table at the end of this post.

In fairness it has to be noted, and from the developer’s point of view, they can of course portray their development howsoever they wish and certainly in the most favourable light to them. One would expect this. However, the question that the portrayal raises is whether it fairly portrays the project to the public. In my view I do not think that it does because it gives us no sense of the entire development (again). That said, do not take my word for it and rather look at the MP yourself, open the links, do your own comparison and then you decide how it is portrayed. And, if you agree with me, write the City Council and tell them to ask the developer for more drawings to be prepared and disclosed which show the actual built out Master Plan to scale. Then have City Council ask the developer to give those drawings the same prominence that the current marketing materials have been given.

Notes to the Table

B1 - heights taken from drawing showing B2

B3 - there are two drawings or hotspots for this

B4 - the hotspot near B4 also seems to show the building overlaps the Roundhouse in part

DA5 - is not shown and the drawing rather shows another building beside the Roundhouse which is actually B5. The DA5 hotspot shows that this building has a 5-story podium and 14 storeys above it rather than the 28 stories the MP has.

DA4 - is unclear as to whether the hotspot shows this building. It appears to show three buildings B5, B4 and DA2.

Note - there are some other hotspots on the promotional materials which are not associated with buildings and they have been left.

*Every effort has been made to count the heights and storeys in each drawing linked to a hotspot though in some cases this is difficult given the scale and artistic feature.

<https://bayviewplace.com>

30. 26 March 2023

Frequently Asked (though not yet suitably answered) Questions

I want to return to the FAQs on the new marketing materials for Bayview Place. I have already posted the questions I submit must be answered before approval goes ahead. At present those questions remain unanswered in writing notwithstanding the offer to discuss them by the applicant's contact Mr Jonathan Tinney.

Let me take up three of the other FAQs now.

I will begin with the second FAQ which is 'Why additional density'. Here is the answer (answers set out in italics) that is given:

What we have learned since the existing 2008 approvals is that the density anticipated was too low for either viability or good community planning. The amended zoning would allow for more housing density to pay for affordable housing, rental housing, improved amenities, and more. It would also provide badly needed population support for the downtown (which is facing new post-pandemic challenges), and necessary support for the proposed on-site retailing, restaurants and services intended to make the local community more vibrant and livable. It would make better use of a unique, important and strategic site for the city.

And here is my critique of this: nothing, I repeat, nothing, could be less convincing as to 'why additional density' is needed than this paragraph. The case fails from the outset with 'viability' being a risk borne by the developer. It also seems cynical to now claim the 2008 approval was not 'good community planning'. I wonder how the approving Mayor and members of Council at the time would feel if asked today about this and whether it was good community planning?. It should be underscored that it was the developer's application originally and it was the developer who signed a Master Development Agreement with the City which presumably should have assumed viability and good community planning. The thin justification which follows above cannot overcome this in my view. Focusing upon some key terms:

necessary - necessary for whom?

view corridors – but was it not held out that the prior plans would 'Maintain Views Through the Site'?

The amended zoning...would also provide badly needed population support – whatever that is *facing new post pandemic challenges* – here we go with the pandemic again

necessary support for the proposed on-site retailing – sure, what retailer doesn't deserve 9 immediate and surrounding high-rise towers of would-be potential captive customers before they should have to commit to leasing

intended to make the local community more vibrant and livable – of course, the last place I lived had only three high-rise towers and I found it listless, dull and in the end unlivable

The third FAQ is ‘Why taller, thinner buildings?’ Here is the answer (in italics) in part:

Achieving the necessary density through taller and thinner buildings supports the creation of view corridors between buildings, more sun and light access to buildings/apartments, more usable and engaging at-grade open space and people-places for the community, and a much-less imposing building mass.

Practically speaking, the Roundhouse site has relatively little land for building sites because of the Roundhouse and plaza coverage, the Lime Bay and ICF land use, and the no-build soft fill reclaimed land areas on the front of the site that are not able to provide foundation stability.

Well then let me suggest the developer look for a site with relatively a lot of land for building sites and for that matter with ‘yes-build hard fill’ for foundation stability

The limited building site coverage proposed from small footprints would leave approximately 35% of the site open compared to 80 to 90% for the city grids downtown that, if mimicked on this site, would create twice the number of buildings all pushed up to the sidewalks with very little setbacks.

35% of the site open compared to 80 to 90% for the city grids downtown – so what. Perhaps the developer has not noticed but this is Vic West not downtown. And I would add there are miniscule setbacks in any case

It’s also important to note that with taller towers, the higher units usually sell or rent for more, allowing for project viability with less overall density, and for the lower floor units to sell for less or even close to “cost,” improving affordability.

Close but no cigar – rather when a developer is selling a building in the pre-construction phase, he will have a base price for a particular unit and then charge a floor premium as he goes higher in the building so this is already baked in

Ken Mariash has given further careful consideration of the interrelated issues of project viability, density and height, and is currently revising his proposal from the previous submission in December 2021. The revision reduces the density by a total of 200,000 sf and the building heights by a total of 30 floors...

Good now keep going all the way down to what he agreed originally

The eighth FAQ is ‘Who are Ken & Patty Mariash, and what is their mission and project experience?’ Here is the answer:

Ken Mariash started many of his first projects and companies around North America over 50 years ago while completing various degrees in math, science, arts, architecture, and commerce, as well as an MBA. He has extensive experience in design, construction, marketing, and project finance.

Patricia Mariash, as a graduate interior designer, started her own 40 to 50-person commercial design firm in Los Angeles in the early 1980's that did a large percentage of the Los Angeles commercial market including markets outside Los Angeles. She then subsequently joined Ken in the development business.

After doing dozens of one and two building projects in many cities across Canada and the United States, the Focus and Mariash group began concentrating on large master planned projects in all asset classes. This included projects like Aurum Energy Park in Edmonton, Deerfoot Meadows in Calgary, and a four-tower project on the Skytrain in New Westminster. They have completed many additional individual building projects in Denver, Dallas, Houston, Phoenix, Seattle, Los Angeles, Calgary, Edmonton, Regina, Saskatoon, and a family farm in Tisdale, Saskatchewan.

Many of their projects have involved challenging contamination, market, phasing, political, infrastructure, zoning, and access problems. It is common for them to take on projects that have been previously attempted unsuccessfully by other developers.

Questions have been asked about project experience in the past in this Discussion Group all of which were based upon either marketing materials of Focus Equities, interviews with or stories about Ken and Patricia Mariash or stories which were published (and cited again above in this Discussion Group) and at present to my knowledge have not been corrected or retracted. Let's see if any progress is being made by comparing the original due diligence request to what is being provided now.

1. Who regards Focus Equities as 'one of North America's most visionary developers? *Not answered*
2. Where are the 10,000 residential condominium units that were sold in North America and in what capacity were they sold and then state of completion. *Not answered*
3. Please advise of where Mr Mariash's degrees were obtained and in what year? That is his baccalaureate degrees in: 1. mathematics, 2. science, 3. business, 4. accounting and 5. architecture, plus his graduate degree in business 6. MBA. *Still references 6 degrees but again without particulars*
4. Please provide a list of the thousands of prestigious corporate headquarters; that Patricia Mariash has successfully completed as a commercial interior designer. *Now referenced as 'a large percentage of the Los Angeles commercial market including markets outside Los Angeles' though otherwise not answered*
5. Please provide a list of the hundreds and hundreds of one-off downtown towers in 20 or 30 cities around the world Mr Mariash/Focus Equities have done. *Now down to 'dozens of one and two building projects in many cities across Canada and the United States...' though otherwise unanswered*

In conclusion, while some of the FAQs in the new marketing materials for Bayview purport to answer some questions overall they seem lacking in persuasiveness and substance in my view. Thus, it is submitted, that what the City needs to do is read the FAQs closely and if it still has questions notwithstanding that it then behooves the City to seek fuller answers before approving the application.

31. 6 May 2023

Disappointing City Council COTW Meeting

The acting Mayor (for the most part Stephen Hammond) and City Council met on Thursday morning to consider the Bayview application to rezone, and it did not go well for its opponents. In short, five of the City Councillors failed to adequately question the City Council staff on their report regarding the application. Those Councillors who let us down in their stewardship roles were Susan Kim, Krista Loughton, Chris Coleman, and Dave Thompson.

On the other hand, Marg Gardiner and Stephen Hammond (who was acting Mayor for most of the meeting) came with pointed questions and Jeremy Caradonna's questions were excellent. Unfortunately, though, Jeremy took away from his effective questioning by proposing an amendment at the end of this agenda item which actually increased the Floor Space Ratio (FSR) which governs density for the site.

The City Council staff appeared to be leaning toward 4.0 FSR overall but Jeremy put forward an amendment to a proposal which essentially took it up to 4.4 (roughly). Now, it should be noted, while he did not state a reason for this it could be as simple as striking a mid-point between the 4.0 and 4.75 which the applicant is seeking and that some Councillors seemed to support. Unbelievably, Matt Dell was pressing for even greater heights in relation to this density!

Based on some disclosures I have had supposedly the applicant is not willing to take the project ahead at 4.0 While that does not bother me it would nevertheless be seen as a loss by some others. In any case a FSR of 4.0 and Council approval is not written in stone but rather what will be put forward in an upcoming public consultation which should take place in the next 90 days before the results of the consultation and the final staff recommendations are delivered to the Mayor and Council for their further deliberation.

Therefore, if you live within 200 metres of the subject property you should be sent details of the consultation and if you feel strongly about it should plan on attending and communicating your views.

In my view, essentially what took place at the COTW, is that the City Councillors were seduced by the prospect of public housing (recall a site is being 'donated'), and some dedicated rental units. These are of course only two of the nine towers which are being proposed. Again, these two towers appeared to be the prime consideration which outweighed the negatives on the project including heights and densities which are far in excess of existing zoning and community plan guidelines. It was hard to watch how uninformed the discussion appeared to be at times. That said you do not need to take my word for it as you may watch the full two hours plus here (which should appear in the right-hand corner of the agenda from the meeting) and draw your own conclusions.

<https://pub-victoria.escribemeetings.com/Meeting.aspx...>

If and after you have watched it you too feel let down email the Councillors directly and let them know. Their email addresses are on the City Council website here.

<https://www.victoria.ca/.../contact-mayor-council.html>

While hugely disappointing I am not giving up just yet. I will post critiques of two of the reports which were filed by the applicant and relied upon in support of the application: 1. a report from Colliers Strategy and Consulting Group which argues in favour of high densities to support the retail component of the project; and 2. a letter from Coriolis Consulting providing a summary of the Community Amenity Contributions for the rezoning. When I have time, I will then also post to underscore some of the factors which detract from approving the application and which come from the City Council staff report itself, as well as some lowlights from the COTW meeting.

32. 21 May 2023

The Colliers Report

The COTW meeting took place on May 4th. Prior to that meeting Focus Equities provided two Reports from Coriolis, and Colliers to help it make the case that the rezoning should be approved. Let me offer a few comments on what is wrong with this process and what is missing from the Reports. I will begin with the Colliers Report and return to the Coriolis Report another day.

It would appear that at least this report was prepared at the behest of and instructions from Focus Equities. That means there would have been a brief to the consultants, and I suppose it would have gone along these lines: help me make my case in these two respects.

Unsurprisingly, that is exactly what seems to have been done. Now, there is nothing wrong with that from their perspective, but any reader should know Reports will also reflect a client's perspective. For that matter if the client does not agree with a report we will never know, and it will either not have been submitted or another report would have been sought. This is part of the shortcomings of City Council consultations if there is no check on this as there could be in discovery during litigation.

Another problem with these Reports is that it appears the City Council staff took them at face value not making any allowance for them being submitted by the applicant. That is not how I would do it. Here is what I would do if I were the Council in this case and going forward. I would instruct consultants qua Council to give me (the Council) the best advice on these issues and then have the applicants pay for it. The difference here then is that it is the City who is the client and not the developer. Pause on this for a moment and you will appreciate the difference that could make. In litigation BOTH parties routinely submit consultants' (experts') reports and then cross-examine each others' consultants. Typically, the Court accepts this mode though it also has the power to appoint its own consultant (expert). Why? To test the submissions. Sadly, I don't think there has been any real testing here. Let me turn briefly to the first of the two Reports.

Colliers Strategy & Consulting Group

200 Granville Street, 19th Floor Vancouver BC V6C 2R6 Canada Main: + [REDACTED]

Letter Report to Chris Reiter – Project Manager, Focus Equities

From: Gordon Easton – Vice President, Colliers Strategy & Consulting Group and Russell Whitehead – Vice President, Colliers Strategy & Consulting Group

Dated: 25 October 2021

Subject: Bayview Place – Strategic Retail Considerations

The 13-page report itself can be found as Attachment F to the Merged Agenda Package filed for the COTW meeting held on May 04 and on the City Council website.

In my view the Report is a nothingburger. It is intended to have one central purpose; that is, to make the case for higher density and yet in my view it does not do so convincingly. This is because the difference that the extra density would make is almost a rounding error. The

Report – even though purchased – is not emphatic enough and there are some key factors which I would say are missing. Let me develop this.

What Colliers has done is come up with some scenarios that seek to model how much sales revenue a Primary Trade Area (PTA) comprising 75,440 square feet surrounding the Roundhouse could be expected to produce and what rental costs could be expected for the retailers.

In scenario one it can be expected that the PTA would capture sales of between \$19.1 to \$23.9M as at 2021 if operating with the current population.

In comparison under the current City Council approved rezoning the PTA capture potential is \$22.4 to \$27.9M.

Finally if the rezoning were approved by Council the PTA capture potential would be \$25.8 to \$32.2. (p 9)

So what is the rounding error? Well focusing on the range of figures in the two key scenarios (existing and rezoned bylaws) the extra density may make no difference at all because the high figure in the range given for the existing zoning falls in the mid-range for the rezoned site. Hence increasing the zoning may make no difference at all to the retail sales in this development given the ranges that Colliers has put forward. Not helpful I am afraid to the applicant.

Colliers would know this but you have read their report to understand it. They did offer more support though by noting that whatever is done with the retail it is unlikely to break even in any case (given their assumptions) because what the retail component really needs is a PTA sales capture requirement of \$47.5 to \$54.3M. In Colliers view to make this work, over and above the additional density under approved rezoning, the development really needs:

“approximately 4,000 to 5,000 additional residents throughout VicWest to fully support the vision for this retail village.” (p 9).

So maybe all Colliers has really done with this Report is to make the case why this part of the development should focus on the historical rather than the commercial side of it? Nah, actually I don't think so. If it's any good people will come and shop there despite this base case. Colliers even concedes this and thereby contradicts themselves when they write:

“[t]he creation of a true ‘sense of place’ within Roundhouse, driven by the key ingredients of success highlighted in the latter sections of this report, could attract a large amount of regional visitation while serving the daily needs of local residents.” (p 4)

The Colliers Report also spends a lot of time reminding the reader about just how tough this site is and why Focus Equities really needs a leg up including:

- *“While this mix of land uses was deemed appropriate in 2008, the year in which the plans were approved, market conditions in the area have since significantly changed. This has*

resulted in the need for an updated strategy to ensure development proceeds in line with best practices and market trends.” (p 3)

- “challenges relate to the constrained floorplates within the historic buildings, which may make potential retailers more hesitant to pay market rates unless all their other conditions are ideal, such as density of the on-site and surrounding population.” (p 4)

- “the site will be partially challenged from a lack of surface parking, adequate public parking...” (p 5)

- “the physical fabric [of the historic on-site structures] has experienced considerable deterioration over the years...[and] this formerly active railyard has varying degrees of contamination.” (p 5)

Leading to this unsurprising penultimate conclusion of Colliers that:

“[b]ased on these costs, along with the additional challenges noted above, it is likely that significant additional density will be required to attract demand from quality tenants that are also willing to pay the lease rates necessary for a financially feasible development scenario.”

Okay, maybe that’s right but what part of that was not apparent 15 years ago when the zoning for this project was first approved? For me anyway it’s obvious and that is the developer. This is but one snapshot of what Colliers has said but once again there are no surprises here. The costs were always there. The challenges in doing a first class-retail environment (as that is what was preferred by the City Council in its wisdom in the day over an historical development) were always there. Would greater density help? One would think so but even on Colliers’ numbers that is by no means clear.

There are some other comments I wish to make about this Report; in particular Colliers’ retail demand model and used for their calculations seems to be missing several key factors that could impact its accuracy including:

1. Competition - The model does not plainly account for the level of competition in the surrounding area, which could impact the demand for retail space at Bayview. If there are planned retail developments in the area, demand for retail space at Bayview may be lower than anticipated.
2. Demographic Shifts - Their model does not account for potential demographic shifts that could impact demand during a very long construction period. For example, if the population in VicWest shifts towards an older demographic and demand for certain types of retail may decrease.
3. Changes in Consumer Behaviour - Their model does not account for potential changes in consumer behaviour that could impact the demand for the retail space. For example, the rise of e-commerce and online shopping may decrease demand for the types of retail space they are holding out.
4. Economic Downturns - Their model presumably assumes consistent economic growth and does not account for potential economic downturns that could impact consumer spending and demand for retail space.

5. Shifts in Retail Trends - Their model does not account for potential shifts in retail trends that could impact the demand for certain types of retail space. For example, a shift towards more experiential retail offerings that might decrease demand for traditional retail space.

In summary, Colliers retail demand model used in their calculations for potential sales capture in the three different scenarios seems to be lacking some important factors that could impact its accuracy including competition, demographic shifts, changes in consumer behaviour, economic downturns, and shifts in retail trends.

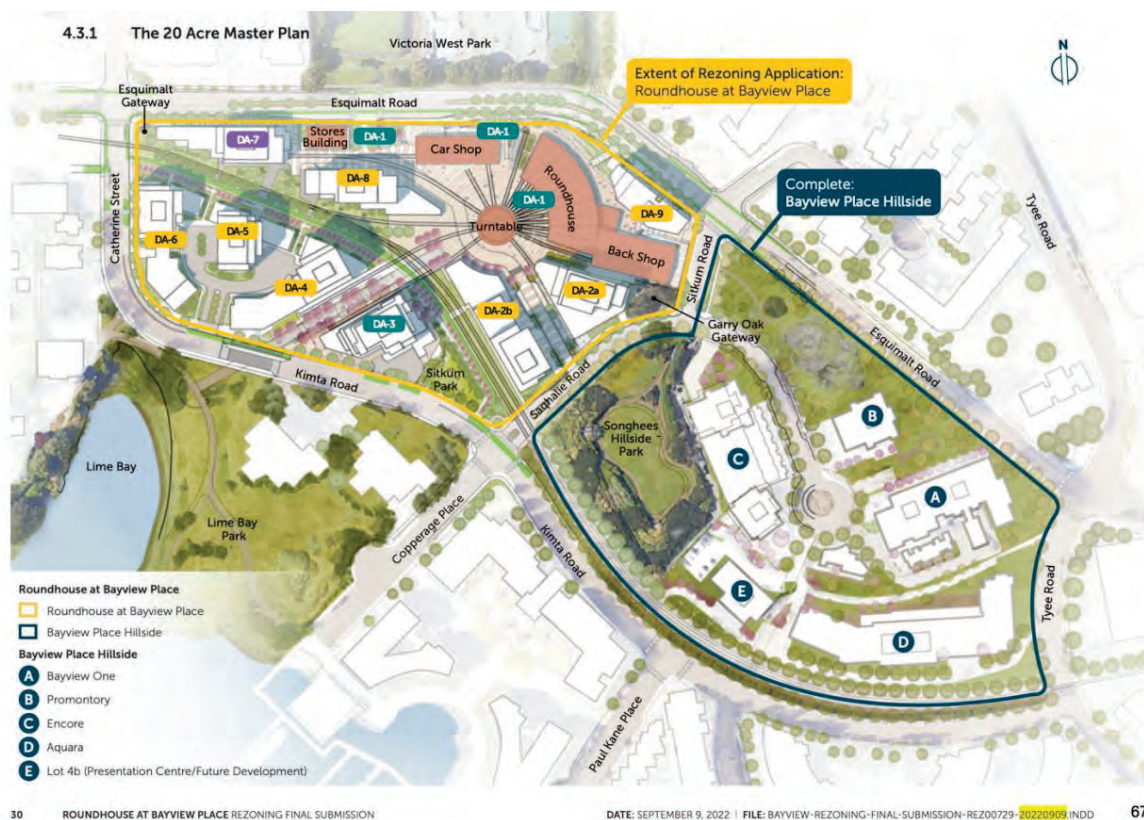
There is another telling aspect to this Report and that is throughout there are key development principles and best practices outlined yet Colliers does not bring home how significant the negative impacts of failing to take them on board by Focus Equities would be on the viability and sustainability of the retail component of the development. For example, not honing in on the location of this development or the target market could result in a mismatch between the retail offerings and the needs of the PTA and potential visitors from the wider surrounding area, leading to low footfall and expenditures. Similarly, not considering *in more detail* the importance of anchor tenants or tenant adjacencies in particular those in West Side Village could result in a lack of critical mass and cross-shopping opportunities, further diminishing the viability of the development.

The Colliers Report offers very little in support of higher density for this development.

33. 10 June 2023

Diagrammatic or Dramatic

There is a diagram from the City's meeting of the Committee of the Whole on May 4th. It appears on page 30 of the file Bayview Rezoning Final Submission REZ000729 – 20220909 INDD and also as Attachment B to the City's List of Attachments in the letter filed by Mike Angrove Senior Planner – Development Agreements Development Services Division, and Karen Hoese, Director - Sustainable Planning and Community Development Department. It will be familiar to anyone of this file - the whole Bayview site split into two halves with the current buildings on Phase 1 and the current and proposed buildings on Phase 2 if the rezoning is approved.



Consider this about that diagram...

The complete Bayview Place site is some 20 acres comprising Bayview Place Phase 1 and the Roundhouse at Bayview Place Phase 2. (This is the naming used by the applicant at p 22 final submission). Phase 2 is 9.18 acres suggesting some 10.82 acres in Phase 1. Thus the Phase 1 site is some 15% larger than the Phase 2 site.

And yet the City appears ready to approve 9 new buildings on the Phase 2 site when the Phase 1 site has only 3 buildings on it. Recall under the current zoning that it is supposed to be 3 on Phase I and 5 on Phase 2 (not 9). That is not all though.

Taking the Phase 2 site one must also then subtract the area that six heritage buildings take up and the area the current rail line takes up (realigned or not). Even without knowing the exact area this entails it is substantial. Reviewing the diagram it would appear that almost 1/3 of the Phase 2 site is given over to these subtractions.

So, if you look at the diagram it looks odd, very odd. If you look at the scale of the buildings in Phase 1 two of the three take up considerable area on the site. In contrast if you look at the ostensible area that the 9 buildings take up on Phase 2 upon close examination they appear miniscule in comparison. Ask yourself why? Perhaps it is to represent the least possibly appearing density in the diagram. I have called out some of the applicant's drawings and diagrams in the past for not showing exact scale portrayals of what is coming and I am doing the same here. I am not in a position to attempt to show these 9 buildings to scale on the area available to each on Phase 2 of the site with the subtractions I have noted; however, somebody sure ought to show this to both the public and City Council before the City approves this application. If the City does not get a real sense of the scale that we are talking about now I would submit that the public and the City are in for not only a big surprise but a VERY BIG surprise when this project is completed. The City should demand scale portrayals of Phase 1 and 2.

34. 11 June 2023

Coriolis

Under the City of Victoria's Inclusionary Housing and Community Amenity Policy residential rezonings are required to provide amenity contributions or affordable housing. The Bayview Place application is unsurprisingly considered an atypical rezoning, therefore an economic analysis was required to determine if the rezoning creates an increase in land value that can be used to support amenity contributions and/or inclusionary affordable rental units. Coriolis Consulting Corp. was commissioned to complete the economic analysis in this regard and reported by letter to the Mayor and City Council for the COTW meeting on May 4.

Here is what is missing in that analysis.

The Coriolis letter was almost all financial analysis. What it should have also included was an assessment of the potential social and environmental impacts of the proposed rezoning. This could have included more on the potential impact on traffic, access to public transportation, affordability of housing, and changes to the character of the Vic West neighbourhood. While much of this has been done elsewhere it certainly still bears upon this analysis indirectly. In my view the analysis should have also included an evaluation of the potential benefits and drawbacks of the proposed rezoning for the surrounding community, including the potential impact on existing businesses, residents, and community organizations. This analysis could have also been provided in the Colliers Consulting letter on file with the City but was not. (The focus was on the Roundhouse and its commercial viability in the Colliers Consulting letter.) The Coriolis analysis should have also included a discussion of alternative approaches to achieving the desired outcomes of the proposed rezoning, and an evaluation of the costs and benefits of *those* alternatives.

It could also have been improved by including a detailed breakdown of the costs and revenues associated with the proposed rezoning, including a more detailed assessment of the costs of individual components of the project which we have not been given; for example, remediation and servicing. We have not been given the real costs here, what they were under the original proposals to transport the contaminated soil offsite to facilities now closed, what those costs would be transporting contaminated soil to the United States, or what the split is between the quantity of contaminated soil that will be 'dug and buried' somewhere on site versus what is supposed to be transported elsewhere. How will anyone know about this, what was held out and what was delivered if it is not explicit in advance? Does anyone believe the City will stay on top of this? And if the City approves this rezoning will the City then be allowed to demur and say those are provincial matters and not for us? Similarly, while the revenue estimates were described as being based on parcel sales, there is no indication of how these sales were projected or what assumptions were made about market demand. For that matter what are the assumptions used to estimate the target profit margin and the discount rate used to calculate the present value of the land residual? Why was this not included?

Another point can be made and goes straight to the motives for development; that is, while a profit margin of 15% was deducted from the total costs, there is no indication of how this margin was determined or whether it is appropriate for the specific project? Similarly, while a

present value calculation was used to estimate the upfront land value supported by the project, there is no indication of what discount rate was used in this calculation or how this rate was determined? Could that not be provided?

In the end the value and importance of basing the City's decision on this analysis even in part depends more on the context and purpose of the decision. If the City's decision were related solely to the financial feasibility of the proposed rezoning, then the analysis may be helpful. However, as the City's decision is related to much broader social, economic and environmental impacts associated with the proposed rezoning, then this analysis does not provide enough information to make it fully informed. The City needs to bear this in mind and not over rely upon this letter. If the City is focused on 'Community,' which it purports to be, additional analysis and information seems necessary to fully evaluate the costs and benefits of the proposed rezoning, and additional consideration given to alternative approaches to achieving the City's desired outcomes. It is important for the City to remember that any decision it makes on rezoning should be based on a comprehensive and objective review of *all* relevant information, and that the Coriolis analysis should be considered only in the broader context of all the other available information either in hand or as yet to be acquired.

35. 14 June 2023

It's Your Neighbourhood

June 6, 2023

The City of Victoria is seeking your input on the proposed Official Community Plan amendment for **251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road**. The proposal is for a phased mixed-use development consisting of nine towers with podiums, rehabilitation of the heritage structures buildings and securing new amenities including various public plazas. A related application to amend the City's Zoning Regulation Bylaw No. 80-159 has also been received, and public input concerning the proposed rezoning will be sought at a later time through a public hearing process.

The *Official Community Plan* (OCP, 2012) currently identifies the properties within the Core Songhees urban place designation, which contemplates buildings up to 22 storeys with floor space ratios up to approximately 2.5:1 and uses including multi-unit residential, commercial and visitor accommodation. The current design guidelines applicable to the property are the *Roundhouse Design Guidelines*.

The City is considering an application to amend the OCP Bylaw by increasing the envisioned height and density for these properties, and to replace the existing design guidelines with a new set of design guidelines. The proposal is consistent with many of the broad objectives in the OCP and advances a number of strategic goals related to housing, parks and open space, urban design and placemaking and community well-being. It is important to note that this designation would not confer any additional development rights to the property beyond those included in the proposed zoning.

Detailed information on this proposal is available at www.victoria.ca/devtracker. Launch the tracker and search for the property by address (251 Esquimalt Road, 355 Catherine Street or 200 Kimta Road).

Please provide your questions and feedback on this proposal by end of day, Friday, August 4, 2023 to:

Mike Angrove, Senior Planner – Development Agreements
P: 250.361.0285
E: developmentsservices@victoria.ca

All input received will be shared with City Council for their consideration prior to a public hearing. Correspondence you submit will form part of the public record and will be published on the agenda when this matter is before Council. The City considers your address relevant to this matter and will disclose this personal information, as it informs Council's consideration of your opinion in relation to the subject property and is authorized under section 26(c) of FOIPPA Act. Your phone number and email will not be disclosed. For more information on the FOIPPA Act please email foi@victoria.ca

Once a date for the public hearing has been set, notice will be posted at www.victoria.ca/publicnotices.

We look forward to hearing from you.

Here is the thumb on the scale notice of the proposed consultation that the City has just sent out. It is misleading at best and here is why. While it makes reference to the existing Floor Space Ratio or FSR at 2.5:1 - the all important figure which goes to density - it makes NO mention of what is being proposed by the City; that is, 4.4:1 (not quite a doubling). This is a key consideration for anyone deciding whether to inquire further into this topic and participate directly in the consultation or not. Very few people are going to go the Development Tracker website to elicit more information with its hundreds and hundreds of pages. The information before the City Council at the COTW meeting on May 4th was over 1000 pages. Secondly, to say "It is important to note that this designation would not confer any additional development rights to the property beyond those included in the proposed zoning" is ridiculous and not the issue. The issue is whether to exceed the existing zoning so dramatically with the proposed zoning NOT some sop to the public which says in effect "don't worry we are not going to approve a 10th, 11th, or 12th building etc AFTER this". What an insult. I just left a voice mail message making this point very clearly to Mr Angrove. I would also invite anyone who agrees to let him and more importantly the City Council know as well. This will be your last chance. Focus Equities is beating the bushes and rallying all of the support that it can through its network of paid consultants and without a more vocal response to this notice the rezoning will go through and all those opposing it will only be left with their regret.

36. 18 June 2023

NEIGHBOURS – below is a drawing of what is coming to Bayview unless the current proposal of Focus Equities to rezone is stopped.

Take a good look. Have you even seen this...certainly not on the site hoarding? Is this what you want on the Roundhouse site? There are countless reasons for opposing it and here are some of them:

- It contradicts the original rezoning
- It contradicts the first amended rezoning from 15+ years ago which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties but it didn't happen
- It contradicts the terms of the original Master Development Agreement between the City and Focus Equities
- It contradicts the advice of City Council staff who recently recommended a density (FSR) of 4.0:1
- It offends the Victoria West Neighbourhood Plan
- It is missing a Cultural Centre which was held out and was to be designed by Frank Gehry
- The costs to date and likely sale price of the property to another developer will be added to the overall costs of housing built on the site thus reducing affordability
- It more than doubles the current zoning density
- It is 9 buildings now instead of the prior approved 5 buildings with up to 3 possibly being hotels (DA2, DA4, DA5)
- It is out of place with the neighbourhood and what development should be in 2023
- It overshadows and diminishes the Roundhouse and heritage properties
- Approval would be contrary to significant opposition to the project
- There are no guarantees the retail held out for the Roundhouse will be successful (per Colliers Strategy and Consulting Group)
- The costs of this project are opaque
- Specifics as to the costs and means of remediating the contaminants on site are lacking
- The City of Victoria has not carried out a due diligence exercise with respect to the developer or allowed for the want of such exercise
- The affordable housing may or may not be built depending upon other factors outside the City's control
- Shadows will be significant
- Views inward on the site will be limited
- Traffic will be impacted and
- Many people will be shocked by its true scale if built

Here is what I suggest and that is if you have concerns about this project then organise. Start with regular visitors to this Discussion Group. Circulate this summary and call a meeting of your strata to discuss it. Publicize the meeting. I have been asked for advice on this and some stratas are stirring. Despite the odds lengthening on stopping this it is still possible if the City feels some heat. The City has opened itself up to criticism now that it has rejected the advice of its own staff on density. This gives them some exposure on this now and they know it.

Original drawing below is published at p 164 of the COTW meeting of City Council on May 4, 2023 included in the Final Submission of the applicant for rezoning and available on the City Council website.



37. 26 June 2023

You Have the Right to Call a Meeting of Your Strata

Section 31.1 of the BC Strata Property Act, Statutes of BC, 1998, Chapter 43 provides:

Request for council hearing

"34.1 (1) By application in writing stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a council meeting to hear the applicant within 4 weeks after the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week after the hearing."

Therefore, if you live in a strata, you have the right to call a meeting and I would submit to discuss Bayview II. Pursuant to section 3:

"...the strata corporation is responsible for managing and maintaining the common property and common assets of the strata corporation for the benefit of the owners."

It seems unarguable that the proposed rezoning will affect the value of your "common property and common assets" which your stratas have a duty to manage and maintain. To my knowledge some stratas (e.g. Encore) seem to have taken the position that this is not within their jurisdiction. I disagree. Given the stakes it would seem that no reasonable strata would fail to respond to a request to discuss or to facilitate discussions of a matter of this magnitude and potential gravity.

Therefore, for those of you who regularly visit this Discussion Group I would suggest you request a meeting of your strata to discuss this development with others in attendance, or request your stratas to facilitate a meeting of owners/tenants to discuss it. Given the stratas control the communications at a minimum they should not stand in the way of public consultation.

Please do not assume that others will oppose this on your behalf. In my view everyone affected by this project needs to understand what it means for them. One way to come by this understanding is to meet, discuss and voice your views on it. Any input derived from such meetings – formal or informal - would be among the most important factors in influencing how Council deals with the application: either rejecting it, approving it as currently proposed, or approving it with further changes.

I believe the Council is now a hostage to fortune. It approved the original rezoning and then allowed the project to remain in abeyance for 15+ years. There were no guarantees that it would go forward or that the applicant would not return and ask for more in exchange for what was originally agreed and as has now happened.

Hearing your views on this and the current proposal could provide a much-needed reality check for the Council.

38. 28 June 2023

You Are Not Alone. The Experts Do Not Like This Application Either And Want Changes

Sustainability

“The applicant has identified the remediation of the contaminated brownfield site as the main sustainability feature. Additional and more specific features would be introduced as individual phases are developed and would be described in more detail with Development Permit Applications.”

- Page 26 of Report of Karen Hoese, Director, Sustainable Planning and Community Development dated April 20, 2023 presented to the Committee of the Whole on May 4, 2023, (the ‘City of Victoria Planning Staff Report’ on the rezoning application)

Sure don’t worry we’ll come to the sustainability part of this later. That is it. As to the remediation it now appears to be all ‘dig and bury’ with none of the contaminated soil to be trucked and disposed of at facilities designed for that use. Hence materials are dug up on one part of the site and buried on another part of the site.

Heritage

Here is what the Heritage Advisory Panel Review said about this project:

“The application was reviewed by the Heritage Advisory Panel (HAPL) on May 17, 2021. At that meeting, the following motion was passed:

That the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 and Official Community Plan Amendment for 355 Catherine Street, 45 Saghalié Road, 251-259 Esquimalt Road & 200-210 Kimta Road does not sufficiently meet the applicable design guidelines and polices and should be declined....”

- Page 28, City of Victoria Planning Staff Report, April 20, 2023

There were suggestions that the HAPL gave which could ameliorate this but so far, according to the City of Victoria Planning Staff Report:

“...there are still challenges as noted in HAPL’s comments above, which would be discussed further as part of ongoing discussions between the applicant and staff.”

- Page 28, City of Victoria Planning Staff Report, April 20, 2023

So the experts of heritage turn this down and ask for more changes but and the City continues full speed ahead without requiring the applicant to address all of HAPL’s comments. What are the chances they are ever going to be addressed? Slim and none.

Density

“The proposal exceeds the density of 2.5:1 which is envisioned in the *Official Community Plan, 2012* (OCP) Core Songhees Urban Place Designation, and at 4.75 FSR would be inconsistent with the OCP’s placemaking and urban design polices...

- Page 4, City of Victoria Planning Staff Report, April 20, 2023

“The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.”

- Page 14, City of Victoria Planning Staff Report, April 20, 2023.

And most damning....

“The proposals at 4.75 FSR appears inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E & N transportation corridor, respects the heritage precinct and overall OCP policies geared towards positive placemaking.”

- Page 12 City of Victoria Planning Staff Report, April 20, 2023.

Once again the City Planning Staff say “too dense” in effect and the City rolls right over them. Is this the way ‘responsible’ development should take place.

You are not alone. Real people also disagree with the rezoning application at Bayview Place and want changes.

Email Mike Angrove, Senior Planner, City of Victoria and tell him about your concerns at this email address:

developmentservices@victoria.ca

39. 1 July 2023

Our second notice to neighbours and residents, drawing and sample petition

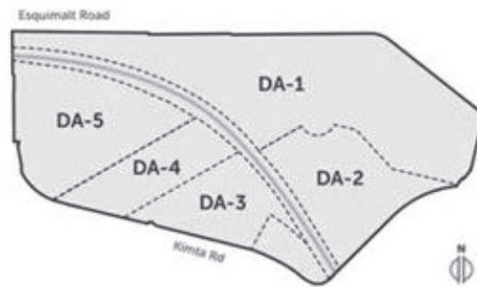
Dear Victoria residents and visitors – this is what is coming to our city’s beautiful, unique, world-renowned waterfront unless Focus Equities’ current AMENDED proposal to rezone the Bayview Place property is stopped. The deadline to oppose the rezoning application is August 4th. The time to act is NOW. Below is a diagram of what is proposed. The original drawing is shown at p 164 of the COTW meeting of City Council on May 4, 2023 included in the Final Submission of the applicant for rezoning. Above that are two diagrams. The diagram on the left below was submitted and approved by the City in 2008. The diagram on the right below is the AMENDED proposal now before the City. They appear at p 42 of the submission of the applicant in the filing before the City. Not only has the number of buildings being proposed almost doubled (from 5 buildings to 9 buildings, including up to 3 hotels!), but the heights of the buildings have also increased dramatically with the density of the property almost double what the neighbourhood plan allows (from 2.5 to 4.4). There are countless reasons for opposing this amended proposal. Here are some of them:



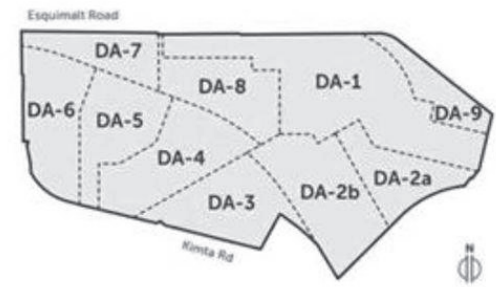
Proposed Master Plan for the Site (Stantec)

2.2.1 Rezoning Application

CD-12 Land Use Zone (Current)



Proposed Land Use Zone



- It more than doubles the current zoning density for the area
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties *which has yet to happen*
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings & hotels are approved
- The views from tourists and people arriving via the harbour will look like any overly-developed large city waterfront; this is not what people come to Victoria to see or experience
- It will totally overshadow and diminish the Roundhouse and heritage properties
- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year round
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years
- There is a lack of information about how retail fits into the development
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to numerous impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, or the demands on medical services, etc.
- If you share our concerns about this project, please consider taking the following actions:

✓ **PRINT AND SIGN A PAPER PETITION** which will be posted in the first comment below and then email as per contacts below. Note this is an abridged petition which does not repeat the reasons set out above

✓ **SIGN THE ONLINE PETITION** already created and found at <https://www.change.org/p/stop-victoria-city-council-from-approving-rezoning-on-the-bayview-project>✓✓

✓ Host a meeting at your building to coordinate the distribution of this letter or the notification of your neighbours. **Organise those meetings now and if you want speakers who can attend let us know**

✓ **If you're not on Facebook for further information about this project and/or to be notified about upcoming events please contact: Victor at [REDACTED] or Wayne at [REDACTED]**

Residents' Petition July, 2023

Attn: City of Victoria Planning Department, Victoria Mayor & Councillors

Re: Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghali Road, 355 Catherine Street and #200 - #210 Kimta Road.

We, the undersigned, wish to express our strong opposition to the current Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghali Road, 355 Catherine Street and #200 - #210 Kimta Road. As voting, tax paying residents of Victoria in general, our primary reasons for opposing the project as it is currently proposed are as follows:

- It more than doubles the current zoning density for the area
- The current proposal is 9 buildings (3 which may be hotels) now instead of the prior approved 5 buildings!
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties *which has yet to happen*
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings/hotels are approved
- The views from tourists and people arriving via the harbour will look like the Vancouver waterfront; this is not what people come to Victoria to see or enjoy
- It will overshadow and diminish the Roundhouse and heritage properties. The Heritage Advisory Panel voted against the proposal
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years
- The City Council rejected the advice of City Planning Staff to reduce the density
- The site contamination and remediation plan is unclear
- There are no guarantees the retail held out for the Roundhouse will be successful even if all the buildings are built (per Collier Strategy and Consulting)
- The City of Victoria has not carried out a due diligence exercise with respect to the developer

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the

Attn: Mike Angrove - Senior planner

Hello,

For some time now I have been concerned about the excessive growth in Victoria that is mostly inconsistent with regard to the OCP and zoning requirements.

I have seen no attempt to take into consideration infrastructure impacts by the expected influx of residents such as schools, medical resources, grocery stores, emergency services, transportation etc. These people do not already live here, so their numbers will be in addition to the current population.

Then there are hidden infrastructure impacts, such as water and sewer. Already committed projects such as Harris Green and Caledonia will add 1000s more residents exacerbating an already underserviced downtown. Do you really think no-one will have a car and will need or want to drive in and out of downtown? We already have gridlock due to the current population and impact of bike lanes.

On a personal note, we are currently being subjected to blasting multiple times a day at the building site on the corner of Niagara and Menzies. I can only imagine what existing residents in Vic West will have to deal with and for how long.

We are not and do not want to be Vancouver.

Please be realistic about the size and scope of this project.

Regards,

Margaret Osika

> We received a flyer encouraging us to look at the planned development in Esquimalt labelled Focus Equities and oppose it. I have read their objections and agree with them. This is simply too big.

> John Miller, James Bay, Victoria

>

> Sent from my iPad

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West.

There are countless reasons for opposing this amended proposal. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood

residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).

- It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR.

- “The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.” Page 14,

City Planning Staff report, April 20, 2023.

- “The proposals at 4.75 FSR appear inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E &

N transportation corridor, respects the heritage precinct and overall OCP (Official Community Plan) policies geared towards positive placemaking.” City

Planning Staff report, April 20, 2023.

- “... the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 ... does not sufficiently meet the applicable design guidelines and

policies and should be declined....”. Motion passed by The Heritage Advisory Panel Review on May 17, 2021.

- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!

- The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to

see or experience.

- It would totally overshadow and diminish the Roundhouse and heritage properties.

- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned

development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.

- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.

- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind

effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Yvonne Scheffer



To the Mayor and Council,

I am writing this email to express my opposition to the new Bayview rezoning proposal and the proposed Official Community Plan amendment for 251 Esquimalt Road, 365 Catherine Street and 200 Kimta Road.

My reasons are best summed up by 2 written summations which I have attached. One is a critical analysis opposing this rezoning, which was written by Arthur McInnis, a professor at The University of Victoria.

The second is a letter written by Steve Barber, who you may well know was a former Senior Heritage Planner for the city of Victoria. The letter, consigned by many prominent Victorians, expresses concern over how the proposed development would "overwhelm the modest scale of the nationally significant E & N Roundhouse, its associated industrial heritage structures, and the Vic West neighbourhood."

Over the course of the last 3 weeks a group of us have provided citizens with more information on the current Bayview proposal. Once people realized the scope and magnitude of said development they were alarmed especially because the subdivider Focus Equities continues to show their old 5 building proposal signs on their site. We have currently gathered over 700 signatures of people who are not only opposed to this proposal but also to an amendment to the OCP. These petitions will be delivered to City Hall in due time.

Our goal as PFSR (People for Sensible Rezoning) is not to discourage development but to make sure it is done in such a manner that captures the very essence of Victoria. At The Committee of the Whole meeting on May 3 2023, It seemed that affordable housing was the primary focus. But at what cost? Focus Equities is not giving anything but is dangling a piece of land set aside for affordable housing as a trade for 7 towers with more height and density. A trade that is totally one sided. For approximately 150 affordable housing units and 150 market rental units Focus Equities is asking for 1600 units of luxury condos and hotels. This will no doubt put a heavy strain on the infrastructure in the area. The current deal, if allowed, will set a dangerous precedent for future developers who feel they will be able to overbuild if they provide their poorest piece of land available for affordable housing. The original rezoning plan, which was approved by the City in 2008, called for 5 towers with 1.100 rental units. That was more in tune with providing housing for Victorians. After failing to go through with the development, Focus Equities revised their plans in 2021 and reduced the rental buildings to two consisting of 600 units. Now it is 300 rental and affordable housing units combined while Focus Equities is asking for 7 towers ranging from 18 to 29 stories.

Although affordable housing is needed we must ask again at what cost.? We must not forget this site is recognized as being of NATIONAL HISTORICAL SIGNIFICANCE. The current Bayview proposal with its massive towers dwarfs the significance of the Roundhouse buildings and it is one of the reasons that your own Heritage Advisory Panel has declined Focus Equities application submission.

In conclusion I implore all of you to do your due diligence. This is a decision that should not be based on party lines but carefully thought out. This proposal should receive your utmost and full attention. There is no other property like this in all of Victoria and should be given the respect it deserves. Pay heed to your planning and heritage departments and rely on their expertise. For in the end you the mayor and councillors are putting your own personal stamp on this project and rightly or wrongly each one of your decisions will be judged for generations to come.

Kindest regards,
Victor Mattu (PFSR)
203 Kimta Road Victoria

“Much of Victoria's charm and character stems from its unique and well-preserved historic buildings. Victoria's turn-of-the-century architecture creates a sense of pride among residents and throughout the community. These heritage buildings are symbols of permanence and stability in an ever-changing world.” (City of Victoria website)

Sadly, our city's historic character is under assault. A rezoning proposal currently before City Council for the E & N Roundhouse in the Victoria West neighbourhood envisions 9 towers at heights ranging from 18 to 29 storeys. The scale and height of these massive towers threatens to overwhelm the modest scale of the nationally significant E & N Roundhouse, its associated industrial heritage structures, and the Vic West neighbourhood. The original master plan for this site does contain some exciting ideas to rejuvenate these heritage structures through adaptive re-use, and we support these concepts. However, the current application far exceeds what is appropriate for conservation and redevelopment of a relatively small parcel of land.

Further, the new proposal does not comply with either the Official Community Plan or the Vic West Neighbourhood Plan. Despite Planning staff's suggestion of a lower density, most City Councillors seem inclined to advance this proposal at the enormous density proposed. Planning staff have stated *“The proposed density, which is more than double the currently approved 2.0:1 FSR (Floor Space Ratio), represents a significant amount of new building mass which is challenging to fit on the site in a comfortable manner.”*

We need to remember that this site has been recognized as being of national historic significance as, according to the description from Parks Canada: *This imposing brick roundhouse is a particularly fine example of an industrial structure associated with the steam railway era in Canada. This site is an important reminder of Canada's rich railway heritage. The Esquimalt and Nanaimo roundhouse complex is the most intact facility associated with the servicing of steam locomotives in western Canada.* Planning staff have identified the threat in their report as follows: *Concerns exist around the scale of the tall towers and large podiums adjacent to the heritage structures, which may feel out of scale with the one storey historic buildings and **could detract and overwhelm the historic site.***

At the Committee of the Whole meeting on May 3, 2023, Urban Design staff made an excellent presentation to the committee showing how a reduced density would result in more slender towers, more widely spaced and set back, with a greatly improved pedestrian experience. We certainly recognize the need for additional housing, and we do support the scaled-down version of this project. In addition, we note that Victoria does already have several new developments built at a modest scale in keeping with historic character, including the Selkirk Waterfront, Dockside Green and The Railyards. There are numerous underdeveloped sites such as the parking lots along north Douglas Street which could accommodate more housing for Victoria.

Visitors from around the world come to Victoria due to its historic charm and character, and its modest scale. It may not last much longer. Perhaps the visitors won't either.

WE, the undersigned urge City Council to reject this massive redevelopment which is not in keeping with the modest scale and historic character of Victoria.

Signed;

Steve Barber, former Senior Heritage Planner, City of Victoria

Michael J. Prince, Lansdowne Professor of Social Policy

John R. Basey KC, former Director of Planning & City Solicitor. City Of Victoria.

Wendy Zink, former Manager of Social Planning & Housing, Retired

Martin Segger, Director, Government & Community Relations, University of Victoria -Retired

Jim Kerr, AIBC Architect

Ray Hunt, AIBC Retired Architect

John Keay, AIBC Architect

Jennifer Nell Barr, Retired Executive Director, Victoria Heritage Foundation

Ian Sutherland, Heritage Building Developer

Christopher Gower, AIBC Architect

Pamela Madoff, Retired City Councillor

Michael Elcock, Former CEO, Tourism Victoria

John Dam, B.A.Sc., M.Sc., P.Eng., CAHP

Marilyn Palmer, Architect

Marilyn Bowering, Author

Martin Golder, Retired Architect

Opposition to the Rezoning Application REZ00729 (Roundhouse/Bayview)



Dr Arthur McInnis
July 2023

Dear Mayor Alto and Councillors Caradonna, Kim, Dell, Loughton, Thompson, Coleman, Hammond and Gardiner,

I last wrote to you with my compendium of submissions in November 2022. Since that time, I have expanded on my critique of your rezoning and thus I wished to consolidate those more recent submissions with the earlier submissions in one document. As with my original submissions they are set out in reverse chronological order hence the oldest to the newest. They may be read against the applicant's submissions as at the times they were made or are dated. It asks too much that every change in the application be addressed in real time. In my submission the pace at which these changes were made by the applicant was deliberate and would have led to confusion by members of the public. There is substance to my submissions and many of them have not been addressed by the applicant nor the City in its staff Report for the COTW meeting on May 4. This then with the haste that was shown at the meeting with the Mayor's abridgment of the period for consultation notwithstanding being informed how this would impact replies from stakeholders, the voted-down attempt to prioritise this project over every other project before the City, and the rejection by Council of the staff recommendation on density suggests almost recklessness in terms of how this is being handled. I urge more careful deliberation and caution with respect to your course.

Brief description of opposition (mostly submissions to the Mayor and Council) and their respective dates and pages are as follows:

1. 15 November 2021 - Flyer mailed and distributed headed "Stop the Rezoning at Bayview Place Enforce the Master Development Agreement between the City of Victoria ('City') and Focus Equities/a Mariash Company". Page 4.
2. 15 November 2021 - Due Diligence is Required Before Rezoning. Pages 5 – 6.
3. 15 November 2021 – Bayview Place: The Proposed Rezoning Contradicts Much of the City of Victoria's Official Community Plan. Pages 7 – 9.
4. 28 November 2021 – The Rezoning Application – Questions and Comments from a Layman. Pages 10 – 12.
5. 6 December 2021 - Resolution of the Architectural Institute of BC on Illegal Practice of Kenneth William Mariash Sr and Patricia Mariash. Page 13.
6. 19 December 2021 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part I. Pages 14 – 17.
7. 26 December 2021 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part II. Pages 18 – 20.
8. 29 December 2021 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part IIA. Pages 21 – 22.
9. 1 January 2022 - Responding to the Amended Rezoning Application filed on 7 December 2021 – Part III. Pages 23 – 25.
10. 6 January 2022 - Aquara – Is this the Fate that will Befall Bayview Place? Pages 26 – 27.
11. 12 January 2022 - The Speculation Tax and Focus Equities. Pages 28 – 29.
12. 23 January 2022 - A Critique of the Design Strategies in Point Form. Pages 30 – 32.
13. 6 February 2022 - Focus Equities was in Breach of the Roundhouse Master Development Agreement. Page 33.
14. 23 February 2022 - Beware Taking Things at Face Value. Page 34.
15. 23 February 2022 - Comments on Ken Mariash Interview on CHEK News. Pages 35 – 39.
16. 25 February 2022 - Capital Park – A Model for what Bayview Could Be. Pages 40 – 42.
17. 6 March 2022 - Some Legal Considerations. Pages 43 – 46.
18. 10 March 2022 - Density and Vic West Neighbourhood Plan. Pages 47 – 48.
19. 13 March 2022 - *G.S.R. Capital Group Inc. v. White Rock (City) 2022 BCCA*. Pages 49 – 50.

20. 1 August 2022 - What's Behind the 'Donation' by Ken Mariash? Pages 51 – 52.
21. 10 September 2022 - The Last City Council Did Not Consider the Application Despite Haste of the Applicant. Page 53.
22. 11 September 2022 - Public Opposition – Is There Public Housing or Just the Prospect of It? Page 54.
23. 19 September 2022 - Here is How Bayview Place will Really Look and the Site at Present From Google Earth. Pages 55 – 56.
24. 19 September 2022 – 9 Bayview Place Towers. Pages 57.
25. 22 September 2022 - Here is How the Project Grew Beyond All Bounds Between 20 and 2022. Page 58.
26. 4 November 2022 – Jonathan Tinney Replaces Patrick Cotter as New Application Contact. Page 59.
27. 17 February 2023 – Back to the Future. Pages 60 – 61.
28. 28 February 2023 – More Answers are Needed. Pages 62 – 63.
29. 18 March 2023 – 'The Vision Continues for Vic West'. Pages 64 – 65.
30. 26 March 2023 - Frequently Asked (though not yet suitably answered) Questions. Pages 66 – 68.
31. 6 May 2023 - Disappointing City Council COTW Meeting. Pages 69 – 70.
32. 21 May 2023 - The Colliers Report. Pages 71 – 74.
33. 10 June 2023 - Diagrammatic or Dramatic. Pages 75 – 76.
34. 11 June 2023 – Coriolis. Pages 77 – 78.
35. 14 June 2023 – “Its Your Neighbourhood”, notice of consultation period from City on amendment to the Official Community Plan and Comment. Page 79.
36. 18 June 2023 – Our first notice to neighbours on the same consultation period and project drawing. Pages 80 – 81.
37. 26 June 2023 - You have a right to call a meeting of your Strata Council. Page 82.
38. 28 June 2023 – The experts do not like this application either and want changes. Pages 83 – 84.
39. 1 July 2023 - Our second notice to neighbours and residents, drawing and sample petition. Pages 85 – 88.

Respectfully submitted,
Dr Arthur McInnis

██████████

████████████████████

1. 15 November 2021

Stop the Rezoning at Bayview Place Enforce the Master Development Agreement between the City of Victoria ('City') and Focus Equities/a Mariash Company

Some 13 years ago Ken Mariash of Focus Equities agreed with the City that in exchange for the significant relaxation of height restrictions on a site at 355 Catherine St, 251 Esquimalt Rd, 200 Kimta Rd and 210 Kimta Rd that Mariash *et al* would redevelop the historic Roundhouse properties.

Their agreement was set out in a Master Development Agreement ('MDA') in 2008 (amended in 2014 and 2018).

Pursuant to that MDA (as amended) the City gave Mariash permission to build at least 4 huge towers of 76m, 88m, 66m and 52m. The 88m tower is the proposed 32 storey E & N Tower. BUT, rather than fulfil the MDA forthwith, Mariash has returned to the City years later and asked for the bylaws to be amended AGAIN in 2021 to rezone the site and permit 5 or 6 MORE huge towers to be added to those already approved. In a word, this is outrageous, and it seems that the City is "getting its lunch eaten" (*viz* is being outwitted). The complete application is available on the City's *Development Tracker* website and is accessible here:

<https://tender.victoria.ca/WebApps/OurCity/Prospero/Details.aspx?folderNumber=R EZ00729>

The City dealt with Mariash as a "developer" which is how Focus Equities describes itself and its principals ("Ken Mariash, working alongside wife and partner Patricia A. Mariash, is regarded as one of the most visionary real estate developers in North America..."). However, Focus Equities Alberta Inc (presumably the same company), according to Dunn & Bradstreet, is in the "Land Subdivision Industry". Dunn & Bradstreet: "[t]his industry group comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders". Holding land for longer periods and applying for rezoning in this sector is common. This is what is happening with Bayview. A typical developer does not wait 13 years to essentially begin construction on projects. Look at how quickly Bosa has moved at Dockside Green to begin construction since acquiring the site. Land subdividing though does not move fast and does not always work best for some of the participants or public. For example, Focus Equities sold a lot for \$6.7 million for a retirement home called Aquara to Element Lifestyle Retirement Inc but that project has now stalled. The problem is that on Aquara, and Bayview in general, the City has failed to get any guarantees the projects will be built as held out and within set timeframes. This is why Mariash is able to come back and ask for more concessions from the City before he does anything substantive on the Roundhouse properties. This is not really how "development" is or should be done.

Now is the time for the City of Victoria to protect our property values by enforcing your contract with us:- Victoria residents, get the Roundhouse properties developed at last, minimize construction disruption and traffic and reduce the associated shadow effect that would be expected if the rezoning were approved.

2. 15 November 2021

Due Diligence is Required before Rezoning

It is important that the City of Victoria carries out a full due diligence exercise of the proponents: - Ken Mariash, Patricia Mariash and Focus Equities before approving significant amendments to the relevant zoning bylaws; in particular, answers to the following questions should be obtained:

Bayview Place <https://bayviewplace.com> holds out: “REGARDED AS ONE OF NORTH AMERICA’S MOST VISIONARY DEVELOPERS, Kenneth and Patricia Mariash of Focus Equities have developed, purchased and sold more than 15 million square feet of real estate and more than 10,000 residential condominium units in North America.”

- Who regards Focus Equities as one of North America’s most visionary developers?
- List the location, date, name of development, and Focus Equities’ exact role regarding these “more than 10,000 residential condominium units in North America.”

“Founded over 50 years ago, Focus Equities provides...” according to <https://bayviewplace.com> yet Focus Equities <https://focusequities.com> states: “[f]ounded over 35 years ago by Canadian entrepreneur and visionary Ken Mariash, Focus Equities has...

- So when was Focus Equities founded, 50 years ago or 35 years ago?
- How many companies named Focus Equities (in part) has Ken Mariash or Patricia Mariash controlled? Have any of these companies been wound up, suspended or struck off a company register?

“With his (Kenneth William Mariash, Sr) baccalaureate degrees in mathematics, science, business, accounting and architecture, plus an MBA...” <https://focusequities.com>

- Please list when and by whom these six degrees were conferred.

Please confirm whether Ken Mariash and Patricia Mariash have architecture degrees and ever been registered and entitled to practise as architects in British Columbia or elsewhere.*

- Ken Mariash has stated: “[w]hen I sit with an architecture firm, I don’t care how famous they are, they will not have done as many big projects as we have,” said Mariash. “I usually end up doing all the design myself.”
- Quoted by Richard Watts, Times Colonist Nov 12, 2017
- <https://www.timescolonist.com/islander/developer-s-vision-coming-to-fruition-atbayview-place-1.23091908>
- Similarly, Patricia Mariash describes herself as “THE INTERIOR ARCHITECT/OWNER...”
- From <https://bayviewplace.com/downloads/RoundhouseLeasing.pdf>

* This question has now been answered in the negative by the Architectural Institute of BC (see page 13). However, it leaves open whether Ken Mariash really did “[do] all the design myself” and what implications there might be from that.

“After doing hundreds and hundreds of one-off downtown towers in 20 or 30 cities around the world, I just wanted to do more bigger-scale neighbourhood designing and district planning,” Mariash said.

- Per Steve McLean, Renx.ca Real Estate News Exchange in an article dated Oct 17, 2017 entitled “Focus Equities’ Mariash sets sights on master plans”.
- <https://renx.ca/mariash-focused-master-plans-focus-equities/>
- Please list all details of the “hundreds and hundreds of one-off downtown towers in 20 or 30 cities around the world” Mariash has done.

“For more than 40 years, Patricia A. Mariash has been a commercial real estate entrepreneur, investor and commercial interior designer who has successfully completed thousands of prestigious corporate headquarters at notable, high rise architecture addresses.”

<https://focusequities.com>

Please list all details of the “thousands of prestigious corporate headquarters” Patricia Mariash has successfully completed.

Inquire into whether Ken Mariash or Focus Equities have been named as defendants/respondents in any civil actions and if so what resolution was there if any.

3. 15 November 2021

Bayview Place: The Proposed Rezoning Contradicts Much of the City of Victoria's Official Community Plan

The placemaking policies of the City of Victoria Official Community Plan collectively address 12 broad objectives and the Mariash request to rezone contradicts many of them including:

8 (a) That urban design at every scale from sites to local areas is responsive to Victoria's geographic context and existing pattern of development, achieves excellence, and creates memorable places.

The Mariash request contradicts the existing pattern of development. There are no other < 10-acre sites in Victoria which have allowed 10 or 11 high-rise towers that exceed the original cap on height.

8 (b) That the views from the public realm of existing landmarks are maintained, and that new landmarks are introduced to enhance the visual identity and appearance of Victoria and to improve wayfinding around the city.

Notwithstanding how the proposals present views in their plans and drawings they do not portray the whole site such that it can be seen how they will infringe upon current views. No drawings in the application show how the entire redevelopment with all 10 or 11 high-rise towers will look. It is submitted that if they were shown the public could quite likely be stunned by the actual proposed density. It must be asked how could 10 or 11 towers not impact let alone obstruct existing views?

8 (c) That new buildings and features contribute to the sense of place in development permit areas and heritage conservation areas through sensitive and innovative responses to existing form and character.

Heritage conservation is one of the supposed rationale for amending the current zoning bylaws. But the zoning has already been amended to permit the Focus Equities development but only one step of the seven promised by Mariash at the outset has been met. Too much has been left undone and it asks too much for more at this stage.

8 (d) That social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces.

There is nothing about the proposals which strengthens human scale design of buildings. In fact, it is the complete opposite. The proposed density for the rezoning approaches or exceeds that of New York and Hong Kong (see submission of Ron Meyers to City Council).

8 (e) That each neighbourhood is connected and integrated to the Urban Core, other neighbourhoods and to the region through urban design elements.

Unusually the Bayview site sits next to the urban core so this is less of an issue. The new bridge and Esquimalt corridor already achieves this and thus the proposals cannot be a justification for seeking to meet this objective.

8 (f) That the built environment is beautified and softened through natural features in the public realm.

The problem here is that the proposed density is so great that there is almost no space left for natural features in the public realm that would beautify or soften the built environment. The development itself is all consuming.

8 (g) That a sense of place is developed and enhanced through urban design features.

A sense of place will be difficult to achieve because it is being overwhelmed and overshadowed by the development itself. Comparisons have been made to Granville Island which 'has been regarded internationally as a model of vibrant urban placemaking.' (*Granville Island 2040: Bridging Past & Future*, 2021 <https://granvilleisland2040.ca>) but if one looks at Granville Island you will see that there are no high rises there. Try and imagine Granville Island if it had 10 high-rises crowded around and on top of it. Victoria needs to follow that lead and focus on heritage and streetscape development rather than density over almost everything else.

8 (h) That the public realm is animated through street life and festivals, celebrations and special events.

No one would object to this.

8 (i) That heritage values are considered in land management at every scale from sites to local areas.

Agreed.

8 (j) That heritage property is conserved as resources with value for present and future generations.

Agreed.

8 (k) That streetscape improvements include art in public places and reflect the culture and heritage of Victoria.

Agreed.

8 (l) That heritage and cultural values are identified, celebrated, and retained through community engagement.

Agreed. However, while there is agreement with this thus far the proposals provide few details aside from repurposed boxcars etc. There is a Focus Equities video which includes a clip of David Foster but this is not meaningful without details. Similarly, the video holds out that there will be a world class cultural facility designed by Frank Gehry (now 92) on site but that is not convincing. To persuade the City Council of that a full and costed business plan should be provided along with signed contracts for the design and construction of the venue otherwise what guarantees are there for this.

Ken Mariash held out something similarly when Focus Equities was shortlisted on the Lebreton Flats project in Ottawa before withdrawing from the bidding, <https://building.ca/feature/troubled-land/> Here are some quotations regarding that project at the time:

- “Focus Equities is proposing to house the headquarters of an international institution, accompanied by cultural venues and the ubiquitous green space and residential and commercial development.” <https://obj.ca/article/ncc-invites-fourgroups-submit-lebreton-flats-development-proposals>
- “‘Focus Equities’ bid raised eyebrows with its promise to bring the headquarters of an international organization to Ottawa. Everyone’s interested in who the tenant is,’ said David Fullbrook, the Victoria company’s director of acquisitions and development, adding that the firm has had discussion with an organization looking for a location in Ottawa...Fullbrook also pointed out that the site is contaminated and it’s still unclear what it will cost to remediate the lands and who’s paying for what. The company has been involved in the Ottawa market for the last decade, but declined to name any specific projects.” <https://ottawacitizen.com/news/local-news/0220-lebreton>
- “As for the last two proposals [for the Lebreton Flats project in Ottawa], well they might be just about anything. All we know about a bid led by Devcore Group is that the Gatineau developer is proposing to build ‘multiple cultural institutions’ around ‘a grande allée.’ And the bid from Focus Equities is bizarre: it’s proposing to ‘house the headquarters of an international organization,’ along with building some cultural venues. What international organization? You probably should have one more-or-less signed up before you put in a bid promising to house its headquarters in your new real estate development.” <https://ottawacitizen.com/news/local-news/chianello-lebreton-contendersannounced-in-traditional-ncc-style>

4. 28 November 2021

The Rezoning Application – Questions and Comments from a Layman

Here are some points from the rezoning application in single quotes and my comments in bullet points.

‘Vic West’s cultural hub: a performing arts centre designed by renowned architect Frank Gehry’

- Really where? Show us the contract.

‘A vision for a more complete and diverse mix of uses to intensify and activate retail amenities and public spaces.’

- Try just ‘more’.

‘Deliver Housing Diversity and Increase Overall Affordability.’

- Really? How is this going to be done? It seems to be missing from the plan.

Establish a Transportation and Mobility Hub?

- What does that mean? In the public presentation Aug 17 it seemed to have been conceded it might be no more than the buses which currently go by.

‘Remediate Contaminated Lands’.

- How? By excavating for parking. That is it. Where is this ‘contaminated’ soil going? Adopts a ‘dig and bury’ approach. Presumably it will be buried on site. If wrong please advise. Who will supervise this? Where will it be transported off site? Contamination is one of the reasons the site would have been purchased at a steep discount and the risks need to be fully addressed. Put specifics in a P3 contract, require supervision and reporting throughout.

‘Action for Climate Change and Resilience’.

- Really? By building 10 or 11 high-rises. See 7 Reasons why High-Rises Kill Livability.
- <https://www.smartcitiesdive.com/ex/sustainablecitiescollective/7-reasons-why-highrisers-kill-livability/561536/>

‘Enhance Human Experience, Health, and Community Wellbeing’

- Of course, how could this development not!

‘Establish a Robust Financial Strategy to Support Municipal Objectives.’

- Robust for whom? Certainly it will be profitable for Focus Equities.
- “We’re a master developer and we subdivide everything into parcels,” said Mariash. “We’ll carve out one parcel for this guy and one for that guy.”
- Renx.ca Real Estate News Exchange
- <https://renx.ca/mariash-focused-master-plans-focus-equities/>
- Steve McLean, Oct 17, 2017 entitled ‘Focus Equities’ Mariash sets sights on master plans’

Trail and Rail

- How can rail possibly be held out when the rail bridge has been removed? And rail to Langford? Where are the specifics?

Seniors Housing

- Focus Equities sold the site where seniors housing is supposed to go to Element to build Aquara. It is currently suspended, experiencing financial problems and very unlikely to proceed. While zoned for seniors housing currently there is nothing to prevent another application to amend the zoning bylaws and try and erect another 30 storey building.

Cultural Centre

- This is supposed to be designed by Frank Gehry. Show us the contract with the 92 year old or his firm and not other famous cultural centres that he has actually designed.

Revitalized Heritage Spaces.

- Really. What guarantee is there for this?

2+ Acres of Parks and Open Spaces.

- Big difference here between parks on the one hand and open spaces on the other. Open space would include walkways etc. Does this figure include existing park at Hillside? Lime Bay?

Office, Retail, Live-work.

- Very unlikely there will be any offices there. Just do not see it.

Flexible Indoor and Outdoor Public Spaces.

- There is empty space there already. How much credit should Focus Equities be given for this? Should always have been part of any plan for the site when you have a turntable which is a natural plaza.

Lime Bay Mews – ‘consolidate the site’s relationship to the natural environment by providing an active pedestrian link to Lime Bay that takes advantage of stunning views of Victoria’s Inner Harbour.’

- What does this mean? Currently if you want to go to Lime Bay Mews you cross the street to reach Inner Harbour.

‘Maintain Views Through the Site’.

- What is the problem with this? The drawings omit showing all of the buildings in one portrayal. Sure there may be cracks between the buildings but the views will largely and ultimately be of more buildings.

‘Minimize Shadow Impact’

- During an Aug 17 2021 Zoom meeting when asked specifically about shadows Mr Patrick Cotter on behalf of Focus Equities said this work was not complete yet but mentioned words to the effect that shadows would be minimal on the park. Well,

there will be no objections from the park will there? The real concern is shadows on every other building outside the perimeter of the site and we need to know exactly about that. Depending upon the time of year and time of day it will impact surrounding buildings in real ways. This should have been fully addressed and the application is materially deficient without it. The proposed solution here is to ‘align towers to minimize shadows within the site and on surrounding developments’. Minimizing is not good enough. People should have a right to their ‘ancient lights’.

Shape the Skyline

- Well, who can argue with that. Does not every high rise ‘shape the skyline’? Surely that should not be the basis upon which approval is given. It is circular reasoning.

‘Urban Edge. Create an urban edge around the site that steps back to highlight historic buildings. Use the site’s southern edge to create a distinct gateway, defined by cultural amenities, that also integrates with neighbouring development.’

- What is this supposed to mean? Looking at the drawings this urban edge looks to be mostly Esquimalt Road. Does that mean Focus Equities is going to plant trees on Esquimalt Road? Should they be given credit for this? Further, how much ‘urban edge’ is there really going to be with 2 metre setback from the property line in places? Not much.

Districts

- Look there won’t be any districts!

‘The North Parcel consists of 5 distinct Character Areas that create a cohesive and vibrant community, while connecting residents of Roundhouse at Bayview Place to each other and Greater Victoria.’

- For instance, the turntable is still a turntable. Billed as ‘the public heart’ district it remains a turntable. Let’s not lose ourselves in this hyperbole.

The Heritage Strategy

- Really, who says so and what guarantees does the City have after it gives permission for 9, 10 or 11 towers. This is a very high risk strategy. What guarantees does the City have that Focus Equities will continue to remain a viable ‘developer’ over the course of the next 22 year (estimated) construction cycle. Similarly, with the cultural centre which seems to have been largely forgotten in this. Even if Focus Equities returns with grand designs from Frank Gehry for a cultural centre again it should be asked what guarantees, what assurances are there that this will ever be built? So what does the City do? Create a P3 and hold Focus Equities to what they have held out. Reserve a right to resume the development if milestones are not met. Get serious about this. Stop giving in on everything. Represent our interests as the City.

5. 6 December 2021

Resolution of the Architectural Institute of BC on Illegal Practice of Kenneth William Mariash Sr and Patricia Mariash

The Architectural Institute of British Columbia ('AIBC') is the statutory body that regulates the profession of architecture in the public interest. It is given this authority pursuant to ('the Act') R.S.B.C. 1996 cap 17. On the website of the AIBC it provides in part:

“The *Act* is, broadly speaking, public protection legislation. It is provincial law that applies to everyone in British Columbia. It prohibits those who are not registered as architects from practising architecture, or holding themselves out or implying that they are able to do so...”

Below the heading “Misrepresentation” the AIBC website further provides in part:

“Under the *Act*, only those who are appropriately trained, qualified, and registered with the AIBC as architects are permitted to call themselves architects, use derivative forms of the word, or offer to provide architectural services.”

“Section 63 of the *Act* requires that individuals or firms not registered with the AIBC must not be misrepresented as “architects”, offer architectural services, or imply that they are entitled to practice architecture. Using similar titles such as “architectural designer” or “interior architect”, or offering services such as architectural design or architectural drawings is not permissible.”

“The AIBC’s regulatory mandate includes taking action against those who unlawfully use the titles protected under the *Act*. This ensures that the public can easily identify who is lawfully qualified to offer and provide architectural services.”

Below the heading “Recent Illegal Practice Resolutions” and shown as a screenshot here is the following resolution:

Recent Illegal Practice Resolutions		
Effective Date	Posted On	Summary
2021-10-06	2021-10-29	Kenneth William Mariash Sr. & Patricia Mariash of Focus Equities Inc. were using an unauthorized title on their company's website and other third-party websites. Mr. and Mrs. Mariash took the necessary steps to address AIBC's concerns and corrected the misrepresentations.

This AIBC resolution addresses one of the questions asked in the post in this Group discussion headed “Due Diligence is Required before Rezoning”.

Now the City Council must seek answers to the remaining due diligence questions which were asked.

6. 19 December 2021

Responding to the Amended Rezoning Application filed 7 December 2021 Part I

General

Focus Equities is beginning to respond to the public demanding more details and more accountability. I would submit without the public pressure that has been exerted and your letters to the Mayor and Council that some of these details would not have been forthcoming. This is a win for the public who deserve full disclosure, just as the City Council does, if this application is to be judged on its full merits and demerits. On Dec 7 the revised application was submitted and is now on the City of Victoria Development Tracker website here.

<https://tender.victoria.ca/.../Prospero/FileDownload.aspx...>

Anyone can subscribe to and access the full application on this site at no charge.

Heights

The proposal now clearly shows building heights on the drawings. The heights are 26, 30, 32, 26, 28, 28, 23, 26 and 24 stories. These thus total 243 stories on that 9.2 hectare site before allowing for what has to be taken out of consideration given preservation of the historic buildings. By comparison, the tallest building in Victoria is currently Hudson Place listed at 25 stories. Therefore this ONE SITE will have the tallest, 2nd tallest, 3rd tallest, 4th tallest, 5th tallest and 6th tallest buildings in Victoria. By comparison the Telus Ocean building just approved for downtown is only 11 stories and that was fought over. The tallest building on the Bayview site is almost 3 times the height of the Telus Ocean building. It may be asked what is wrong with this picture? The fact is that what was held out for this site was Granville Island but what the City of Victoria is getting is the West End. This is a far cry from what Ken Mariash of Focus Equities was saying prior to the 2008 rezoning:

“In exchange for saving the rare intact railyard designed in 1912 — with industrial roots going back to the era of coal baron Robert Dunsmuir — the developer wants to build larger buildings than would normally be allowed on one part of the site. Mariash says the overall density wouldn’t exceed what’s already permitted in the Songhees area. The plan submitted to the city mentions buildings with heights of 16, 18 and 20 storeys, although a city planner said none of the project details has been finalized and the application is in ‘flux.’”

Sept 30, 2007, Properties in Victoria

Professionals, <https://propertiesinvictoria.com/victoria-bc-real-estate-theroundhouse-project/>

Aquara

The seniors home still appears on the application and yet it is moribund. It should be removed and any thought of applying to rezone it marked ‘paid’.

Condo/Hotels

Three condo/hotels are listed in the application. Given that the City just approved what is its first new hotel in two decades (the Wintergarden) this seems overambitious if not unrealistic.

<https://www.timescolonist.com/local-news/new-hotel-coming-to-downtownvictoria-4750513>

Presentation Centre. Lot 4b

This part of the Bayview I site is left open for 'Future Development'. If there are plans for this part of the site they should be disclosed now so they may be taken into consideration with the current application.

Distribution of Approved and Proposed Building Area & Massing

The justification for adding new buildings is that this results in 'a balanced distribution'. What this means is that because the previous zoning approved in 2008 did not permit the blanketing of the entire site with buildings that it was unbalanced and this application will now allow for balance. It is also justifying the application by saying "building massing that is focused on the east and west ends of the site... [allows] the preservation of the existing historic rail buildings and rail infrastructure, tracks and turntable at the centre of the site." Let's be frank here. We do not need "building massing" to preserve the historic rail buildings as the 2008 rezoning already required their preservation.

Density

The proposed density is without precedent. In summary the proponent is seeking to more than double the maximum OCP of 2.5 Floor Space Ratio or FSR. The FSR building density, commonly referred to as Floor Space Ratio (FSR), is defined as the ratio between the total amount of gross floor area of a building and the area of the parcel upon which the building is located. The application shows the FSRs for Phase I and Phase II of Bayview Place both separately *and* combined. By showing both in this way the intention is to get the City to focus on the lower *average* number of 3.76 which still far exceeds the City's current OCP of 2.5. However, Phase I is done and should not play any part in deciding what FSR the City should approve now on Phase II. I repeat Phase I is done. There is no justification to average the two lots. What the City has before it is an application to rezone the Phase II site ALONE. The FSR for this site is proposed to be 5.21 and thus dramatically exceeds the current zoning. The application should be rejected on this basis ALONE but there is more; that is how the application seeks to add BOTH height and density.

Height and Density

The application not only seeks to add new buildings it seeks to increase the density of those buildings that are already approved. Consider that for a moment. And consider it especially given that the same party behind the proposal (Focus Equities) was behind the 2008 application. In that application it sought and obtained significant concessions from

the City largely in exchange for redeveloping the Roundhouse properties and yet it is still not done let alone started. Further, the Master Development Agreement with regard to Phase II has also been amended twice in 2014 and 2018. Ken Mariash, a director of Focus Equities, who has taken these applications forward through designated consultants (viz. Patrick Cotter at present) has said in the past that it would only take 10 years:

“Mariash, who expects development of the project to take place over 10 years, has brought in architect Norman Hotson to work on the project. Hotson’s firm, Hotson Bakker Boniface Haden Architects + Urbanistes, worked on Vancouver’s Granville Island and rehabilitation of Vancouver’s 1888 CPR Roundhouse as a pavilion for Expo 86. That roundhouse building now serves as a community centre.” Sept 30, 2007, Properties in Victoria Professionals, <https://propertiesinvictoria.com/victoria-bc-real-estate-theroundhouse-project/>

Well, ten years is up. In fact, 14 years is up since that the deal was done. Rezoning is not a game of ‘double or nothing’. The anticipated redevelopment did not occur. Instead the City is met with another application that seeks not only MORE buildings to redevelop the Roundhouse properties but MORE density for the buildings that were approved in 2008. Let me repeat that. This application is seeking not only MORE buildings but MORE density for the buildings that were approved in 2008 even though the quid pro quo (a favor or advantage granted or expected in return for something) never happened. What is the consideration for this? Focus Equities is asking for more when what is being offered in return is what was offered before. This looks more like a failure of consideration than not. *Wikipedia*: “**Failure of consideration** is a technical legal term referring to situations in which one person confers a benefit upon another upon some condition or basis which fails to materialise or subsist.” Is this what we have here?

Cultural Centre

In the Bayview Place promotional video Ken Mariash says, while pointing out a very large area between what appears to be DA4 and DA5 on the new application, (though differently configured):

“...and here a kind of a cultural district that we’re looking at a performance facility there with David Foster and the architect Frank Gehry and he’s also participating in the design of these two buildings in conjunction with that...”. <https://vimeo.com/555927044>

- at about the 4:50 mark

David Foster, makes an appearance in the video, and heartily endorses it. Frank Gehry does not appear which is perhaps understandable given he is 92 now (and was still old when the video was done). While these representations appear clear the actual situation appears far less clear and notwithstanding that there is a red star on the drawings meant to show where the Cultural Centre would be built. It is also unclear if the Cultural Centre would comprise two buildings as there are two buildings designated no. 4 although only one red star. This must be contrasted with the note next to the Cultural Centre red star three pages below where it first appears and which reads:

Note: If included, will come out of proposed density

Hence, if the Cultural Centre is included, it will come out of proposed density. That is a very big “if”. And how likely is that?. I imagine most developers would want to give up residential, commercial or retail space to make way for an expensive amenity such as a Cultural Centre especially one designed by a famous and no doubt expensive architect if given the chance. Actually, I think not, and, would submit, that it is highly unlikely that a Cultural Centre will be built in Bayview II let alone one designed by Frank Gehry. I would be delighted to be proven wrong but at present, and if I were deciding on this application for rezoning, I would need more than a video clip, red star and note on the plans before accepting that it is ‘coming soon’. What I would need is a P3 commitment, business plan, needs assessment, drawings, and financial and operational plans. Now the City could ask for these as well or it could just take its chances.

7. 27 December 2021

Responding to the Amended Rezoning Application filed 7 December 2021 Part II

This is Part II of comments on the December 7 further rezoning submission of Focus Equities through its designate with Part III to follow.

Affordable Housing

The rezoning application holds out the addition of affordable housing; in particular some 250 units comprising 50 bachelor and 200 1 BR units. Like the Cultural Centre though this comes with its own asterisk. The asterisked caveat this time reads:

** Affordable housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a non-profit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning*

What does this mean in practice? It means that there is no obligation to provide the affordable housing unless another developer steps up with design and development, approvals are given, the developer must be a non-profit, who is also either an operator or along with a separate operator who steps up willing to take it forward.

Once again, that is another very big 'if'. Given the importance of this the proponent should come to the table with a developer *cum* operator in hand, not simply hold out that it will come down the road. In fact, why should such developer come as envisaged? From a commercial point of view this may be one of the most unattractive aspects of the development and hence the most difficult to interest third parties to take over and assume responsibility therefor. If the City drove this project as a P3 details of such a developer/operator would all but be mandated. In short, there is simply no way that this big an out should be given to the proponent with regard to this application.

Further, while described here as a very big 'if'; strictly speaking, this is a 'subject clause'. Subject clauses are used when an exception is set out. Hence the rezoning application states what will be done including the construction of affordable housing but it is subject to this exception; e.g. only if there is a qualified willing third party or third parties who take it up and approval is given for it. It should be noted that no such exception is set out with regard to the other parts of the application. This is because the proponent must be reasonably confident that those other commercial parts in the rezoning application can be sold, and that those parts will attract the interest of other parties. It is presumably on that basis that the proponent is incurring costs from not only his original application but all subsequent reapplications over a very long period of time. This development is not being undertaken as a charitable endeavour for the City of Victoria but as part of a deliberate and carefully honed commercial plan. Sometimes confidence in such plans though can be misplaced as it appears to have been with the sale of part of phase I of Bayview Place to Elements for the Aquara seniors complex and which is now stalled. What might stall here? Affordable housing?

Public Amenity Plans (2015) and (2021)

There was a list of improvements and miscellaneous items in what is described as the Public Amenity Plan in 2015. In other words, these items were held out previously by Focus Equities' consultants. The changes proposed for 2021 all fall under the heading 'On-site Improvements'. In 2015 there were 6 items listed with the area they comprise. In the 2021 proposal four so-called 'new' items are added. These call for closer examination.

Firstly, it should be noted that one was dropped from 2015; that is '**Naturalized Landscape Knoll**'. For those familiar with the site this refers to the rocky outcrop at the top of the site fronting on Esquimalt Road. It is a feature that is affectionately regarded by some in the vicinity. Again, it appears to have been dropped in favour of something described as 'New Esquimalt Gateway'. In the process 11,350 SF of amenities appears to have been lost. But, this lost space comes close to what is proposed with 'New Roundhouse Green Space' which totals 11,450 SF. This New Roundhouse Green Space would appear to be part of the current driveway that enters the site off Sitkum. Inasmuch as there are no drawings of what this new Green Space would look like it will probably be grass. My feeling is that if residents' opinions were sought on this most would prefer the naturalized landscape knoll to some grass.

There is also a '**New Urban Forest**'. Really, a forest. In other words a "complex ecological system in which trees are the dominant life-form" (Brittanica); "a large area of land covered with trees and plants..." (Cambridge Dictionary); or "1. a dense growth of trees and underbrush covering a large tract" (Merriam-Webster). So, is this really a forest then per these definitions or will it be some individual trees planted along the rail right-of-way which is what the drawings appear closer to? I think the latter. Few would describe planted trees along a street in Victoria for instance as a 'forest'. Again, it speaks to the application which is replete with 'planning speak' and as here seems exaggerated.

Lastly, there is '**New Reinstating Active Rail**'. This certainly sounds interesting, but it would contradict almost everything else in the proposal. How would it sit with the 'New Urban Forest' for example, or the repurposed boxcars which are supposed to be on the rails on site, or safely fit with any pedestrianisation etc? The answer is it would not sit comfortably unless of course one welcomes trains cutting through your developments. The sad fact is that Rail is gone for the moment at least, the Rail Bridge is gone, and if it returns it is very unlikely to ever be part of Bayview Place. Perhaps with the support of the Island Corridor Foundation Rail may one day be reinstated from Esquimalt to parts northward on the Island but even this appears to be highly tenuous at present given the cost and the state of the tracks. These comments are made notwithstanding that Mr Mariash appears to have had some exploratory meetings on this subject with City Councillors while seeking subsidies. However, if this were a serious proposal, it would have been included in the most current original rezoning application and not as an afterthought now. Looked at in their entirety the Public Amenity Plan 2021 adds very little in return for what is now sought.

Public Benefit Commitments (2015) and (2021)

The amended application again contrasts what was held out in 2015 versus what is held out now in 2021. There is one commitment which has been delivered and credit should be given

for that; namely ‘Roundhouse building emergency shoring and stabilization work’. This is shown as ‘complete’. However, this has also been beneficial to Focus Equities in the short term as presumably it has enabled the site to be rented and revenue generating when used by occasional tenants: e.g. film crews, parties, Christmas fairs and the like. It was important to be done but it is really the minimum and as noted the only commitment to have been done leaving among others the far more extensive and important ‘Rehabilitation of the Roundhouse’ undone.

Importantly, it is understood that the site has a contamination problem. This follows from the use of the site as a service yard for trains and locomotives with all that would entail from 1913 until operations ceased. In the 2015 public benefit commitments it was addressed in this way:

Contaminated Soils Remediation	Remediate brownfield site to appropriately remediate contaminated soils for community development
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What does this mean? It is hard to tell because this commitment is so unclear as to be possibly unenforceable. Scrutinized, it is highly ambiguous, and notwithstanding what is said in other parts of the application, because this is the most recent submission it can be argued that it should govern. Other questions arise; for instance, why is the benchmark ‘appropriately’? This may only go to processes and say nothing about standards which should be applicable from an environmental standpoint. Why are the site and the soils referred to? And why is it all ostensibly limited by reference to ‘community development’? Is this some further form of limitation on how or where remediation will be carried out as opposed to wherever on-site excavations are revealed to be contaminated with reference to agreed guidelines. The 2021 commitment repeats this uncertainty though it also adds: ‘Additional site area to be remediated using new approach’.

Contaminated Soils Remediation	Remediate brownfield to appropriately remediate contaminated soils for community development Additional site area to be remediated using new approach
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Where is this coming from and what is this new approach? Has the City asked more of the proponent here? Have sufficient questions now been raised that the proponent is being obliged to offer more in terms of its remediation plan? Is it that the ‘dig and bury’ approach originally put forward was recognised as too little to be approved when questions are now being raised about the plan? Is it a move away from e.g. a former ‘bury zone’ under the historic buildings? If so, who will decide what is buried on site and what is transported elsewhere for processing? Lastly, when these commitments are made who will ensure that any subsequent purchasers; e.g. substantive developers, will assume and fulfil them as held out here? These questions must be answered.

End of Part II, Part III to follow.

8. 29 December 2021

Responding to the Amended Rezoning Application filed 7 December 2021 Part IIA

Further to my most recent comments 'Responding to the Amended Rezoning Application Part II' this is a brief addendum to it. These comments further develop one aspect of my Part II Comments; namely those addressing 'New Reinstating Active Rail'.

I wrote in part:

This certainly sounds interesting but it would contradict almost everything else in the proposal. How would it sit with the 'New Urban Forest' for example, or the repurposed boxcars which are supposed to be on the rails on site, or safely fit with any pedestrianisation etc? The answer is it would not sit comfortably unless of course you welcome trains cutting through your developments. The sad fact is that Rail is gone for the moment at least, the Rail Bridge is gone, and if it returns it is very unlikely to ever be part of Bayview Place. Perhaps with the support of the Island Corridor Foundation Rail may one day be reinstated from Esquimalt to parts northward on the Island but even this appears to be highly tenuous at present given the cost and the state of the tracks...

Since posting those comments I have found this article which is directly relevant. The headline is "Developer wants commuter rail service up and running in one year". It was written by Pamela Roth and dated 8 December, 2016 from a story in *Victoria News*. In the story Ken Mariash made a rail line sound easy.

If all goes according to plan, by this time next year commuters from the West Shore will be arriving in Victoria West by train along the E&N Rail corridor.

It's a plan that prominent developer Ken Mariash, owner of Focus Equities, has been working on for the last six to eight months, meeting regularly with key stakeholders in the region such as city mayors.

As the developer behind Bayview Place (located adjacent to the Inner Harbour), bringing a commuter rail service is something Mariash has had his eye on ever since planning began for the Roundhouse Marketplace — a development that offers a mix of retail, culture and gathering places in Vic West.

Mariash has read through numerous studies done over the years on a commuter rail service in the region and has hired a bunch of engineering firms to further look at the idea. If the project gets off the ground, he'd provide a station inside the Roundhouse site.

'It's not very complicated,' said Mariash, noting the capital cost to get everything up and running is about \$7 million to \$10 million — something he calls pocket change compared to some of the other infrastructure projects his company has done with developments in Calgary and Edmonton.

Here is the link: <https://www.vicnews.com/news/developer-wants-commuter-railservice-up-and-running-in-one-year/>

Actually, it is complicated, as anyone at the Island Corridor Foundation, or the Esquimalt & Nanaimo Division of the Canadian Railroad Historical Association, or the engineers at WSP who prepared the recent Summary Report on “Island Rail Corridor Condition Assessment” would know.

For example, would anyone considering buying a 7, 8 or 9 hundred thousand dollar condo in Bayview want to smell the creosote soaked rail ties (heritage of course) that it might entail except me? You see while I am still partial to that smell from my days as a young man working on the British Columbia Railway in Northern BC I have not come across many others who are. What would an active rail line do for the standards of refurbishment of the Roundhouse: enhance or detract from them? Who would pay for it and would it fit with the Vic West Neighbourhood Plan? The compromises that it entails would conflict with other parts of the development that are held out as noted above. So, in the end, the Mayor and City Council will need to take their rose-coloured glasses off when looking at this being held out.

9. 1 January 2022

Responding to the Amended Rezoning Submission filed 7 December 2021 Part III

Design Exploration – Shadow Studies

At last, the shadow diagrams have now been provided. I note that these are being provided very late in the day.

The shadow diagrams comprise 12 drawings: the first 6 showing shadows at different times of the day upon Spring Equinox, March 21st (the first day of spring) and a second set of 6 diagrams showing the shadows at different times of the day upon the Summer Solstice, June 21st, (the first day of summer). Sunset at the Spring Equinox would be expected around 7:27 p.m. and at the Summer Solstice around 9:18 p.m.

Examining the first 6 drawings it can be seen that all of the buildings on the site are in the shadows almost for the entire day. Most will receive no sunlight at all. Those few buildings that do have some sunlight front on Kimta. However, the drawings do not show what shadows are cast by the waterfront condos directly opposite them on Kimta. These buildings too will limit the sunlight for them save for those condos which are on storeys tall enough to look over the current buildings opposite them. Oddly, regarding the 6th drawing in the first set of diagrams, there is no attempt to show the shadows that the buildings would cast *outside* of the site, unlike in the first 5 shadow diagrams. What this 6th diagram appears to show instead is a site covered almost entirely in shadows.

Turning to the second set of 6 drawings showing the shadows at Summer Solstice they are less prominent than the almost complete shadowing of all the buildings on the site in the Spring Equinox drawings. However, even with the sun at its zenith there are still pronounced shadows shown on the 3rd diagram. And significant shadows on all the other drawings especially the 1st, 5th and 6th but even to a considerable degree on the remaining 2nd and 4th diagrams.

Here is the reason there are such significant shadows. **THESE BUILDINGS ARE TALL.** Tall buildings cast long shadows and there is not much you can do about it. Even on Bayview Place Phase 1 Encore casts very extensive shadows on Promontory and vice versa depending upon the time of day. Encore casts those shadows later in the day while Promontory casts them earlier in the day.

I note there is no attempt to show how these shadows affect Bayview Place Phase 1 or for that matter how Bayview Place Phase 1 shadows affect Phase 2. There may be a legal doctrine though that could assist the current residents in Phase 1. It is a doctrine called ancient lights and in effect holds that if a window admits light to a room that has been in place for a time, then a right is acquired to that light so that a neighbour cannot build in a way that blocks the light. The right forms what is really an easement over neighbour's property and thus rights to light are acquired for the original building and balanced by the loss of rights to fully develop any nearby property. Thus, the doctrine embodies an old feature of property ownership; that is the need to give up absolute property rights in favour of more limited rights to support the well-being of the community as a whole. See Howard

Davis, "The Future of Ancient Lights," *Journal of Architectural and Planning Research*, 6(2) (1989) 132-153.

Here is the thing. Should anyone care if some renters or purchasers just have the bad luck to rent or purchase property that gets little or almost no sunlight? Probably not. And why? Because their views are not really being given weight right now. Directly, they do not have a voice as they are an as yet unidentifiable group. They will come later and frankly they will have to take or leave what the City, and any developers involved in this project, offer them. And if that offer is condos without light, so be it. I understand this from a pure Darwinian perspective, but should we not try and take into account what might be in the interests of and preferences for this group nevertheless? I think we should. In fact, would that not be the main reason the City could have required Focus Equities to include shadow studies in the first place? I believe so.

Views

Views are addressed as will be elaborated upon below in two ways: 1. 'Views to the Site'; and 2. 'Aerial Views'. Let me take the latter first. The drawings show 3 aerial views on pages 17, 18 and 19 of the rezoning submission. They are hard to parse for one main reason. They are not drawn to scale. That is, they are not in exact proportion either to each other or to the other buildings. When something is drawn to scale it means that every component within the drawing is the same proportion to one another and is represented by common measures. That is not the case here and the drawings seem to differ in size and presentation not only from one drawing to another but from one building to another within the drawings. Looked at the buildings appear to be different sizes and different heights in their different portrayals. For instance, in aerial view 1 two of the buildings appear to be less than ½ the width of buildings in Phase 1. Another example may be given. From aerial view 3 the tallest building shown is Promontory in Phase 1 which is 22 stories high. By comparison, the E & N Tower, which is 32 stories high, appears shorter. Now, notwithstanding that there is a difference in gradient, is it really a 10-storey difference? Lastly, in aerial view 2 only 6 buildings appear to be shown. How is this possible? It is also very difficult to try and compare these views; e.g. aerial view 2 with its 6 buildings, aerial view 3 with its 7 buildings and aerial view 1 with its 10 buildings. An architect may reply by saying it is a question of perspective and that these taller buildings appear smaller the further they are from the point of view. However, that is not true if all the buildings are effectively aligned as they are in aerial view 2.

Turning to the 'Views to the Site'

It can be pointed out 8 different 'Views to the Site' are shown on pages 10 to 13 under the heading 'Design Exploration'. Then there are three aerial views that are also presented. Here is what is missing though; there are no views THROUGH the site. The reason is simple, and it is likely because these views are extremely limited. They are extremely limited because of the so-called building massing. Thus, if one walked along Esquimalt Road in either direction between Sitkum and Catherine, then using the Design Exploration – Shadow Studies drawings, you would find there are no views through the site. None. As one looks toward and for a view of the water on the walk all one would see instead of water are buildings in every instance. This is because those buildings are placed in one of three

successive lines and hence even if you have a view through the first line of buildings the view will become blocked by either the second or the third line of buildings as you progress. The same would occur if the walk took place on Kimta. This is an interesting point of contrast with Dockside Green. Thus, in the 2005 Design Guidelines for the Dockside Area, 5 types of views are described: 1. View Type A: Pedestrian level views into and through the site; 2. Type B: Intermittent, narrow pedestrian views into the site; 3. Type C: Views towards the site; 4. Type D: Upper-level views through site; and 5. Type E: From Bay and Skinner Street. The Bayview Rezoning Submission presents only two of these types of views; namely 3 and 5 but then adds the aerial views. The views INTO or THROUGH the site noted above in Dockside viz. numbers 1. Type A; 2. Type B; and 4. Type D are missing. Again, it is submitted, the reason for this is clear. Those views are not to be had. It should be noted that the Design Guidelines submitted by Focus Equities on March 1st, 2021, as part of its rezoning application do address views. However, those details are again views to the site (albeit fewer of them) and what are described as ‘interior sightlines’. Hence the depiction of the sightlines and views here are internal or what one sees from inside the site. This has the effect of removing one or two of the lines of buildings referred to above which serve to obscure views when looking into or through the site, for instance when walking along Esquimalt or Kimta again.

Dockside Green

Considerable prominence is given in the drawings to the buildings proposed for Dockside Green especially in the aerial views. Looked at the Dockside Green buildings being built by Bosa seem as high as those at Bayview Place. However, if correct, the final phase of Dockside Green’s tallest building will be only 18 stories. Assuming a 22-storey limit Bosa would not even have had to seek concessions from the City to construct to that height. It could all have been done under the current zoning bylaws and plans. It begs the question then why does Focus Equities need extra concessions? Is that much really called for given the approvals that have been given already? While Bosa has no historic properties to protect and refurbish it has nevertheless committed to 2 focal points/plazas, a minimum 2 pedestrian east/west pathways, parks and green space, a boulevard and streetscapes, an internal north/south greenway, improvements to the Galloping Goose Trail, a pedestrian lookout pier from the Point Ellice Park and small boat launch Waterfront walkway and public art. Ultimately, Dockside Green now under construction, will continue what was begun years ago with the first phase of that development. It strikes me as a natural extension of what has gone before.

On the other hand, there is very very little about Bayview Phase II which appears to be a natural extension of the original Phase I. This is a genuine concern.

10. 6 January 2022

Aquara - is this the Fate that will Befall Bayview Place?

It was announced with fanfare at the time. The Times Colonist blazed:

Construction of \$88M seniors centre to start this summer on Songhees

In the article published on January 26th 2019 by Andrew Duffy it was reported:

“The company behind an \$88-million seniors development is hoping to have construction start this summer after receiving a development permit this week.”

The article also reported:

“Ken Mariash, the founder of Focus Equities, which is the master developer of the site, has called Aquara ‘a critical element for this community.’”

And lastly Duffy reported:

“The intention is to complete the project in 2021”. This is the link to the story:

<https://www.timescolonist.com/real-estate/construction-of-88m-seniors-centre-to-start-this-summer-on-songhees-4669432>

Here we are though. It is now 2022 and there has been no start to the construction. This is similar to what has happened at Bayview Place albeit with one very important difference; that is, Ken Mariash’s company Focus Equities has already been substantially paid for this part of the site.

Here is how GlobeNewswire reported the payment on August 30th 2017:

“Element Lifestyle Retirement Inc. (“Element” or the “Company”) (TSX.V:ELM) is pleased to announce that Element completed the purchase of a 1.96 acres property along the harbourside of Victoria at Bayview Place, British Columbia (the “Lands”) pursuant to the terms of an amended offer to purchase agreement (the “Agreement”) with Focus Equities Inc. (“Focus Equities”).

“Under the terms of the Agreement, the Company agreed to pay to Focus Equities \$6.7 million for the Lands. An aggregate of \$300,000 had been paid to Focus Equities in deposits against the purchase price, \$4.7 million was paid to Focus Equities on closing and the balance of \$1.7 million is held in trust by the Company’s counsel, which will be released and paid to Focus Equities when Focus Equities has completed certain excavation work on the Lands, including site levelling work and certain underground excavation work, pursuant to the terms of an excavation agreement entered into between the Company and Focus Equities, as previously announced on August 17, 2017. Furthermore, upon commencement of the

excavation work on the Lands by Focus Equities, the Company will deposit \$1.8 million plus GST in trust with the Company's counsel, to be drawn and paid to Focus Equities on a monthly basis as work progresses.”

You can read the full news release here:

<https://www.globenewswire.com/news-release/2017/08/30/1104325/0/en/ElementLifestyle-Retirement-Completes-Property-Acquisition-in-the-Victoria-Harbour-Arealong-with-Convertible-Debenture-Private-Placement.html>

So Focus Equities has been paid but that is about it. Meanwhile Element Lifestyle Retirement Inc continues to putter along further away than ever from starting construction on the seniors home and with its shares trading at just 0.070 (on Jan 5th at 4:00 p.m.).

What this shows is that Bayview Place needs real engineering not financial engineering. We cannot and should not let this happen to any integral part of the remaining Bayview Place development.

11. 12 January 2022

The Speculation Tax and Focus Equities

Here is what the newspaper Press Progress reported on June 15, 2018

“BC Developer Used United Nations Charity Event to Attack Tax on Wealthy Real Estate Speculators” “Charity points finger at luxury condo developer after housing crisis event was rebranded as a dialogue on BC’s ‘Housing Insanity Tax’”

“A full-page ad in Victoria’s Times-Colonist newspaper last week, co-branded between the United Nations Association in Canada and a Victoria-based real estate firm called Focus Equities, bizarrely billed the event as a discussion about the quoteunquote “Housing Insanity Tax.””



<https://pressprogress.ca/bc-developer-used-united-nations-charity-event-to-attack-tax-onwealthy-real-estate-speculators/>

The story by Press Progress followed closely on this tweet from the United Nations Association Canada:



<https://www2.gov.bc.ca/gov/content/taxes/speculation-vacancy-tax/exemptionspeculation-and-vacancy-tax/corporations-trustees-business-partners>

Land development is important, but it needs to be done with the wider community in mind. The BC Government has a “Land Development Toolkit” which states on its landing page:

“Land parcels available for development are important community assets, providing you with a basis to attract a new business, help an existing business to grow, or execute an economic development strategy.” (emphasis added)

This is a link to the Toolkit website.

<https://www2.gov.bc.ca/gov/content/employment-business/economicdevelopment/market-and-attract/land-development-toolkit>

There are some questions which these the stories raise as to the nature of the development and whether it is speculative? Recall that Dun & Bradstreet situate Focus Equities in the “Land Subdivision Industry”. Dun & Bradstreet: “[t]his industry group comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders”.

Caveat. While Focus Equities is held out as the developer behind Bayview Place it is unclear which Focus Equities it is. This is because there are other corporate entities which have been incorporated in Alberta (and registered in British Columbia extraprovincially) with this name at least in part but also numbered at times; for instance, Focus Equities Alberta Inc which also has an assumed name of 208280867 Alberta Inc per BC Registrar of Companies on January 14, 2011 with this notice from the Registrar of Companies: “A0108487 FOCUS EQUITIES INC., a foreign corporation registered in ALBERTA and registered as an extraprovincial company under the laws of British Columbia with certificate number A0097491 and 1432410 ALBERTA INC., a foreign corporation registered in ALBERTA, were amalgamated as one company under the name FOCUS EQUITIES INC. amalgamated at 01:15 PM Pacific Time” as on January 21, 2019.

Here are some questions. Which entity is beneficially behind Bayview Place and is it a resident BC corporation so as to be exempt from the BC Government Speculation and Vacancy Tax? Notwithstanding the tax is provincial and not municipal, will the City inquire as to whether any taxes are currently due in respect of the landholding? Will residency and tax status be factors for the City Council in considering the current rezoning application?

Here is a link to the Government webpage on the exemptions and requirements for eligible corporations regarding this tax.

<https://www2.gov.bc.ca/gov/content/taxes/speculation-vacancy-tax/exemptionspeculation-and-vacancy-tax/land-under-development>

12. 23 January 2022

A Critique of the Design Strategies in Point Form

On April 27, 2021 Focus Equities filed *Revised Design Guidelines for the Roundhouse at Bayview Place*. These updated Guidelines filed on March 1st, 2021. The *Guidelines* state under the heading “iii. Design Strategies” on p 16: iii: “[t]he following strategies are intended to guide the development of Roundhouse at Bayview Place and inform the design guidelines that follow this section.” **They are listed under the headings below in bold with some points in their elaboration also in bold and my comments on them in italics.** You will see much of it is fluff and meaningless planning speak.

View Historic Buildings as a Collection. *Yes, the buildings are a collection though it appears one is to be sacrificed.*

Build up the Ends, Carve out the Middle. *It certainly will be built up, and up and up. In fact, all the ends will be built upon and the middle left as that is principally where the historic buildings are located. There will also be middle that is built up as with the E & N Tower which oddly is not shown in colour as are the other buildings on p 18.*

Visually Connect the Site to its Context. *Meaningless.*

Create a Connected Landscape. *Yes, there are parks adjacent to the site and it makes sense to have greenery leading to greenery but it is going to be awfully limited.*

Curated Rail Integrated Through Site. *If miraculously the Island Corridor ever takes shape then come back to this. In the meantime, that prospect is so unlikely that the rail corridor should be better used than being integrated to no end. This plan has to be realistic.*

Connected and Pedestrian Oriented. Route pedestrian activity along building faces to activate and animate. Flank both sides of internal vehicle route with pedestrian circulation *Really? Yes, people will walk on the sidewalks in front of all the high-rises and with a road in between. Hardly ‘activating’ and ‘animating’.*

Turntable Plaza as a Focal Element. *This has to be the focal point as it is the only spot for it and one of the very few parts of the site not being intensively developed.*

Respond to the Turntable. *I just don’t see this. The buildings face in all directions. They do not ‘respond’ to the turntable at all. If they did they would be arrayed around the turntable in a circle which they clearly are not.*

Outward-Inward Expression. *Turning the project outward to animate public street frontage is clearly intended to enhance the commercial character and visibility of the retailers. It is unclear how this will impact retaining of the inward focus of the buildings to historic rail activity.*

Create wayfinding and interpretive opportunities at gateways to the site. *Otherwise known as signage.*

Explore storytelling opportunities along the Carriage Lane and E&N Rail Trail that speak to rail heritage and intangible values. *Otherwise known as e.g. a plaque.*

Use diverse interpretive media to express site history. *OK so what are they? Where is your Interpretive Management Plan?*

Identify opportunities for locating nodes for public art and historic interpretation. *Please do not tell us about “opportunities”. Tell us what precisely you will do, where and when.*

Adapting Historic Buildings. *Here we go again with “opportunities”. Not good enough. Show us the plans. Tell us who the counterparties are on this and show us the contracts.*

Site new building relative to existing Historic buildings and surrounding public streets. *What does this mean exactly? You are proposing tall new buildings everywhere there are not historic buildings. They are not being ‘sited’ or situated in any other meaningful way.*

Mitigate shading and massing impacts on Esquimalt Road and adjacent park. *How thoughtful. Shading will be minimised on the road and park. What about everywhere else? What about vis-à-vis every other building that is adjacent to this massive proposed development? The shadow studies in the latest rezoning submission make clear not only will all the huge towers being built cast long shadows it is very likely this entire development will cast a very long shadow, not just over Vic West, but Victoria.*

Massing Transitions. *Isn’t that generous. Outside the turntable everything else can be up to what 32 stories? That is mass alright but there is not much transition.*

Anchor the Corners. *This sounds so good to be almost reasonable. And the little anchor diagram over three of the buildings is almost quaint but they do not disguise the fact that we’re just talking about three huge buildings with almost no setback on three of the effective corners. Oddly the fourth “corner” of the site and which will have its own huge building is neither shown nor described as anchoring any corner, presumably because it is in just a bit from the corner. Anchoring the corners adds nothing and is just another way of describing ‘overdensity’.*

Orient Buildings to the Interior of the Site. *Again, meaningless. These gigantic skyscrapers will have residents on every floor looking in every direction. There is no “orienting” to the interior of the site for ¾ of all the residents in every building.*

Create distinction between background and foreground buildings. *OK, so background are the new ones and foreground the old ones that would seem to follow doesn’t it? After all, some are new and some are old. They do look different and that is the idea behind conservation. This is pretty basic stuff. However, the next bullet point is again a stretch.*

New buildings should relate to the historic buildings in their orientation, form and character. *Firstly, insofar as orientation is concerned that makes sense. It is just that it doesn’t seem to be the case when the drawings are looked at (see p 25). Secondly, as to their*

form I don't think so either or you would probably have only low rise brick buildings as the best exemplar. Instead what is proposed is steel, concrete and glass. Hardly Roundhousian! Lastly, the new buildings should relate in character to the old. Character of course has many meanings but none of them seem to be a good fit here especially because the term is most often used in relation to individuals and not buildings. Even if character is read here as having to do with 'characteristics' it is unclear how this design guideline will be meaningfully translated when dealing with two types of buildings, new and old, and which are obviously so different.

Hierarchy of Public Open Space. *Well, this is hard to construe because there really is so little public open space that it is again a stretch to seek to impose a hierarchy on it. Maybe a planner might think in these terms, but few others would with the amount of public open space in these plans at least.*

Podiums Transition to Scale. *How thoughtful. In places, which are not spelled out anywhere, it states that “taller buildings can incorporate “a podium of 4 – 8 storeys in height to transition to building scale”. Transition is good but just imagine an eightstorey podium! Do you know how ridiculous that is in the City of Victoria? I cannot think of another building in Victoria with an 8-storey podium. Even internationally that far and away exceeds practice. This is so wrong.*

Undercutting Buildings at Grade. *This is interesting and I wonder how it aligns with point 18 above? Nevertheless, this underscores again just how massive these buildings are going to be. They are going to be so huge that the architects are proposing for their design guidelines that buildings are **undercut** or **recessed**. This diminishes their mass at grade level but ends up with these tall dense structures looking rather precarious overhead once completed. Undercutting also has the effect of exaggerating the building's appearance as large because of the contrast it introduces as well. You see trying to hide the true scale of these buildings is not a solution to overdevelopment. Refusing amendment to the zoning plans would be.*

Landscape that Supports Architecture and 21 Landscape as a Framing Element.

Consider using trees to support and reinforce architectural transitions.

Use street trees to define the street edge and form a backdrop that unifies historic buildings as a collection. *Boy oh boy. Trees better be more than just considered in this development and as for the trees planted on the street saying they are going to unify the historic buildings seems to be the final stretch in these Guidelines.*

While these are the official stated objectives in this part of the application there is one of my own I would like to add: Crowding in as much Profitable Development as Possible. It is suggested that this is the true overriding objective of these Design Guidelines to which all others are in service on this project.

<https://tender.victoria.ca/.../Prospero/FileDownload.aspx...>

13. 6 February 2022

Focus Equities was in Breach of the Roundhouse Master Development Agreement

I write to remind you of a prior breach of the Roundhouse Master Development Agreement by Focus Equities. I do so to underscore that it is never a good sign when an agreement is breached essentially before performance has begun. I also disagree with the characterisation of certain future action not being taken and referred to below as ‘minor’. The key facts may be shortly put:

1. There is an agreement between the developer/Focus Equities and the City of Victoria that is called the Roundhouse Master Development Agreement (‘RMDA’) dating back to the original application for rezoning in 2008.
2. Section 15 of the RMDA required that the developer/Focus Equities provide, at the City’s option, an area for community space. The community space could be provided either on the Roundhouse site or a mutually agreeable location off-site.
3. However, this community space requirement was amended it appears in 2014 such that the developer/Focus Equities could pay cash in lieu of the community space prior to submitting a Development Permit Application for the first building to be constructed in the Roundhouse District.
4. *“On November 30, 2017, a Development Permit Application was submitted to the City [by the developer/Focus Equities] proposing a 26-storey, mixed-use building at 210 Kimta Road which is located within Development Area 3 of the CD-12 Zone, Roundhouse District; however, the applicant did not make the necessary cash-in-lieu payment prior to their submission and, **therefore, they are currently in breach of the MDA** and the application has been placed on hold until the monies are received.”* [emphasis added]
5. This quotation in para 4 is from your Jonathan Tinney, the Director of Sustainable Planning and Community Development for the City to its Committee of the Whole for a meeting dated May 3, 2018.
6. At that time the expected payment stood at approximately \$725,000.00.
7. A prior justification, excuse and request for deferral of the payment and a plea to overcome the breach was made in a letter by the developer/Focus Equities to the City dated April 12, 2018.
8. While the City eventually accepted the request the City noted that deferral of the payment to the Building Permit stage presented a ‘minor’ risk, in that there was no guarantee that the developer/Focus Equities would move forward with a Building Permit Application upon receiving Development Permit approval.

In summary, the breach of the Roundhouse Master Development Agreement by the developer/Focus Equities is ominous, does not bode well and should be carefully weighed by you when considering Focus Equities current rezoning application. Further, the real risk is not that this payment is not made in the future but that significant parts of Bayview Place simply do not happen if you approve the rezoning application without demanding more.

14. 23 February 2022

Beware Taking Things at Face Value

There is an inciteful long form article in Hong Kong Free Press (today) dated 12 February 2022 by Suzanne Pepper entitled ‘Beijing, Britain, pan-democrats or localists: Who is to blame for the death of Hong Kong’s democracy movement?’ Here is a link:

<https://hongkongfp.com/2022/02/12/beijing-britain-democrats-or-localists-who-is-to-blame-for-the-death-of-hong-kongs-democracy-movement/>

My intention in referring to it is not to weigh in on the merits. I shall leave that to the historians. No, my intention is to extract one quote and show how it could apply to the Bayview rezoning application.

Here is the quote under a sub-heading ‘Learning the hard way’

Conversely, the key failure of the old-style moderate pan-democrats was their insistence on taking the Basic Law’s words at face value, without questioning the conventional Western understanding of those words. They never asked what Beijing intended when it promised eventual universal suffrage elections for LegCo and the chief executive.

And here it is with a few changes on what we might see looking back one day:

Conversely, the key failure of the old-style City Councillors was their insistence on taking the Master Development Agreement’s words at face value, without questioning the conventional realistic understanding of those words. They never asked what Focus Equities really intended when it promised a neighbourhood by an urban visionary team.

So what is the lesson? As this post began it is pretty simple and that is ‘beware taking things at face value.’ If something sounds too good to be true it likely is. What a City Council should do in such circumstances is investigate, define, specify and enforce. Nothing, and certainly not just promises, should be left untested. What worries me is whether our City Council is up to the challenge.

15. 23 February 2022

Comments on the Ken Mariash Interview on CHEK news

I am setting out a link below to an article from CHEK News today (Feb 23) on Bayview that includes a short interview with Ken Mariash. You should read it. I have done a reply to it below in a table with quotes from the article in the left column and my comments opposite in the right column. I am not sure whose comments are more telling, mine or those of Ken Mariash. I would ask you to carefully read them both again and weigh them just as you should the application coming before you. I would also suggest that you look long and hard at what is most likely to come from this rezoning – the plans you might wish to rely upon, or whatever a subsequent purchaser with whom you may have no relationship is willing to offer. You see this is what is really at the heart of the matter and it would appear to me that the City of Victoria may be missing it.

Here is a simple solution. Tell Ken to build what he agreed. The zoning bylaw is in place and in no need of amendment. It respects the Community Plan and is more in keeping with Victoria. The downside risk for the City in this is low and your current Council would be absolved from any future problems given the original approval and rezoning took place years ago. The truth is that Ken Mariash could develop this site as is if he wanted to. I just don't think that he wants to. Presumably he would rather get your approval and sell it wouldn't he? He is quoted in the article below as already saying "the project hasn't been profitable" so what is he up to? Is the City supposed to underwrite it now? Or was this always the intention? Read my comments below. Let me underscore that if you rezone you are effectively potentially imposing a substantial premium on the development by creating the opportunity for the site to be resold consistent with land subdivision industry practices. Now that would be profitable. But, is that really what the City wants given its twin crises of housing availability and affordability? I would hope not.

<https://www.cheknews.ca/32-storey-building-proposed-for-vic-west-neighbourhood-in-revitalization-efforts-957752/>

CHEK News Article Quotes	Comments in Reply
23 Feb 2022, 6:06 pm	23 Feb 10:00 pm
'Iconic structure to define the skyline': 32-storey building proposed for Vic West neighbourhood in revitalization efforts	'Ironic structure to define the skyline'...

<p>For more than 20 years, Ken Mariash and his team at Focus Equities have been working on a revitalization plan for Vic West.</p>	<p>Focus Equities is in the Land Subdivision Industry, Dun & Bradstreet: “[t]his industry group comprises establishments primarily engaged in servicing land and subdividing real property into lots, for subsequent sale to builders”.</p>
<p>When he first moved to Victoria, Mariash says Vic West was a completely different neighbourhood, with leaking, bankrupt and unfinished buildings. So he set out to fix it.</p>	<p>Not sure how the residents of Vic West would feel about this description.</p>
<p>The site is split into two parcels: north and south. The south side has already been zoned for five buildings, while the north side is still in the rezoning application process.</p>	<p>Yes, 13-14 years later little has been done following the original rezoning. Still 5 buildings at the agreed height and density is not enough I guess. In effect the application is saying we want more, MORE height, MORE density and 4, 5 or 6 (cannot be sure because the number keeps changing) MORE tall buildings plus podiums BEFORE we even start.</p>
<p>The north side of the site houses the railway and has four proposed buildings: one rental, two condos, and one affordable housing building. This brings the total to nine buildings.</p>	<p>But what about the two hotels and the Cultural Centre? Remember this asterisk in the application:</p> <p>* <i>Cultural Centre Note: If included, will come out of proposed density</i></p> <p>And that affordable housing which is rather described this way in the application with another asterisk:</p> <p>* <i>Affordable housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a non-profit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning.</i></p>

<p>“The buildings are pretty much the same as what we [already] have,” Mariash said. “Sort of around 26 floors.”</p>	<p>Really? What about the podiums, the added density and the added height. What you have in Bayview 1 are 11 stories, 17 stories and 22 stories. BUT, the Mariash Focus Equities proposal now clearly shows building heights on the drawings and described as 26, 30, 32, 26, 28, 28, 23, 26 and 24 stories. These alone thus total 243 stories on that 9.2 hectare site before allowing for what has to be taken out of consideration given preservation of the historic buildings. Again, this one-half of your total Bayview site will have the tallest, 2nd tallest, 3rd tallest, 4th tallest, 5th tallest and 6th tallest buildings in Victoria.</p> <p>So, “The buildings are pretty much the same as what we [already] have,” Mariash said. “Sort of around 26 floors.” I don’t think so.</p>
<p>“There’s been some height fright, but we aren’t doing anything we haven’t done before. It’s just a continuation of the vision,” he explained.</p>	<p>Done before <i>where</i> I would like to know?</p> <p>Certainly not what you did before in Bayview I – See ABOVE. And it is not a continuation of the vision. If it were you would have roughly same heights and densities and number of buildings; that is 3. OK I will spot you 2 more BUT NOT 7, 8 or 9 MORE.</p> <p><u>And recall that the approvals given in Bayview II by the City were in exchange for variances that Focus Equities was already given for agreeing to redevelop the Roundhouse properties – which have not been developed anyway despite repeated assurances that it would be.</u></p>

“That was put in the middle of the skyline sort of to define it, because when you get out to the far harbour where the cruise ships come in, you actually can’t even see this project because the front buildings cover it, so we thought adding those floors would make a big difference.

Views are addressed as will be elaborated upon below in two ways: 1. ‘Views to the Site’; and 2. ‘Aerial Views’. Let me take the latter first. The drawings show 3 aerial views on pages 17, 18 and 19 of the rezoning submission. They are hard to parse for one main reason. They are not drawn to scale. That is, they are not in exact proportion either to each other or to the other buildings. When something is drawn to scale it means that every component within the drawing is the same proportion to one another and is represented by common measures. That is not the case here and the drawings seem to differ in size and presentation not only from one drawing to another but from one building to another within the drawings. Looked at the buildings appear to be different sizes and different heights in their different portrayals. For instance, in aerial view 1 two of the buildings appear to be less than $\frac{1}{2}$ the width of buildings in Phase 1. Another example may be given. From aerial view 3 the tallest building shown is Promontory in Phase 1 which is 22 stories high. By comparison, the E & N Tower, which is 32 stories high, appears shorter. Now, notwithstanding that there is a difference in gradient, is it really a 10-storey difference? Lastly, in aerial view 2 only 6 buildings appear to be shown. How is this possible? It is also very difficult to try and compare these views; e.g. aerial view 2 with its 6 buildings, aerial view 3 with its 7 buildings and aerial view 1 with its 10 buildings. An architect may reply by saying it is a question of perspective and that these taller buildings appear smaller the further they are from the point of view. However, that is not true if all the buildings are effectively aligned as they are in aerial view 2. Might this account for the fact that “you actually can’t even see this project because the front buildings cover it,”?

<p>“We’re negotiable on anything like that but it just seemed like the right thing to do to have at least one iconic structure to define the skyline in a dome shape.”</p>	<p>Sure, just the one iconic structure to define the skyline and let’s not dwell on those pesky little 26, 30, 26, 28, 28, 23, 26 and 24 storey other buildings. They’re not iconic in the least.</p>
<p>In the end, Mariash said, the project hasn’t been profitable.</p> <p>“We’re just doing it because this is what we promised.... whether this is an economic project or not, that’s not the main event. The main event is to get it built the way we had in mind. We didn’t expect it to take 25-30 years, but here we are.”</p>	<p>This is understandable, what business wants to make money.</p> <p>No, actually this is not what you promised. In fact I wouldn’t even object if you delivered what was agreed or promised in the Master Development Agreement with the City. That was reasonable. What is not reasonable in my humble view is what is being sought now. And in closing whatever he “had in mind” it differs markedly from his original applications and that’s what this should be all about City of Victoria.</p>

16. 25 February 2022

Capital Park A Model for What Bayview Could Be

I take the liberty of forwarding you an email from Concert Properties that I just received. Concert Properties is a genuine developer.

This is where I now live having sold our flat in Bayview I. Sadly, it was sold because I lacked confidence that you – Mayor and City Council - would do the right thing on the ZGF/Focus Equities rezoning application and turn it down. I had a contract in effect with the City as well when I bought in Bayview I and its terms were the current zoning bylaws and planning guidelines. I would submit it is unfair that someone can come along and convince you to amend the relevant bylaws and change the neighbourhood beyond all recognition. Every resident of Victoria should be allowed to rely upon what you have said collectively in the past. My submission here in that regard is on behalf of many other like-minded West Victorians and Victorians in general who agree with me but lack the time or skills to advance these critiques.

Nevertheless, you see, Capital Park is really what Bayview II should look like:- (some) low rise, high specification, mixed use, community facilities, commercial facilities, heritage homes, rental, open-space, public art, parking and in keeping with the Community Plan. Not 9 or 10 towers stuffed into a 9.2 hectare site that loom over, surround and suffocate the heritage buildings. Not 9 or 10 towers that so dramatically exceed current height and density requirements and the spirit of the Community Plan that you could be inviting a jurisdictional challenge. It is all so easy.

In short, Ken Mariash has a terrific site in Vic West and he should be able to do something that is needed, innovative, conforming and yet still profitable for him without the excess sought. He made his deal with the City – and with the residents like me – years ago. He should have to stand by it.

Hence I am asking you to do the prudent and responsible thing; that is to not amend the zoning bylaw and instead send it back to the drawing board and tell Ken Mariash and Focus Equities that they should double-down and give Vic West and the City of Victoria what they deserve:- another Capital Park.

Thank you,

JA McInnis



Dear Arthur,

We are thrilled to share the exciting news that all the homes at Capital Park Residences have sold. We acknowledge those who have chosen to make Capital Park your home and we hope you are as excited as we are to see this vision for Victoria come to life. Together in partnership with Jawl Properties, Concert is proud have created this vibrant, master-planned community.



The vision for Capital Park evolved from the Victoria Accord, a planning agreement established with the City of Victoria over 20 years ago that sought a mixed-use approach for the area. A network of expansive courtyards, calming water features and garden pathways connect James Bay back to the legislature and beautiful Inner Harbour through Capital Park, making it an integral part of the broader neighbourhood.

Also interconnected by the extensive landscaping are condominium and rental residences, office buildings, a Victoria Public Library branch and other

community amenities including locally owned businesses such as Red Barn Market and Good Earth Coffeehouse.

Guided by Concert's people-first design principles, Capital Park has transformed this neighbourhood into a connected, walkable community while remaining true to its historic character. If you haven't visited Capital Park recently, we encourage you to walk through the complete community and witness the incredible transformation.

Sincerely,

Concert & Jawl Properties

17. 6 March 2022

Some Legal Considerations

I am writing to you again in respect of this matter. I do so briefly and so as to remind you what governs your actions:- the Local Government Act, whose purposes may be set out in abbreviation from section 1; namely:

- (a) to provide a legal framework and foundation for the establishment and continuation of local governments to represent the interests and respond to the needs of their communities,
- (b) to provide local governments with the powers, duties and functions necessary for fulfilling their purposes, and
- (c) to provide local governments with the flexibility to respond to the different needs and changing circumstances of their communities.

You are tasked with representing my interests in this community. The powers, duties and functions which you exercise must be done so judicially, reasonably and fairly. You need to be flexible and respond to my needs which may be different from a developer's and circumstances which have changed over the last 13 years. Yours is a very challenging position to hold no doubt. You do not always get it right as with the recent successful legal challenge to your plastic bag bylaw.¹ This is notwithstanding that I am sympathetic and appreciate that it is not always clear what course of action should be taken or your legal position vis-à-vis given issues. I would submit this to be the case with respect to the Bayview Rezoning application. You are in somewhat uncharted territory. In effect you have the same application you had before you some 13 years ago. You decided on that application but you are now being asked to rule on it again and go further. This raises a host of questions.

There is a precedent in the neighbourhood that involves what turned out to be a legal back and forth for many years over another City of Victoria Master Development Agreement with a developer – in effect the City's contract with the developer; namely *Pacific National Investments Ltd. v. Victoria (City of)*² and before the *Supreme Court of Canada Pacific National Investments Ltd. v. Victoria (City of)*.³ The Supreme Court split 4 – 3 in that case and while a close analysis is outside the scope of this submission I would say there is much in that judgment which should still give you pause as you weigh this rezoning application and notwithstanding changes to the municipal legislative framework.

There are a host of other cases which could be relevant to judging the actions you have taken and are yet to take in this matter. They raise questions of standing, statutory duty, standard of care, negligence, and immunity. Again, I do not have the time to deal with them. My intention here is to flag two trends of which you may be unaware. The first trend concerns the movement away from *Anns v London Borough of Merton*⁴ which you and other municipal authorities in Canada routinely rely upon in part to insulate themselves from liability and notwithstanding that is no longer the case in some other jurisdictions.⁵ The second trend reflects the adoption of the doctrine of good faith as a general organising principle in Canadian law by the Supreme Court of Canada.

In the 1970s, courts sought to identify an overarching formula by reference to which the existence or otherwise of a duty of care might be tested. In *Dorset Yacht Co Ltd v Home Offices*⁶ Lord Reid observed that the well-known passage in *Donoghue v Stevenson*⁷ in which Lord Atkin stated that in law where the command to love your neighbour became a rule that you must not injure your neighbour should be regarded as a 'statement of principle'.⁸ The high water mark of this development was the speech of Lord Wilberforce in *Anns*⁹ in which he formulated what has become known as the two-stage test. The court was to inquire:

1. whether it was reasonably foreseeable that damage would arise as a consequence of the act or omission of the defendant of which the claimant complained; and if so,
2. whether there was any reason of policy or justice which suggested a duty of care should not be imposed.

However, in practice, this test proved unworkable. It was almost always possible to answer 'yes' to the first question, and, in circumstances where the first question had been answered 'yes', it was frequently difficult to see why the second question should not be answered 'no'. As a result, *Anns* provided a theoretical basis for an almost indefinite extension of the scope of liability in negligence.¹⁰ Although reasonable foreseeability might be an adequate test for the imposition of liability in straightforward cases involving the direct infliction of physical damage,¹¹ it was still unable to provide 'intelligible limits' in more complex cases concerning economic loss in order to keep the law within the bounds of common sense and practicality ... and it is likely for this reason that courts outside Canada moved away from the *Anns* two-stage test.¹²

I addressed these changes in a law journal article 25 years ago.¹³ The open question is whether the Canadian Supreme Court will remain with this line of authority given changes in the law with regard to relational contracting and good faith. I am not sure about that.

That is because very recently, the doctrine of good faith came before the Supreme Court of Canada in a trilogy of cases that has made new law beginning with *Bhasin v Hynnew*¹⁴ followed by *C M Callow Inc v Zollinger & Ors*, and *Wastech Services Ltd v Greater Vancouver Sewerage & Drainage District*.¹⁵ In the landmark *Bhasin* case, the Court affirmed the existence of a duty of good faith as a general organising principle in Canadian law.¹⁶ In particular, the Court recognised four distinct duties that manifest a general organising principle of good faith:

- (a) a duty of co-operation between the parties to achieve the objects of the contract;¹⁷
- (b) a duty to exercise contractual discretion in good faith;¹⁸
- (c) a duty not to evade contractual obligations in bad faith; and
- (d) a duty of honest performance.¹⁹

If those duties were not expansive enough in their import, the Court emphasised that considerations of good faith are apparent in the process of contractual interpretation, in the law of implied terms, and in the doctrine of unconscionability.²⁰ The *Pacific National Investments Ltd* case too was about implied terms in part and it would appear the Supreme Court of Canada has moved on. The importance of the more recent cases decided by the Court is in how they begin to fill in the gaps left by *Bhasin* which are subsidiary to good faith as an organising principle and which underpin it. Thus, in the

Callow and *Wastech Services* cases, the Court considers whether a party who exercises a contractual right in an honest and reasonable manner may still breach its duty of good faith if its conduct undermines the other party's business interests, and how the exercise of discretionary power in a contract may be constrained by good faith. This trilogy of cases is going to have profound implications for Canadian law.

The effect of the organising principle is to require contracting parties to have appropriate regard to the legitimate contractual interests of their counterparties and not act in bad faith. At the time *Bhasin* was argued, Canadian law was divided over whether the Court should recognise a general duty of good faith in contract or circumscribe good faith to the more modest and familiar classes of cases in which it had been recognised. Notwithstanding that the Court declined to uphold good faith as a general duty, it recognised that there were numerous rules and doctrines that call upon the notion of good faith in contractual dealings which could be explained through a general principle. Could such duties be found in the actions of the City of Victoria? Could they be found in the actions of Focus Equities? It remains to be seen but I would not rule anything out. Good faith will not be implied, interpreted or construed in a vacuum either. Other fulsome legal concepts such as due diligence, being put on inquiry, constructive knowledge, and wilful blindness are but a few that could be relevant here. I have sought to make the case to you that before you approve a rezoning application that you need to look at all the facts which may be relevant. You may think your inquiry can be limited but I would disagree as you do not know that. You may think that you have a defence to any claim made against the City under Part 18 Division 2 of the Local Government Act but I do not know that nor should you conclude that there are no exceptions when your actions might not give rise to a successful action as I have pointed out above.

The City of Victoria has a great deal at stake in considering this matter. Your decision will reverberate for many years and perhaps decades given the time the Bayview project may take to come to fruition or not. If this project goes wrong it is very likely that only the City of Victoria will be around to pick up the pieces down the road. In effect this would make you the ultimate risk bearer and that is why you need to proceed cautiously and informedly. The most cautious approach of course is to allow the project to proceed only as approved already and within the confines of the existing zoning bylaws and planning requirements.

1. *Corporation of the City of Victoria v. Canadian Plastic Bag Association* (2020) CanLII 3694 (SCC).
2. *Pacific National Investments Ltd. v. Victoria (City of)* (1998) 58 BCLR (3d) 390, [1999] 7 WWR 265, (1998) 165 DLR (4th) 577 (BCCA).
3. *Pacific National Investments Ltd. v. Victoria (City of)* [2000] 2 S.C.R. 919.
4. *Anns v London Borough of Merton* [1978] AC 728 (HL) at 751-752.
5. See J.A. McInnis (Gen Ed), *Emdens' Hong Kong Construction Law*, 2 vols, looseleaf, LexisNexis.
6. *Dorset Yacht Co Ltd v Home Office* [1970] AC 1004 (HL).
7. *Donoghue v Stevenson* [1932] AC 562 (HL).
8. [1970] AC 1004, at 1027.
9. *Anns v London Borough of Merton* [1978] AC 728 (HL) at 751-752.
10. See the observations of Lord Oliver in *Caparo Industries v Dickman* [1990] 2 AC 605 (HL) at 643C-D.
11. *Caparo Industries Ltd v Dickman* [1990] 2 AC 605, 633A (per Lord Oliver).
12. Eg the *Anns* case was not followed in *Yuen Kun-yeu v Attorney General* [1988] AC 175, 194 (Lord Keith of Kinkel) Privy Council and overruled in *Murphy v Brentwood* [1991] 1 AC 398,
13. J.A. McInnis, "Commonwealth Courts and the Move Away from English Authority," (1997) 27 HKLJ 28 - 39.

14. *Bhasin v Hryniew* 2014 SCC 71, [2014] 3 SCR 494. It has been called ‘an excellent example of a court doing exactly what a court, particularly a Supreme Court, should do’: Robertson, JT “Good Faith as An Organizing Principle in Contract Law: *Bhasin v Hryniew* — Two Steps Forward and One Look Back” (2016) 93(3) *Can Bar Rev* 811, 866.
15. *CM Callow Inc v Zollinger* (2020) SCC 45; and *Wastech Services Ltd v Greater Vancouver Sewerage and Drainage District* (2021) SCC 7.
16. See Hall, G “*Bhasin v Hryniew*: Towards an Organizing Principle of Good Faith in Contract Law” (2015) 30 *Banking and Finance Law Review* 335, 335–336. See, generally, Gray, A “Development of Good Faith in Canada, Australia and Great Britain” (2015) 57(1) *Canadian Business Law Journal* 84. *Bhasin*, too, has been cited favourably outside Canada including in Australia in *Clarence Property Corp Ltd v Sentinel Robina Office Pty Ltd* [2018] QSC 95, paras 72–73; and in New Zealand in *Heli Holdings Ltd v Helicopter Line Ltd* [2016] NZHC 976, para 114 and *SCC (NZ) Ltd v Samsung Electronic New Zealand Ltd* [2018] NZHC 2780, para 176.
17. *Bhasin v Hryniew* para 49. 18. *Bhasin v Hryniew* para 50. 19. *Bhasin v Hryniew* para 51.
20. *Bhasin v Hryniew* para 73.

18. 10 March 2022

Density and the Vic West Neighbourhood Plan

I just had a question on density from a concerned citizen. He was stunned that the Mariash/Focus Equities proposals could so exceed the governing FSR. So am I. The question is what is planning, community involvement, neighbourhood plans and the like for if someone can just come in and usurp them. **If you approve this just throw out your neighbourhood and community plans because they will have been rendered meaningless.** As I have said send the request back and simply say return to us when you are compliant. What is wrong with that? Compliant. It is easy. And it should have been understood by the applicant rather than to put something before you that so exceeds everything which planning is currently about in this City that it is almost laughable. In reply to the question this is what I wrote:

Let me remind people that Focus Equities is asking for a density of 5.21 FSR (Floor Space Ratio). That is more than double what Vic West has proposed across the Board. Here is the cover page on the Vic West Neighbourhood Plan (119 pages), and below it the FSR for different types of developments on page 54:



	Uses	Density	Building Types
Traditional Residential	<ul style="list-style-type: none"> Residential Commercial uses may be supported at the intersection of major roads or in limited areas identified in Policy 6.4 and 6.10. 	Density generally up to 1.0 FSR Density in most areas limited by housing types identified in Chapter 6. Opportunities for density up to 1.2 to 1.5 FSR in limited areas as identified in Chapter 6.	Single-detached dwellings, detached dwellings with accessory suites and duplexes. Generally ground-oriented residential buildings, including houseplexes, townhouses, and house conversions consistent with the policies in Chapter 6. Multi-unit residential buildings up to three storeys along Esquimalt Road, south of Esquimalt Road, adjacent to Catherine at Edward Street Village, and in the Pioneer Housing Cooperative site.
Urban Residential	<ul style="list-style-type: none"> Residential Commercial uses may be supported at grade fronting Esquimalt Road 	Up to 1.2 FSR Opportunities for bonus density up to approx. 2.0 FSR.	As above, plus: Multi-unit residential buildings up to approximately 4 to 5 storeys are generally supported, where indicated in Chapter 6, with variable setbacks and front yard landscaping. Residential or mixed use buildings fronting Esquimalt Road Upper floors above the streetwall generally set back.
Small Urban Village	<ul style="list-style-type: none"> Active commercial uses* on the ground floor in most locations, with residential or commercial uses above. 	Up to 1.5 FSR	Commercial or mixed use buildings up to 3 storeys. Conversions of single detached houses to commercial or mixed use. In some areas, residential or live-work buildings (see Chapter 8). For new buildings, ground level generally built up to the sidewalk, with parking located to the rear of buildings or underground.
Large Urban Village	<ul style="list-style-type: none"> Commercial uses on the ground floor, with active commercial uses* in most locations (see Chapter 7) Residential or commercial uses in upper floors Live-work or work-live** 	Up to 1.5 FSR Opportunities for bonus density up to approx. 2.5 FSR	Commercial or mixed use buildings mostly up to 6 storeys. Buildings set close to the street to define the public realm along retail streets, with landscaped setbacks in more residential areas. Upper floors above the streetwall generally set back. Parking located in structures or underground.
Core Songhees	<ul style="list-style-type: none"> Varied commercial, residential, and limited light industrial uses 	Up to 2.5 floor space ratio or as identified in a Master Development Agreement.***	Commercial, residential or mixed use buildings of varying heights Buildings set close to the street to define the public realm along retail streets, with landscaped setbacks in more residential areas. Upper floors above the streetwall generally set back. Parking located in structures or underground.

* Active commercial uses are those that tend to generate foot traffic and pedestrian interest, and include retail stores, food and drink establishments, personal services, theaters and entertainment, and may include some professional services, medical services or personal services.

As I have also said before the proposed density is without precedent. In summary the proponent is seeking to more than double the maximum of 2.5 Floor Space Ratio or FSR. The FSR building density is defined as the ratio between the total amount of gross floor area of a building and the area of the parcel upon which the building is located. The application shows the FSRs for Phase I and Phase II of Bayview Place both separately *and* combined. By showing both in this way the intention is to get the City to focus on the lower *average* number of 3.76 which still far exceeds the City's current 2.5.

However, Phase I is done and should not play any part in deciding what FSR the City should approve now on Phase II. I repeat Phase I is done. There is no justification to average the two lots. What the City has before it is an application to rezone the Phase II site ALONE. The FSR for this site is proposed to be 5.21 and thus dramatically exceeds the current zoning. The application should be rejected on this basis ALONE but there is more; that is how the application seeks to add BOTH height and density. You must consider the two together as well.

As a footnote I note the irony in Focus Equities now having Jonathan Tinney as their contact after the sudden and unexplained departure of Patrick Cotter of ZGF as Jonathan was involved in the Vic West Neighbourhood Plan (see page 58 below, per his CV).

19. 13 March 2022

***G.S.R. Capital Group Inc. v. White Rock (City)* 2022 BCCA 46**

I write to bring to your attention the recent judgment of the BC Court of Appeal in *G.S.R. Capital Group Inc. v. White Rock (City)* 2022 BCCA 46 dated Feb 4th where it ruled in favour of the White Rock City Council and against a developer seeking a building permit to effectively block a project. Here is a link to the judgment:

<https://www.canlii.org/en/bc/bcca/doc/2022/2022bccca46/2022bccca46.html?resultIndex=1>

By way of summary the petitioner and appellant G.S.R. obtained a development permit to develop a twelve-storey residential building in White Rock. In October of the same year, a new City Council was elected but it was not in favour of the development, and ultimately downzoned the land to six-storeys maximum *before* G.S.R. had obtained a building permit. Wasting no time in fact the new elected City Council actually did this during its first week in office.

G.S.R. unsurprisingly unhappy with the decision of the City Council challenged the downzoning in Court and argued two main points:

1. that the development permit served to preserve the former zoning for a period of two years; or
2. in the alternative, that it was entitled to build the twelve-storey structure on the basis that its commitment to do so established a lawful non-conforming use.

These arguments were taken by G.S.R. before a Judge of the Supreme Court in Chambers on an application for judicial review. The application sought various orders including a declaration that it was entitled to proceed with the development as set out in its development permit, and an order compelling the issuance of a building permit. Finally, G.S.R. also sought orders amended bylaws which the new City Council had passed in the interim. G.S.R. also sought a declaration that its proposed development was protected as a lawful non-conforming use of the property, pursuant to s. 528 of the Local Government Act.

In Chambers the Judge dismissed the petition in toto and ruled that White Rock was entitled to deference in respect of its interpretation of the Local Government Act, and that its interpretation of the Act was not unreasonable. Legal parlance for the City Council could do what it wanted and the Court would not interfere.

The Judge further considered that existing case law and the plain meaning of s. 463 supported White Rock's view that it was entitled to withhold the building permit and rejected the proposition that G.S.R.'s proposed development constituted a lawful nonconforming use.

Three issues were taken to the Court of Appeal with the most material to the Bayview rezoning application being that concerning the downzoning of the property and the denial of a building permit. In other words could this be repeated in Victoria?

This is what Justice Groberman wrote in the *White Rock* case:

“[31] I am not persuaded the City’s interpretation of the section was an unreasonable one. It is true that the City had issued a development permit, and that, in that sense, the proposed development had moved beyond its earliest stages. It seems to me, however, reasonable to describe the project as a ‘proposed development’.

Construction had yet to commence, and there was no assurance that it ever would. It is true that G.S.R. was bound by the terms of the development permit, but those terms did not compel it to go ahead with the project. From a grammatical, contextual and purposive standpoint, it was not unreasonable to describe the project as a ‘proposed development’ when G.S.R. made its application for a building permit.”

Thus this would appear to be similar to the current situation in Victoria with the Bayview II development.

Following the judgment the Mayor of White Rock said:

"We did what we believed we had to do, and what we had the right to do under the community charter, to try and protect our community and maintain some of the levels within the community in regards to building heights..."

"We had hoped all along that there would be some sort of resolution where the two sides could come together and find some common ground..."

"The ball is now in the hands of the proponents to decide what they want to do...It's their property. It's their land. They're the ones who have to make a decision as to what they want to do with it ... but also, are allowed to have a set of rules that give those broader guidelines as to what is possible."

CBC News, 4 Feb 2022 “After years long battle B.C.’s highest court rules city was within its rights to pause condo project”

<https://www.cbc.ca/news/canada/british-columbia/white-rock-development-alexandrapark-court-battle-1.6340112>

In summary, clearly this is an important precedent and one the City of Victoria must consider.

The judgment suggests that there is much more at stake in Victoria than whether Focus Equities is simply given more density and more height on Bayview II by amending the bylaws. It suggests there could be an issue whether Focus Equities can even keep what it has with the status quo if the current City Council wanted to take a different view from the former City Council and begin a process to revisit Bayview II in its entirety. This is huge and means it is wide open where the City of Victoria might go with this application. It would seem with the timely arrival of this judgment that the City of Victoria has been given a reason to pause this for a second look.

20. 1 August 2022

What's behind the 'Donation' by Focus Equities?

A recent story in the Times Colonist dated 29 July was titled 'Roundhouse developers donate \$15M property for affordable housing'. So what gives.

Here are four reasons why Ken Mariash may be donating this land:

1. He is trying to set a benchmark value for the other plots which he might sell if he can persuade City Council to green light his development.
2. He is trying to generate some good will with City Council; Mariash knows there is considerable opposition to his plan.
3. He wants to donate the plot which could attract some of the most vocal opposition as it has the most interesting features on the site; namely the rock outcrop at the intersection of Catherine and Esquimalt Streets.
4. He has no alternative. He was called on the qualifications he included in one of his last or recently amended rezoning applications. That is, it became clear that a project which was being sold to the public at least in part on the basis of its affordable housing was only in the application *qualifiedly*. Last December the rezoning application held out the addition of some 250 affordable units of housing. However, it came with a very big asterisk. The asterisked caveat read as follows:

**Affordable housing site and development parcel. The proposed affordable housing development is subject to future design and development permit approvals by a nonprofit affordable housing developer and operator to a maximum of the values and criteria identified in this proposed zoning*

What did this mean in practice? It meant according to Mariash's own application that there was no definitive obligation for him to provide the affordable housing *unless* another developer stepped up with design and development, approvals were given, the developer had to be a non-profit, who was also either an operator or along with a separate operator who was willing to take it forward.

The question to be asked is whether we were ever going to see this absent a spotlight being shone on it? This very point was made by me in a submission to City Council near the time when I wrote:

You see this was a very big 'if'. Given the importance of this the proponent should come to the table with a developer cum operator in hand, not simply hold out that it will come down the road. In fact, why should such developer come as envisaged? From a commercial point of view this may be one of the most unattractive aspects of the development and hence the most difficult to interest third parties to take over and assume responsibility therefor. If the City drove this project as a Public Private Partnership details of such a developer/operator would all but be mandated. In short, there is simply no way that this big an out should be given to the proponent with regard to this application. Further, while described here as a very big 'if'; strictly speaking, this is a 'subject clause'. Subject clauses are used when an exception is set out. Hence the

*rezoning application states what will be done including the construction of affordable housing but it is **subject to** this exception; e.g. only if there is a qualified willing third party or third parties who take it up and approval is given for it.*

It should be noted that no such exception is set out with regard to the other parts of the application. This is because the proponent must be reasonably confident that those other commercial parts in the rezoning application can be sold, and that those parts will attract the interest of other parties. It is presumably on that basis that the proponent is incurring costs from not only his original application but all subsequent reapplications over a very long period of time. This development is not being undertaken as a charitable endeavour for the City of Victoria but as part of a deliberate and carefully honed commercial plan. Sometimes confidence in such plans though can be misplaced as it appears to have been with the sale of part of phase I of Bayview Place to Elements for the Aquara seniors complex and which now appears to be abandoned...

In sum, look at what's really going on here. Donating land and creating the *opportunity* for another developer to add some 'affordable housing', when more than 90% of the rest of the housing proposed for the site – some 2000 units – will be sold at market commercial rates should be seen for what it is. The Bayview project is simply too big for the site, and too much to take.

21. 10 September 2022

The Last City Council Did Not Consider the Application Despite Haste of the Applicant

I take this as good news as Ken Mariash appears to have been pushing to bring it before them. There has been a flurry of submissions by those working for Mr Mariash and Focus Equities on the application and he tried to generate some support for it in a Memorandum that was sent to residents of Promontory in Bayview I. Printed on Bayview Place letterhead, dated July 26, 2022, and signed by Ken and Patricia Mariash, the Memorandum promoted attendance at what was billed as a Community Meeting at the Bayview Presentation Centre on August 4th this way:

“We will discuss and inform you regarding our current application that has been slowed down for presentation to the Committee of the Whole (COTW) in September with a poor chance to get to a public hearing with the current council before the election *unless the community stresses the need to make the project a more urgent priority over other urgent priorities*”. [emphasis added]

The Memorandum adds:

“We also strongly encourage all community members to write letters of support to planners and councillors as soon as possible **to expedite and approve the project before the election**”. [emphasis added]

It is unclear if the same Memorandum was also sent to residents in Encore and Bayview in Bayview Place. This all seems a little desperate to me. *Could it be that a new Mayor and City Council might feel less beholden to Mr and Mrs Mariash and Focus Equities given changing public sentiment, other priorities, or even because they would be less invested in it than the current Mayor and City Council? Quite possibly.*

The Memorandum has also sparked some very strong opposition to the application and the manner of its publicity by at least one resident of Promontory who returned from being away and found the Memorandum taped to the door of the unit.

Perhaps if more residents felt the same way and expressed their concerns to the current or incoming Mayor and City Council the Bayview Place application might get the critical consideration that a project of this magnitude should entail, and yet which has so far been wholly absent in the press.

22. 11 September 2022

Public Opposition – Is There Public Housing or Just the Prospect of It?

Some of the public opposition to the application to rezone may be having an effect. Hence, in the recently filed Rezoning Submission Summary dated June 9, 2022, and listed on the Development Tracker website June 15, 2022, the applicant states that building heights have been lowered, shadows significantly reduced, the number of dwellings reduced and affordable housing added. As such building height is capped at (just) below 30 floors (which in turn will reduce the shadowing by that much), and the number of dwellings goes down from 2,186 to 1,900. This is progress but on the most miniscule scale. The Floor Space Ratio (FSR) also drops from 5.25 to 4.75 though which is noted still exceeds by almost double the current bylaw/guideline.

The revised rezoning application also indicates that affordable housing has been *added*. To describe it as 'added' in the resubmission is odd though because it seems it was always supposed to be there.

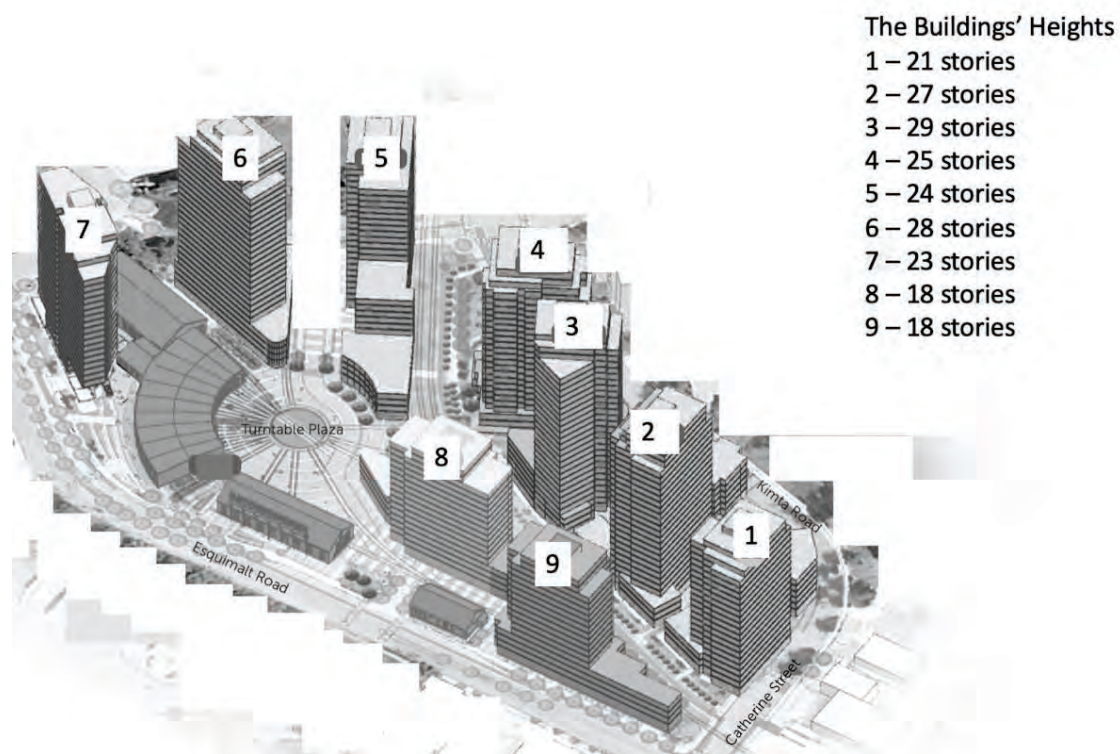
The dilemma for the applicant though notwithstanding how often it seemed to come up was that the plans that had been submitted beforehand showed 0 square feet for affordable housing. This could be taken to mean 'not sought'. It may be that the City noticed and the applicant responded – as it should have... by *adding* it. It is unclear. Here is the point though: given how heavily affordable housing was promoted in the applicant's publicity materials etc before this addition was announced arguably it had to be done. Nevertheless, and while a net positive, it seems it is still not guaranteed to be built.

This is because The Memorandum of Understanding (MOU) entered into between Bayview Place LP and the Greater Victoria Housing Society dated Feb 2, 2022 states at the top: "*This document is not binding and does not create enforceable legal rights or obligations and is only intended by the parties to create a common understanding of their mutual goals.*" Now that is what I call a caveat. If the City Council approves the rezoning application without properly weighing this it is City Council's problem. It should form part of judging the application as a whole.

Lastly, if affordable housing can be *added* so too should the Cultural Centre be *added* as it too has been held out and heavily promoted by the applicant for years without any square footage reserved for it in the revised plans. That suggests to me it is not coming.

23. 19 September 2022

Here is How Bayview Place will Really Look and the Site at Present From Google Earth



Bayview Place from Google Earth

Below is a satellite photo of Bayview Place phase 1 complete and the site for phase 2 proposed. Look carefully at the three towers in phase 1 and you can see how they occupy the area and are tempered by the Songhees Hillside Park and unnamed green space fronting on Esquimalt Road.

Now, by comparison, look at the phase 2 site and ask how nine towers (3 x phase 1) most at substantially greater heights than in phase 1 (and some with podiums) can reasonably be built there. Given that the applicant must preserve six historic buildings, and has agreed to maintain rail right of way, it would appear that the land available is going to be very very tightly constrained.

To take one example of this constraint and how it would impact the project look carefully at the triangle space behind the Roundhouse fronting on Esquimalt Road and beside Sitkum Road. Then, try and envisage how a 23-storey tower can reasonably be built there?



23 storeys here? Really?

24. 19 September 2022

9 Bayview Place Towers – at last we see what Bayview will look like – AFTER THE CONSULTATIONS HAVE ALL BUT FINISHED

We now know what ‘Bayview Place’ and the current application for rezoning and amending the Official Community Plan will look like once fully ‘developed’; that is:*

- 9 highrise towers
- 1 thru 9 below
- 21, 27, 29, 25, 24, 28, 23, 18 and 18 stories
- Totaling 213 stories
- Significantly exceeding current height and Floor Space Ratio limits
- Some with podiums which add a greater footprint
- Covering the rock outcrop at the corner of Catherine Street and Esquimalt Road and
- Dramatically overshadowing the heritage buildings

To date there have been very few (if any) drawings showing the entire site once redeveloped and rather illustrate parts of it rarely to full height from different perspectives. In fact, this drawing shows the scaled back plans as the application originally envisaged some slightly taller towers.

Here is the \$64 question: is this *really* what should be approved for this site?

Wasn’t it supposed to be about the Roundhouse and related properties given the original approval and MDA?

After all no one is stopping Mr Mariash and Focus Equities from refurbishing the Roundhouse and related properties as originally promised right now.

Maybe he should start there.

* based on an original drawing that is part of the applicant’s Roundhouse at Bayview Place Conservation Strategy publicly submitted to the city on September 14, 2022 and available on the Development Tracker website and set out in 23 above

25. 22 September 2022

Here is How the Project Grew Beyond All Bounds Between 2008 and 2022

The application has been all over the map. It seems more to represent a negotiation than a planning application. This can be seen by the wild fluctuations set out below and which portray how it has changed from the original 2008 zoning until today. *

2008 Zoning

- 2.0 Floor Space Ratio
- 80,000 sq feet
- Max 25 floors

Jan 2020 Rezoning Application

- 5.95 Floor Space Ratio
- 2.3 million sq feet

May 2021 Rezoning Submission

- 4.73 Floor Space Ratio
- 1.9 million sq feet
- Up to 30 floors

Dec 2021 Revised Rezoning Submission

- 5.25 Floor Space Ratio
- 2.1 million sq feet
- Up to 32 floors

June 2022 Rezoning Submission

- 4.75 Floor Space Ratio. But this comes with this note:
 - “4.75 FSR is the proposed zoning limitation / All numbers and calculations are approximate only and subject to change. See disclaimer on page iii.
 - Page iii disclaimer: “A Floor Space Ratio of 4.75 is the proposed density for the overall rezoning of the site. As with other contemporary CCD-zoned sites, the zoning is intended to allow for some flexibility in distribution of density between development cells located across the site (conditions to be outlined in the MDA and to be confirmed at Development Permit stage). The density allocations identified in this rezoning application for each development area are based on the concept massing and layout as prepared in support of this application, and are subject to change at time of each Development Permit Subdivision. Please note that this application does not exceed a density of 4.8 FSR indicated to CALUC in August 2021.” - It may be pointed out that the earlier application was based on separate north and south land use zones but which were consolidated for the final submission into one zone now providing for 10 development areas.
 - 1.9 million sq feet
 - Max 29 floors

It is also noteworthy among the reasons given for the changes from the 2008 application to current rezoning application is that the initial zoning was based on very different site development parameters and environmental constraints. Here is the question this raises though and that is at whose risk were they in the first place? *From September 2022 submission of the applicant

26. 4 November 2022

Jonathan Tinney Replaces Patrick Cotter as New Application Contact

The Bayview project now has a new application contact. After helming the project on behalf of Focus Equities and Mariash, Patrick Cotter is now out. Cotter, who is a well-known Vancouver architect and planner, combined his architectural firm Cotter Associates with ZGF in 2014. ZGF is an American architectural firm which expanded into Canada through its partnership with Cotter. Cotter has been instrumental in the Bayview project for the last several years and perhaps longer and really has been the public face of the project second only to Ken Mariash. His name having been the sole contact on the City's Development Tracker website underscores his central role. It is unclear if Cotter has also left ZGF. On a call to ZGF today there was no comment from the firm whether he was still working there. Neither could Cotter be reached directly for comment either. This is a major development and should be inquired into inasmuch as submissions have come from Cotter and ZGF on behalf of Mariash and Focus Equities and it's reasonable to know if this change is material to the project and its appraisal.

Quite apart from the uncertainties Cotter's departure raises there is another question and that is the background of his replacement. Cotter is being replaced by Jonathan Tinney. Tinney is a principal at SvN, a firm of architects and planners and is based in Toronto. He has been with SvN for less than two years and immediately before that was a principal at Stantec Consulting. (As an aside Mariash has had a very long history with Stantec in Alberta.) Prior to Stantec, Tinney was the Chief Planner for the City of Victoria for a period of almost four years. There he worked on a range of projects including four Neighbourhood Plans (Fairfield, Vic West, Gonzales, and Burnside Gorge). I can only wonder whether that is the reason Mariash has turned to him and SvN?

Tinney is well outside any cooling-off period (notional or otherwise) that might be relevant when a person returns to deal with a former employer. So that is fine, though I cannot help but wonder whether I am missing something here. Whatever might be the actual reasons for Cotter's departure from Bayview at least, at a critical juncture for Mariash, and Tinney's hiring:- I would not think that it will be easy for Tinney to now take a position that flies in the face of his Neighbourhood Plans. The fact is that those Neighbourhood Plans, and Vic West in particular, have never contemplated an application with the densities and heights that Bayview is now seeking. It should be recalled that Mr Tinney had some contact with the application in the past. If you visit page 33 dated Feb 6th you will see this quote:

“On November 30, 2017, a Development Permit Application was submitted to the City [by the developer/Focus Equities] proposing a 26-storey, mixed-use building at 210 Kimta Road which is located within Development Area 3 of the CD-12 Zone, Roundhouse District; however, the applicant did not make the necessary cash-in-lieu payment prior to their submission and, therefore, they are currently in breach of the MDA and the application has been placed on hold until the monies are received.”

This quotation is from Jonathan Tinney, then described as the Director of Sustainable Planning and Community Development for the City to its Committee of the Whole for a meeting dated May 3, 2018. I would say this is not an auspicious start.

27. 17 February 2023

Back to the Future

It was June 11, 2015 that the last significant approvals were given to Bayview 2 by City Council. What a difference a few years and rising property values makes. As we come up on the 8th anniversary of that approval let's remind ourselves what Bayview 2 was going to look like when complete. Here are some images below from that time all published by Yahoo Finance. How different it is all supposed to be.

The City approval at the time, and the significant planning concessions it entailed, was given principally in exchange for preservation and redevelopment of the Roundhouse properties. However, rather than fulfill that agreement according to its terms Focus Equities has returned and asked for a near doubling in size and scale of the project.

Again, these images depict what the project would look like upon completion without the City approving the current application. And what is wrong with that? Nothing. In contrast, ask yourself how what appears to be 4/5 more huge towers could reasonably be put on that site:- let alone without all but overshadowing and overawing the Roundhouse Properties? There appears to be no room!

You see, and quite apart from many other applications the City has before it currently, this one is easy. It is easy because the City gave approval already. There is really nothing more the City need concern itself with and it can do so with a clear conscience. Nothing currently prevents, and everything in fact commends, the City saying to Focus Equities, "we gave you a pretty good deal here, so please just respect that. There's still money to be made even if you just subdivide and sell". And I really think that is the case. The City needs to ask itself how much incentive does it really need to give Focus Equities for what now seems to almost be an afterthought:- preserving and renovating the Roundhouse properties.

If the City were met with "fine, we will just walk away," from Focus Equities, so be it. I understand and anticipate that others could pick up where it was left off. That is how the City needs to go into its Committee of the Whole meeting, resolute. In my view, it is better to lose a year or two now than build the wrong project or part of the wrong project there or that the development simply comes apart under its own weight as eg. Acquara has. The City is in fact in a strong position, and it should understand that.



28. 28 February 2023

More Answers are Needed

You may be aware that Focus Equities has new promotional material out in support of Bayview on their website.

In their material they ask and answer these two questions:

Why do we need an amendment to the application? and

Why not build what was approved in 2008?

Here is their answer:

“The 2008 zoning included extremely rigid design guidelines and restrictions that, combined with a ‘conceptual masterplan’ that was also treated very rigidly, made it impossible to achieve a viable development permit to proceed with the development. An unusual ‘stepped’ approach to the built form was mandated that was very difficult to construct and excessively expensive, and also had the disadvantage of being highly energy inefficient. Despite the important principle that guidelines and conceptual plans should be flexible to changing conditions (for example, the chaos and stress of the 2008 global recession), or more viable and buildable ideas, no flexibility in built form, phasing etc was permitted in the 2008 approvals.

Despite these obstacles, Mariash/Focus made best efforts to proceed with community-building, but many reputable design firms over years could not resolve the problems to get a viable development permit, leading us to conclude that the site was unbuildable under the current approvals.

The proposed new zoning would resolve the barriers in the design guidelines and restrictions, the masterplan problems, and the issues with the master development agreement on phasing and sequence of work. In short, the proposed revised zoning would allow community-building to proceed.

In addition, after years of careful listening to city leaders and the community, the revised zoning would also add much-needed rental and affordable housing, with additional ownership housing density to improve community planning, support successful on-site retailing/services, and help offset the financial burdens that come with the affordable housing and other challenges. We’ve accepted the challenge we’ve heard to be more ambitious in helping the City meet its many goals, particularly around more diverse housing and better affordability. We’ve also considered our new proposal carefully in light of the City’s important declaration of a Climate Emergency.”

This answer has prompted me to ask some questions of my own all of which come from their answer. Most are for the proponent though some are for the City. Here they are:

1. Does the 2008 zoning include extremely rigid design guidelines? If so, what are they?

2. Does the 2008 zoning include extremely rigid restrictions? If so, what are they?
3. Has the 'conceptual masterplan' been treated very rigidly? If so, what does that mean? Please provide examples.
4. Does the 2008 zoning make it impossible to achieve a viable development permit to proceed with the development?
5. How many applications have been made by the proponent for a development permit?
6. How many of these applications have been turned down by the City?
7. Did the City mandate a 'stepped' approach to the built form?
8. If so, did the City rely upon any cost indicators?
9. If so, did the City have comparables for the stepped versus other approaches to the built form?
10. What makes a stepped approach to the built form highly energy inefficient?
11. What is the authority for the principle that zoning should be flexible to changing conditions?
12. How is the 2008 global recession impacting this project today?
13. What phasing was anticipated with the original approval?
14. If so, can the phasing be viewed as an impediment to construction?
15. Is the City aware that this site with the current zoning is 'unbuildable' according to the proponent?
16. If so, does the City agree?
17. To the extent that any of these matters constitute barriers to the development does the City accept that amending the zoning bylaws and Community Plan will resolve them all?
18. Is the addition of rental and affordable housing through the BC Housing Society (albeit conditionally) a necessary or sufficient condition for approval?
19. How will 'additional ownership housing density to [sic] improve community planning'?
20. How much housing will really be provided when the plans indicate that 3 of the 9 buildings proposed may be hotels?
21. Did the City challenge the proponent to be more 'ambitious'?
22. If so, in what way?
23. Other than the one possible building which could be built through the BC Housing Society what is it about this project that offers 'more diverse housing and better affordability'?
24. What measures in this project specifically go to meeting the City of Victoria's March 2019 declaration of a climate emergency?

Once again these are the kind of tough questions that need to be answered satisfactorily in weighing and before approving the request to rezone. Time is short but I would call for the City to ask Focus Equities to answer theirs in the public interest and so that an informed decision can be made. Answers to these questions go straight to the heart of this matter, the long wait while no steps were undertaken, and whether approval is justified today.

29. 18 March 2023

‘The Vision Continues for Vic West’

This is the heading for new marketing materials being used for Bayview Place.

The materials open with one drawing of the Master Plan (MP) and if you click at the bottom of this post you can see it.

But it is only an overhead view. I cannot be sure but it strikes me this is because a view across the MP or from a street view would portray something very different and something that may not be as marketable given the greater heights and densities they would reveal.

The MP has a legend which lists various parts thereof but its main feature and presumably main purpose is to draw viewers into the project by highlighting a series of hotspots. These hotspots take you to more detailed drawings showing components of the MP.

There are 13 hot spots shown on the MP with their white crosses in red bubbles. I would imagine some thought went into choosing their locations on the MP to highlight what might be the most appealing aspects of it. If the designer wished to show every aspect of the Plan then there could have been hotspots for each building and the other features. This was not done though and there are important features which are not highlighted and go unmarked: for instance, buildings B1, DA5 and DA4.

There is another more important aspect to this MP though and that is it really does not convey what could be coming.

To illustrate this I have opened all of the links and done a comparison of the buildings , their described heights, their podium heights when relevant, and their heights as shown on the drawings. This comparison reveals significant discrepancies as you will see from the table at the end of this post.

In fairness it has to be noted, and from the developer’s point of view, they can of course portray their development howsoever they wish and certainly in the most favourable light to them. One would expect this. However, the question that the portrayal raises is whether it fairly portrays the project to the public. In my view I do not think that it does because it gives us no sense of the entire development (again). That said, do not take my word for it and rather look at the MP yourself, open the links, do your own comparison and then you decide how it is portrayed. And, if you agree with me, write the City Council and tell them to ask the developer for more drawings to be prepared and disclosed which show the actual built out Master Plan to scale. Then have City Council ask the developer to give those drawings the same prominence that the current marketing materials have been given.

Notes to the Table

B1 - heights taken from drawing showing B2

B3 - there are two drawings or hotspots for this

B4 - the hotspot near B4 also seems to show the building overlaps the Roundhouse in part

DA5 - is not shown and the drawing rather shows another building beside the Roundhouse which is actually B5. The DA5 hotspot shows that this building has a 5-story podium and 14 storeys above it rather than the 28 stories the MP has.

DA4 - is unclear as to whether the hotspot shows this building. It appears to show three buildings B5, B4 and DA2.

Note - there are some other hotspots on the promotional materials which are not associated with buildings and they have been left.

*Every effort has been made to count the heights and storeys in each drawing linked to a hotspot though in some cases this is difficult given the scale and artistic feature.

<https://bayviewplace.com>

30. 26 March 2023

Frequently Asked (though not yet suitably answered) Questions

I want to return to the FAQs on the new marketing materials for Bayview Place. I have already posted the questions I submit must be answered before approval goes ahead. At present those questions remain unanswered in writing notwithstanding the offer to discuss them by the applicant's contact Mr Jonathan Tinney.

Let me take up three of the other FAQs now.

I will begin with the second FAQ which is 'Why additional density'. Here is the answer (answers set out in italics) that is given:

What we have learned since the existing 2008 approvals is that the density anticipated was too low for either viability or good community planning. The amended zoning would allow for more housing density to pay for affordable housing, rental housing, improved amenities, and more. It would also provide badly needed population support for the downtown (which is facing new post-pandemic challenges), and necessary support for the proposed on-site retailing, restaurants and services intended to make the local community more vibrant and livable. It would make better use of a unique, important and strategic site for the city.

And here is my critique of this: nothing, I repeat, nothing, could be less convincing as to 'why additional density' is needed than this paragraph. The case fails from the outset with 'viability' being a risk borne by the developer. It also seems cynical to now claim the 2008 approval was not 'good community planning'. I wonder how the approving Mayor and members of Council at the time would feel if asked today about this and whether it was good community planning?. It should be underscored that it was the developer's application originally and it was the developer who signed a Master Development Agreement with the City which presumably should have assumed viability and good community planning. The thin justification which follows above cannot overcome this in my view. Focusing upon some key terms:

necessary - necessary for whom?

view corridors – but was it not held out that the prior plans would 'Maintain Views Through the Site'?

The amended zoning...would also provide badly needed population support – whatever that is *facing new post pandemic challenges* – here we go with the pandemic again

necessary support for the proposed on-site retailing – sure, what retailer doesn't deserve 9 immediate and surrounding high-rise towers of would-be potential captive customers before they should have to commit to leasing

intended to make the local community more vibrant and livable – of course, the last place I lived had only three high-rise towers and I found it listless, dull and in the end unlivable

The third FAQ is ‘Why taller, thinner buildings?’ Here is the answer (in italics) in part:

Achieving the necessary density through taller and thinner buildings supports the creation of view corridors between buildings, more sun and light access to buildings/apartments, more usable and engaging at-grade open space and people-places for the community, and a much-less imposing building mass.

Practically speaking, the Roundhouse site has relatively little land for building sites because of the Roundhouse and plaza coverage, the Lime Bay and ICF land use, and the no-build soft fill reclaimed land areas on the front of the site that are not able to provide foundation stability.

Well then let me suggest the developer look for a site with relatively a lot of land for building sites and for that matter with ‘yes-build hard fill’ for foundation stability

The limited building site coverage proposed from small footprints would leave approximately 35% of the site open compared to 80 to 90% for the city grids downtown that, if mimicked on this site, would create twice the number of buildings all pushed up to the sidewalks with very little setbacks.

35% of the site open compared to 80 to 90% for the city grids downtown – so what. Perhaps the developer has not noticed but this is Vic West not downtown. And I would add there are miniscule setbacks in any case

It’s also important to note that with taller towers, the higher units usually sell or rent for more, allowing for project viability with less overall density, and for the lower floor units to sell for less or even close to “cost,” improving affordability.

Close but no cigar – rather when a developer is selling a building in the pre-construction phase, he will have a base price for a particular unit and then charge a floor premium as he goes higher in the building so this is already baked in

Ken Mariash has given further careful consideration of the interrelated issues of project viability, density and height, and is currently revising his proposal from the previous submission in December 2021. The revision reduces the density by a total of 200,000 sf and the building heights by a total of 30 floors...

Good now keep going all the way down to what he agreed originally

The eighth FAQ is ‘Who are Ken & Patty Mariash, and what is their mission and project experience?’ Here is the answer:

Ken Mariash started many of his first projects and companies around North America over 50 years ago while completing various degrees in math, science, arts, architecture, and commerce, as well as an MBA. He has extensive experience in design, construction, marketing, and project finance.

Patricia Mariash, as a graduate interior designer, started her own 40 to 50-person commercial design firm in Los Angeles in the early 1980's that did a large percentage of the Los Angeles commercial market including markets outside Los Angeles. She then subsequently joined Ken in the development business.

After doing dozens of one and two building projects in many cities across Canada and the United States, the Focus and Mariash group began concentrating on large master planned projects in all asset classes. This included projects like Aurum Energy Park in Edmonton, Deerfoot Meadows in Calgary, and a four-tower project on the Skytrain in New Westminster. They have completed many additional individual building projects in Denver, Dallas, Houston, Phoenix, Seattle, Los Angeles, Calgary, Edmonton, Regina, Saskatoon, and a family farm in Tisdale, Saskatchewan.

Many of their projects have involved challenging contamination, market, phasing, political, infrastructure, zoning, and access problems. It is common for them to take on projects that have been previously attempted unsuccessfully by other developers.

Questions have been asked about project experience in the past in this Discussion Group all of which were based upon either marketing materials of Focus Equities, interviews with or stories about Ken and Patricia Mariash or stories which were published (and cited again above in this Discussion Group) and at present to my knowledge have not been corrected or retracted. Let's see if any progress is being made by comparing the original due diligence request to what is being provided now.

1. Who regards Focus Equities as 'one of North America's most visionary developers? *Not answered*
2. Where are the 10,000 residential condominium units that were sold in North America and in what capacity were they sold and then state of completion. *Not answered*
3. Please advise of where Mr Mariash's degrees were obtained and in what year? That is his baccalaureate degrees in: 1. mathematics, 2. science, 3. business, 4. accounting and 5. architecture, plus his graduate degree in business 6. MBA. *Still references 6 degrees but again without particulars*
4. Please provide a list of the thousands of prestigious corporate headquarters; that Patricia Mariash has successfully completed as a commercial interior designer. *Now referenced as 'a large percentage of the Los Angeles commercial market including markets outside Los Angeles' though otherwise not answered*
5. Please provide a list of the hundreds and hundreds of one-off downtown towers in 20 or 30 cities around the world Mr Mariash/Focus Equities have done. *Now down to 'dozens of one and two building projects in many cities across Canada and the United States...' though otherwise unanswered*

In conclusion, while some of the FAQs in the new marketing materials for Bayview purport to answer some questions overall they seem lacking in persuasiveness and substance in my view. Thus, it is submitted, that what the City needs to do is read the FAQs closely and if it still has questions notwithstanding that it then behooves the City to seek fuller answers before approving the application.

31. 6 May 2023

Disappointing City Council COTW Meeting

The acting Mayor (for the most part Stephen Hammond) and City Council met on Thursday morning to consider the Bayview application to rezone, and it did not go well for its opponents. In short, five of the City Councillors failed to adequately question the City Council staff on their report regarding the application. Those Councillors who let us down in their stewardship roles were Susan Kim, Krista Loughton, Chris Coleman, and Dave Thompson.

On the other hand, Marg Gardiner and Stephen Hammond (who was acting Mayor for most of the meeting) came with pointed questions and Jeremy Caradonna's questions were excellent. Unfortunately, though, Jeremy took away from his effective questioning by proposing an amendment at the end of this agenda item which actually increased the Floor Space Ratio (FSR) which governs density for the site.

The City Council staff appeared to be leaning toward 4.0 FSR overall but Jeremy put forward an amendment to a proposal which essentially took it up to 4.4 (roughly). Now, it should be noted, while he did not state a reason for this it could be as simple as striking a mid-point between the 4.0 and 4.75 which the applicant is seeking and that some Councillors seemed to support. Unbelievably, Matt Dell was pressing for even greater heights in relation to this density!

Based on some disclosures I have had supposedly the applicant is not willing to take the project ahead at 4.0 While that does not bother me it would nevertheless be seen as a loss by some others. In any case a FSR of 4.0 and Council approval is not written in stone but rather what will be put forward in an upcoming public consultation which should take place in the next 90 days before the results of the consultation and the final staff recommendations are delivered to the Mayor and Council for their further deliberation.

Therefore, if you live within 200 metres of the subject property you should be sent details of the consultation and if you feel strongly about it should plan on attending and communicating your views.

In my view, essentially what took place at the COTW, is that the City Councillors were seduced by the prospect of public housing (recall a site is being 'donated'), and some dedicated rental units. These are of course only two of the nine towers which are being proposed. Again, these two towers appeared to be the prime consideration which outweighed the negatives on the project including heights and densities which are far in excess of existing zoning and community plan guidelines. It was hard to watch how uninformed the discussion appeared to be at times. That said you do not need to take my word for it as you may watch the full two hours plus here (which should appear in the right-hand corner of the agenda from the meeting) and draw your own conclusions.

<https://pub-victoria.escribemeetings.com/Meeting.aspx...>

If and after you have watched it you too feel let down email the Councillors directly and let them know. Their email addresses are on the City Council website here.

<https://www.victoria.ca/.../contact-mayor-council.html>

While hugely disappointing I am not giving up just yet. I will post critiques of two of the reports which were filed by the applicant and relied upon in support of the application: 1. a report from Colliers Strategy and Consulting Group which argues in favour of high densities to support the retail component of the project; and 2. a letter from Coriolis Consulting providing a summary of the Community Amenity Contributions for the rezoning. When I have time, I will then also post to underscore some of the factors which detract from approving the application and which come from the City Council staff report itself, as well as some lowlights from the COTW meeting.

32. 21 May 2023

The Colliers Report

The COTW meeting took place on May 4th. Prior to that meeting Focus Equities provided two Reports from Coriolis, and Colliers to help it make the case that the rezoning should be approved. Let me offer a few comments on what is wrong with this process and what is missing from the Reports. I will begin with the Colliers Report and return to the Coriolis Report another day.

It would appear that at least this report was prepared at the behest of and instructions from Focus Equities. That means there would have been a brief to the consultants, and I suppose it would have gone along these lines: help me make my case in these two respects.

Unsurprisingly, that is exactly what seems to have been done. Now, there is nothing wrong with that from their perspective, but any reader should know Reports will also reflect a client's perspective. For that matter if the client does not agree with a report we will never know, and it will either not have been submitted or another report would have been sought. This is part of the shortcomings of City Council consultations if there is no check on this as there could be in discovery during litigation.

Another problem with these Reports is that it appears the City Council staff took them at face value not making any allowance for them being submitted by the applicant. That is not how I would do it. Here is what I would do if I were the Council in this case and going forward. I would instruct consultants qua Council to give me (the Council) the best advice on these issues and then have the applicants pay for it. The difference here then is that it is the City who is the client and not the developer. Pause on this for a moment and you will appreciate the difference that could make. In litigation BOTH parties routinely submit consultants' (experts') reports and then cross-examine each others' consultants. Typically, the Court accepts this mode though it also has the power to appoint its own consultant (expert). Why? To test the submissions. Sadly, I don't think there has been any real testing here. Let me turn briefly to the first of the two Reports.

Colliers Strategy & Consulting Group

200 Granville Street, 19th Floor Vancouver BC V6C 2R6 Canada Main: + [REDACTED]

Letter Report to Chris Reiter – Project Manager, Focus Equities

From: Gordon Easton – Vice President, Colliers Strategy & Consulting Group and Russell Whitehead – Vice President, Colliers Strategy & Consulting Group

Dated: 25 October 2021

Subject: Bayview Place – Strategic Retail Considerations

The 13-page report itself can be found as Attachment F to the Merged Agenda Package filed for the COTW meeting held on May 04 and on the City Council website.

In my view the Report is a nothingburger. It is intended to have one central purpose; that is, to make the case for higher density and yet in my view it does not do so convincingly. This is because the difference that the extra density would make is almost a rounding error. The

Report – even though purchased – is not emphatic enough and there are some key factors which I would say are missing. Let me develop this.

What Colliers has done is come up with some scenarios that seek to model how much sales revenue a Primary Trade Area (PTA) comprising 75,440 square feet surrounding the Roundhouse could be expected to produce and what rental costs could be expected for the retailers.

In scenario one it can be expected that the PTA would capture sales of between \$19.1 to \$23.9M as at 2021 if operating with the current population.

In comparison under the current City Council approved rezoning the PTA capture potential is \$22.4 to \$27.9M.

Finally if the rezoning were approved by Council the PTA capture potential would be \$25.8 to \$32.2. (p 9)

So what is the rounding error? Well focusing on the range of figures in the two key scenarios (existing and rezoned bylaws) the extra density may make no difference at all because the high figure in the range given for the existing zoning falls in the mid-range for the rezoned site. Hence increasing the zoning may make no difference at all to the retail sales in this development given the ranges that Colliers has put forward. Not helpful I am afraid to the applicant.

Colliers would know this but you have read their report to understand it. They did offer more support though by noting that whatever is done with the retail it is unlikely to break even in any case (given their assumptions) because what the retail component really needs is a PTA sales capture requirement of \$47.5 to \$54.3M. In Colliers view to make this work, over and above the additional density under approved rezoning, the development really needs:

“approximately 4,000 to 5,000 additional residents throughout VicWest to fully support the vision for this retail village.” (p 9).

So maybe all Colliers has really done with this Report is to make the case why this part of the development should focus on the historical rather than the commercial side of it? Nah, actually I don't think so. If it's any good people will come and shop there despite this base case. Colliers even concedes this and thereby contradicts themselves when they write:

“[t]he creation of a true ‘sense of place’ within Roundhouse, driven by the key ingredients of success highlighted in the latter sections of this report, could attract a large amount of regional visitation while serving the daily needs of local residents.” (p 4)

The Colliers Report also spends a lot of time reminding the reader about just how tough this site is and why Focus Equities really needs a leg up including:

- *“While this mix of land uses was deemed appropriate in 2008, the year in which the plans were approved, market conditions in the area have since significantly changed. This has*

resulted in the need for an updated strategy to ensure development proceeds in line with best practices and market trends.” (p 3)

- “challenges relate to the constrained floorplates within the historic buildings, which may make potential retailers more hesitant to pay market rates unless all their other conditions are ideal, such as density of the on-site and surrounding population.” (p 4)

- “the site will be partially challenged from a lack of surface parking, adequate public parking...”. (p 5)

- “the physical fabric [of the historic on-site structures] has experienced considerable deterioration over the years...[and] this formerly active railyard has varying degrees of contamination.” (p 5)

Leading to this unsurprising penultimate conclusion of Colliers that:

“[b]ased on these costs, along with the additional challenges noted above, it is likely that significant additional density will be required to attract demand from quality tenants that are also willing to pay the lease rates necessary for a financially feasible development scenario.”

Okay, maybe that’s right but what part of that was not apparent 15 years ago when the zoning for this project was first approved? For me anyway it’s obvious and that is the developer. This is but one snapshot of what Colliers has said but once again there are no surprises here. The costs were always there. The challenges in doing a first class-retail environment (as that is what was preferred by the City Council in its wisdom in the day over an historical development) were always there. Would greater density help? One would think so but even on Colliers’ numbers that is by no means clear.

There are some other comments I wish to make about this Report; in particular Colliers’ retail demand model and used for their calculations seems to be missing several key factors that could impact its accuracy including:

1. Competition - The model does not plainly account for the level of competition in the surrounding area, which could impact the demand for retail space at Bayview. If there are planned retail developments in the area, demand for retail space at Bayview may be lower than anticipated.
2. Demographic Shifts - Their model does not account for potential demographic shifts that could impact demand during a very long construction period. For example, if the population in VicWest shifts towards an older demographic and demand for certain types of retail may decrease.
3. Changes in Consumer Behaviour - Their model does not account for potential changes in consumer behaviour that could impact the demand for the retail space. For example, the rise of e-commerce and online shopping may decrease demand for the types of retail space they are holding out.
4. Economic Downturns - Their model presumably assumes consistent economic growth and does not account for potential economic downturns that could impact consumer spending and demand for retail space.

5. Shifts in Retail Trends - Their model does not account for potential shifts in retail trends that could impact the demand for certain types of retail space. For example, a shift towards more experiential retail offerings that might decrease demand for traditional retail space.

In summary, Colliers retail demand model used in their calculations for potential sales capture in the three different scenarios seems to be lacking some important factors that could impact its accuracy including competition, demographic shifts, changes in consumer behaviour, economic downturns, and shifts in retail trends.

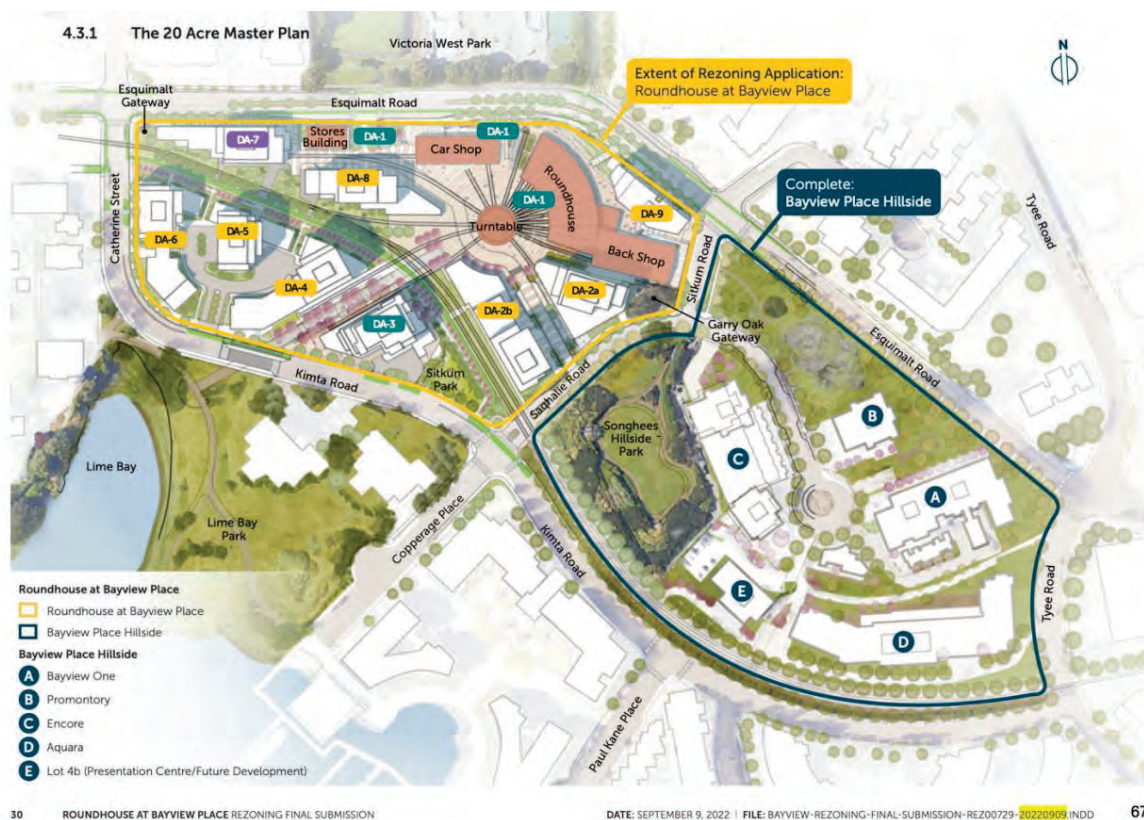
There is another telling aspect to this Report and that is throughout there are key development principles and best practices outlined yet Colliers does not bring home how significant the negative impacts of failing to take them on board by Focus Equities would be on the viability and sustainability of the retail component of the development. For example, not honing in on the location of this development or the target market could result in a mismatch between the retail offerings and the needs of the PTA and potential visitors from the wider surrounding area, leading to low footfall and expenditures. Similarly, not considering *in more detail* the importance of anchor tenants or tenant adjacencies in particular those in West Side Village could result in a lack of critical mass and cross-shopping opportunities, further diminishing the viability of the development.

The Colliers Report offers very little in support of higher density for this development.

33. 10 June 2023

Diagrammatic or Dramatic

There is a diagram from the City's meeting of the Committee of the Whole on May 4th. It appears on page 30 of the file Bayview Rezoning Final Submission REZ000729 – 20220909 INDD and also as Attachment B to the City's List of Attachments in the letter filed by Mike Angrove Senior Planner – Development Agreements Development Services Division, and Karen Hoese, Director - Sustainable Planning and Community Development Department. It will be familiar to anyone of this file - the whole Bayview site split into two halves with the current buildings on Phase 1 and the current and proposed buildings on Phase 2 if the rezoning is approved.



Consider this about that diagram...

The complete Bayview Place site is some 20 acres comprising Bayview Place Phase 1 and the Roundhouse at Bayview Place Phase 2. (This is the naming used by the applicant at p 22 final submission). Phase 2 is 9.18 acres suggesting some 10.82 acres in Phase 1. Thus the Phase 1 site is some 15% larger than the Phase 2 site.

And yet the City appears ready to approve 9 new buildings on the Phase 2 site when the Phase 1 site has only 3 buildings on it. Recall under the current zoning that it is supposed to be 3 on Phase I and 5 on Phase 2 (not 9). That is not all though.

Taking the Phase 2 site one must also then subtract the area that six heritage buildings take up and the area the current rail line takes up (realigned or not). Even without knowing the exact area this entails it is substantial. Reviewing the diagram it would appear that almost 1/3 of the Phase 2 site is given over to these subtractions.

So, if you look at the diagram it looks odd, very odd. If you look at the scale of the buildings in Phase 1 two of the three take up considerable area on the site. In contrast if you look at the ostensible area that the 9 buildings take up on Phase 2 upon close examination they appear miniscule in comparison. Ask yourself why? Perhaps it is to represent the least possibly appearing density in the diagram. I have called out some of the applicant's drawings and diagrams in the past for not showing exact scale portrayals of what is coming and I am doing the same here. I am not in a position to attempt to show these 9 buildings to scale on the area available to each on Phase 2 of the site with the subtractions I have noted; however, somebody sure ought to show this to both the public and City Council before the City approves this application. If the City does not get a real sense of the scale that we are talking about now I would submit that the public and the City are in for not only a big surprise but a VERY BIG surprise when this project is completed. The City should demand scale portrayals of Phase 1 and 2.

34. 11 June 2023

Coriolis

Under the City of Victoria's Inclusionary Housing and Community Amenity Policy residential rezonings are required to provide amenity contributions or affordable housing. The Bayview Place application is unsurprisingly considered an atypical rezoning, therefore an economic analysis was required to determine if the rezoning creates an increase in land value that can be used to support amenity contributions and/or inclusionary affordable rental units. Coriolis Consulting Corp. was commissioned to complete the economic analysis in this regard and reported by letter to the Mayor and City Council for the COTW meeting on May 4.

Here is what is missing in that analysis.

The Coriolis letter was almost all financial analysis. What it should have also included was an assessment of the potential social and environmental impacts of the proposed rezoning. This could have included more on the potential impact on traffic, access to public transportation, affordability of housing, and changes to the character of the Vic West neighbourhood. While much of this has been done elsewhere it certainly still bears upon this analysis indirectly. In my view the analysis should have also included an evaluation of the potential benefits and drawbacks of the proposed rezoning for the surrounding community, including the potential impact on existing businesses, residents, and community organizations. This analysis could have also been provided in the Colliers Consulting letter on file with the City but was not. (The focus was on the Roundhouse and its commercial viability in the Colliers Consulting letter.) The Coriolis analysis should have also included a discussion of alternative approaches to achieving the desired outcomes of the proposed rezoning, and an evaluation of the costs and benefits of *those* alternatives.

It could also have been improved by including a detailed breakdown of the costs and revenues associated with the proposed rezoning, including a more detailed assessment of the costs of individual components of the project which we have not been given; for example, remediation and servicing. We have not been given the real costs here, what they were under the original proposals to transport the contaminated soil offsite to facilities now closed, what those costs would be transporting contaminated soil to the United States, or what the split is between the quantity of contaminated soil that will be 'dug and buried' somewhere on site versus what is supposed to be transported elsewhere. How will anyone know about this, what was held out and what was delivered if it is not explicit in advance? Does anyone believe the City will stay on top of this? And if the City approves this rezoning will the City then be allowed to demur and say those are provincial matters and not for us? Similarly, while the revenue estimates were described as being based on parcel sales, there is no indication of how these sales were projected or what assumptions were made about market demand. For that matter what are the assumptions used to estimate the target profit margin and the discount rate used to calculate the present value of the land residual? Why was this not included?

Another point can be made and goes straight to the motives for development; that is, while a profit margin of 15% was deducted from the total costs, there is no indication of how this margin was determined or whether it is appropriate for the specific project? Similarly, while a

present value calculation was used to estimate the upfront land value supported by the project, there is no indication of what discount rate was used in this calculation or how this rate was determined? Could that not be provided?

In the end the value and importance of basing the City's decision on this analysis even in part depends more on the context and purpose of the decision. If the City's decision were related solely to the financial feasibility of the proposed rezoning, then the analysis may be helpful. However, as the City's decision is related to much broader social, economic and environmental impacts associated with the proposed rezoning, then this analysis does not provide enough information to make it fully informed. The City needs to bear this in mind and not over rely upon this letter. If the City is focused on 'Community,' which it purports to be, additional analysis and information seems necessary to fully evaluate the costs and benefits of the proposed rezoning, and additional consideration given to alternative approaches to achieving the City's desired outcomes. It is important for the City to remember that any decision it makes on rezoning should be based on a comprehensive and objective review of *all* relevant information, and that the Coriolis analysis should be considered only in the broader context of all the other available information either in hand or as yet to be acquired.

35. 14 June 2023

It's Your Neighbourhood

June 6, 2023

The City of Victoria is seeking your input on the proposed Official Community Plan amendment for **251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road**. The proposal is for a phased mixed-use development consisting of nine towers with podiums, rehabilitation of the heritage structures buildings and securing new amenities including various public plazas. A related application to amend the City's Zoning Regulation Bylaw No. 80-159 has also been received, and public input concerning the proposed rezoning will be sought at a later time through a public hearing process.

The *Official Community Plan* (OCP, 2012) currently identifies the properties within the Core Songhees urban place designation, which contemplates buildings up to 22 storeys with floor space ratios up to approximately 2.5:1 and uses including multi-unit residential, commercial and visitor accommodation. The current design guidelines applicable to the property are the *Roundhouse Design Guidelines*.

The City is considering an application to amend the OCP Bylaw by increasing the envisioned height and density for these properties, and to replace the existing design guidelines with a new set of design guidelines. The proposal is consistent with many of the broad objectives in the OCP and advances a number of strategic goals related to housing, parks and open space, urban design and placemaking and community well-being. It is important to note that this designation would not confer any additional development rights to the property beyond those included in the proposed zoning.

Detailed information on this proposal is available at www.victoria.ca/devtracker. Launch the tracker and search for the property by address (251 Esquimalt Road, 355 Catherine Street or 200 Kimta Road).

Please provide your questions and feedback on this proposal by end of day, Friday, August 4, 2023 to:

Mike Angrove, Senior Planner – Development Agreements
P: 250.361.0285
E: developmentsservices@victoria.ca

All input received will be shared with City Council for their consideration prior to a public hearing. Correspondence you submit will form part of the public record and will be published on the agenda when this matter is before Council. The City considers your address relevant to this matter and will disclose this personal information, as it informs Council's consideration of your opinion in relation to the subject property and is authorized under section 26(c) of FOIPPA Act. Your phone number and email will not be disclosed. For more information on the FOIPPA Act please email foi@victoria.ca

Once a date for the public hearing has been set, notice will be posted at www.victoria.ca/publicnotices.

We look forward to hearing from you.

Here is the thumb on the scale notice of the proposed consultation that the City has just sent out. It is misleading at best and here is why. While it makes reference to the existing Floor Space Ratio or FSR at 2.5:1 - the all important figure which goes to density - it makes NO mention of what is being proposed by the City; that is, 4.4:1 (not quite a doubling). This is a key consideration for anyone deciding whether to inquire further into this topic and participate directly in the consultation or not. Very few people are going to go the Development Tracker website to elicit more information with its hundreds and hundreds of pages. The information before the City Council at the COTW meeting on May 4th was over 1000 pages. Secondly, to say "It is important to note that this designation would not confer any additional development rights to the property beyond those included in the proposed zoning" is ridiculous and not the issue. The issue is whether to exceed the existing zoning so dramatically with the proposed zoning NOT some sop to the public which says in effect "don't worry we are not going to approve a 10th, 11th, or 12th building etc AFTER this". What an insult. I just left a voice mail message making this point very clearly to Mr Angrove. I would also invite anyone who agrees to let him and more importantly the City Council know as well. This will be your last chance. Focus Equities is beating the bushes and rallying all of the support that it can through its network of paid consultants and without a more vocal response to this notice the rezoning will go through and all those opposing it will only be left with their regret.

36. 18 June 2023

NEIGHBOURS – below is a drawing of what is coming to Bayview unless the current proposal of Focus Equities to rezone is stopped.

Take a good look. Have you even seen this...certainly not on the site hoarding? Is this what you want on the Roundhouse site? There are countless reasons for opposing it and here are some of them:

- It contradicts the original rezoning
- It contradicts the first amended rezoning from 15+ years ago which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties but it didn't happen
- It contradicts the terms of the original Master Development Agreement between the City and Focus Equities
- It contradicts the advice of City Council staff who recently recommended a density (FSR) of 4.0:1
- It offends the Victoria West Neighbourhood Plan
- It is missing a Cultural Centre which was held out and was to be designed by Frank Gehry
- The costs to date and likely sale price of the property to another developer will be added to the overall costs of housing built on the site thus reducing affordability
- It more than doubles the current zoning density
- It is 9 buildings now instead of the prior approved 5 buildings with up to 3 possibly being hotels (DA2, DA4, DA5)
- It is out of place with the neighbourhood and what development should be in 2023
- It overshadows and diminishes the Roundhouse and heritage properties
- Approval would be contrary to significant opposition to the project
- There are no guarantees the retail held out for the Roundhouse will be successful (per Colliers Strategy and Consulting Group)
- The costs of this project are opaque
- Specifics as to the costs and means of remediating the contaminants on site are lacking
- The City of Victoria has not carried out a due diligence exercise with respect to the developer or allowed for the want of such exercise
- The affordable housing may or may not be built depending upon other factors outside the City's control
- Shadows will be significant
- Views inward on the site will be limited
- Traffic will be impacted and
- Many people will be shocked by its true scale if built

Here is what I suggest and that is if you have concerns about this project then organise. Start with regular visitors to this Discussion Group. Circulate this summary and call a meeting of your strata to discuss it. Publicize the meeting. I have been asked for advice on this and some stratas are stirring. Despite the odds lengthening on stopping this it is still possible if the City feels some heat. The City has opened itself up to criticism now that it has rejected the advice of its own staff on density. This gives them some exposure on this now and they know it.

Original drawing below is published at p 164 of the COTW meeting of City Council on May 4, 2023 included in the Final Submission of the applicant for rezoning and available on the City Council website.



37. 26 June 2023

You Have the Right to Call a Meeting of Your Strata

Section 31.1 of the BC Strata Property Act, Statutes of BC, 1998, Chapter 43 provides:

Request for council hearing

"34.1 (1) By application in writing stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a council meeting to hear the applicant within 4 weeks after the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week after the hearing."

Therefore, if you live in a strata, you have the right to call a meeting and I would submit to discuss Bayview II. Pursuant to section 3:

"...the strata corporation is responsible for managing and maintaining the common property and common assets of the strata corporation for the benefit of the owners."

It seems unarguable that the proposed rezoning will affect the value of your "common property and common assets" which your stratas have a duty to manage and maintain. To my knowledge some stratas (e.g. Encore) seem to have taken the position that this is not within their jurisdiction. I disagree. Given the stakes it would seem that no reasonable strata would fail to respond to a request to discuss or to facilitate discussions of a matter of this magnitude and potential gravity.

Therefore, for those of you who regularly visit this Discussion Group I would suggest you request a meeting of your strata to discuss this development with others in attendance, or request your stratas to facilitate a meeting of owners/tenants to discuss it. Given the stratas control the communications at a minimum they should not stand in the way of public consultation.

Please do not assume that others will oppose this on your behalf. In my view everyone affected by this project needs to understand what it means for them. One way to come by this understanding is to meet, discuss and voice your views on it. Any input derived from such meetings – formal or informal - would be among the most important factors in influencing how Council deals with the application: either rejecting it, approving it as currently proposed, or approving it with further changes.

I believe the Council is now a hostage to fortune. It approved the original rezoning and then allowed the project to remain in abeyance for 15+ years. There were no guarantees that it would go forward or that the applicant would not return and ask for more in exchange for what was originally agreed and as has now happened.

Hearing your views on this and the current proposal could provide a much-needed reality check for the Council.

38. 28 June 2023

You Are Not Alone. The Experts Do Not Like This Application Either And Want Changes

Sustainability

“The applicant has identified the remediation of the contaminated brownfield site as the main sustainability feature. Additional and more specific features would be introduced as individual phases are developed and would be described in more detail with Development Permit Applications.”

- Page 26 of Report of Karen Hoese, Director, Sustainable Planning and Community Development dated April 20, 2023 presented to the Committee of the Whole on May 4, 2023, (the ‘City of Victoria Planning Staff Report’ on the rezoning application)

Sure don’t worry we’ll come to the sustainability part of this later. That is it. As to the remediation it now appears to be all ‘dig and bury’ with none of the contaminated soil to be trucked and disposed of at facilities designed for that use. Hence materials are dug up on one part of the site and buried on another part of the site.

Heritage

Here is what the Heritage Advisory Panel Review said about this project:

“The application was reviewed by the Heritage Advisory Panel (HAPL) on May 17, 2021. At that meeting, the following motion was passed:

That the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 and Official Community Plan Amendment for 355 Catherine Street, 45 Saghalié Road, 251-259 Esquimalt Road & 200-210 Kimta Road does not sufficiently meet the applicable design guidelines and polices and should be declined....”

- Page 28, City of Victoria Planning Staff Report, April 20, 2023

There were suggestions that the HAPL gave which could ameliorate this but so far, according to the City of Victoria Planning Staff Report:

“...there are still challenges as noted in HAPL’s comments above, which would be discussed further as part of ongoing discussions between the applicant and staff.”

- Page 28, City of Victoria Planning Staff Report, April 20, 2023

So the experts of heritage turn this down and ask for more changes but and the City continues full speed ahead without requiring the applicant to address all of HAPL’s comments. What are the chances they are ever going to be addressed? Slim and none.

Density

“The proposal exceeds the density of 2.5:1 which is envisioned in the *Official Community Plan, 2012* (OCP) Core Songhees Urban Place Designation, and at 4.75 FSR would be inconsistent with the OCP’s placemaking and urban design polices...

- Page 4, City of Victoria Planning Staff Report, April 20, 2023

“The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.”

- Page 14, City of Victoria Planning Staff Report, April 20, 2023.

And most damning....

“The proposals at 4.75 FSR appears inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E & N transportation corridor, respects the heritage precinct and overall OCP policies geared towards positive placemaking.”

- Page 12 City of Victoria Planning Staff Report, April 20, 2023.

Once again the City Planning Staff say “too dense” in effect and the City rolls right over them. Is this the way ‘responsible’ development should take place.

You are not alone. Real people also disagree with the rezoning application at Bayview Place and want changes.

Email Mike Angrove, Senior Planner, City of Victoria and tell him about your concerns at this email address:

developmentservices@victoria.ca

39. 1 July 2023

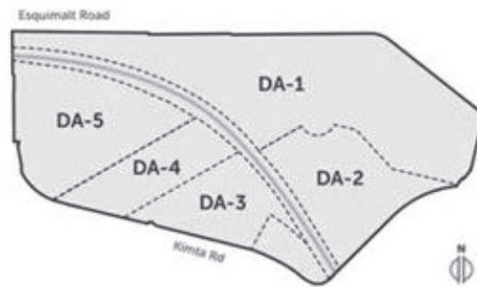
Our second notice to neighbours and residents, drawing and sample petition

Dear Victoria residents and visitors – this is what is coming to our city’s beautiful, unique, world-renowned waterfront unless Focus Equities’ current AMENDED proposal to rezone the Bayview Place property is stopped. The deadline to oppose the rezoning application is August 4th. The time to act is NOW. Below is a diagram of what is proposed. The original drawing is shown at p 164 of the COTW meeting of City Council on May 4, 2023 included in the Final Submission of the applicant for rezoning. Above that are two diagrams. The diagram on the left below was submitted and approved by the City in 2008. The diagram on the right below is the AMENDED proposal now before the City. They appear at p 42 of the submission of the applicant in the filing before the City. Not only has the number of buildings being proposed almost doubled (from 5 buildings to 9 buildings, including up to 3 hotels!), but the heights of the buildings have also increased dramatically with the density of the property almost double what the neighbourhood plan allows (from 2.5 to 4.4). There are countless reasons for opposing this amended proposal. Here are some of them:

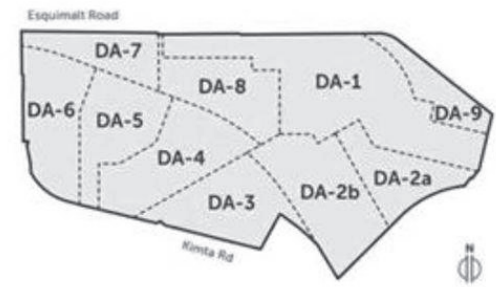


2.2.1 Rezoning Application

CD-12 Land Use Zone (Current)



Proposed Land Use Zone



- It more than doubles the current zoning density for the area
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties *which has yet to happen*
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings & hotels are approved
- The views from tourists and people arriving via the harbour will look like any overly-developed large city waterfront; this is not what people come to Victoria to see or experience
- It will totally overshadow and diminish the Roundhouse and heritage properties
- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year round
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years
- There is a lack of information about how retail fits into the development
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to numerous impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, or the demands on medical services, etc.
- If you share our concerns about this project, please consider taking the following actions:

✓ **PRINT AND SIGN A PAPER PETITION** which will be posted in the first comment below and then email as per contacts below. Note this is an abridged petition which does not repeat the reasons set out above

✓ **SIGN THE ONLINE PETITION** already created and found at <https://www.change.org/p/stop-victoria-city-council-from-approving-rezoning-on-the-bayview-project>✓✓

✓ Host a meeting at your building to coordinate the distribution of this letter or the notification of your neighbours. **Organise those meetings now and if you want speakers who can attend let us know**

✓ **If you're not on Facebook for further information about this project and/or to be notified about upcoming events please contact: Victor at [REDACTED] or Wayne at [REDACTED]**

Residents' Petition July, 2023

Attn: City of Victoria Planning Department, Victoria Mayor & Councillors

Re: Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghali Road, 355 Catherine Street and #200 - #210 Kimta Road.

We, the undersigned, wish to express our strong opposition to the current Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghali Road, 355 Catherine Street and #200 - #210 Kimta Road. As voting, tax paying residents of Victoria in general, our primary reasons for opposing the project as it is currently proposed are as follows:

- It more than doubles the current zoning density for the area
- The current proposal is 9 buildings (3 which may be hotels) now instead of the prior approved 5 buildings!
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties *which has yet to happen*
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings/hotels are approved
- The views from tourists and people arriving via the harbour will look like the Vancouver waterfront; this is not what people come to Victoria to see or enjoy
- It will overshadow and diminish the Roundhouse and heritage properties. The Heritage Advisory Panel voted against the proposal
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years
- The City Council rejected the advice of City Planning Staff to reduce the density
- The site contamination and remediation plan is unclear
- There are no guarantees the retail held out for the Roundhouse will be successful even if all the buildings are built (per Collier Strategy and Consulting)
- The City of Victoria has not carried out a due diligence exercise with respect to the developer

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West.

There are countless reasons for opposing this amended proposal. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood

residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).

- It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR.

- “The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.” Page 14,

City Planning Staff report, April 20, 2023.

- “The proposals at 4.75 FSR appear inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E &

N transportation corridor, respects the heritage precinct and overall OCP (Official Community Plan) policies geared towards positive placemaking.” City

Planning Staff report, April 20, 2023.

- “... the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 ... does not sufficiently meet the applicable design guidelines and

policies and should be declined....”. Motion passed by The Heritage Advisory Panel Review on May 17, 2021.

- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!

- The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to

see or experience.

- It would totally overshadow and diminish the Roundhouse and heritage properties.

- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned

development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.

- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.

- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind

effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Yvonne Scheffer



Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall
1 Centennial Square
V8W 1P6

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Planning Staff report, April 20, 2023.

- “... the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 ... does not sufficiently meet the applicable design guidelines and

policies and should be declined....”. Motion passed by The Heritage Advisory Panel Review on May 17, 2021.

- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!

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- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

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With concern for my city,

Carol Bremner

535-203 Kimta Road

Victoria, BC

V9A 6T5

Dear Mr. Angrove,

We want to add our names to the growing number of residents opposed to this grossly overdeveloped proposal by Focus Equities.

Their current proposal of nine buildings significantly exceeds their previous proposal. It would totally overshadow the Roundhouse and heritage properties. What about greatly increased traffic, parking, garbage pickup, wind effects, etc.? Please reconsider and require the City of Victoria to review this inappropriate, unsightly, excessive, development.

Yours truly,

Monica & Robert Carlen
Vic West

Mayor Marianne Alto and City Councillors
Mike Angrove, Senior Planner,

Dear Mr. Angrove, Mayor Alto and City Councillors,

I wish to express my strong opposition to the proposed rezoning application of the Vic West Bayview Property coming to your attention by August 4th, 2023.

I do not oppose development on this piece of property but I DO oppose the plans that are before Council and senior Staff at this time.

My reasons for opposition are many but I would like to point out a few which I see as contradictory to the whole plan.

1. It severely contradicts the 15 year old plan set forth by Focus Equities and was at that time given City Approval.
2. The proposals of the new plan nearly doubles the population density (floor space density) of this piece of property which should not be filled to overcapacity.
3. It destroys the very nature of "Heritage" which this property holds with the Roundhouse and the adjoining buildings since they will be surrounded by towers reaching 23-26+ stories in height.
4. This is not the type of landscape that is needed close to the Victoira harbour entrance.

I simply ask if the Planning department and the Mayor and Council have considered the possible stress that this area will feel with so much increased traffic, the lack of school space in the immediate area for children, lack cultural space which is not shown on the maps?

There are certainly many more reasons but for me these are the most significant.

I urge all of you to reconsider this whole rezoning issue in your forthcoming meetings and to have the plan modafied to a more tolerant and acceptable format

Thank you for your attention to this matter.

Sincerely,

Sylvia Burkhardt
#847 203 Kimta Road
Victoria, BC

Mayor And Council:

Having lived in the Songhees Area for 21 years and served on the Board of The Victoria West Community association for more than 12 years, I am fully informed on The Roundhouse/Bayview Development.

Over the past fifteen years there has been an active misinformation campaign by a small well funded minority to block the development of the site. This group has been filling our post boxes with their misinformation and have set up a website to oppose the development.

We need housing in Victoria and thus need to ignore the vocal minority whose agenda is to continue to block the development of the Bayview/Roundhouse site.

Please ignore this negative campaign and support the addition of needed housing on the Bayview/Roundhouse site.

REGARDS

JOHN MULLANE CFP RHU

FINANCIAL LIFE PLANNER - Victoria BC

Hi,

I received a flyer in the mail from a NIMBY group trying to oppose the Bayview Place development in Vic West. I just want to say that I support this development. Victoria needs much more housing in order to meet demand, and we need higher density and mixed uses to support walking, cycling and transit. That will allow more residents to live without needing a car, reducing GHGs, improving equity for those without access to cars, and create stronger and more vibrant neighborhoods.

Thanks.

Steven Murray
Victoria

Mr. Mike Angrove, please add my name to the people who oppose changing the rezoning laws to facilitate new building on Esquimalt Road. My hope is you will decline the proposed changes. Thank you,
Darcey Callison

Dear Mr. Angrove,

With regards to the proposed OCP amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Rd, I thank the planning department for all the hard work they put into the presentation to Council. I do, however, have concerns about the overwhelming development plans. While I am not density averse, I am averse to density without proper planning of services and infrastructure, and at first glance it seems like council is pushing past the department's high-level recommendation based on an initial review. I would be happy to learn more about how my concerns may be mitigated through the planning process, and thus submit my thoughts for discussion.

Every community in Canada is working hard to increase housing - the trick is to do it in a well-thought-out manner which will create successful long-term communities. If there was a clear plan and approach to ensuring the vibrancy and functioning of the neighbourhood, I would be much more apt to support the development of a higher density than the OCP. The staff suggested that a higher than OCP density may be possible, but they are still awaiting a lot more information from the developer. I submit that a supportable density value cannot be determined without all data and information being available.

A common theme I saw in the council meeting was that Councillor Coleman would call out that the Council should not be making arbitrary and specific decisions on density, number of floors (essentially taking on the planning and design roles), and that those functions should be conducted by the Planning staff. I wholeheartedly agree. Without having the skills, experience, and all the details to make an informed decision, the council is not equipped to make such detailed amendments in their instruction to staff. I trust staff to do a thorough exploration of direction, bringing the best possible options to the table.

During the council meeting, there was a side-comment to the effect of "we'll let BC transit deal with that". To me, that comment is a red flag that the overall approach to the Council's idea of planning for the neighbourhood will end up being band-aid and duct tape solutions long past the council's term. I would strongly urge to bring all the different departments into the loop to put together the most functional and properly supported, vibrant neighbourhood.

Here are a few of my thoughts:

Retail:

- Retail should be built for the planned population/density, and not the other way around - density should not be built around the hypothetical viability of a retail space.
- With the inclusion of services in the retail space, such as a daycare, medical centre, arts/theatre/event venue, etc., as would be welcome by the neighbourhood and as mentioned in the council meeting, all calculations on the retail space would be changed; therefore, any reports commissioned by the developer are already skewed.

Wind

- Staff was good enough to present the concept of a platform reducing the downdraft on pedestrians among the buildings, however what about the wind tunnel effects off lime bay and up cooperage street? I have not yet seen an in-depth wind report with so many buildings going into this space. Higher winds across buildings affect more than a pedestrian at street level, be it the quicker deterioration of surrounding buildings, insulation of existing buildings not being built for the increase, limiting use of balconies, etc.
- A phenomenon I was able to call out while I was in Toronto: with increased strata builds in a neighbourhood with a prevalence of higher winds, there is a howling sound that occurs on a consistent basis. The planning department in Toronto acknowledged it and was going to include studies and reports for future consideration of developments. This may impact the number of buildings, height, or even the angles at which the buildings are presented.

Parking

- While I recognize that the current council's approach is to remove parking in its entirety (thus reducing the potential increase in car traffic), I would like to point out a comment which Mr. Mariash made in one of his community meetings. When questioned about the large range of parking availability across the different buildings (ranging from 0 parking spaces per unit to 2 parking spaces per unit), he spoke proudly of the more than 1 parking space per unit for which he has a reputation. When questioned about the 0 parking spaces, he referred to the affordable housing building with the comment "well, they can't afford it anyways". This does not present as a conscientious developer, and it is very evident he only cares about the money. All people could make use of parking whether it be for their business, family, or accessibility needs, etc.
- During the council meeting, Councillor Gardiner made mention of parking spaces for the retail. She was shut down. Without accounting for the parking, how do you propose the viability of the retail space? Without parking, the range of the retail space is very strictly limited to the immediate walkable neighbourhood. Kimta Rd would not be a feasible space to handle retail parking.
- Kimta Rd parking in its current state gets completely full at certain times of day. Now that we have the bike lane and we also know the traffic can be quite heavy at times, what will the addition of 9 buildings do, whether it be to frequent the retail space or friends visiting friends by car from an outer neighbourhood?
- Parking decisions will affect traffic patterns.

Traffic/Transit

- I have repeatedly requested more information on the traffic studies and the impact on the two main bridges which are entry/exit points into the Vic West neighbourhood (Johnston St and Bay St). The responses I have received are "they are too far for consideration of this development". I beg to differ, as this would be a very large bottleneck into and out of the area, and is already evident during rush hour.
- The residential and retail parking decisions can have a much larger impact than is being discussed, and "BC Transit will take care of it" is not a proper response.

Police/Fire/School/Medical services

- Have police and fire services been consulted in how they would be able to service these buildings - accessibility, density, height, etc. Without knowing the full impact to them, how can a neighbourhood be properly supported? The movement in and out of the area becomes quite constricted with so many buildings in close proximity. Often stratas are built with such height and density that the current fire services are unable to account for the increase, and do not have the tools to properly support them.
- Have there been any studies on the demographics expected in this new area? Are the schools equipped to handle a potentially younger demographic with children? I would be happy if the expansion and availability are already accounted for, but somehow i fear the response of "someone else will take care of it later".
- With such a shortage of medical care, this would be an opportune time to ensure a medical centre is included in the design. The neighbourhood sorely needs it now, even before the new development goes into place.

Arts

- The original plan included a cultural centre which would create a vibrant hub for arts in the community. The new design completely disregards it, favouring development for higher profit margins (under the guise of housing availability).
- The skate park in Vic West Park is an absolute wonder, well-used, and well-regarded. We could balance that out with a cultural centre that caters to kids and adults alike. If the events at the roundhouse are any indication (including the Beyond Van Gogh setup), there is a very high need for a place for gathering and for the arts.

Toxic Waste

- I would be interested in learning more about the plans to bury and cap the waste. I am unfamiliar with the details and would like to hear more about the potential risks specifically in our neighbourhood during development, and whether there are special measures which are required to get deep enough and be able to secure the area from seepage.

Thank you again for your attention to this matter,

Yervant Khatchadourian

ATTENTION: Mike Angrove, Senior Planner - Development Agreements

Please accept this letter as an indication of overwhelming support for the proposed Official Community Plan amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road. This proposal favourably addresses the pressing issue of affordable housing, while a mixed use, walkable/bikeable neighbourhood encourages a car-free lifestyle.

My husband and I live at 70 Saghalie Road. We purchased our condo pre-construction and have lived in it since 2019. One of the draws for us was our excitement for the development of the neighbouring area, in particular the historic Roundhouse. Although the plans have changed since we first decided to purchase, we are still in full agreement with the overall concept, including the increase in height and density and new set of design guidelines.

We have lived and spent a great deal of time in diverse inner-city neighbourhoods in many cities, and we love having a home in a liveable, walkable area that attracts a wide demographic - from young to old; from various income levels; from artists to professionals to those still finding their way; from a myriad of ethnic and cultural backgrounds. This is what makes a neighbourhood vibrant. We are also keen to have a home in a neighbourhood that is anchored by history, in this case the Roundhouse and its associated buildings.

We encourage City Council to approve the application as soon as possible and allow this project to go forward.

Yours truly,

Sonia and Trevor Ross
108, 70 Saghalie Road
[REDACTED]

Dear Mr Angrove,

This email is written to try and persuade you to see the huge mistake it would be to rezone Bayview Place Property in order to add the 9 proposed buildings. Putting that number of tall buildings in such a small area is absolutely ridiculous. It would be to no one's advantage except the developer's.

The added number of people and cars and bikes and scooters would only result in unpleasant living conditions for the people in the new towers as well as for the current residents of the area. It would change the whole feel of the Bayview area - from a calm, peaceful, pleasant one to one resembling the insane, crowded, ugly cities of the US. Tourists LOVE Victoria because it is so **unlike** the cities in the US. This proposed development would just make it a city like so many others. Why are we trying to destroy what is now a wonderful place to live? Sure, a few new buildings - BUT NINE? REALLY?

The Bay Street Bridge is already jammed with cars and bikes at rush hour. I can't imagine what adding that many more people with cars and bikes will do to the already jammed Bay Street Bridge. The bike lanes along Kimta are now so busy that it is dangerous for pedestrians trying to cross the street to get to the waterfront walkway. I can't imagine the impact of 9 buildings on pedestrians as well as the bikers using Kimta.

I could go on and on but I'm sure you've probably lost interest by now. However, please read these last three sentences:

I AM BEGGING YOU TO LOOK AT THE HAVOC NINE BUILDINGS WILL CREATE. PLEASE PLEASE DO NOT BUILD NINE BUILDINGS IN SUCH A SMALL AREA. PLEASE RECONSIDER!!!

Catherine Jones
60 Saghalie Road
Victoria, BC

The original proposal approved by Council in 2008 [???] had my approval. The current proposal before Council has increased the density beyond existing, approved limits. There has been a lack of investigation into the ramifications of such density - water supply, sewage capabilities, electricity supply, fire service, ambulance service, environmental factors such as wind funnelling; I'm not confident that sun/shadow factors have been adequately researched. Where are the retail facilities for such a dense population?

City of Victoria Development Services:

Attached is our two-page letter, dated July 29, that we provide as part of the public consultation for phase 2 of the Roundhouse development (REZ00729).

Gary Hall



G. Gary Hall & Marsha L. Merrill

PH1001 – 100 Saghalie Rd, Victoria, BC, V9A 0A1

email: [REDACTED]

July 29, 2023

VIA Email (developmentsservices@victoria.ca)

City of Victoria
Dept. of Development Services
1 Centennial Square
Victoria, BC, V8W 1P6

Attn: Mr. Mike Angrove, Senior Planner – City of Victoria

Dear Mr. Angrove,

Re: Roundhouse, 251 Esquimalt Rd, 355 Catherine St, and 200-210 Kimta Rd (#REZ00729)

We are the legal owners of unit #313 – 100 Saghalie Road, which we have sold, with a closing date of July 31/23. We will continue to live in the same building after July 31, 2003 in suite #1001. We understand you seek input from neighbours of the proposed new development within a 200 meter radius surrounding Phase 2 of the Roundhouse development. We understand you want to hear from neighbors on height and density in particular. We have some unique qualifications so offer our views.

Our most important qualification is the effort to sell our home, located on the east side of the Bayview One Building at Tyee and Esquimalt, and the objections we found to that sale. We had 67 showings over the course of the spring and early summer of 2023. By far the dominant complaint from prospective buyers was the (new) Dockside Green development which has created a solid mass, resembling a bulky wall along Tyee Street and blocking views of the Gorge waterway, Upper Harbour, Mt. Doug, and soon the Victoria downtown as that project continues to build.

The problem with those buildings is not so much their height as it is their width. From our unit, the view corridors between the buildings are small or non-existent due to the side by side arrangement of the buildings and the bulky massing. The better design is shown in Bayview Place where the 22-story Promontory Tower has, we are told, the same square footage as our Bayview One building. That is the way to build new developments. The Promontory and its sister the Encore are vertically stacked to be slender in comparison to the Dockside Green horizontally placed bulk.

We understand the 9 buildings proposed for the Roundhouse at Bayview Place follow the model of slimmer and taller buildings. That view corridor *between* buildings is essential in our opinion. We respect the need for Victoria to grow for all to enjoy. We accept that this growth needs to build upwards, and we support the creation of many new homes. We are fine with higher buildings

but ask that the city incorporate a spacing requirement between those buildings, wider than at Dockside Green, for all future developments.

The other qualification we have is that one of us (Gary Hall) sits on the Board of the Gorge View Society. It is a non-profit society dedicated to building affordable housing. A year ago that Society brought to Victoria city council a proposal for a masterplan development at 11 Chown Place. The Society was seeking confirmation to place multiple affordable housing buildings up to six stories on the Society's 5.6 acres. It was passed unanimously by council, in spite of the OCP for Burnside Gorge limiting building heights to three stories. Our point is that the city needs to be far-sighted about its land development, and current OCP regulations should not prevent well designed and amenity rich proposals, such as the Roundhouse proposal that includes approximately 180 – 200 affordable housing units, from being approved. Thank you for the opportunity to comment.

Yours truly,

Handwritten signatures of G. Gary Hall and Marsha L. Merrill in blue ink.

G. Gary Hall & Marsha L. Merrill
#1001 – 100 Saghalie Road, Victoria, V9A 0A1

Hello Michael Angrove and City Council,

We are residents at 400 Sitkum Rd. and are writing to express that we are in favour of the Roundhouse development project as proposed and wish to see it start construction immediately.

We were crossing the Johnson St. Bridge last fall and a tourist approached us to ask if there was any reason to cross the bridge (away from downtown), to walk to see anything of heritage value. We said No. We thought of the Roundhouse, but it's just some rotting buildings in a gravel pit, surrounded by private residential buildings. This Roundhouse project needs to be a public hub of cultural significance that pulls people from downtown beyond the bridge, to a mixed-use, diverse and activated neighbourhood. We desperately need more diverse housing and dynamic commercial options.

Transportation Note: The current crosswalk to the skatepark is a public hazard. Due to the bend in the road and the crosswalk signal allowing pedestrians to cross immediately after pressing the button, we have seen several rear-end collisions. Please remove and relocate these crosswalk signals from this bend to the Sitkum rd. crossing. It has more of a stretch for cars to gain visibility.

Sincerely,
Residents of 104-400 Sitkum Rd.
J. McKeen & L. Kyle

Dear Reader,

My wife and I have owned a condo in Bayview's Promontory building since September 2017.

We are strongly opposed to increasing the 22-story maximum building-height that the current Official Community Plan has for this proposed development, to 29 stories. We are similarly opposed to increasing the Plan's current maximum floor-space ratio from 2.5:1 to 4.74:1.

These additional stories and the total of six buildings that would have them, in their close proximity within this property, and the overall increase in density, would substantially diminish the value of our Unit, and likely others — because it would bring downtown building heights and densities to a residential area that is not downtown.

When we purchased our Unit in the Promontory, the existing and projected Bayview buildings complied with the 22-story limit and the 2.5:1 floor-space ratio — and we expected that those limits would largely remain in place to protect our investment. That expectation is now no longer well-grounded, and our investment is substantially jeopardized.

We appreciate that the City wants to advance several strategic goals in this area, but hope that other City tools for achieving project viability could be applied to this project instead, such as tax-incremental financing.

Thank you for the opportunity to provide input to your consideration of this proposed OCP amendment.

Sam Rockweiler and Judy Switzky

Hi,

I received the attachments by mail. I wanted to let you know that I fully support making the height of the buildings as tall as possible so as to build the maximum number of housing units, as well as hotel buildings to accommodate more tourists, which would create more jobs and provide much value to the city's economy.

I'm happy to voice my support for this project at any forum so please let me know how i can help.

Thanks,
Teja

July 31, 2023

Attn: Mike Angrove
Development Services City of Victoria
1 Centennial Square
Victoria British Columbia V8W 1 P6

Reference: Proposed Increased Density and Increased Height at- 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road – REZOO729 – The Roundhouse at Bayview Place – Phase 2

Dear City of Victoria Development Services,

Good day

I am a resident of Victoria West and live within 200 metres of the Roundhouse Development Site. I am IN FAVOUR of the proposed Rezoning Application for the Roundhouse Development Site at Bayview Place - Increased Density and Increased Height at- 251 Esquimalt Road, 355 Catherine Street , 200 Kimta Road – REZOO729 – The Roundhouse at Bayview Place – Phase 2

Like so many people, the young adults in our family need this type of development in order to be able to afford to live in Victoria and raise their families here. The density proposed in a mixture of medium height buildings is the best melding of new homes with space for amazing amenities.

The proposed rezoning and the associated amended master plan represent a wonderful opportunity to grow a vibrant, active and more affordable community which will be of benefit to all of Victoria. The height of the towers is necessary to create a more liveable, a more affordable and inclusive community. The addition of significant affordable housing is a game changer.

The combination of new residential units, respect and renewal of the significant heritage site with much needed retail space will help create a terrific community that is open to all residents of the City of Victoria and the Capital Regional District. This will become a community where residents can comfortably, safely and affordably live and easily work, cycle and use public transit to go wherever they want to.

I recognize that this proposal will change the community. This is a change that I look forward to as we become a more diverse and vibrant part of Victoria. Like other recently approved developments, this proposal is a significant part of shaping Victoria to be a sustainable and affordable city now and into the future.

I urge you to support the timely approval of this rezoning which will reinvigorate this neighbourhood and support the city's needs for generations to come.

Sincerely yours

Signed by
Don Smith
#308 100 Saghalie Road
Victoria BC
V9A 0A1

Dear City of Victoria,

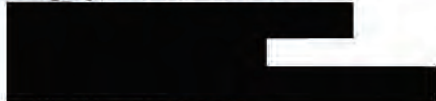
I failed to include the address of our residence. It is Suite 607, 100 Saghalie Road. Thank you.

GERALD CHIPEUR, KC

Providing services on behalf of a Professional Corporation
Partner

Pronouns: He, Him, His

Miller Thomson LLP
3000, 700 - 9th Avenue SW
Calgary, Alberta T2P 3V4



millerthomson.com

Connect with us on [LinkedIn](#)
View my [web page](#)



From: Chipeur, Gerald <[REDACTED]>

Sent: Monday, July 31, 2023 2:53 PM

To: developmentsservices@victoria.ca

Subject: Dr. Barbara Chipeur and Mr. Gerald Chipeur in favour of increased density and increased height at 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road - REZ00729 - The Roundhouse at Bayview Place - Phase 2

Dear City of Victoria Development Services,

We live within a 200 meter radius of the above noted property and we are familiar with the site. We are in support of increased height to provide as many homes as possible on that land and I am in support of more density to create those homes.

Taller, thinner massing for multi-residential buildings is better for the neighboring view corridors and the land that is made available at the base of those buildings for the use of the public. The above noted site has more amenities than any other similar application of

which I am aware and, therefore, should receive as much height and density as possible so as to accomplish the goal of finishing the Roundhouse at Bayview Place Community in which I live. It has taken far too long and the community is long overdue for the housing options that the above noted development will make available. There is a severe housing shortage and the development will help address the shortage.

Signed,

Barbara and Gerald

GERALD CHIPEUR, KC

Providing services on behalf of a Professional Corporation

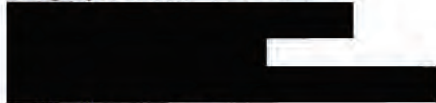
Partner

Pronouns: He, Him, His

Miller Thomson LLP

3000, 700 - 9th Avenue SW

Calgary, Alberta T2P 3V4



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Hello Mike:

I was happy to read of the decision to send the James Bay 17 story tower back to the developer.

Please do the same thing with Focus Equity and the Bayview proposal.

15 years ago Focus Equity achieved a rezoning that was sensible and promised to develop the Roundhouse into a market and community space. Now the heritage buildings are rotting away.

Communities get together in good faith with City Hall to create Official Neighbourhood Plans only to find later that it seemed like a waste of time in the face of a developer's ambitious proposals. That's what it feels like when people have to continually band together to oppose what feels like everything.

We are not Vancouver. A wall of towers on our northern harbour front is not appropriate for the scale of our city that we love. 9 tall thinner buildings instead of 5 is opportunism rather than civic-minded development, Look at Coal Harbour with so many condos bought and sold as investments, not homes.

How can the Focus owners love our city when they want to unbalance it in this way? Victoria has character with natural beauty and as time goes on, hopefully new builds come that also add to it through non-cookie cutter architecture.

Do not amend the zoning, please. Listen to the residents invested in the beauty and future of the City. This is where Staff like you and Council can really make a difference.

Sincerely,

Joan E. Athey
44 Lewis Street

Sent from my iPad

Dear Mayor and City Council c/o
Mike Angrove, Senior Planner

While it is frustrating to once again have to reiterate my wishes that You uphold the previously agreed upon terms of zoning in regards to the matter of Bayview Properties and the Roundhouse development, here goes.

Simply put, I ask You to Not Rezone at this time.

Furthermore, if for some bizarre reason you still feel that it would somehow be appropriate to grant some minor level of rezoning to Bayview Properties please include my concerns and comments and be sure to get them satisfied - and in legally binding language - before any city stamp of approval is given.

As a property owner and resident of 83 Saghalie Road:

- the density being proposed is FAR TOO Much for the footprint of this area;
- in no way would such density or building heights satisfy the visual character of our beautiful, quaint, and community spirited Songhees, Victoria neighborhood;
- and please think ahead about all the additional street parking that will be required. Currently Saghalie Road is brutally short of spaces for our existing density needs.

Having lived and owned here since 2016, I have personally seen many “versions” and “iterations” of the elusive “Official Bayview Properties Development Plan”.

Just last year I saw my strata fees pay for our Concierge's time to hand deliver notices on behalf of Bayview Properties to encourage us to support their application for rezoning!! At no time past or present did our Strata request or inform us as owners that our Concierge via our Strata would be tasked with this obvious conflict of interest.

Many of the features depicted on models and “versions” of our Promontory plan have disappeared or been conveniently removed from what our final reality is today. Liberties have been taken and I can assure you that they do not favour the owners, residents or community here.

Personally, I am done with the lack of transparency and disrespect for the contracts previously negotiated and signed, and I would like to see this developer held accountable for the restoration of the Roundhouse Property and Buildings.

There is no need for any “emotional appeal” here. We as residents cannot and should not be expected to approach the developer directly - that’s precisely what the role of City Council is. And once agreements are reached and signed, we expect You to uphold them on our behalf and to the benefit of both the community and City.

Please do not fall for the baited suggestion of a future “Four Seasons Hotel” until you’ve fully canvassed our neighbourhood and engaged our community residents (not future businesses) for our input.

Yes our city requires housing solutions and Yes, a far smaller portion of the land in the Roundhouse area would be very appropriate for middle or perhaps lower income housing options, but most certainly NOT as per the language being used at this time by Bayview Properties.

Please do not take or make decisions that might be appropriate in a metropolitan region such as Toronto or Vancouver here in Victoria.

Thank you for your time and service in representing me and all those who are advocating for reasonable zoning decisions and respect for commitments made on our behalf.

Best regards,

James Barry
83 Saghalie Road
Victoria, BC V9A 0E7

Dear Mike,

It has belatedly come to my attention that a major redevelopment for the area around the historic roundhouse is being amended by the developer (with city approval?) to include more buildings, specifically more hotels. We do not need more hotels, we need more affordable housing for families, seniors, and those without the high incomes necessary to afford any kind of apartment rental in the city. As someone who intends to move to Victoria shortly (from Vancouver), and a senior on pension, I am saddened by the same syndrome which has infected Vancouver, namely, condominium towers with a nod to "affordable" being a few floors (separated from the strata tower) which are in no way truly affordable.

Victoria must not fall prey to the idea that tower after tower is the answer to housing. It is not, because it doesn't address the home-grown need, but rather attracts offshore investment and results, quite often, as is the case in Coal Harbour, with half-empty towers, which nonetheless were purchased and are owned, but not occupied.

Affordable housing within Victoria needs to be affordable--a tautological argument but what I mean by it is naming something affordable, but aiming it at those making 70K plus, is not, in my book, affordable housing. It is just "less expensive" housing and does little to help single parents, seniors on fixed (lower) incomes, etcetera.

Sincerely,

Michael Cox

Vancouver (for now, until I can FIND something I can afford to rent in Victoria)

Please find attached my letter in opposition to the proposed amendment to the OCP for Vic West in regards to the Bayview Development.

Many thanks,

Margaret

345 Dundas Street
Victoria, BC V9A 7N5

July 31, 2023

Re: Bayview Properties - Rezoning Application

Dear Mr. Angrove:

I write to express my opposition to the proposal to amend the Official Community Plan for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road.

I support efforts such as the recently approved “missing middle” initiative, along with other forms of public, low-income and non-profit housing. Bayview, however, entirely misses the mark. If allowed in its current and proposed form, it will result in an unaffordable condo “dead zone” occupied mainly by absentee owners, wealthy retirees, short-term rentals and landlords charging high market rates. This project will not provide the housing so desperately needed in Victoria.

An increasing number of architects and urban planners recognize the shortcomings of tall condominium buildings. There are already too many unaffordable high-rise condo buildings being built in Victoria, often selling for \$1 M and up for a one- or two-bedroom condo, clearly beyond the reach of average income earners. What the area needs is a mix of housing. There are already tall buildings on the site. Additional buildings should include low-rise apartments or condos, townhouses and the type of development seen in Wilson Commons (mixing townhomes with condos).

I hope you will not be swayed by empty promises by the developer, who is looking to resell the land and let others build affordable housing (or not) on the site.

Sincerely,

Margaret Gracie

**Attn: Mike Angrove – Development Services – City of Victoria – 1 Centennial Square – Victoria,
British Columbia – V8W 1 P6**

Dear City of Victoria Development Services,

I am in favour of the increased density and height of the buildings in the Roundhouse at Bayview Place – Phase 2 development. In the interest of addressing the current housing challenges, I would support increasing the density and height.

Marguerite Rowe TH 6 -100 Saghalié Road, Victoria , British Columbia V9A 0A1

Dear Mr. Angrove,

Re: Proposed Official Community Plan amendment for 251 Esquimalt Road, 255 Catherine Street and 200 Kimta Road.

Thank you for your offer of feedback and questions, much appreciated.

(Without Prejudice)

I oppose the Bayview Roundhouse rezoning and amendment to the OCP Bylaw with 9 towers.

I support maintaining the original 2008 rezoning of The Bayview Roundhouse with 5 towers.

- The original 2008 approved density would have provided a much needed boost to available housing in Victoria but has instead sat idle by the developer for 15 years. Now there is demand by the developer to only go forward if 9 towers are approved in the range of 30 stories!
- The Roundhouse Railyards heritage site was to be restored by the developer when the 2008 rezoning was approved but have instead sat idle for 15 years.
- The rock topography at the corner of Kimta Rd and Tyee Rd adjacent to Bayview Place was completely excavated by the developer and is still undeveloped after 4 years leaving a huge eyesore for the neighbouring community.
- We understand that the developer's remediation proposes to bury the contaminated industrial soils versus removing the soils which is seriously concerning.
- Have we considered the impact of multiple towers and potentially 3000+ more people and most likely 500+ more dogs in the Songhees neighbourhood compressed into one small area plus the impact of wind tunnels, shadow lines, traffic and parking congestion, sight lines of tall towers on the harbour, and over extended services especially on an already collapsed health care system that can't even service the existing population.
- Is this what we want for Victoria? Does this really address affordable housing or would it purely be a profit grab? The new proposed rezoning would potentially more than double the profit potential of the land especially if it's parcelled out and sold.
- Do we lose what sets Victoria apart for both us residents who love our community, and on the world stage as an iconic destination, and just become another generic crowded city full of wall to wall towers? We love our beautiful city and support addressing the missing middle and we are not against development. Let's do this the right way and

leave a well thought out legacy for our children that all Victorians can be proud of into the future.

SUMMARY:

I OPPOSE the Bayview Roundhouse rezoning and amendment to the OCP Bylaw with 9 towers.

I SUPPORT maintaining the original 2008 rezoning of The Bayview Roundhouse with 5 towers.

***RECOMMENDATIONS IF AMENDMENTS WILL BE CONSIDERED:**

1. **Reduce the height** of all the proposed towers e.g. similar to Dockside Green's BOSA development e.g. ideally 12-15 stories range to a maximum of 22 stories per the OCP.
2. **Introduce a mix** of towers, townhouses, and low rises to address the missing middle and young families.
3. **Eliminate two towers (Buildings 4 & 5)** crowding the Roundhouse buildings on the South East corner of the development on Sitkum and Esquimalt Roads.
4. **Increase the size of Sitkum Park** and ensure adequate green space and trees are incorporated into the development.
5. Ensure there is **adequate underground parking** for visitors to the Roundhouse attraction and for the units built.
6. **Remove all contaminated soils** and do not allow the developer to bury the soils on the property as allegedly proposed.
7. I strongly urge Council, and all authorities related to the amendment request, **do a walk around of the Vic West Songhees neighbourhood** to witness what a wonderful residential neighbourhood has been created to date. We would hate to see it damaged by an out of place cluster of 9 wall to wall tall towers. (note that no detailed 3D architectural design visuals have been provided, we have no idea what kind of buildings are proposed and how they will look).
8. **Set a deadline** for the developer to clean up and develop the proposed so called "seniors residence" in the excavated mess on the corner of Kimta Rd and Tyee Rd, and to clean up and complete their unfinished sales office facing the neighbourhood (photos attached - note the existing work on the recent precarious rock slide).
9. **Set a finite deadline** to complete the restoration of the Roundhouse Railyards.

Sincerely,

Tony Cary-Barnard
60 Saghalie Rd
Victoria BC





Hello Mike Angrove.

I am expressing my concern over the Bayview Place zoning proposal at the Roundhouse property (Esquimalt road, Saghalie road, and Kimta road).

I am in agreement to develop the Roundhouse property, the current property is ugly, a hazard with all the old train junk, and serves no purpose.

I am opposed to the developers plan though. As expressed by most of the neighborhood, the density and building heights are in excess for the surrounding area.

The developer is not being transparent with the 4.75 FSR (floor space ratio). They have included the property area of the already developed Bayview Place property, which has nothing to do with the new development.

Furthermore, the plan does not really preserve the Roundhouse historical buildings. They are dwarfed by the current proposal. The city might as well have let the developer knock down the historic buildings given the current proposal.

Thanks,
Tony V

Dear Mike Angrove,

I received a notice in the mail regarding proposed amendments to the OCP Bylaw for this development. I searched on the website for details of the amendments, but was unable to find them. Everyone in the neighbourhood should have received the details of the proposed amendments in addition to the notice. Nine new towers of 22 stories in that area is already excessive. What are the proposed plazas and amenities? I am shocked that there is even a consideration of allowing the towers to be taller. The heritage structures should be rehabilitated and preserved, and not overshadowed by nine huge towers. I understand that housing is necessary, but it needs to be built in a thoughtful way. Will there be affordable condos/rental apartments available? Affordable, below-market housing is what we need, not investments properties for REITs. Please give me a detailed breakdown of the proposed amendments. When will there be a public hearing regarding this proposal?

Thank you,

Astrid Starke
507-105 Wilson Street
Victoria



Attn: Mike Mangrove, Senior Planner - Development Agreements.

The application for rezoning to allow a building (B4) on the corner of Sitcom and Esquimalt road flies in the face of one of the primary goals of maintaining the heritage buildings at the forefront. The construction of this particular building will obviously overshadow the heritage buildings and be the dominant visual structure seen as you drive north-west from Tyee Road. Plain and simple, this proposal will dwarf the heritage buildings and minimize their importance of this heritage site.

Blair Gurney, Encore Building resident

Re: Roundhouse at Bayview Place application for rezoning

Dear Mayor Alto, Victoria City Council and Mr. Angrove,

We are residents of the Encore building in the current Bayview development, in Victoria West. We are very concerned about the upcoming rezoning application being presented by Focus Equities. We are not against development of the area. Development is necessary to address Victoria's housing issues, and a basic need given the growth in population occurring in this wonderful and vibrant place in which to live. We are concerned however, about the increased scope of the project being put forward in the rezoning application.

To begin with, we are absolutely against the proposed heights of the buildings in the rezoning application for two primary reasons. Firstly, historically, City Council has been clear in its belief that developments need to be made within the scale of the neighbourhoods in which they're located. A great example of success in achieving that goal, are the newest buildings, nearing completion, over at Dockside Green. They are an appropriate and well designed addition to the neighbourhood. Nothing sticks out as unsightly or out of place. They are not visually overwhelming to the area in which they are located. However, in exploring the plans and views presented in Focus Equities' Bayview proposal, the heights of these buildings DO stand out as inappropriate and definitely NOT within an appropriate scale to the neighbourhood. If the development proceeds to the desired conclusion by the developer, and nine buildings end up occupying the total space, instead of the original five buildings, it is going to stand out as a huge solid mass of concrete in a lovely, lower key neighbourhood.

Secondly, this development in its scope and height will totally overwhelm the historic Roundhouse buildings. There will be no sky, no space for these historic buildings to breathe. The city has committed itself to honouring its past. The Roundhouse buildings have been duly designated as heritage buildings. The next step would be to honour that decision, and ensure that these heritage buildings aren't swallowed up by being surrounded by nine towering monstrosities.

We don't understand why the City of Victoria would allow Bayview to building to a 4.75 floor-space ratio, when the City recommends 4.0 as the ratio to which to build (as noted in *Revised 1,900-unit development aims to overhaul underused Vic West heritage site*: Victoria News; May 3, 2023). Even this increase by the City is surprising as the Victoria West Neighbourhood Plan from April 20, 2023, on the City of Victoria webpage, indicates a floor-space ratio of 2.5 as the goal on page 54.

The buildings will also overwhelm those who live behind them on the other side of Esquimalt Road. The proposal shows what the view of the development will be from that vantage point and it is shocking to see. We cannot fathom what it will feel like to those who live there, once these towers are built. We would imagine it might feel like you're living right next to a massive wall.

We are also very concerned about the density of people who will be moving in, and the lack of green spaces for these people to access. We are assuming that families will be moving in. Where will the children be playing? Will they be expected to cross a two-way bike lane that gets busier every day and then a busy two way vehicle road, then past the line of parked cars to get over to Lime Bay Park as indicated on renderings included in the proposal? That green space is not conducive to children playing. They don't play there now - and who would feel comfortable allowing their little ones to head over to that park in the future to play? It's close to the water; there are a LOT of people walking or running along the paths and it's sloped towards the water which makes safety - and ball games of any kind problematic.

What about the Sitkum Park then, located at the far corner near Saghali Road? That is not a park. It is a corner. At the far end of the property. There isn't enough room for future playground equipment so once again - not a play area for children. In its renderings the proposal seems to show an easy access pathway over to the Songhees Hillside Dog Park by the Bayview Encore building. It looks like lots of green space. That park is a designated (by the City of Victoria's own website) off-leash dog park. It has always been a dog park and it is well used and well loved. It is surrounded by beautiful hedges and trees and flowering plants which the City of Victoria looks after with wonderful care and attention. Children don't play in this area. The unit we live in looks out at the park, and believe us - children don't play there. It's a dog park. The park is across a moderately busy road from the Roundhouse site - Saghali Rd. - and the access one picture in the proposal shows, doesn't exist.

So how about across Esquimalt Road, to the Victoria West Park? Once again - VERY busy road, a skatepark, and farther away a playground right near where people often are tenting overnight. There has to be much better, usable green space consideration right on the Bayview Roundhouse site for the people, the families and the children who will be living there to

gather and to feel safe, happy and proud of their new community.

We love that Victoria is working to move forward into the future, while acknowledging, honouring and celebrating its past. All we ask is that, City Council recognizes that there are issues with the rezoning proposal which need to be addressed, before Focus Equities is allowed to develop Bayview Roundhouse in what is now, a lovely, low impact neighbourhood. Thank you very much for taking the time to read and consider our concerns.

Best regards,

Michael and Connie Thompson

[Redacted]

402 - 60 Saghalie Rd.,
Victoria BC V9A 0H1

[Redacted]

Hello Mike Angrove,

I'm writing this email today in support of the development application REZ00729 at 355 CATHERINE ST, 251 ESQUIMALT RD, 200 KIMTA RD, 210 KIMTA RD. I live just up the street at 68 Songhees road and have so for the last few years. I think the design would fit well in the neighborhood, would add beneficial amenities to the area. I think it would also help with Victoria's housing shortage especially in an area so close to downtown.

Thank you,

Dion Weisner
68 Songhees Road, Victoria

Mike Angrove:

Really; what's to say here ...you're a professional so I expect you are already well aware this latest rezoning proposal by Bosa Properties/Focus Equities should not be approved. Certainly it is being vigorously advanced by the Applicant but it nonetheless amazes me it has got this far and raises the question of what sort of influences have enabled that. Given I don't know how any letters of concern are being assessed I will take a moment here to state the obvious. This latest proposal contemplates a level of density altogether inconsistent with all the principles that have guided our city's development thus far and which will do irreparable damage the character of neighbourhood and immediate surrounds. It is well accepted (or should be) that all neighbourhoods are going to experience infill and increased density. This proposal, however is of an entire different order. The initial proposal for the property (and which the developer reneged on) my well have to undergo some thoughtful "tweaking" but it needs to be appropriately balanced and consider not just the interests of the developer. I note the refurbishment of the roundhouse buildings remains, and there are a number of expensive soil remediation concerns to be addressed. The former however was part of the initial approval and but never acted upon. The latter was of course known from the outset and a consideration in the purchase price of the property.

Again, none of this will be new to you. What may be new however is the comprehensive efforts being made to suppress any dissent. I live in the neighbourhood and can tell you that of late, and every evening, individuals go around and remove any posters depicting the proposed rezoning. Similarly, they have been removed from building entry ways. Rest assured there is no one living here who wants to see this proposal go ahead. Which is not to say this is just another NIMBY push back. We know more is coming to Bayview ...lots more. This proposal, however, is nearly double what was initially proposed, agreed upon and accepted ...and, OK, that may now need to be revised some. Just please ensure it is done in a thoughtful balanced way respectful of good planning principles and the legitimate needs of residents for amenities that support healthy neighbourhood living.

Respectively,
graham zirul

Good afternoon,

I am writing to you regarding The Bayview Project. I am astounded to see the density proposed by this developer and the sheer height of these buildings. I think this is a terrible idea for the small piece of land that they want to squeeze these tall buildings on.

I am totally against this project and feel that it should be scaled down a lot. I do believe we need more housing and look forward to the project being finished but this is too much in my opinion and will definitely not enhance the neighborhood. I sincerely hope this will be revised and a scaled down version will be implemented.

Thanks for your consideration

Sincerely

Karen Vaillancourt

60 Saghalie Road

[Sent from Yahoo Mail for iPad](#)

Dear Mr. Angrove,

Re: Proposed Official Community Plan amendment for 251 Esquimalt Road, 255 Catherine Street and 200 Kimta Road.

Thank you for your offer of feedback and questions, much appreciated.

(Without Prejudice)

I OPPOSE the Bayview Roundhouse rezoning and amendment to the OCP Bylaw with 9 towers.

I SUPPORT maintaining the original 2008 rezoning of The Bayview Roundhouse with 5 towers.

(Note that in this new amendment the community has not seen any detailed 3D architectural renderings of how this development and the tall towers would look like other than crude sketches and renderings showing blocks of generic looking buildings)

The original amendment to the OCP Bylaw in 2008 was very generous to the developer, and although I do not support the developer's request for a new amendment in any shape or form, I will provide the following feedback should the city entertain any changes proposed by the developer:

1. ELIMINATE TWO TOWERS (Buildings B4 & B5) crowding the Roundhouse buildings on the South East corner of the development on Sitkum and Esquimalt Roads.
2. REDUCE THE HEIGHT of all the proposed towers e.g. similar to Dockside Green's BOSA development e.g. ideally 12-15 stories range to a maximum of 22 stories per the OCP.
3. CHANGE TO A MIX OF MIDSIZE TOWERS, TOWNHOUSES AND LOW-RISES to address the missing middle, young families, and to create a more livable community.
4. INCREASE GREEN SPACE and ensure adequate parks and trees are incorporated into the development.
5. ENSURE THERE IS ADEQUATE PARKING for visitors to the Roundhouse attraction and for the number of units.
6. REMOVE ALL CONTAMINATED SOILS and do not allow the developer to bury the soils on the property as allegedly proposed.
7. SET A DEADLINE TO CLEAN UP THE EXCAVATED LANDS AT TYEE AND KIMTA. (see photos)
8. SET A DEADLINE TO COMPLETE THE RESTORATION OF THE HERITAGE

ROUNDHOUSE BUILDINGS.

9. ENSURE LANDS CANNOT BE PARCELLED OUT AND SOLD AT A HUGE PROFIT FOR THE DEVELOPER SHOULD ANY AMENDMENTS BE CONSIDERED.

Sincerely,

Michelle Cary-Barnard
60 Saghalie Rd
Victoria BC



Dear Mayoress and Councillors,

I am strongly objecting to the project presented for approval. Number of buildings, their heights, density of potential population are much too high. The infrastructure is insufficient to support such a project, streets, bridge, parking would become a nightmare for residents in the area, and potential traffic jams near the bridge could put people in danger in case of emergency.

Second the heritage buildings are dwarfed, the round house in particular with a 32 stories high building squeezed on the back.

I would recommend a general downsize of the buildings and some scratched, particularly the one behind the round house. No building should be higher than Promontory or Encor. They are already more than 3 times the heights of the six stories allowed in nearby Esquimalt.

The first project presented by the builders was better proportioned, and the heritage buildings respected. This new project wants to maximize profit in excess.

Thank you for considering my remarks

Yours sincerely,

Suzanne Ridler

307 68 Songhees Road

Victoria BC V9A OA3

Sent: Tuesday, August 1, 2023 4:30 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Affordable Housing and Bayview Roundhouse Proposal

Dear Mayor and Council members,

I am writing today to ask for further due diligence to be carried out by your advisors to help determine what type of development is best for Bayview/ Roundhouse site.

The current application before you consisting of 9 towers (up to 29 storeys) and possible 3 condo hotels, requiring an amendment to the existing OCP is grandiose and does not help to meet the housing needs for Vic West.

If you past this rezoning of such a massive concrete build, the only winner is the current owner (developer) and their stakeholders not the people of Victoria.
This is not fulfilling the need for more housing but provides more luxury housing for wealthy individuals, oversea buyers and Airbnb operators.
Victoria residents want to stay, live, contribute and thrive in their communities.

Please go to task and seek further expert input for use of this unique property and heritage site.
Have the developer revert back to what was originally rezoned for or to a comparable plan.
The original rezoning included 1100 rental units.
Those now have been whittled down to a possible 150 rental units and 150 affordable housing units within the promise of his 15 million dollar land 'donation' in exchange for additional towers and density.
If he is unable to do so perhaps he can sell the property off, as they often do, to another developer who has greater insight, forward thinking designs for housing, respecting the changing climate and actual housing needs of Victoria.

Once the land is gone to this type of development, it's gone, and those of you who vote in favour of this application will be remembered for your decision as it would show it exceeds your caring capacity.

Regards,

Linda Casano
203 Kimta Road
Victoria

Re the Rezoning application for the Roundhouse Development Site at Bayview Place - REZ00729 at # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and # 200 - # 210 Kimta Road.

To the Mayor, all city councillors, and staff involved with this proposal:

The deadline is coming for your next consideration of this proposal. There are several reasons why many residents close to the proposed development are not looking favourably on this proposal for very tall buildings in this non-downtown area of the city.

We have just heard from a friend who is very knowledgeable in environmental law issues. She lives outside the city boundaries, but has asked me to send this message to all of you. When we read her letter, we realized that her points are very serious, and well-considered. We urge you to read this short letter, and click on to the link provided.

Respectfully,
W. Stephen LeBel and Greg Cline
#1001 - 379 Tyee Road, Victoria, BC. V9A 0B4

"The environmental reports for this proposed development that are available on the City of Victoria's 'Development Tracker' website do not address the development's potential impacts on birds and other wildlife. This is particularly important given that the development site is within or adjacent to the Victoria Harbour Migratory Bird Sanctuary, which is recognized and protected by federal legislation.

This migratory bird sanctuary provides critical habitat and is home for valuable wildlife including birds, fishes, mammals, molluscs, crustaceans, plants and other organisms including several federally designated species at risk. Although this sanctuary is located adjacent to the city, it remains an important roosting and overwintering site for a large number of migratory bird species that use this vital habitat either seasonally or year-round.

Based on the documents available on the City of Victoria's website, the proponent has not appear to have addressed the potential impacts of the proposed tall buildings on the flight path of migratory birds, and whether steps will be taken to prevent birds from impacting the buildings and suffering injuries or death. This is a critical gap in information that the City should be asking the developer to address by providing an independent report by a qualified professional with expertise in migratory birds."

Mr. Mike Angrove,
Senior Planner — Development Agreements
City of Victoria
By email <developmentsservices@victoria.ca>

Dear Mr. Angrove,

I am writing in regard to the Roundhouse Project REZ00729.

First allow me an opportunity to thank you for all that you do for the residents of Victoria. Housing is an urgent matter, and I applaud your work to increase the housing stock available across income brackets, particularly affordable housing.

The sizable Roundhouse project will provide a great deal of much needed housing, and neighbourhood amenities. I live on the other side of Esquimalt Road and walk through the area daily. I am very much looking forward to the long promised amenities that will enrich the neighbourhood.

From recent revisions, I appreciate that the mid-block buildings along Esquimalt Road have been reduced in height to reduce the amount of shadow on the park lands.

My focus for this letter is a strong dislike for the design of the building located at the Sitkum Road and Esquimalt Road corner of the project (Building 4 in the project diagram below). The building is shoe-horned-in behind the historic Roundhouse building. It is inconsistent with the historic nature of one of the key features of the project. As a neighbour, looking into the developed community (from the outside-in) this building blocks our visual access to the Roundhouse and the adjacent buildings. Are we part of the community, or just context for the project? Everything about the proposal is insular, and inward looking. The Urban Amphitheatre Concept works from the perspective of the mouth of the harbour. Along Esquimalt Road, it will be like finding yourself outside the coliseum — and 28 stories high, at that.

By comparison, as you drive from the Johnson Street Bridge westward, at Tyee Road you see a brick tower which I find to be unobtrusive. That building is well set back from the corner, and is perched atop a natural outcropping of rock. That is not the case for the building I dislike in the Roundhouse project. When I look at the building design for the corner of Esquimalt Road at Sitkum, I believe the proposed building will be heavy and oppressive, a wall of brick that blocks the view of the historic buildings, and overpowers the space — with limited setbacks, dwarfing the historic buildings. Viewed from Esquimalt Road, it feels like a wall rather than a welcoming-in. While not part of this permitting process, I wonder whether this building might have an improved effect were it to be located across Sitkum Road to the east, placed on the open space within the Bayview project at the corner of Esquimalt Road at Sitkum. There could be better setbacks on all sides for such an imposing structure.

The height of the building in question limits the benefit from the potential installation of solar panels on the flat roof on my strata building at 400 Sitkum Road — a space that is perfectly situated with southern exposure. In our plans, we have already moved the panels from the sloped roof of our building, further back away from Esquimalt Road, onto the flat roof — as a result of reviewing the shadow studies in the earlier proposal for this project. The shadow studies of the revised Roundhouse project indicate that half of the flat roof will now be placed in shade in late March (an increase from previous studies), materially reducing our ability to generate green energy. I believe that this potential small solar power project would be a meaningful step in the City of Victoria's battle against the impact of climate change. It could make our strata self-sufficient for electric energy — including providing electricity for future electric vehicle recharging.

Thank you for your time and consideration, and all that you do for Victoria and all of its people.

Sincerely,
 Andrew Thompson
 400 Sitkum Road, Unit 210
 Victoria, BC V9A 7G6



--

Andrew Thompson
 He/Him | [Why Pronouns Matter](#)

Hi Mike Angrove,

We are writing to express our concerns regarding the noted development. We have lived in the neighbourhood for more than 13 years and have watched new developments happen with apparently little thought to the infrastructure impacts. The thought of having 9 new “towers” being built creates serious concerns. The lack of parking, the limited road use (particularly with the new bike lanes on Kimta road), and the anticipated congestion and impact of the increase in people living in the area will stretch the already limited resources to a dangerous level, in our opinion.

Are there really enough police, ambulances, fire services, paramedics, doctors, etc etc to be able to support this? We have heard the opinion that people won't need to have cars so those impacts will be limited, however, it is beyond comprehension to believe that all of a sudden people won't need cars, particularly given the demographics of the area and Victoria as a whole. Is there not a consideration when proposing these developments to do an analysis of what can be supported in the particular area, from an infrastructure perspective.

Should all of this building come to pass we would remain concerned about the ability of the residents to deal with the enormous congestion of cars and people, as well as receive services that they may need that are already in short supply (eg ambulance, police etc). At what point do we pause new building and focus on strengthening and building an already stretched infrastructure. Why not build less towers and more community space and green space for all.

Thank you for considering our concerns.

Bev Martin and Rita Louie

Sent from my iPad

To staff and Council
City of Victoria

As a resident of Vic West, I strongly oppose this amended proposal for the usual reasons that you will hear from many residents:

- * Concerns by residents have been largely ignored, in my view; that is unacceptable;
- * The new proposal is inconsistent with the vision in the staff report of April 20, 2023; the staff vision is a much more manageable and attractive proposal to maintain the character and beauty of Vic West;
- * An expansion from 5 buildings to 9 buildings with 3 hotels is a bizarre addition to this already dense neighbourhood!!
- * The promised refurbishment of the Roundhouse and heritage properties, promised years ago, has not been done.....can we truly trust this developer?

In addition, I have concerns about traffic, parking, waste disposal, and livability in my neighbourhood if this proposed development gets approved!! We are already experiencing increased traffic, partly due to the bike lanes, and our condo buildings in this neighbourhood are experiencing problems with non-residents parking in OUR designated guest parking spaces because the street parking is full! Waste disposal from some of the condo buildings occurs on Kimta because of the slope of Cooperage and Paul Kane, contributing to traffic and congestion. This development will make all these problems much worse!

In conclusion, this proposed development is much too large for this neighbourhood. It will overwhelm the neighbourhood and change the character and livability of Vic West. Please do not approve this!

Yours sincerely,

Denise De Pape
503-11 Cooperage Place

Re the Rezoning application for the Roundhouse Development Site at Bayview Place - REZ00729 at # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and # 200 - # 210 Kimta Road.

To the Mayor, all city councillors, and staff involved with this proposal:

The deadline is coming for your next consideration of this proposal. There are several reasons why many residents close to the proposed development are not looking favourably on this proposal for very tall buildings in this non-downtown area of the city.

We have just heard from a friend who is very knowledgeable in environmental law issues. She lives outside the city boundaries, but has asked me to send this message to all of you. When we read her letter, we realized that her points are very serious, and well-considered. We urge you to read this short letter, and click on to the link provided.

Respectfully,

W. Stephen LeBel and Greg Cline

#1001 - 379 Tyee Road, Victoria, BC. V9A 0B4

"The environmental reports for this proposed development that are available on the City of Victoria's 'Development Tracker' website do not address the development's potential impacts on birds and other wildlife. This is particularly important given that the development site is within or adjacent to the Victoria Harbour Migratory Bird Sanctuary, which is recognized and protected by federal legislation.

This migratory bird sanctuary provides critical habitat and is home for valuable wildlife including birds, fishes, mammals, molluscs, crustaceans, plants and other organisms including several federally designated species at risk. Although this sanctuary is located adjacent to the city, it remains an important roosting and overwintering site for a large number of migratory bird species that use this vital habitat either seasonally or year-round.

Based on the documents available on the City of Victoria's website, the proponent has not appear to have addressed the potential impacts of the proposed tall buildings on the flight path of migratory birds, and whether steps will be taken to prevent birds from impacting the buildings and suffering injuries or death. This is a critical gap in information that the City should be asking the developer to address by providing an independent report by a qualified professional with expertise in migratory birds."

Dear Sir,

Attached please find my letter of today's date for presentation to the Victoria City Council.

Regards,

Lisa Alexander

cc: Anne Alexander

LISA ALEXANDER PROFESSIONAL CORPORATION

Barrister & Solicitor (currently non-practicing), Mediator

500 – 645 Fort Street, Victoria BC V8W 1G2

p. [REDACTED] [REDACTED]

August 2, 2023

Mike Angrove, Senior Planner – Development Agreements

City of Victoria

Email to: developmentsservices@victoria.ca

Attention: Mike Angrove

**Re: Application to Amend the OCP Bylaw
251 Esquimalt Road, 355 Catherine Street, and 200 Kimta Road (the
“Developments”)**

I am the co-owner of 101 – 205 Kimta Road and write to provide my concerns about the proposal to amend the Official Community Plan to allow an increase to the height and density to the current approval in place for the developments at the above noted addresses.

I fervently request the City Council to reject the requested increase in height and density to the Developments.

I lived in South False Creek area of Vancouver from 1999 to 2019, in both the Granville Island area and latterly in Olympic Village. As Council is likely aware, the South False Creek area was developed to foster community, integrated housing models, and provide neighbourhood services for the entirety of Vancouver to use and enjoy. One of the cornerstones of the South False Creek development was mixed building height, with height restrictions. I believe the highest building in the neighbourhood is in Olympic Village and is approximately 15 floors tall.

The new waterfront areas of Yaletown were being developed during the same time I lived in South False Creek, with residential towers between 25 and 35 stories. This area never flourished as a neighbourhood, as there is almost no daylight in the canyons created by the towers. People do not use the neighbourhood, as there is very little green space. Almost no families live in the neighbourhood because there is not enough classroom space for the children. The neighbourhood is too density for the community services that existed and there was no space to increase community services to serve that neighbourhood. The parallels between Yaletown and the impacts of the proposed increases to the Developments seem very clear to me.

Furthermore, the community in which the Developments exist has struggled to cope with the relatively small increase in parking and traffic brought on by the Van Gogh Exhibit currently occupying the Roundhouse space. These issues are only temporary and will be resolved when the exhibit closes. There is no way that this community could manage a permanent increase impacting traffic, parking, and a vastly increased number of people moving through the space.

LISA ALEXANDER PROFESSIONAL CORPORATION

Barrister & Solicitor (currently non-practicing), Mediator

500 – 645 Fort Street, Victoria BC V8W 1G2

p. [REDACTED] [REDACTED]

I urge the City Counsel to continue with the current development plan and reject the proposed increases in density and height.

Yours truly,



Lisa C. Alexander

Re the Rezoning application for the Roundhouse Development Site at Bayview Place - REZ00729 at # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and # 200 - # 210 Kimta Road.

To the Mayor, all city councillors, and staff involved with this proposal:

The deadline is coming for your next consideration of this proposal. There are several reasons why many residents close to the proposed development are not looking favourably on this proposal for very tall buildings in this non-downtown area of the city.

We have just heard from a friend who is very knowledgeable in environmental law issues. She lives outside the city boundaries, but has asked me to send this message to all of you. When we read her letter, we realized that her points are very serious, and well-considered. We urge you to read this short letter, and click on to the link provided.

Respectfully,

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Based on the documents available on the City of Victoria's website, the proponent has not appear to have addressed the potential impacts of the proposed tall buildings on the flight path of migratory birds, and whether steps will be taken to prevent birds from impacting the buildings and suffering injuries or death. This is a critical gap in information that the City should be asking the developer to address by providing an independent report by a qualified professional with expertise in migratory birds."

Dear Mr. Angrove,

I am opposed to the proposed Official Community Plan amendment for 231 Esquimalt Road, 355 Catherine Road and 200 Kimta Road. I feel the density is too much and I am concerned that Vic West lacks the infrastructure for 9 towers. There are no banks in Vic West, for example and while you may point out that people bank on-line, there are many who still go to their banks in person. We also do not have a medical clinic. Furthermore, the two side roads that bound the area (Catherine and Saghalie) are narrow. How will they handle the extra traffic? I also believe that city hall has failed to look at this amendment - and the whole project - in conjunction with the ongoing development at Docksideroad. Esquimalt and Tyee Roads are 2 major arteries into Victoria. The increased density between Roundhouse and Docksideroad will lead to more cars on Esquimalt and Tyee which will further clog these roads - especially as traffic has to go over a one lane bridge into town (Wharf Street is already a gong show - while driving into Vic West from Pandora between Government and Store Street is often brutal!!).

Furthermore, the heights of the buildings and the number of buildings will hide the Roundhouse heritage buildings and shade nearby buildings across the street. I am also concerned that construction so close to the heritage buildings will damage them.

As a long time resident of Vic West, I recall when the city announced the Vic West Community Plan. That plan involved the entire neighbourhood as meetings were called where displays were presented so that residents could speak with and give feedback to city officials about how Vic West could change. I find that the city has not been so forthcoming with the proposed amendment - which, by the way, is a far cry from the original plan! The amendment must be taken to all Vic West residents as it is us who will have to live with the consequences if the amendment is approved (and as a cynic, I feel it has already been approved and that public feedback is a PR stunt!).

These are a few of my concerns. Vic West is probably the neighbourhood in Victoria that is changing the most with the number of new buildings being constructed and increased density. City hall needs to engage all Vic West residents about this amendment at public meetings like the ones we had when the community plan was put forward.

Thank-you,

Tim Boulton

#70-420 Sitkum Road, Vic West

Subject: Bayview Roundhouse Podcast

To the Mayor and Council and Mike Angrove,

I have written to you before regarding my and a large number of others' opposition to The Bayview Roundhouse Rezoning proposal and the proposed amendment to the OCP. That has not changed. In fact, it has been further reinforced after viewing a recent podcast featuring former City of Victoria's heritage planner Steve Barber and Ken Mariash.

I have included the link to this podcast (which aired on Friday July 28th) for your personal viewing. As a part of your due diligence to this controversial proposal I must insist that you give it your full attention.

I have taken the liberty to point out some questionable comments that Mr. Mariash made during the interview and have provided my own thoughts and interpretations, but I gladly welcome yours.

At around the 10:25 mark of the podcast Mr. Mariash says that he is friends with 90% of the people in the two buildings on Kimta Road directly across from his property. He said that our property values will triple because of the project.

Our 2 buildings have signed a petition against his proposal with over 120 signatures which is almost 100%. So much for friendship. As for our property values tripling you can see that his focus is on money and as long as one gains financially that is all that matters. We are proof that is not the case. We are willing to sacrifice personal gain for a development the community and the City of Victoria can be proud of. One like the original proposal which provided more housing for ordinary Victorians instead of 4 luxury condos and 3 luxury hotels which will do nothing for the housing crisis but perpetuate it.

At around the 12:38 minute mark Mariash stated that the first rezoning he received for the project was awful. Investors ran away and he had to pay all the bills \$20 million. ...

Mariash then says "Then they (City?) said we'll let you out of a bad design guideline."

Robin Adair asks Mariash " The city pushed you to go higher? Mariash answered yes. Mariash then goes on to say that the city would like him to go 38 stories high.

At 14:40 he says 'We're not going to make money anyway'

A couple points. If the first rezoning was so awful why did he agree to the permit to build it. Is it because he didn't intend to build it at all and bided his time when the City was desperate to get things moving that he could ask for and get it rezoned a second time which is double the current OCP. He also infers that it is the City's idea he builds even higher than proposed. Is this true or is he just making this up? Your constituents want to know.

My second point goes back to his fascination with money. If he is so concerned about making money instead of building (oh that's right he does not build he is a subdivider) perhaps he should cut his losses (which I doubt because the land value over the years has increased dramatically), and sell to an actual developer.

At 15:54 mark he begins to state his opinion of how the downtown is struggling due to all the properties designated as heritage. "These red dots are everywhere, over a hundred of them are designated. You can't build a tower anywhere?"

So much for his opinion on heritage. This from a man who owns a property that is an important national heritage site. Throughout his whole interview he never once mentions how important or proud he is for owning what some would consider a jewel in a heritage crown. Instead he treats heritage as a nuisance to development and basically maligns the hard work done in the past by Steve Barber and other members of the heritage council of the City of Victoria. Work in which Steve Barber has been lauded for in a number of past publications and is still thanked for today.

Also, what does he consider a tower? look at the Rail Yards, Dockside Green and many other areas in the city where large buildings, (or what some might consider towers) are going up. So, it appears Mr. Mariash is not quite correct when he says no towers anywhere unless his idea of a tower is 28 stories and above.

At around the 18:00 mark Robin Adair says something along the lines of "15 years of approval and nothing ever happened"

Mariash responds "I started that deal and dropped out of the deal. Part of the deal because my partner who got the deal wanted it for free and made all those promises. I would never have made. Those promises were crazy. I could have walked away and said well too bad, we know the zoning was no good and that's why the investors walked. I said ok I'll take whatever I can get because I have to close this and pay all these bills."

Okay this is straight out rambling. Could you please clarify for me and many others? Is he saying that he came in after the deal with the city was made? Wasn't his name on the paperwork or was it forged by his so-called partner who wanted everything for free. Again, he slams the zoning which, correct me if I am wrong, was amended from the original to suit his first project proposal. The one that is still being displayed on boards on his site as I write this. If he thought it was so terrible why does he still display pictures of his first proposal?

At the 20:30 mark Mariash is asked about the view people from the Clipper or the Coho will get as they enter the harbour, Mariash responds "when I am showing somebody at the cruise ship or on their yacht I have to drive them here to see the buildings"

Say what? When you see his own artist renditions of views from James Bay the towers are clearly visible. Even though he tries to lessen their impact by not having the pictures to scale. The towers will be clearly visible by all ships coming in and out of the entrance of the harbour.

At the 21:00 minute mark Robin Adair asks " So the City of Victoria for the most part is supportive of what you're proposing here or do you know?"

Mariash responds - Absolutely uh you know everybody's a bit tentative. The city was run by one person that was able to stop development for 30 - 40 years and people got used to that. They come here for that reason, they stay here for that reason. They think that way it's not the right thing for their kids, it's not the right thing for people. But if one person says that's the way it's going to be and gets four people to vote with them for 30 years that's how it's going to be".... That Particular person hired all the staff that was in the city for years and some of that staff is still there.

Okay first off who is that person? I know when Victoria started we were under the Rule of Queen Victoria but I didn't realize we had a king who made all the decisions for the City for a period of 30 to 40 years. This sounds absurd.

He did get one thing right: people came and stayed here because they loved the quaintness and lifestyle Victoria offered. If they wanted Vancouver they would have stayed there. As for doing the right things for their kids I doubt most of them could afford to live in his luxury condos.

At the 22:22 minute mark there is a visual image from his website which displays the words 15 million donation for Land for Social Housing

What does this mean? Is it actually a donation? Does this mean that if you do not give him the rezoning he wants he can't take it back? If he can then it is not a donation by the very definition.

Donate- definition American dictionary -"To give something especially to an organization without wanting anything in exchange"

I was wondering if the Canadian definition is different.

If he can take it back this is a bargaining chip pure and simple. The media, Mariash and people who should know better continually perpetuate this falsehood. Unless I and many others are mistaken please enlighten us.

Also, where does he get the figure of \$15 million dollars from. Correct me if I am wrong but BC Assessment has the properties valued at approximately \$38 million. That one piece of land he is bargaining with seems a tad overvalued. Perhaps he has a good accountant who can justify the value for a tax write off.

In closing I would like to say that if you watch this podcast objectively you will see that Steve Barber was much more credible and coherent than Ken Mariash. Even if the hosts seemed a bit biased there was no denying that anyone watching would have more questions regarding the Bayview proposal than answers.

The first big question is why the mayor and council would risk their reputations by siding with a man who does not give people who watch the podcast any confidence that he can carry out such a project. In the end I do not fault him for he is who he is. Someone in it for pure financial gain.

Who I and many others will not forgive are those who we give our trust to, to do the best for us and who should know better and ask the tough questions in order to make the right decisions.

Although I may have provided some humor/sarcasm in this email there is nothing funny about this nor should there be. We implore you to do your due diligence. That is what you were voted in for and that is how you will be judged.

My interpretation for what it's worth is that Mr. Mariash appeared like someone who just wants to get his money and get out. Let's oblige him and get a new developer who will treat the property with the respect it deserves. This site could be amazing in the right hands. A developer and not sub divider who is there from start to finish and builds something we all can and will be proud of. Less luxury condos and hotels and more actual housing for Victorians. A heritage site that is truly respected.

Kindest regards,
Victor Mattu



BY HAND

3 August 2023

Attention: Mr Mike Angrove
Senior Planner – Development Agreements

**Re: Consultation on Proposal to amend the Official Community Plan for 351 Esquimalt Road,
355 Catherine Street and 200 Kimta Road**

With regard to the above consultation, I wish to provide originals of petitions that have been prepared and circulated by a small group opposed to the proposal (People for Sensible Rezoning).

The petitions contain feedback on the proposal with signatures numbering some 1050, personal details at times and comments. The petitions were collected on the website Change.Org as well as from buildings within a short radius of the site. Given this some of the names are of persons who reside outside British Columbia and at times outside of Canada. This is telling and confirms our view that this proposal and the project underlying it are opposed far and wide. Some signatures collected were also from visitors to the City who wished to express their opposition to the proposal. While we have not verified every signature on the petitions, they were all collected in good faith on our part and we believe reflect genuine opposition to your proposal. We underscore the number of signatures collected in a very short period of time and also submit that if the true substance of this proposal were to come to the attention of Victorians in general there would be even much wider opposition to it.

If you have any questions regarding these petitions or our position, please contact the undersigned. Thank you.

Yours sincerely,

Arthur McInnis

Why this petition matters



Victoria City council is considering a staggering change to the Official community plan by allowing rezoning of the Bayview Project in Vic West that would allow for almost doubling the current approved density. The plan previously approved by council for the site and phase 2 of the development allowed for 5 towers and the plan currently before council proposes 9 towers including 3 hotels and up to 29 storeys.

While those who oppose this rezoning are not against development (in fact the original plan submitted by this developer generally has neighbours support) those currently opposed are against the rezoning to allow for density that almost doubles the OCP.

How can the Vic West neighbourhood, and by extension downtown Victoria, possibly survive such a drastic change.

What about bridge traffic, parking, schools, playgrounds, police, fire services, medical facilities? Victoria council has not researched or addressed any of these issues while considering this rezoning application.

Again this is not an anti-development petition or a nimby petition. We want development and more housing in our neighbourhood and Victoria in general, but the density has to be such that it can be supported. Even the staff at city council tasked with making recommendations have not supported the density levels in this rezoning application.

Help us tell Victoria City council to reject the rezoning on this project that is currently before them, and to do more research before making a decision that will forever change Victoria. Council has requested feedback by an August 4th, 2023 deadline so time is very short. Please sign now, and forward and post this link to others.

petition_signatures_jobs_36688056_20230802143329

Name	City	Province	Postal Code	Country	Signed On
Holly Olson	Victoria			Canada	2023-06-29
Gwendolynne Rimbey	Victoria		V9A	Canada	2023-06-29
Paul Barton	Victoria		V9A	Canada	2023-06-29
Carolyn Courtright	Victoria		V9A 6T5	Canada	2023-06-29
Leslie Papp	Victoria		V8T	Canada	2023-06-29
Wayne Eng	Victoria		V8T	Canada	2023-06-29
Claire Handley	Victoria		V8R5Y4	Canada	2023-06-29
Brittany Neadow	Calgary		T3G	Canada	2023-06-29
Lenore Black	Markham		L3R	Canada	2023-06-29
Keri Salvisburg	Victoria		V9A 6T5	Canada	2023-06-29
Ute Berrer	Victoria		V8V	Canada	2023-06-29
Keith Jones	Victoria		V9A	Canada	2023-06-29
Vicki Tyner	Duncan		V9L	Canada	2023-06-29
Erie Pentland	Victoria		V9A	Canada	2023-06-29
Jenifer wilson	Victoria		v8x1t3	Canada	2023-06-29
Linda Casano	Victoria		V9A 6T5	Canada	2023-06-29
Terence Eastman			v3a 4t8	Portugal	2023-06-29
Barb Hardie	Victoria		V9A	Canada	2023-06-29
Erkan Ersan	Victoria		V8P	Canada	2023-06-29
Desiree Markewich	Moose Jaw	Saskatchewan	S6H5K6	Canada	2023-06-29
Kameron Stark	Brantford		N3R	Canada	2023-06-29
Barbara Dexter	Victoria		V9A 6T5	Canada	2023-06-29
BELINDA WAGG	BURLINGTON		L7L7M3	Canada	2023-06-29
Mariza Vocisano	Lac Brome		J0E1V0	Canada	2023-06-29
Glyn Fox	Victoria		V8N	Canada	2023-06-29
Judy Bruce	Wasaga Beach		L9Z 2B1	Canada	2023-06-29
Tammy Fenske	Regina		S4M	Canada	2023-06-29
Bill Clark	Duncan		V9L	Canada	2023-06-29
Jeannine Pringle	Victoria		V8N5T4	Canada	2023-06-29
MONICA RAMON	Victoria		V9A	Canada	2023-06-29
Don Gordon	Victoria		V9A 6T5	Canada	2023-06-30
Cheryl Prestie	Victoria		V9A6t5	Canada	2023-06-30
Neil Campbell	Victoria		V8t 2v6	Canada	2023-06-30

Yervant Khatchadourian	Victoria					
Laurie Forbes	Nelson			V9A 6T5	Canada	2023-06-30
Joel Arthur McInnis	Victoria			V1L	Canada	2023-06-30
Simon Lau	Markham			V9A	Canada	2023-06-30
Carole Forster	Victoria			L6C	Canada	2023-06-30
Vicki Tyner	Cobble Hill			V9A 0H1	Canada	2023-06-30
Albert Olson	317-205 Kimta Rd, Victoria BC			V0R 1L1	Canada	2023-06-30
Teri Holtbu	Victoria			V9A 6T5	Canada	2023-06-30
Andrea Ellefson	Regina			V9A	Canada	2023-06-30
Marilyn Meyer	Victoria			S4R	Canada	2023-06-30
Anna Won	Victoria BC			V8V	Canada	2023-06-30
Okbit Mehari	Vancouver			V9A 6T5	Canada	2023-06-30
Susan Noakes	Victoria			V5L	Canada	2023-06-30
Judy Switzky	83 saghalie road			V9A	Canada	2023-06-30
Maria McDougall	Milton			BC V9A 0E7	Canada	2023-06-30
Maureen Siegfried	Victoria			L9T	Canada	2023-06-30
Amy Cunningham	Victoria			V9A 0E7	Canada	2023-06-30
Sam Rockweiler	Madison	Wisconsin		V8S	Canada	2023-06-30
Lorna Allen	Victoria			53704	US	2023-06-30
Kathryn Templeton	Victoria			V8S	Canada	2023-06-30
Janice Neal	Victoria			V9A6T5	Canada	2023-06-30
Karen Malcolm	Victoria			V8W	Canada	2023-06-30
Dereck Smith	Victoria			V8V 1E4	Canada	2023-06-30
Eric Gelling	Victoria			V9A	Canada	2023-06-30
Jeral Anderson-Pearce	Toronto			V8S	Canada	2023-06-30
Denise Larsen	Edmonton			M3C 1H3	Canada	2023-06-30
Melissa Henneberry	Victoria			T5H	Canada	2023-06-30
Steve Siegfried	Vancouver			V9A 6T5	Canada	2023-06-30
Kimberley Olsen	Surrey			V6K	Canada	2023-06-30
Michael Beseau	Victoria			V3Z 1G6	Canada	2023-06-30
Elizabeth Patrick	Vancouver			V9A	Canada	2023-06-30
Ian Pope	Victoria			V6N	Canada	2023-06-30
Arlene Phillips	Victoria			V8V	Canada	2023-06-30
Stan Balicki	Victoria			V9A6T5	Canada	2023-06-30
Linda Saffin	Victoria			V8S	Canada	2023-06-30
Beverley Johnson	Victoria			V9A	Canada	2023-06-30
				V8S	Canada	2023-06-30

Carrie Broadstock	Victoria					
Ginger Mason	Victoria			V8T	Canada	2023-06-30
Donald wleklinski	Terre Haute			V9A	Canada	2023-06-30
Tim Boulton	Victoria	Indiana		47803	US	2023-06-30
Nancy McLaughlin	Vancouver			V9A	Canada	2023-06-30
Ben Salvatore	Victoria			V5Z	Canada	2023-06-30
Francois Brassard	Victoria			V9A	Canada	2023-06-30
Joshua Curphey	Peterborough			V9A	Canada	2023-06-30
Joan Gretschel	Waretown			PE7	US	2023-06-30
Owen Son	Victoria	New Jersey		8758	US	2023-06-30
Darby Stone	Harvest			V8N	Canada	2023-06-30
Norm Leslie	Victoria			35749	US	2023-06-30
narinder pal	Brampton			V8S	Canada	2023-07-01
Susan Williams	Victoria			L6Y 4k4	Canada	2023-07-01
Jaime Turgeon	Richmond			V9A 0E7	Canada	2023-07-01
Amy Jones	Thunder Bay	Virginia		23237	US	2023-07-01
Malcolm Weatherston	Langley			P1G 7K6	Canada	2023-07-01
Shanna Bridger	Fort McMurray			V1M3E3	Canada	2023-07-01
Kookbeom Han	Toronto			T9K	Canada	2023-07-01
Suleyman Tanyer	Victoria			M5A	Canada	2023-07-01
Amina Shakoor	Calgary			V8Z	Canada	2023-07-01
betty winholtz	morro bay			T2Y	Canada	2023-07-01
Marilyn Starr	Haisla	California		93442	US	2023-07-01
Robyn bay	Edmonton			V0T 2B0	Canada	2023-07-01
julie bates	coquitlam			T6T 6C0M5	Canada	2023-07-01
Will Gorman	Conception Bay South			V3E 3B3	Canada	2023-07-01
pamela hamilton	Palo Cedro			A1W5E7	Canada	2023-07-01
Lori and Cale Birk	Kamloops	California		96073	US	2023-07-01
Howard Lawrence	Victoria			V2E	Canada	2023-07-01
Sharon McAuley	Victoria			V8S	Canada	2023-07-01
Jenna S	Victoria			V8S	Canada	2023-07-01
Cindy Jansen	Victoria			V9A	Canada	2023-07-01
Julie Daly	Ottawa			V9A	Canada	2023-07-01
Matt Jansen	Victoria			K1C 4N5	Canada	2023-07-01
Bill Dexter	Victoria			V9A 3G2	Canada	2023-07-01
Zoe Wiens	Victoria			V9a	Canada	2023-07-01
				V8T	Canada	2023-07-01

Jamie Bullbrook	Victoria		V8V	Canada	2023-07-01
Kyle Wiens	Victoria		V8V	Canada	2023-07-01
Julie Macdonald	Campbell River		V9W 8A8	Canada	2023-07-01
Madeline Blackborow	Victoria		V9A	Canada	2023-07-01
IVOR ROTHWELL	Halifax		B3L 1G8	Canada	2023-07-01
Shannon Hollingworth	Victoria		V9A 3M7	Canada	2023-07-01
Bradley Stricker	Montreal		H3S 1Y7	Canada	2023-07-02
Janice Langley	Victoria		V9A	Canada	2023-07-02
Aaron Loree	Sherwood park		T8H1S4	Canada	2023-07-02
Vishal Katwala	Saskatoon		S7J2M2	Canada	2023-07-02
Hongwei Zhou	London		N6C	Canada	2023-07-02
Chris Anglin	Victoria		V8S	Canada	2023-07-02
Norm Saffin	Victoria		V9A	Canada	2023-07-02
sylvia sb	Montreal		h2m	Canada	2023-07-02
Silken Wisbey	Vernon		V1T	Canada	2023-07-02
marina wolf	b.c.		V0G 2J0	Canada	2023-07-02
Lynne Hill	Victoria		V8V 0G4	Canada	2023-07-02
Linda Freeman	Yuba City		95991	US	2023-07-02
Kirsten Cuda	Pittsburgh		15282	US	2023-07-02
ARIAN QOLLOPEKU	PRIZREN			US	2023-07-02
Aliisha Owl	Sault Ste. Marie		P6A	Canada	2023-07-02
Anon Mike	Dartmouth		B3A	Canada	2023-07-02
Amina Adan	London		N6E	Canada	2023-07-02
Tamara Morley	Victoria			Canada	2023-07-02
Michelle Cary-Barnard	Surrey		V4A	Canada	2023-07-02
Maria Mitric	QuÃ©bec		G2G	Canada	2023-07-02
Kathy Kay	Victoria		V9A	Canada	2023-07-02
Cyndy Hinton	Victoria		V9A	Canada	2023-07-02
Randy Waldie	Victoria		V9A	Canada	2023-07-02
Karla Barnes	Duncan		V0R2G1	Canada	2023-07-02
Scott Pham	San Diego	California	92131	US	2023-07-02
Ismail Falatah	Vaudreuil-dorion		J7V	Canada	2023-07-02
Whitney F	Victoria		20142	Canada	2023-07-02
Lisa Klimek	Victoria		V9A	Canada	2023-07-02
Linda MacDonald	Moncton		E1C	Canada	2023-07-02
Suzanne Gravel	Abbotsford		V3G	Canada	2023-07-02

Sheila Hawkins	Victoria		V8V 4A8	Canada	2023-07-02
J Gaston	Victoria		V9A 7M5	Canada	2023-07-02
Ayad Bakir	Toronto		M6H	Canada	2023-07-02
Monica Gold	West Vancouver		V7S 1C9	Canada	2023-07-03
John Gaston	Victoria		V8V	Canada	2023-07-03
Anthony Cary-Barnard	Victoria		V8S	Canada	2023-07-03
Karen Fontana	Chilliwack		V2R	Canada	2023-07-03
Thiago Trindade	Toronto		M3C	Canada	2023-07-03
sherrie dixon	Burnaby		V5H	Canada	2023-07-03
Nora Dear-Bedrossian	Toronto		M4P	Canada	2023-07-03
Mazen Salem	Montreal		H3S	Canada	2023-07-03
Joanne Kent	Victoria		V9A	Canada	2023-07-03
Tony Cooper	Tallahassee	Florida	32304	US	2023-07-03
Clare Lowe	Gabriola		V0R 1X7	Canada	2023-07-03
Toshio Ozawa	San Gabriel	California	91775	US	2023-07-03
A. Diane Cathro	Victoria		V8R 5T5	Canada	2023-07-03
Diana beth	griffith	Indiana	46319	US	2023-07-03
Monique Meziere	Leduc		T9E	Canada	2023-07-03
Camille Hansen - Apeste	Tatamagouche		B0K 1V0	Canada	2023-07-03
Barbara Johns	Philadelphia	Pennsylvania	19126	US	2023-07-03
Bryan Roberts	Abbotsford		V2S7Y5	Canada	2023-07-03
Alex Kowtun	Hornell	New York	14843	US	2023-07-03
Laura Buker	Victoria		V9A	Canada	2023-07-03
Patrick Mantach	North Battleford		S9A	Canada	2023-07-03
Blair Gurney	Victoria		V9A	Canada	2023-07-03
Jennifer Majore	Edmonton		T5A 3A3	Canada	2023-07-03
Daniel Cunningham	Victoria		V9A 6T5	Canada	2023-07-03
Richard Reece	Waynesboro	Georgia	30830-7023	US	2023-07-03
Ediverto Galvez	Panorama City	California	91402	US	2023-07-03
Shannon Still	Weyakwin		S0J1W0	Canada	2023-07-03
Marla Martin	Surrey		V4A	Canada	2023-07-03
Shawna Zanne	Brooklyn	Ohio	44144	US	2023-07-03
Deborah Sacco	Hope		V0X	Canada	2023-07-03
Sam S	Brampton		L6T	Canada	2023-07-04
Frank Naccarato	Victoria		V9A	Canada	2023-07-04
Jennie Jim	Calgary		V9A 0A2	Canada	2023-07-04

Jenn Longs	Victoria	V9A 0A2	Canada	2023-07-04
Sebastian Rios zavalá	Edmonton	T5Y	Canada	2023-07-04
Lindsay Bonnell	Regina	S4S	Canada	2023-07-04
Ekta Lakhani Balani	Brampton	L7A	Canada	2023-07-04
Nicole Morse	Prince Rupert	V8J	Canada	2023-07-04
Shahin Babanezhad vajar	Thornhill	L4J8E8	Canada	2023-07-04
Hanieh Jafari	Toronto	M4G2P6	Canada	2023-07-04
roger moore	Surrey	V3S	Canada	2023-07-04
Mehrdad Rostami	Aurora	L4G	Canada	2023-07-04
Barb Petra dealer Rentré	Toronto	M5E	Canada	2023-07-04
Branden Simon	Hamilton	L8H 6N5	Canada	2023-07-04
Carissa Lalonde	Victoria	V9C	Canada	2023-07-04
Grace Chen	Burnaby	V5C	Canada	2023-07-04
Brett Turner	Toronto	M9R 1B5	Canada	2023-07-04
Bryce Stewart	Victoria	V9C2C4	Canada	2023-07-04
Josephine MacIntosh	Victoria	V9A 7J7	Canada	2023-07-04
s m	Ottawa	K1A	Canada	2023-07-04
marcus young	Scarborough	M1B	Canada	2023-07-04
Mike Sheward	Victoria	V9A	Canada	2023-07-04
Gizem Asafoglu	Edmonton	T6M0A5	Canada	2023-07-04
Diego Ramkissoon	Calgary	T1y 1r3	Canada	2023-07-04
Agnes Moffat	Calgary	T3A	Canada	2023-07-04
Canucks Fin	Abbotsford	V2T	Canada	2023-07-04
Raj Sekhon	Thornhill	M2M	Canada	2023-07-04
Xander Wrecks	Edmonton	t5g2r3	Canada	2023-07-04
anita alfoldi	Kitchener	n2e2e3	Canada	2023-07-05
Gisele Lussier	Calgary	T2z	Canada	2023-07-05
Rana El-ghandour	Calgary	T1Y 2S3	Canada	2023-07-05
Marina NW	Toronto	M9N 1J8	Canada	2023-07-05
Tawnya Meyer	Victoria	V8T	Canada	2023-07-05
Nighat Azhar	Calgary	T3J	Canada	2023-07-05
Suman Kalasbail	Toronto	M3J	Canada	2023-07-05
Diane Scott	Victoria	V9A	Canada	2023-07-05
Katelyn Kienle	Yorkton	S3N	Canada	2023-07-05
Constança Morgado	Etobicoke	M9B 5W3	Canada	2023-07-05
Kassandra Ahmadi	Vaughan	L6A	Canada	2023-07-05

Griselda Alvarez	Victoria		V8H3A2	Canada	2023-07-05
Sofia Ramon				Colombia	2023-07-05
John Coward	Toronto		M9A4Y6	Canada	2023-07-05
OLGA RAMON	Bogotá			Colombia	2023-07-05
Kate Kaminska	Toronto		M6S	Canada	2023-07-05
Shahd Elsaman	Nepean		K2B	Canada	2023-07-05
Alejandro Arenas	Victoria		V8P	Canada	2023-07-05
awestie belle				Canada	2023-07-05
Carlos Lanoy	Barranquilla		80001	Colombia	2023-07-05
Mateo Mejia ceballos	Medellán			Colombia	2023-07-05
Alejandro Moreno	Bogotá			Colombia	2023-07-05
Thairy Sanchez	Victoria		V9A	Canada	2023-07-05
Nancy Fabianova	Toronto		M6P	Canada	2023-07-05
Alaín Buendía Celedón	Barranquilla			Colombia	2023-07-05
Don Harvey	Goderich		N7A	Canada	2023-07-05
Daniel Martínez	Bogotá		111311	Colombia	2023-07-05
Alexander Marquez	Medellán			Colombia	2023-07-05
maryam aghaei	Vancouver		v6m	Canada	2023-07-05
Hannah Thompson	Mississauga		L5V	Canada	2023-07-05
Carolyn Ashley	Victoria		V9A 0G9	Canada	2023-07-05
Begum Kabatas	Victoria		V8N3R7	Canada	2023-07-05
Shagun Siwach	Saskatoon		S7K	Canada	2023-07-06
Cristina Cabrera	Victoria		V8X	Canada	2023-07-06
Maria Constanza Rico R	Bogotá		111311	Colombia	2023-07-06
Arlene Morin Morin	Edmonton		T5H	Canada	2023-07-06
Gerry Collins	Ottawa, ON		K1B 3L1	Canada	2023-07-06
tyler koziki	Surrey		V3W	Canada	2023-07-06
Arlene Gibson	Victoria		V9A	Canada	2023-07-06
Carlos Andrés Ramón M	Victoria		V9A	Canada	2023-07-06
Oscar Danilo Romero Co	Santa Marta			Colombia	2023-07-06
Brenda Nott	Victoria		V9A	Canada	2023-07-06
Leslie Meulblok	Victoria		V9A	Canada	2023-07-06
KAREN FIELD	Victoria		V9A	Canada	2023-07-06
Arturo Reyes Lopez	Victoria		V8X 3P7	Canada	2023-07-06
Donalda Smith	Ladysmith		V9G1Y3	Canada	2023-07-07
erroll monette	Ottawa		K2p2p3	Canada	2023-07-07

JOAN GORELY	Victoria		V9A	Canada	2023-07-07
Patricia Gregg	Victoria		V9A	Canada	2023-07-07
Mark Kantypowicz	Victoria		V9A0A2	Canada	2023-07-07
John Newberry	Victoria		V9A	Canada	2023-07-07
Gladys Schreiner	Victoria		V8N	Canada	2023-07-08
Suzanne Ridler	Victoria		V9A	Canada	2023-07-08
Hub N Seguin	Victoria		V9A	Canada	2023-07-08
Ken Lowe	Victoria		V9A	Canada	2023-07-08
Robert Hinkley	Victoria		V9A	Canada	2023-07-08
Gayle Hinkley	Victoria		V9A	Canada	2023-07-08
Claire Schwartz	Victoria		V8V	Canada	2023-07-08
penny lai	Victoria		V8V	Canada	2023-07-08
Ian Soutar	Victoria		V9A5G9	Canada	2023-07-08
Barbara Soutar	Victoria		V9A	Canada	2023-07-08
Mohamed Gheis	Victoria		V8N	Canada	2023-07-08
Stephanie Probodiak	Victoria		V9A	Canada	2023-07-09
Elise Francis	Victoria		V8V	Canada	2023-07-09
Atakan ÇELİK	Victoria		V8Z	Canada	2023-07-09
Alice Yip	Victoria		V9A 0A3	Canada	2023-07-09
begum eryilmaz	İstanbul		34700	Turkey	2023-07-09
Abdullah OZDER	Victoria		V8N2T1	Canada	2023-07-09
Ronald Cichon	Victoria		V8V3J7	Canada	2023-07-09
Gail Cleveland	Victoria		V8V	Canada	2023-07-09
Kurtuluş Özçetin	Victoria		V8W 2E7	Canada	2023-07-09
michele spencer	victoria		v9a7b3	Canada	2023-07-09
Deane Hutchinson	Victoria		V9A	Canada	2023-07-09
Johanna Goguen	Victoria		V9B 1M9	Canada	2023-07-09
Trudy Bailey	Victoria		V8S 1B2	Canada	2023-07-09
Angela Vigar	Victoria		V9B6P7	Canada	2023-07-09
Nayat Muratyan	İstanbul			Turkey	2023-07-09
Rajeev Sheoran	Victoria		V8X	Canada	2023-07-09
Tracy Yarr	Victoria		V8T 1X9	Canada	2023-07-09
Hazel Furey	Victoria		V9A	Canada	2023-07-09
Michael Archibald	Victoria		V9A6X2	Canada	2023-07-09
Ben Macklin	Victoria		V9A6M8	Canada	2023-07-09
Janice Marr	Victoria		V9A	Canada	2023-07-09

Shannon Perkins Carr	Victoria
Ross Hanbury	Victoria
Fulya Umut	Istanbul
William Ross	Victoria
Murat ali Kipritoğlu	Istanbul
Margaret McDonald	Victoria
Randy Hall	Victoria
Ceyda Berkiler	Victoria
Alix Navarrete	Victoria
Ignacz Cindy	Victoria
DAVID GORDON	Surrey
Anne Abbey	Victoria
Simeon Goa	Victoria
Colleen Bruce	Victoria
Kamil Pakkal	Victoria
Kenneth Mintz	Victoria
Andrea Miller	Victoria
Arda Pakkal	Istanbul
Joseph Cavin	Victoria
Sina Kutluay	Victoria
Didem SuleKutluay	Vancouver, British Colombia
Andrew Barrett	Victoria
Linda Simon	Victoria,
Joseph Gaynor	Victoria
Dylan Mattu	Delta
Sue Martin	Victoria
Jim Ross	Victoria
Vecihe Uzun	Victoria
Jacqueline Simpson	Victoria
Pauline VAN DEN CAMP	Victoria
Boleyn Relova	Victoria
Bev Weber	Victoria
Louise Robinson	Victoria
Randy Mutch	Victoria
Valerie Barr	Victoria
Hisami Ishikawa	Vancouver

Shannon Perkins Carr	Victoria		V8S 1Y8	Canada	2023-07-09
Ross Hanbury	Victoria		V8V	Canada	2023-07-09
Fulya Umut	Istanbul			Turkey	2023-07-09
William Ross	Victoria		V9A 7J7	Canada	2023-07-09
Murat ali Kipritoğlu	Istanbul			Turkey	2023-07-09
Margaret McDonald	Victoria		V8R 6S4	Canada	2023-07-09
Randy Hall	Victoria		V9A	Canada	2023-07-09
Ceyda Berkiler	Victoria		V8N 5G4	Canada	2023-07-09
Alix Navarrete	Victoria		V9A	Canada	2023-07-09
Ignacz Cindy	Victoria		V9A	Canada	2023-07-09
DAVID GORDON	Surrey		V3W	Canada	2023-07-09
Anne Abbey	Victoria		V9a 0a3	Canada	2023-07-09
Simeon Goa	Victoria		V9A3G6	Canada	2023-07-09
Colleen Bruce	Victoria		V9A	Canada	2023-07-09
Kamil Pakkal	Victoria		V9A 7L9	Canada	2023-07-09
Kenneth Mirtz	Victoria		V8Z 0A4	Canada	2023-07-09
Andrea Miller	Victoria		V9B 6J1	Canada	2023-07-09
Arda Pakkal	Istanbul			Turkey	2023-07-09
Joseph Cavin	Victoria		V9A	Canada	2023-07-09
Sina Kutluay	Victoria		V8R	Canada	2023-07-09
Didem SuleKutluay	Vancouver, British Colombia		V6N 3A2	Canada	2023-07-09
Andrew Barrett	Victoria		V9A	Canada	2023-07-09
Linda Simon	Victoria,		V9B 1T9	Canada	2023-07-09
Joseph Gaynor	Victoria		V9A 0A2	Canada	2023-07-09
Dylan Mattu	Delta		V4K 3L7	Canada	2023-07-09
Sue Martin	Victoria		V9A 7J9	Canada	2023-07-09
Jim Ross	Victoria		V9A	Canada	2023-07-09
Vecihe Uzun	Victoria		BC	Canada	2023-07-09
Jacqueline Simpson	Victoria		V9A	Canada	2023-07-10
Pauline VAN DEN CAMP	Victoria		V9A	Canada	2023-07-10
Boleyn Relova	Victoria		V9C 3N5	Canada	2023-07-10
Bev Weber	Victoria		V9A 0B4	Canada	2023-07-10
Louise Robinson	Victoria		V8R	Canada	2023-07-10
Randy Mutch	Victoria		V9A	Canada	2023-07-10
Valerie Barr	Victoria		V9A 7N5	Canada	2023-07-10
Hisami Ishikawa	Vancouver		V6E	Canada	2023-07-10

Barb Bond	Victoria		V9A	Canada	2023-07-10
Lorne Simpson	Victoria		V9A 0B3	Canada	2023-07-10
Tanya Howes	Victoria		V9A	Canada	2023-07-10
Berat Kabatas	Victoria		V8N	Canada	2023-07-10
Amanda Barenberg	Parker		80134	US	2023-07-10
shirley meaning	Victoria		V9A	Canada	2023-07-10
Margaret Gracie	Victoria		V8S	Canada	2023-07-10
G. Diane Matthews-Marc	Carson		90746	US	2023-07-10
Jillian Zaruk	Victoria		V8R1B3	Canada	2023-07-10
Nalaila Bunnie	Regina		S4N	Canada	2023-07-10
Larry Dill	Victoria		V9A 5S1	Canada	2023-07-10
Gillian Hawkins	Victoria		V8P1R1	Canada	2023-07-10
Steve LeBel	Victoria		V9A0B4	Canada	2023-07-10
Alain Bedard	Victoria		V9A 0B4	Canada	2023-07-10
Michelle Lai	Victoria		V8R	Canada	2023-07-10
Maureen Lunden	Victoria, BC		V9A7J8	Canada	2023-07-10
Edith Price	Victoria		V9A	Canada	2023-07-10
Terie Vickers-Craig	Victoria		V9A 7J9	Canada	2023-07-10
Don McCaffrey	Victoria		V9A	Canada	2023-07-10
Miranda Keleman	Taylor		48180	US	2023-07-10
Catherine Caws	Victoria		V9A	Canada	2023-07-10
Patti Lee Ross	Victoria		V9A	Canada	2023-07-10
Diane Soetemans	London		N6H	Canada	2023-07-10
Fred Proctor	Victoria		V9A	Canada	2023-07-10
Dana Evans	Victoria		V9A 0B3	Canada	2023-07-10
Gayle Carney	Victoria		V9A	Canada	2023-07-10
Brent Carney	Victoria		V9A	Canada	2023-07-10
Shani Bosman	Victoria		V8N	Canada	2023-07-10
Max kaloshi	Mississauga		L5R	Canada	2023-07-10
Jeanette Gardner	Victoria		V9A	Canada	2023-07-10
Pam Marshall	Victoria		V8N	Canada	2023-07-10
mike fong	Victoria		V8V	Canada	2023-07-10
Wayne Adair	Victoria		V8V	Canada	2023-07-10
Lauren Macdonald	Montreal		H2X2G6	Canada	2023-07-10
francis kremler	Victoria		v8t 2j2	Canada	2023-07-10
Sofiane Samba	Winnipeg		R3B	Canada	2023-07-10

Shirley Joubert	Moncton	E1A	Canada	2023-07-10
karo hill	Vancouver	V5V	Canada	2023-07-10
Janett Webb	Victoria, B.C.	V9C4G2	Canada	2023-07-10
Wendy Shaw	Victoria	V8X 1Z5	Canada	2023-07-10
Jane Durrant	Victoria	V9A	Canada	2023-07-10
Peter Durrant	Victoria	V9A	Canada	2023-07-10
Jasmine Bailleul	Brampton	K9V	Canada	2023-07-10
Nicola French	Orangeville	L9W 2E3	Canada	2023-07-10
Pauline Fenton	Victoria	V9A	Canada	2023-07-10
joshua Edwards	Burlington	L7M	Canada	2023-07-10
Greg Caws	Victoria	V9A	Canada	2023-07-11
Seth Gold	Vancouver	V5V 4W1	Canada	2023-07-11
troy rempel	morden	R6M 1P8	Canada	2023-07-11
DEBORAH W	PENTICTON	V2A 8X9	Canada	2023-07-11
Andrea Bayne	Victoria	V9A	Canada	2023-07-11
Alley Ward	Leduc	T9E	Canada	2023-07-11
Jonathan Barker	Pender Island	V0N	Canada	2023-07-11
Denis De Jong	Ottawa	K2R 1E2	Canada	2023-07-11
Wes Barone	Mississauga	L5V	Canada	2023-07-11
Jakob Nyswaner	Lafayette	47909	US	2023-07-11
Hannah McKinnon	Dallas	30157	US	2023-07-11
Vita Myshkun	Queens	11368	US	2023-07-11
Kevin Daniels	Prince Albert	S6W	Canada	2023-07-11
Colleen Terpsma	Delta	V4C	Canada	2023-07-11
andrew macpherson	Edmonton	T5H	Canada	2023-07-11
Jassim Saeed	London	N6J	Canada	2023-07-11
Igor Teryohin	Keswick	L4P 0j7	Canada	2023-07-11
Dan Chan	Toronto	M5R1S8	Canada	2023-07-11
Elizabeth Fournier	Toronto	M6M	Canada	2023-07-11
Andrew LeFort	Victoria	V8T 1C4	Canada	2023-07-11
Liz Dill	Victoria	V9A 5S1	Canada	2023-07-11
Gail Lastiwka	Victoria	V8V	Canada	2023-07-11
Charlotte Hitchcock	Ottawa	K0A 2H0	Canada	2023-07-11
Gail Bettger	Victoria	V9A 6T3	Canada	2023-07-11
Saritha Voruganti	Mississauga	L5W	Canada	2023-07-11
Doug Koch	Victoria	V9A	Canada	2023-07-11

Mark Stenabaugh	Toronto	M6H 4B3	Canada	2023-07-11
Margaret Bell	Victoria	V8V	Canada	2023-07-11
maggie kerr	London	n6c 1t1	Canada	2023-07-12
Albert Fung	Victoria	V9A	Canada	2023-07-12
pavankumar singh	Edmonton	T5A	Canada	2023-07-12
Jay Grateful	Toronto	M5A	Canada	2023-07-12
Claire Heffernan	Quathiaski Cove	V0P 1N0	Canada	2023-07-12
kathy bligh	victoria BC	v8v 1m9	Canada	2023-07-12
darren murphy	victoria	v8t2c9	Canada	2023-07-12
Elmira S			Canada	2023-07-12
Kent Mjolsness	Victoria	V8P2G7	Canada	2023-07-12
Zach Sauve	Tillsonburg	N4G	Canada	2023-07-12
Lara Surring	Drumheller	T0J 0Y1	Canada	2023-07-12
Leny Salazar	Toronto	M3N	Canada	2023-07-12
Sharon Alvarez	London	N5Y	Canada	2023-07-12
Ahmed Shekh	Toronto	M4C-2L7	Canada	2023-07-12
Jorge Alexis	Hamilton Ontario	L7A	Canada	2023-07-12
Lindita Hoxha	Toronto	M9R3Z4	Canada	2023-07-12
Devinderpal Chahal	Vancouver	V5S	Canada	2023-07-12
Abbigail ellis	Campbellford	K0L	Canada	2023-07-12
Tyce Brideau	Vancouver	V6J	Canada	2023-07-12
Ted.s. Ptak	Etobicoke	M9R	Canada	2023-07-12
Gloria Ruiz	Hamilton	L0R1P0	Canada	2023-07-12
Elaine Ren	Ottawa	K1K	Canada	2023-07-12
Scott Zimmerman	Calgary	T3K 3C3	Canada	2023-07-12
Riley Chard	Winnipeg	R2K	Canada	2023-07-12
John Ischiropoulos	Toronto	M3B	Canada	2023-07-12
Melissa Clark	Ajax	L1z1h3	Canada	2023-07-12
Odelle Agustin	Scarborough	M1M 0B1	Canada	2023-07-12
James Mutch	Victoria	V9A	Canada	2023-07-12
Tracey Fry	Middleton	B0S 1P0	Canada	2023-07-12
Netsanet Tesfayouhannes	Scarborough	M1C	Canada	2023-07-13
Mike Grover	Victoria	V9a 6t3	Canada	2023-07-13
Helene Weber	Victoria	V9A 0A5	Canada	2023-07-13
Brian Kikstra	Victoria	V9A	Canada	2023-07-13
Garth Edgar	Edmonton	T5T	Canada	2023-07-13

Adrian Barwin	Victoria	V9A 0A2	Canada	2023-07-13
Karn Dhillon	Delta	V4C	Canada	2023-07-13
Carrie Fricker	Langley	V8V	Canada	2023-07-13
Odette Oliver	Sidney	V8L1Y8	Canada	2023-07-13
Susan Luciuk	VICTORIA	V9A 0A3	Canada	2023-07-13
Julie Paul	Victoria	V9A	Canada	2023-07-14
Geraldine O'Flaherty			Bulgaria	2023-07-14
Kathleen Aalborg	Victoria	V9A0E7	Canada	2023-07-15
Boris Petriw	Victoria	V9A0A3	Canada	2023-07-17
Ryan Goodwin	Birmingham	35242	US	2023-07-17
Geetanjali Joshi	Cary	560035	US	2023-07-17
Frances Seater	Anchorage	99508	US	2023-07-17
Laura Galvan	Brownsville	78521	US	2023-07-17
Jeremiah Winebrenner	Cookeville	38501	US	2023-07-17
Victoria Bell	Whitwell	37397	US	2023-07-17
Olugbenga Awotunde	Ottawa	K1C	Canada	2023-07-17
Svetiana Shoults	Toronto	M2N 6J9	Canada	2023-07-17
Surri Johnson	Edmonton	T5H	Canada	2023-07-17
Ali LI	Saskatoon	S7H	Canada	2023-07-17
Farshad Rezazadeh	Coquitlam	V3E	Canada	2023-07-17
Amrutha Colin	Mississauga	L5A	Canada	2023-07-17
Alpesh Patel	Toronto	M4V	Canada	2023-07-17
Brian Dobbin	Burnaby	V5B 4S4	Canada	2023-07-17
Shohreh Javanmardi	Thornhill	L3T 3K4	Canada	2023-07-17
Mohammad Moradian kh	Toronto	L4E 0S7	Canada	2023-07-17
leila tavakoli	Vancouver	V7I 2x4	Canada	2023-07-17
Vahid 723	Vancouver	V6K	Canada	2023-07-17
Maede Azimi	Vancouver	V7p3e6	Canada	2023-07-17
Mariam Mot	Ridgeway	L0S	Canada	2023-07-17
Marjan Soltani	Toronto	M4P	Canada	2023-07-17
Kordell Eden	London	N6E	Canada	2023-07-17
Minoo izadian	London	L8V	Canada	2023-07-17
Habeebat Umeike	Stittsville	K2S	Canada	2023-07-17
Mahsa Rahimi	Newmarket	L3X	Canada	2023-07-17
Sadaf Porrangi	Toronto	M3H	Canada	2023-07-17
agnes forika	Kitchener	n2p1p7	Canada	2023-07-17

Elham Ghaffari	Coquitlam	V3B	Canada	2023-07-17
Neda Dinarvand	Calgary	T3J	Canada	2023-07-17
Ali Jalali	Montreal	H3J	Canada	2023-07-17
Maianna Marquette	Victoria	V8V	Canada	2023-07-17
Golshid Parish	West vancouver	V7L	Canada	2023-07-17
Deanna Jones	Sault Sainte Marie	P6A	Canada	2023-07-17
Jean Anne Gollop	St. John's	A1A	Canada	2023-07-17
Amar Jaradat	London	N6E	Canada	2023-07-17
Mehrnoush Rezazadeh d.	Surrey	V3W	Canada	2023-07-17
Sheena Fulton	Thunder Bay	P7E	Canada	2023-07-17
Heather Edwards	Calgary	T2S	Canada	2023-07-17
Vibodh Karnik	Vancouver	V6N	Canada	2023-07-17
Allen Zhu	Coquitlam	V3K	Canada	2023-07-17
Ghazal Mohamadi	Richmond Hill	L4C	Canada	2023-07-17
Foad Ebrahimzadeh	Burnaby	V5C	Canada	2023-07-17
Erin Mitchell	St. Catharines	L2M	Canada	2023-07-17
Fred Luciuk	Victoria	V9A	Canada	2023-07-18
Ana Escarzaga	Victoria	V8V	Canada	2023-07-18
Minjoo Hong	Victoria	V8X 1X8	Canada	2023-07-18
Cathy Torok	Victoria	V9A	Canada	2023-07-19
Nadia Funk	Victoria	V8R	Canada	2023-07-19
Ruby Zelotes	New Westminster	V3L	Canada	2023-07-20
Linda Holmes	Victoria	V9A	Canada	2023-07-20
Susan Beach	Victoria	V8N	Canada	2023-07-21
Emilie Hillier	Victoria	V9A 0A3	Canada	2023-07-21
Carey Lee	Victoria	V8R	Canada	2023-07-21
Lauren Gilmour	Victoria	V8V	Canada	2023-07-22
Catherine Jones	Victoria	V8Y2C1	Canada	2023-07-22
Alexander Shonjani			US	2023-07-22
Darlen Rodriguez	Toledo	43612	US	2023-07-22
Yanet Beltran	Hollywood	33021	US	2023-07-22
Amanda Garcia	Houston	77002	US	2023-07-22
Kelsey Nucatola	NY	11772	US	2023-07-22
NiveiS -	Suwanee	30024	US	2023-07-22
Aejay Trinny	Miami	33018	US	2023-07-22
janis ripple	Orion	48362	US	2023-07-22

José Carlos Ramos Núñez	Clifton		7014	US	2023-07-22
Alayna Crane	Victoria		V8X1J1	Canada	2023-07-22
Mohamed Said Issa	Victoria		V9A 2Y7	Canada	2023-07-22
Megan Kendrick	New Westminster		V3L	Canada	2023-07-22
Connie Warrender	Calgary		T3K	Canada	2023-07-23
Melanie Wheeler	Victoria		V9A	Canada	2023-07-23
Lucinda Taylor	Victoria		V9A 7P9	Canada	2023-07-23
Carol Greenaway	Victoria		V9A 6T5	Canada	2023-07-23
Richard Bremer	Victoria		V9A 3T2	Canada	2023-07-24
Juniper English	Victoria		V8V	Canada	2023-07-24
Derek Hawksley	Victoria		V8S	Canada	2023-07-24
John McKay	Victoria		V9A	Canada	2023-07-25
Samantha Scott	Victoria		V9A7N9	Canada	2023-07-25
Fraser Simpson	Victoria		v9a2m6	Canada	2023-07-25
Clinton Forster	Victoria		V9A	Canada	2023-07-25
Shadi Desjardins	Duncan		V9L	Canada	2023-07-25
erin r	Orlando		32801	US	2023-07-25
Benjamin Bingaman	Fair Oaks	California	95628	US	2023-07-25
Christopher Bean				US	2023-07-25
Eva Solano	Elkridge		21075	US	2023-07-25
Mark Murrell	Victoria		V8V	Canada	2023-07-25
Lana Del Rey	Los Angeles		29910	US	2023-07-25
Stephanie Smith	Oakland		95116	US	2023-07-25
Elizabeth Turley	Penfield		14526	US	2023-07-25
Maureen Leck	Carson City	Nevada	89706	US	2023-07-25
Taryn Wildermuth	Absecon		8205	US	2023-07-25
Nicole Hurtado	Riverside		92509	US	2023-07-25
Sam L	Matawan		7747	US	2023-07-25
Lisa Martinez	Moulton	Alabama	35650	US	2023-07-25
Ashita Pai	Toronto		M4W	Canada	2023-07-25
Charlie Beckson	Toronto		5187	Canada	2023-07-25
Walter Bryan	Ottawa		K1V7N3	Canada	2023-07-25
Angela Belanger	Calgary		T2P 0G9	Canada	2023-07-25
Mark Bruyere	Fort Frances		P9A	Canada	2023-07-25
Jenni Hilton	Toronto		M5A	Canada	2023-07-25
Tracy Morrison	Victoria		V8V	Canada	2023-07-25

Harley Preston	Surrey		V3W	Canada	2023-07-25
Omer Proothee	Brampton		L6X	Canada	2023-07-25
N A	Montague		C0A	Canada	2023-07-25
Sophie Chartrand	London		N6H	Canada	2023-07-25
Jennifer Uhrig	Victoria		V8V 3A6	Canada	2023-07-25
Myles-Spike Webby	Wyoming		N0N	Canada	2023-07-25
John A mein	Calgary		T3K3K6	Canada	2023-07-25
Doris Wang	Toronto		M5P	Canada	2023-07-25
Margaret Osika	Victoria		V8V	Canada	2023-07-25
Ana Lopez	Edmonton		T5H	Canada	2023-07-25
Miral Mokhtar Nouran El	Toronto			Canada	2023-07-25
Elijah Strome	Toronto			Canada	2023-07-25
Andres Camacho	Victoria		V8X	Canada	2023-07-25
Gil Reschenthaler	Victoria		V9A	Canada	2023-07-25
Lidia Michon	Toronto		m6p3c3	Canada	2023-07-25
David Paul	Victoria		V8V	Canada	2023-07-25
Adriana Beale	Etobicoke		M9P	Canada	2023-07-25
Sofiia Parvan	Whitecourt		T2L	Canada	2023-07-25
Arliss Reilly	Duluth	Georgia	30097	US	2023-07-25
Keith D'Alessandro	Canton	Michigan	48187	US	2023-07-25
Susanna Solecki	Victoria		V8V 4K3	Canada	2023-07-25
John Lembo	Corpus Christi	Texas	78418	US	2023-07-25
Lauren Rumiell	Victoria		V8x1C8	Canada	2023-07-25
Myles Webkamigad	Wikwemikong		P0P	Canada	2023-07-25
Anne Beaudry	Pembroke		K8A 3G1	Canada	2023-07-25
Barbara Bettcher	Edmonton		T5A	Canada	2023-07-25
Shannon Shirley	copper cliff		P0m1n0	Canada	2023-07-25
Leeya Portima	Ottawa		K2G	Canada	2023-07-25
Sam M	Victoria		V8R 1B6	Canada	2023-07-25
Mary Ellen OBrien	Beaver	Pennsylvania	15009	US	2023-07-25
Eliza James	Toronto		M2N	Canada	2023-07-26
Rita Slanina	Victoria		V9A	Canada	2023-07-26
Nelda Orton	Victoria		V8V	Canada	2023-07-26
Les Tessier	Saskatoon		S7M	Canada	2023-07-26
Tannis McMinn	Victoria		V9A 1R5	Canada	2023-07-26
dimitrius lagrone	Windsor		N8Y	Canada	2023-07-26

Evangelique Pappas	Victoria	V8S	Canada	2023-07-26
eleonore beauregard	Saint-Damase	J0H 1J0	Canada	2023-07-26
Ian Carruthers			Canada	2023-07-26
Anita Tyler	Victoria	V8R 4P7	Canada	2023-07-26
Landon Grams	Calgary	T3K	Canada	2023-07-26
Wendy Tracy	Toronto	M5J	Canada	2023-07-26
John Rapley	London	N5y4I7	Canada	2023-07-26
Adriano Leonzio	Maple	L4h 1t8	Canada	2023-07-26
D Olson	Calgary	T3K	Canada	2023-07-26
[REDACTED]	Vancouver	V6E	Canada	2023-07-26
Agung Fauzan	Vancouver	V6P	Canada	2023-07-26
Erica Hall	Hamilton	L8L 6Y3	Canada	2023-07-26
Nicholas Villeneuve	Peterborough	K9J	Canada	2023-07-26
John Marshall	Victoria	V9A	Canada	2023-07-26
Joan Athey	Victoria	V8V	Canada	2023-07-26
Dennis Anholt	Victoria	V8V	Canada	2023-07-26
Sage Douglas	Winnipeg	R2H	Canada	2023-07-26
Mike Loiskandl	Penetanguishene	L9M 1Y4	Canada	2023-07-26
kayden Wojciechowskizh	Quebec	G1AG3K	Canada	2023-07-26
Lydia D'Souza	Mississauga	L5M 3Z3	Canada	2023-07-26
Amarilis Quintanilla	Ontario	M9M 2E5	Canada	2023-07-26
Robert & Monica Carlen	Victoria	V9A	Canada	2023-07-26
Trish Howells	Toronto	M1S1W5	Canada	2023-07-27
Natasa Lazarevic	Etobicoke	M9R	Canada	2023-07-27
Heather Bessey	Edmonton	T5N 3V1	Canada	2023-07-27
Kimberly Meldrum	Victoria	V8Z	Canada	2023-07-27
Connor Stewart	Cornwall	L7R	Canada	2023-07-27
Tom Wood	Victoria	V9A	Canada	2023-07-27
Berken Feddersen	Victoria	V8V 1Z1	Canada	2023-07-27
Peggy Boyd	Victoria	V9A	Canada	2023-07-27
Darren Gomez	Woodbridge	L4H	Canada	2023-07-27
Rhiana Magallanes	Calgary	T2V	Canada	2023-07-27
Matt Woods	Victoria	V8T	Canada	2023-07-27
Caleigh Rideout			Canada	2023-07-27
Jacinthe Tremblay	Victoria	V8V	Canada	2023-07-27
Bob Mckay	Selkirk	R1A	Canada	2023-07-27

mark klarenbach	Edmonton		T6H 5G5	Canada	2023-07-27
Sam Chaba	Markham		L6B	Canada	2023-07-27
Kyle O'Halloran				Canada	2023-07-27
Joanne Reed	London		N5W4J3	Canada	2023-07-27
Rosa Oliveira	Brampton		L6W	Canada	2023-07-27
Tricksy DAmico	Toronto		M6M	Canada	2023-07-27
S Ste-Marie				Canada	2023-07-27
Parisa Purkhandan	Toronto		M3H	Canada	2023-07-27
Narges Taremfard	Richmond Hill		L4B	Canada	2023-07-27
sarah mulligan	Victoria		V8R	Canada	2023-07-27
Jacob Smith	Bradford		L3Z	Canada	2023-07-27
Julie Staven	Victoria		V8R	Canada	2023-07-27
martin barbour	Victoria		V8P	Canada	2023-07-27
Chetna Patel	Hamilton		L8B1Z6	Canada	2023-07-27
Josie Raso	Woodbridge		L4L	Canada	2023-07-27
James Tirrul-Jones	Victoria		V8V	Canada	2023-07-27
Richard Kennedy	Calgary		T2V	Canada	2023-07-27
Kerri Monk	Duncan		n/a	Canada	2023-07-27
Chris Stevens	Victoria		V9A	Canada	2023-07-27
Betty-Joan Traverse	Victoria		V9A	Canada	2023-07-27
Laura Baddeley	Sidney		V8L 2W5	Canada	2023-07-27
Carolyn Watters	Victoria		V9A	Canada	2023-07-27
christine mcneill	Victoria		V9A	Canada	2023-07-27
Michael Shepherd	Victoria		V9A	Canada	2023-07-27
Michel Janisse	Victoria		V9A 7P1	Canada	2023-07-27
Rob Blackwell	Victoria		V9A	Canada	2023-07-27
Christine Baddel	Ottawa		K1K	Canada	2023-07-27
Glen Norton	Victoria		V9A7J4	Canada	2023-07-27
Jody Avram	Victoria		V8T	Canada	2023-07-27
William Ley	Victoria		V8R 4P7	Canada	2023-07-27
Robert Smith	Victoria		V9A	Canada	2023-07-28
Gary Card	Victoria		V8V	Canada	2023-07-28
Doris Schmitt	Victoria		V9A	Canada	2023-07-28
James Marsden	Victoria		V9A6T3	Canada	2023-07-28
Robert Ulmer	Victoria		V8T	Canada	2023-07-28
Darcey Callison	Victoria		V8V	Canada	2023-07-28

William Buckwold	Elliot Lake		P5A	Canada	2023-07-28
Holly Arden	Victoria		V8S	Canada	2023-07-28
Roderick Edwards	Victoria		V8V 1K4	Canada	2023-07-28
Norm Saffin	Victoria		V9A	Canada	2023-07-28
Mike Aloe	Oakville		L6H 5A7	Canada	2023-07-28
Melissa Solomon	Calgary		T2K	Canada	2023-07-28
Sourav Joarder	Markham		L3R	Canada	2023-07-28
Wendy Gregg	Toronto		M1n 1v7	Canada	2023-07-28
Pat Roberts	Victoria		V9A	Canada	2023-07-28
Josh Pierrot	Victoria		V9A	Canada	2023-07-29
Joe Salazar				US	2023-07-29
NAOMI FINKELSTEIN	Winnipeg		R3M	Canada	2023-07-29
Jeanne Good	Victoria		V8V	Canada	2023-07-29
Marie Hutchinson	Victoria		V8N	Canada	2023-07-29
WAYNE STRELIOFF	Victoria		V9a0b1	Canada	2023-07-29
Richard Grosvenor	Victoria		V8V	Canada	2023-07-29
[REDACTED]	Bannie		F42	Canada	2023-07-29
Everett Lynch	Okotoks		T1S	Canada	2023-07-29
Connor Burnett	Ontario		L2N5T7	Canada	2023-07-29
stephanie mclachlan	Oshawa		L1J	Canada	2023-07-29
Pat Doe	Toronto		M6A 1N6	Canada	2023-07-29
Kulvinder Singh	Brantford		N3R	Canada	2023-07-29
Richard Davis	Victoria		V8V2A7	Canada	2023-07-29
Gianluca Ciccio	Toronto		M6E	Canada	2023-07-29
Julia Manzini	Nanaimo		V9R	Canada	2023-07-29
Michele Phillips	Victoria		V8S	Canada	2023-07-30
Graham Mcfarlane	Victoria		V9A6T3	Canada	2023-07-30
Karen Vaillancourt	Victoria		V8S	Canada	2023-07-30
Chris Reilly	London			Canada	2023-07-30
D Lau	Calgary		TS3	Canada	2023-07-30
Irama Lopez	Caracas			Venezuela	2023-07-30
Heather Caldwell	Victoria		V8V 1H2	Canada	2023-07-30
Erin Greene	Toronto		M6G	Canada	2023-07-30
Kayhan Chartre	Richmond		V6X	Canada	2023-07-30
K T	Toronto		M2R 2A1	Canada	2023-07-30
HEIDY Lopez	Vancouver		V6E	Canada	2023-07-30

Nancy Craig	Victoria	V8V	Canada	2023-07-30
Irha Komal	Brampton	hals	Canada	2023-07-30
Sepehr Shafiei	Richmond Hill	L4B	Canada	2023-07-30
Ana Brinkerhoff	Toronto	M5B	Canada	2023-07-30
Tyren Landry	Duncan	V9L	Canada	2023-07-30
Itasha Williams	Ottawa	K1V	Canada	2023-07-30
MI Mon	Vancouver	V6B	Canada	2023-07-30
Bernice Bimpeh	Toronto	M6P	Canada	2023-07-30
Phyllis Naccarato	Millbrook	L0A	Canada	2023-07-30
Tracy Cromwell	North York	M3H	Canada	2023-07-30
Judith Daniluk	Victoria	V9A	Canada	2023-07-30
Meg Lee	Victoria	V8V	Canada	2023-07-30
Patrick Bryant	Victoria	V9A	Canada	2023-07-30
Michael Butt	Toronto	M6P	Canada	2023-07-30
Dorota Grygo	Brampton	L6Y 5K1	Canada	2023-07-30
Nancy Ammar	Edmonton	T5H	Canada	2023-07-30
Mischa Gringras	Victoria	V9A	Canada	2023-07-30
Amelia Stewart	Victoria	V8V	Canada	2023-07-30
David Wylie	Victoria	V9A	Canada	2023-07-30
Robin Betteley	Victoria	V9A 0E7	Canada	2023-07-30
Jesse Coligan	Morrisburg	K0C	Canada	2023-07-30
David Creba	Victoria	V8V	Canada	2023-07-30
Christopher Kim	North York	M3N2T8	Canada	2023-07-31
Chopra Steedwellington	Victoria	V8V 1T5	Canada	2023-07-31
Steve Rostad	Aurora	L4G2T7	Canada	2023-07-31
Karine Cloutier	Rouyn-Noranda	J9y0a5	Canada	2023-07-31
pat mcguire	Victoria	V8V	Canada	2023-07-31
Murphy Cam	Winnipeg	R2M	Canada	2023-07-31
RUTH EDGAR	VICTORIA	V8V 1W4	Canada	2023-07-31
Sin Kim	Toronto	M3N 2T8	Canada	2023-07-31
Haifa Arabi	Ottawa	K1w1e6	Canada	2023-07-31
Kong K	Toronto	M6B	Canada	2023-07-31
Landyn Rice	London	N5W	Canada	2023-07-31
Ran Kim	Thornhill	L4J	Canada	2023-07-31
Jill Moran	Toronto	M4R1Z1	Canada	2023-07-31
James McNeill	Victoria	V9A	Canada	2023-07-31

Benhur Abrha	Toronto	M3H	Canada	2023-07-31
James Barry	Victoria	V9A0E7	Canada	2023-07-31
Shewit Ha	Calgary	T2T	Canada	2023-07-31
Salman Naseer	Vaughan	L6A	Canada	2023-07-31
Tessa Hawkins	Chilliwack	V2R4P8	Canada	2023-07-31
Hui Ma	Surrey	V3V	Canada	2023-07-31
Janet Martin	Victoria	V8V	Canada	2023-07-31
John Edwards	Victoria	V9A	Canada	2023-07-31
Constance Thompson	Victoria	V8V	Canada	2023-07-31
Michael Thompson	Victoria	V9A 0H1	Canada	2023-07-31
Norma Pangda	Niagara Falls	L2E	Canada	2023-08-01
Nicole Dessureault	Brantford	N3T	Canada	2023-08-01
Sherry Lavoie	Vancouver	V5V	Canada	2023-08-01
Conor Burns	Kelowna	V1V	Canada	2023-08-01
Adelle Rulli	Windham Centre	N0E	Canada	2023-08-01
James Kerr	Victoria	V8N	Canada	2023-08-01
K K	Vaughan	L6A	Canada	2023-08-01
Matthew Cencich	Victoria	V8S 5E8	Canada	2023-08-01
Karen Hurley	Victoria	V8N	Canada	2023-08-01
Tony Gurr	Victoria	V9A	Canada	2023-08-01
Larry Church	Courtenay	V9N9J9	Canada	2023-08-01
Evan Funk	Calgary	T2K	Canada	2023-08-01
Ashfaq Ahmed	Waterdown	L8B	Canada	2023-08-01
Hannelore Weitzel	Edmonton	T5H	Canada	2023-08-01
Druid G	Scarborough	M1C	Canada	2023-08-01
wei xin	Toronto	M1P 1E9	Canada	2023-08-01
Ralph Flanagan	Kanata	K2T	Canada	2023-08-01
D Guhl	Nanaimo	V9T	Canada	2023-08-01
Russ Jones	Saanichton	V8M	Canada	2023-08-01
Bill Sievwright	North Vancouver	v7n	Canada	2023-08-01
Biniam Andu	Brandon	R7B	Canada	2023-08-01
June Tadsen	Sooke	V9Z 0Y7	Canada	2023-08-01
David Larson	Victoria	V8V 1N3	Canada	2023-08-01
Graham Zirul	Victoria	V9A	Canada	2023-08-01
SHUMEI YI	Burnaby	V5J	Canada	2023-08-01
Roger Urquhart	Cornwall	K6H 4E9	Canada	2023-08-01

Fariha Nadeem	Edmonton		T6c4n6	Canada	2023-08-01
Jack Griffin	Ottawa		K1Y	Canada	2023-08-01
Patrick Farnum	Calgary		T3B	Canada	2023-08-01
Sarah Bernard	Dartmouth		B2W	Canada	2023-08-01
Gordon Young	Victoria		V9A	Canada	2023-08-01
Vikram Misra	Victoria		V9A0G9	Canada	2023-08-01
Aneesha May	City of Orange		7050	US	2023-08-01
Gordon Poston	Kingstree		29556	US	2023-08-01
Caylee Beaverson	Lewisberry		17339	US	2023-08-01
Keisha Kalra	Charlotte		28270	US	2023-08-01
Dwayne Good	Elkridge		21075	US	2023-08-01
Sumanth Raj	Miami		33018	US	2023-08-01
Sam Ward	Pleasant Hill		94523	US	2023-08-01
Bobbie Flowers	Port Jefferson Station		11776	US	2023-08-01
Joanne Hepplewhite	Victoria		V8Z 5H1	Canada	2023-08-01
Sean Princic	Seattle		98122	US	2023-08-01
Sadie Driscoll	Denver		80226	US	2023-08-01
kellie nelson	Indian Land		29707	US	2023-08-01
Jay McDonald	Wheatland		80025	US	2023-08-01
Felicity Smith	Victoria		V8V	Canada	2023-08-01
EA Smith	Victoria		V8V	Canada	2023-08-02
Dianna McEwan	Victoria		V8P	Canada	2023-08-02
David Telfer	Victoria		V8P	Canada	2023-08-02
Carolyn Anketell	Victoria		V8S	Canada	2023-08-02
lisa gurney	Victoria		V9A	Canada	2023-08-02
Elliot Freedman	Victoria		V8V	Canada	2023-08-02
Zoey Reid	Tulsa		74127	US	2023-08-02
Candice Stein	Los Angeles	California	91343	US	2023-08-02
Kaylah Santos	Koloa		96756	US	2023-08-02
Heather Warner	Old Town		4468	US	2023-08-02
Sonic Son	Oroville ca		95965	US	2023-08-02

Comment
"I love Victoria"
"A major attraction to tourists is that Victoria is a quaint and charming city. Turning Vic West into a mini-Manhattan is a huge step in squashing the charm."
"I did not move here to live in shadow of 9, 18 to 29 floor towers behind me. Victoria is known for historical charm with respect to the retention of heritage buildings, culture and walkability in its neighbourhoods. Lets consider the f
"Victor Mattu Victoria was just named world's best mid-sized and most walkable city outside of the U.S. The Bayview proposal wants to build 9 towers just behind the waterfront. Am I missing something? Let's preserve the f
"Ken Mariash's (Focus Equities) revised proposal for the Roundhouse Development if it were ever to see the light of day, would irreversibly mar the Victoria Harbour skyline and destroy the unique, relaxed Old World ambianc
"Thanks Don, here are some more reasons for signing: - It contradicts the original rezoning- It contradicts the first amended rezoning from 15+ years ago which Focus Equities sought and had approved by the City in exchang
"The rezoning flyer trumpets the heading "It's Your Neighborhood". But the total lack of transparency regarding the doubling of density is maddening, and has me questioning who this neighborhood truly belongs to."
"Needs attention."
"This Zoning is broken and corrupt. The needs of the people are not being met."
"The original proposal approved by Council in 2008 [??] had my approval. The current proposal before Council has increased the density beyond existing, approved limits. There has been a lack of investigation into the rami
"Development can work at a modest pace. This change smacks of GREED and CORRUPTION. And what about all that new sewage? Find the greedmongers and prosecute them."
"We were aware of five buildings that would be built at the site when we purchased our unit. The new plan to increase it to nine buildings and increase in height as well is totally wrong and overcrowding for this site."
"Drastic change is already making Victoria into a mess. This change is awful."
"We purchased at the Promontory in 2011 (prior to construction) and were excited for the original plan "Granville island-like" we were told with retail, condos a hotel and possible a grocery anchor. Over the years the plan has
"This development is like so many others. Come in with a reasonable proposal, get your nose under the tent, then modify the original plan and make it totally unacceptable to those who did not object to the original proposal
"No more big building in the area . Also, that can be dangerous in case of Earthquake. For sure those buildings will be only for people with money. We need affordable houses not high price condos. We need school, hospital &
"Please Victoria City Council do not make worse the situation of housing, do not go against Victorians. Just create affordable housing, doing, it is complicated to be behind you to avoid you start making the city worse and w
"I agree with the premise of the petition. Extensive study and planning is required before we can increase density in Songhees. As pointed out the bridges which service the area, Bay St and Johnson are already experiencing
"This high density project will have too many negative impacts on our beautiful city."
"My partner Barbara and I left London Ontario because of this kind of development that ruins a city."
"I used to live on Russell St. nearby and the landscape and railway buildings are charming. Don't change it to highrises."
"I was watched they are slowly destroyed beautiful my born town Istanbul. I don't want to be watching this one!"
"Don't mess with historical nature of Victoria!"
"The height of the proposed buildings will disproportionately affect the skyline of our neighbourhood."
"The density is enormous, keep Victoria harbour a community NOT a city!"
"Council is making plans in the "collective" model with no idea of the impact of these plans when they are implemented. How sincere are they in public consultation? --it seems councils are operating by fiat rather than democ
"Such an increase in development. Too much for current infrastructure. Gail Bettger"
"Totally over the top. Way too much development for one area."
"I would like to know - why is the Times Colonist and the Mayor's office not discussing this? Is the Mariash guy making political contributions with the office, or advertising with the Times Colonist? They are not being a news
"Here is a link to an Instagram account @StopBayviewroundhousehttps://instagram.com/stopbayviewroundhouse?igshid=MmizYYWVND05Yg=="

	<p>"This proposal goes too far in nearly doubling the density and dwarfing the historic buildings as well."</p> <p>"I'm signing because of the reasons given by Steve Barber the original senior heritage planner for the City of Victoria along with 16 other well known, civic and heritage minded Victorians who oppose it."</p> <p>"The current proposal is almost double both density and buildings from the proposal that is showcased on the signage on site. It is excessive. Our infrastructure was not built for this many homes. As well, with the current price not enough affordable housing in the plan. The developer does not fulfill his promises to the neighbourhood."</p> <p>"It would be over populated"</p> <p>"It seems to me City Council is not taking proper precautions by conducting environmental impact studies and conferring with affected residents of Victoria; The magnitude of this project should increase scrutiny of the developer"</p> <p>"I signed because I agree with the drafters of the Vic West Neighbourhood Plan and the current Official Community Plan."</p> <p>"This gorgeous peaceful area can not possibly maintain its natural beauty by turning it into a concrete jungle."</p> <p>"This proposal is an obscene result of governments expecting developers to solve the CRD's housing crisis."</p> <p>"This is not what I was offered when I bought at the Promontory; it was supposed to be a neighborhood with green spaces, and a historic place converted into a market, but keeping its historic infrastructure. No buildings are"</p> <p>"This project is totally unsuitable for the area. The Songhees development is bad enough; the Bayview Project is many times worse."</p> <p>"Victoria's developers need to respect the existing heritage properties and character of the city."</p>
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- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to traffic implications, waste disposal, wind effects, school capacity and demand on medical services, etc.





































We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the upstanding, voting, tax paying citizens by honouring your role as public servants and protecting our community from becoming another overly congested neighbourhood.

Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER / EMAIL
July 3	MARQUESS PNEUFOOT	[REDACTED]	2451 Azurite Crescent	[REDACTED]
	Emily Vitalista	[REDACTED]	1417 Hanson St	[REDACTED]
	Jeanne Botten	[REDACTED]	899 Royal Lake Ave	[REDACTED]
	Lyn Liaberg	[REDACTED]	925 QUADLINE AVE, COX	[REDACTED]
	Mike & Brian	[REDACTED]	101-1106 Glenora Place	[REDACTED]
	Jane Quarnell	[REDACTED]	408 319 Tye	[REDACTED]
	RICHARD LEVENSON	[REDACTED]	404-60 SACHAL	[REDACTED]
	GRACE CHRIST	[REDACTED]	2830 FULTON	[REDACTED]
	Fern Davey	[REDACTED]	3769 Ascot	[REDACTED]
	Ken Davey	[REDACTED]	3769 Ascot Dr	[REDACTED]
	PAUL JARRETT	[REDACTED]	#117-75 Songhees B	[REDACTED]
	Leanne Jarrett	[REDACTED]	#117-75 Songhees	[REDACTED]
	DIANA DOHERTY	[REDACTED]	106 125 ALDENSMITH VIC 1 BC	[REDACTED]

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER / EMAIL
July 3/23	MEL BATH		125 Adair #406	
July 3	Louisa Curvelo		# 303-1597 MORTIMER ST 280 ⁰	
July 3	Gayle Lowenthal		Blanchard St	
July 3	John Nielsen		834 Johnson St	
July 3	Jenn. Chan		834 Johnson St.	
July 3	Trudy Maynard		3166 Ave Washington	
July 3	Martene Davis		1006-1021 Johnson	
July 3 rd	Héctor Montenegro		709-1039 View St	
July 3 rd	Andrea Velez		709-1039 View St	
JULY 3	Elizabeth		#48-330 Ave 219-3420 Ave	
July 2	Leanne Layton		Quadra St	
July 2	Gord Grand		219-3420 Quadra St	
July 2	Georgia Morera		66-Sonhees	
July 2	Pauline		Hand 2 Street	
July 3	B. Bujant		B Bujant	
July 3/23	Betty Mason		# 202 - 1319 Newport	
July 3/23	Joy Krueger		524 Wilson St	
July 2/23	DAW RAPTER		303 234 LAMPSON ST	

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER / EMAIL	
July 3	W.S. MIDDLETON				
3	C.J. MIDDLETON				
3	JOSE ATWELL				
3	CARLOS OCHOA				
3	HECTOR REYES				
3	MAVIS Schaeffer				
3	GEORGE FURCHUK				
3	AKPIKIE ONOBRUDU				Visitor
3	AKPIKIE LYNA				Visitor
3	Erica Latta				
3	Nicole Beard				
3	Julie Albee				
3	ELMER ALBEE				
3	ASACEY WHITWORTH				
3	DIANE FRESHWATER				
3	A.L. LARSON				
3	Joanne MacNe				
3	Shirley Cameron				

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER / EMAIL
July 3	M. Fitzpatrick			
"	J. Yoncos			
"	H. MITCHELL			
"	T. LOUISE			
"	R. MacNEIL			
"	B. Kelley			
"	Gumpal J			
"	W. Smyth			
"	P. SMYTH			
"	MATT DOYLE			
"	C. DOYLE			
"	D. OCKENANEN			
"	S. OCKENANEN			
"	Zach Buckley			
"	Ross Buckley			
"	Tina Buckley			
"	Becca Ward			
"	Gina Silve			

- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to traffic implications, waste disposal, wind effects, school capacity and demand on medical services, etc.

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Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER / EMAIL
7/5/2023	M ^{me} Chartrand		803 60 Saghalie Rd	
11	Gilles Chartrand		11	
7/5/2023	A. WILKINSON		201 70 SAGHALIE	
7/5/2023	Lina Weiland		201 70 Saghalie	
7/6/2023	Mareen + John Conlon		1405 - 60 Saghalie	
7/6/2023	Gonnie Thompson		402 - 60 Saghalie Rd	
7/6/23	Michael Thompson		402 - 60 Saghalie Rd	
7/6/23	Pat Olson		1003 60 Saghalie	
7/7/23	Jacklyn Barrs		803 60 Saghalie	
7/7/23	Karen Vallancourt		607 -60 Saghalie	
7/7/23	Siva Poinen		707 Saghalie	
8/7/23	George Clover		1603-60 Saghalie Rd	
7/9/23	Penny Thomas		1603-60 Saghalie	

205 KIMTA ROAD

Residents' Petition June, 2023

**Attn: City of Victoria Planning Department, Victoria
Mayor & Councillors**

***Re: Rezoning Application for the Roundhouse Development Site
at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45
Saghalie Road, 355 Catherine Street and #200 - #210 Kimta
Road.***

We, the undersigned residents of the Ocean Park Towers Development, located at 203 and 205 Kimta Road, wish to express our strong opposition to the current Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and #200 - #210 Kimta Road.

As voting, tax paying residents of the Songhees community, our primary reasons for opposing the project as it is currently proposed are as follows:

- It more than doubles the current zoning density for the area
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties which has yet to happen
- It contradicts the terms of the original Master Development Agreement between the City and Focus Equities
- It contradicts the advice of City Council staff who recently recommended a density (FSR) of 4.0:1
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings & hotels are approved.
- The current proposal is 9 buildings now instead of the prior approved 5 buildings with up to 3 hotels!
- There are plenty of amended property applications all across Victoria with large skyscrapers being built, much higher than Victoria's original height restrictions.

This is already occurring all over town; this degree of density is not needed in the Songhees neighbourhood.

- It will overshadow and diminish the Roundhouse and heritage properties
- Approval would be contrary to significant opposition to the project
- There are no guarantees the retail held out for the Roundhouse will be successful (per Colliers Strategy and Consulting Group)
- The City of Victoria has not carried out a due diligence exercise with respect to the developer or allowed for the want of such exercise
- It is missing a Cultural Centre which was held out and was to be designed by Frank Gehry

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the upstanding, voting, tax paying citizens of this neighbourhood by honouring your role as public servants and protecting our community from becoming another overly congested neighbourhood.

Thank you.

205 KIMTA ROAD
V9A 6T5

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER
6/28/23	WAYNE ENG	[REDACTED]	634- 205 Kimta Rd	[REDACTED]
" "	KERI SALVSBURG	[REDACTED]	740-205 Kimta	[REDACTED]
6/28/23	KATH JONES	[REDACTED]	741-205 Kimta	[REDACTED]
6/28/23	Ardene Phyllis	[REDACTED]	738 Ocean	[REDACTED]
6/28/23	Cardyn Courtright	[REDACTED]	104- Ocean 240	[REDACTED]
6/29/23	HEATHER O'LEARY	[REDACTED]	205 Kimta	[REDACTED]
6/29/23	JOANNE Nicholson	[REDACTED]	102- 205 Kimta	[REDACTED]
6/29/23	LORRAINE DIMOND	[REDACTED]	632-205 Kimta Rd	[REDACTED]
6/29/23	ROY DIMOND	[REDACTED]	632-205 KIMTA RD	[REDACTED]
6/29/23	LYN TROJANOW WALTER TROJANOW	[REDACTED]	105-205 KIMTA RD	[REDACTED]

205 KIMTA ROAD

V9A 6T5

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER
	SKELTON			
6/29/23	SKELTON		525	
6/29/23	Arend		525	
6/29/23	Ann Baker		529	
6/29/23	Brad Noyes		0526	
6/29/23	Alice Patrick		0527	
6/29/23	Elizabeth Patric		0527	
6/29/23	PAUL BARTON		0631	
6/29/23	BLACKBORN Madeline Johnson		0207	
6/29/23	ANNE ALEXANDER		0101	
6/29/23	Jane Medd		0846	
6/29/23	Preston Medd		0846	
6/29/23	NORM LESLIE		739/205	
6/29/23	Shirley McGill		742 (0)	
6/29/23	DIANE SCOTT		(0)633	
6/29/23	James SENFT		(0) 212	
6/29	Ron Fenton		0636	
6/29/23	Amy Cunningham		208	
6/30/23	JAMES SPOOR		0526	
6/30/23	PAULINE FENTON		0636	
6/30/23	Kim Staves		0424	

205 KIMTA ROAD

V9A 6T5

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER / EMAIL
06/30/23	Hill Stevens	[REDACTED]	0424	[REDACTED]
06/30/23	Melissa Hensberry	[REDACTED]	0316	[REDACTED]
06/30/23	LISA ALEXANDER	[REDACTED]	101	[REDACTED]
06/30/23	H. SEGWIN	[REDACTED]	423/205	[REDACTED]
06/30/23	CJ Valkenier	[REDACTED]	737 Ocean	[REDACTED]
06/30/23	IAN POPE	[REDACTED]	737 0	[REDACTED]
06/30/23	R. SCHEFFLER	[REDACTED]	0315	[REDACTED]
06/30/23	SHIRLEY SWIFT	[REDACTED]	0 530	[REDACTED]
"	DON GORDON	[REDACTED]	0-845	[REDACTED]
"	CHERYL PRESTON	[REDACTED]	0-845	[REDACTED]
1/7/23	H. MOREAU	[REDACTED]	0-423	[REDACTED]
June 1/23	L. PAPP	[REDACTED]	0-528	[REDACTED]
01/7/23	C. Baugh	[REDACTED]	0-528	[REDACTED]
1/7/23	KEG-ANNE STACEY	[REDACTED]	Interurban	[REDACTED]
July 1 st , 2023	SHEILA LESLIE	[REDACTED]	0-739	[REDACTED]
July 1 st , 2023	Brandon Evtushewski	[REDACTED]	0-313	[REDACTED]
July 3/23	LLOYD PHILLIPS	[REDACTED]	# 0-738	[REDACTED]
July 2 nd 2023	Rosa Munzer	[REDACTED]	0-843	[REDACTED]

203 KIMTA ROAD

Residents' Petition June, 2023

**Attn: City of Victoria Planning Department, Victoria
Mayor & Councillors**

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DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER
June 29/23	LINDA CASANO	[REDACTED]	#528	[REDACTED]
June 29/23	LINDA CASANO	[REDACTED]	#528	[REDACTED]
June 29/23	VICTOR MATTU	[REDACTED]	#742	[REDACTED]
June 29/23	YERVANT KHATCHADOURIAN	[REDACTED]	P315	[REDACTED]
June 29/23	Carol Bremner	[REDACTED]	P635	[REDACTED]
June 29/23	Derek Smith	[REDACTED]	P-105	[REDACTED]
June 29/23	Alexander Zatylny	[REDACTED]	#422	[REDACTED]
June 29/23	Lorraine Romanchuk	[REDACTED]	#848	[REDACTED]
June 30/23	Sylvia Burkhardt	[REDACTED]	#847	[REDACTED]
June 30/23	John R. Bell	[REDACTED]	#209-20	[REDACTED]

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER
Jun/30/23	ERIC PORTLAND		# 104	
June 30/23	MICHAEL BESAUX		P- 104	
June 30/23	Tony Reble		P 212	
June 30/23	Eric Gelling		P 315	
June 30/23	Yvette Collins		P 102	
G. ^{5th 23}	MAKRIS		P 631	
June 30/23	BRIAN HILL		P 316	
June 30/23	Cardyn Idy		P- 208	
June 30/23	TULA SHAW		P 421	
June 30/23	Leanne LaPrairie		P 422	
June 30/23	Don Riggles		P 103	
June 30/23	V. Makris		P 631	
June 30/23	Bev Johnson		P 103	
June 30/23	C. Paul		P 530	
June 30/23	A. WAGNER		P 636	
" "	D. Scheffer		P.T.	
July 1	Ruth BUSHEN		P 738	
July 1	Barb Holm		636 Park	
July 1	STEVE BARBER		738 PARK	
July 1	THORNE WOOD		101 PARK	
July 1/23	UTE BERRER		P 843	
July 1/23	ARMIN BERR		P 843	

Residents' Petition June, 2023

Re: Rezoning Application for the Roundhouse Dev. Site at Bayview place
 REZ00729 #251 - #259 Esquimalt Rd, 45 Saghalie Rd, 355 Catherine St. and
 #200 - #210 Kinta Rd.

DATE	NAME PRINTED	SIGNATURE	UNIT #, ADDRESS	PHONE NUMBER / EMAIL
July 1 2023	J.L. EASTMAN	[REDACTED]	P 634	[REDACTED]
July 1	Anna Won	[REDACTED]	P 101	[REDACTED]
July 1	BETH MAPA	[REDACTED]	P 207	[REDACTED]
July 1	BARRY WATCHORN	[REDACTED]	P 739	[REDACTED]
July 2	STU DAVIS	[REDACTED]	208	[REDACTED]
July 2	Kathryn Templeton	[REDACTED]	318	[REDACTED]
July 2	Carol Greenaway	[REDACTED]	318	[REDACTED]
JULY 2	KERRY WATCHORN	[REDACTED]	P. 739 ²⁰³ KINTA	[REDACTED]
July 2	Cindy Kartinen	[REDACTED]	313	[REDACTED]
July 2	Yoon Marengere	[REDACTED]		[REDACTED]
July 3	Yvonne Schaffner	[REDACTED]	210-203 Kinta	[REDACTED]
July 3	Kathy Kay	[REDACTED]	633-203 Kinta	[REDACTED]
July 3	Randy Waldie	[REDACTED]	633-203 Kinta	[REDACTED]
July 3	Kris Zatylny	[REDACTED]	422	[REDACTED]
July 3	KEU Rimbey	[REDACTED]	423	[REDACTED]
July 3	Carlos Ferrer	[REDACTED]	P 526	[REDACTED]
July 4	Erkan Erson	[REDACTED]	P 526	[REDACTED]
July 4	Monica Ramon	[REDACTED]	P 526	[REDACTED]

- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to traffic implications, waste disposal, wind effects, school capacity and demand on medical services, etc.

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the upstanding, voting, tax paying citizens by honouring your role as public servants and protecting our community from becoming another overly congested neighbourhood.

Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER / EMAIL
July 29	Donna Adams		111-845 Dunsmuir Rd	
July 12	Tony Maruca		847 Dunsmuir Rd. Ste 80	
July 13	Bob Walden		632-203 KIMTA R.D.	
July 17	Jane Walden		21260	
July 12	Armin Treiser		203-843	
July 11	CARRIE BROADSTRA		421203 Kinta	
July 14	Annette Toth		3850 Saanich Rd	
July 15	PENELOPE ARMSTRONG		209-203 KIMTA RD.	
July 16	Kyla Shumka			
July 20	MARK GLESS		632-203 KIMTA RD	
July 20	Ashlyn Walden		632 KIMTA RD	
July 21	LORI BIRK		525-203 KIMTA	
July 24	Jean LeSourd		846-203 KIM TA	

50 SONGHEES

Residents' Petition June & July, 2023

**Attn: City of Victoria Planning Department, Victoria
Mayor & Councillors**

***Re: Rezoning Application for the Roundhouse Development Site
at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45
Saghalie Road, 355 Catherine Street and #200 - #210 Kimta
Road.***

We, the undersigned, wish to express our strong opposition to the current Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and #200 - #210 Kimta Road.

As voting, tax paying residents of the Songhees community and / or Victoria in general, our primary reasons for opposing the project as it is currently proposed are as follows:

- It more than doubles the current zoning density for the area
- The current proposal is 9 buildings & up to 3 hotels now instead of the prior approved 5 buildings!
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties *which has yet to happen*
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings & hotels are approved
- The views from tourists and people arriving via the harbour will look like the Vancouver waterfront; this is not what people come to Victoria to see or experience
- It will overshadow and diminish the Roundhouse and heritage properties
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- There are no guarantees the retail held out for the Roundhouse will be successful

- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to traffic implications, waste disposal, wind effects, school capacity and demand on medical services, etc.

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the upstanding, voting, tax paying citizens by honouring your role as public servants and protecting our community from becoming another overly congested neighbourhood.

Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER / EMAIL
JULY 6/23	JAMES DYKES	[REDACTED]	407-50 SONGHEES RD.	[REDACTED]
JULY/11/23	ARABELLA MARTIN	[REDACTED]	203-50 SONGHEES RD.	[REDACTED]
July 11 2023	Robert B. Hen	[REDACTED]	203-50 Songhees Rd	[REDACTED]
JULY 12 2023	Cindy Hamilton	[REDACTED]	211-50 SONGHEES RD.	[REDACTED]
July 15/23	Paul Burke	[REDACTED]	412-50 songhees Rd.	[REDACTED]
July 15	Al Kennedy	[REDACTED]	511-50 Songhees Rd	[REDACTED]
July 19/23	J. Marr	[REDACTED]	50 Songhees Rd	[REDACTED]
July 19/23	P. STEWART	[REDACTED]	115-50 SONGHEES RD	[REDACTED]
July 19/23	J. KOREN	[REDACTED]	308-50 SONGHEES RD.	[REDACTED]
July 21/23	S. Peterson	[REDACTED]	107-50 SONGHEES Rd.	[REDACTED]
July 23/23	C. Stillings	[REDACTED]	507-50 SONGHEES RD, Vic	[REDACTED]
July 27/23	C Fedrau-Ens	[REDACTED]	205-50 Songhees Rd	[REDACTED]
July 27	D. Macky	[REDACTED]	209-50 Songhees Rd.	[REDACTED]

11 COOPERAGE PLACE

Petition July, 2023

**Attn: City of Victoria Planning Department, Victoria
Mayor & Councillors**

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at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45
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- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- There are no guarantees the retail held out for the Roundhouse will be successful

- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to traffic implications, waste disposal, wind effects, school capacity and demand on medical services, etc.

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the upstanding, voting, tax paying citizens by honouring your role as public servants and protecting our community from becoming another overly congested neighbourhood.

Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER / EMAIL
July 11	CAROLYN PRATT		11 Coopersage Rd. Unit 405	
July 12	Denise DePape		11 Coopersage Rd. Ste 503	
July 12	GILLIAN BARNETT		11 Coopersage Rd. Unit 203	
July 17	SHELBY SHEPPARD		11 Coopersage Rd. Unit 202	
July 18	TERIE CRAIG		11 Coopersage Rd. # 301	
July 20	Shirley Johnson		# 404 11 Coopersage Rd.	
July 22	Stephanie Paulaus		# 103 11 Coopersage	
July 23	Ruth Ripley (Chare)		# 208 11 Coopersage	
July 23	Ross Charette		# 208 11 Coopersage	
July 24	Donald Roughle		# 141 11 Coopersage	
July 24	Judy Seeley		# 209 - 11 Coopersage	

PLEASE READ & SIGN

ENCORE

Petition July, 2023

**Attn: City of Victoria Planning Department, Victoria
Mayor & Councillors**

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S'HUTTERS

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Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER / EMAIL
JULY 4/23	KIRSONE ^{SOMER}	[REDACTED]	1010 VIEW (#307) ST.	[REDACTED]
JULY 5/23	KERRY COENTILE	[REDACTED]	606 SOMERSET RD (706)	[REDACTED]
07/05/23	LYNNE HILL	[REDACTED]	606 - 505 SOMERSET QUADRA.	[REDACTED]
07/05/23	TREVA FERGUSON	[REDACTED]	505 Quadra # 666	[REDACTED]
7/6/23	Vincent Maltais	[REDACTED]	56 Songher # 506	[REDACTED]
7/10/23	ELIZABETH DEAN	[REDACTED]	601-66 SONGHER RD	[REDACTED]
7/11/23	ERVIN AND SAMIE VODVA	[REDACTED]	7304 66 SONGHER RD	[REDACTED]
7/13/23	Lyle Russell	[REDACTED]	404-66 Songher Rd	[REDACTED]
7/15/23	DIANE Russell	[REDACTED]	"	[REDACTED]

Attention: Mike Angrove, Senior Planner-Development Agreements

Please be advised that we are in full agreement with the proposed changes to the above-mentioned OCP. This development is long overdue and has undergone many years of scrutiny by city planners. We have watched new Condo building being completed around this area with far less study and input. The time has come to allow much needed housing to be completed.

Marianne & Blair Ross
165 Kimta Rd

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West. When my spouse and I purchased our condo, we understood clearly that there would be development in our neighbourhood and we were in favour of it. However, I cannot support the amended proposal for many reasons. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).
- It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR.
- “The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.” Page 14, City Planning Staff report, April 20, 2023.
- “The proposals at 4.75 FSR appear inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E & N transportation corridor, respects the heritage precinct and overall OCP (Official Community Plan) policies geared towards positive placemaking.” City Planning Staff report, April 20, 2023.
- “... the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 ... does not sufficiently meet the applicable design guidelines and policies and should be declined....”. Motion passed by The Heritage Advisory Panel Review on May 17, 2021.
- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings! (I fail to see how 3 hotels addresses our current homeless crisis).
- The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to see or experience.
- It would totally overshadow and diminish the Roundhouse and heritage properties.
- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.

- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- The City of Victoria has not carried out a due diligence exercise with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Carol Greenaway

318 - 203 Kimta Road

Victoria, BC

V9A 6T5

Mike Angrove, Senior Planner:

I wish to express my concerns about the proposed Bayview Development and rezoning.

I am in favour of the Affordable Housing and Rental Housing but have concerns with the height of the buildings, and the overall proposed doubling of the site density.

This plan does not consider the current buildings in the area and the impact that the new building would have on their properties.

I am also concerned about adding density to Victoria given our current health situation where Residents currently living in Victoria have limited access to timely health services.

Please reconsider this proposed project.

Thank you,

Corinne MacDonald



As attached in this document, please accept my feedback on this Official Community Plan amendment.

Sincerely,
Dale Naftel
100 Saghalie Road
Victoria BC V9A 0A1
[REDACTED]

" The only opportunity lost is the one left unexplored. Dwell in Possibility "

Dated: August 3, 2023.

*Attn: Mike Angrove
Senior Planner - Development Agreements
1 Centennial Square
Victoria BC V8W 1P6
Sent via email (developmentsservices@victoria.ca)*

Re: 251-259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street, 200-210 Kimta Road REZOO729 The Roundhouse at Bayview Place Phase 2

I am a resident of Victoria West Songhees at Bayview One and have been for 12 years. I am writing to voice my support in favour of the design guidelines, increased height and density as proposed for the site.

With the numerous iterations over the years for this historic community property, the latest proposal is one that resonates best with our current economic conditions and need for housing now at crisis levels and population growth.

This new plan provides a viable and inclusive neighbourhood that offers a full mix of much needed rental units, market housing condominium dwellings and other services that are overdue and the community drastically needs. Taller narrower buildings also make sense to respect view corridors for neighbours and achieve the desired density. The plan also appears to be congruent with other approved developments within the city of Victoria.

Combined with the integration of existing heritage, outdoor gathering spaces and respect of the early history and indigenous roots, these factors are equally important feature considerations to this beautiful landmark location.

I continue to love residing at this enclave. Once full development is completed on the Roundhouse site, it will be of long-term benefit to the many existing residents in the Songhees neighbourhood and beyond, with the services and amenities planned. Finally!

Focus Equities has been and continues to be a visionary for development as shown with Bayview One, Promontory and Encore thus far, this design scope further appears to create a beautiful and sustainable space for all to enjoy.

*Dale Naftel
100 Saghalie Road
Victoria BC
V9A 0A1*

Dear City of Victoria Development Services,

For the sake of improving housing availability in Victoria, I have no problem with the proposal to increase the density and the height of the buildings in the Roundhouse at Bayview Place – Phase 2 development project.

Donald Rowe, 100 Saghalie Road, Victoria , BC

Dear Mr. Angrove,

My husband and I have been residents of Bayview Place since 2010 and much enjoy our neighbourhood.

We are seriously concerned about the City of Victoria's proposed rezoning for the following reasons:

1. In addition to the four large buildings at Bayview Place, we now have three high rises at Dockside Green which have yet to be inhabited, and a fourth which is planned to be built. This addition already puts a significant load on the existing transportation capabilities.
2. The current proposal for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road would have already put even more stress on an inadequate transportation system.
3. To consider a further increase in density will make regular movement by private and public transportation means extremely trying.
4. Furthermore, the planned commercial buildings will require facilities for delivery traffic.
5. In summary, this considerable growth on our small enclave will make this neighbourhood an undesirable place to live, and developers may find it difficult to get a return on their investment.

Sincerely,
Eva Kiess and Iain Trevena

100 Saghalie Road
Apt. 804
Victoria BC V9A 0A1
Canada



Attention: Mike Angrove, Senior Planner

Dear Mr. Angrove

We wish to express our strong opposition to the rezoning application by Focus Equities for the land between Esquimalt Road and Kimta Road in the Bayview development. We believe the scope of this proposal is far too dense for this area and would lead to horrendous traffic issues. Parking along Kimta, Paul Kane and Cooperage is quite limited now, especially since the bike lanes on Kimta were constructed. Traffic and parking would be a nightmare if all of the very tall residential buildings were permitted by the City.

Also, the high density of the project is totally out of line with what was envisioned by the City, CP Rail and Mr. Moriash at the outset many years ago.

We urge you to reject this massive phase of redevelopment for an area that is very special for many residents and visitors. Please don't do the "Toronto thing" and spoil the harbour front of our city forever.

Sincerely,
Jim and Carolyn Waters
108-165 Kimta Road
Victoria

Sent from my iPad

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West.

There are countless reasons for opposing this amended proposal. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).
- It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR.
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- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!
- The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to see or experience.
- It would totally overshadow and diminish the Roundhouse and heritage properties.
- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.

- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Kathryn Templeton

318 - 203 Kimta Road

Victoria, BC

V9A 6T5

3 August 2023

Attn: Mike Angrove
Development Services City of Victoria
1 Centennial Square
Victoria British Columbia V8W 1 P6

Reference: Proposed Increased Density and Increased Height at- 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road – REZOO729 – The Roundhouse at Bayview Place – Phase 2

Dear City of Victoria Development Services,

Good day

I am a resident of Victoria West and live within 200 metres of the Roundhouse Development Site. I am IN FAVOUR of the proposed Rezoning Application for the Roundhouse Development Site at Bayview Place - Increased Density and Increased Height at- 251 Esquimalt Road, 355 Catherine Street , 200 Kimta Road – REZOO729 – The Roundhouse at Bayview Place – Phase 2

Like so many people, the young adults in our family need this type of development in order to be able to afford to live in Victoria and raise their families here. The density proposed in a mixture of medium height buildings is the best melding of new homes with space for amazing amenities.

The proposed rezoning and the associated amended master plan represent a wonderful opportunity to grow a vibrant, active and more affordable community which will be of benefit to all of Victoria. The height of the multi-residential buildings is necessary to create a more liveable, a more affordable and inclusive community. The addition of significant affordable housing is a game changer.

The combination of new residential units, respect and renewal of the significant heritage site with much needed retail space will help create a terrific community that is open to all residents of the City of Victoria and the Capital Regional District. This will become a community where residents can comfortably, safely and affordably live and easily work, cycle and use public transit to go wherever they want to.

I recognize that this proposal will change the community in which I live. I look forward to this change as we become a more diverse and vibrant part of Victoria. Like other recently approved developments, this proposal is a significant part of shaping Victoria to be a sustainable and affordable city now and into the future.

I urge you to support the timely approval of this rezoning which will reinvigorate this neighbourhood and support the city's needs for generations to come.

Sincerely yours

Signed by
Lynn C Smith
#308 100 Saghalie Road
Victoria BC
V9A 0A1

Hi Mike,

I am a concerned citizen living in Bayview's Promontory building. I definitely want the round house area developed and the previous plan was good. The idea of the 4 extra building and 4 that could be hotel is just so crowded. How will the area infrastructure even work. It can already be difficult to turn left onto Esquimalt and the traffic from the bridge already backs up. What will happen with 1900 more units.

I hope you will consider turning down this rezoning.

Sincerely,

Marsha

Sent from my iPad Note new email

Hello Mike, we are writing to you today as concerned residents regarding the building (and massive changes from original plan) of the Bayview Project in Vic West. To increase the density in our area in such a massive and significant way is very alarming and will change our area in a totally unacceptable way!! To build 29 stories and 9 Towers including 3 Hotels is absolutely appalling!! How will this benefit anyone but the Developers?? It is all about the money and not about preserving the neighbourhoods of Victoria for all to enjoy. People's moral compass need to be evident at times like this!. We ask you and your Team to please reconsider. We don't know anyone in our area supporting this Development as it is currently designed! Sincerely John Chisholm & Meghan Earley, 165 Kimta Road, Victoria, BC.

Sent from my iPhone

Dear Mr. Angrove,

Please accept my attached letter of support for the proposed OCP amendment For 251 Esquimalt Rd, 355 Catherine St, ans 200 Kimta Road.

Thank you.

Patricia Mamic



Bayview Place – Right Time, Appropriate and Forward Thinking

Thank you for the opportunity to forward my support for the present application on the proposed OCP amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road.

As a person involved in the real estate industry and also as an active past executive director of a residents association in the CRD for over 10 years, I have experience and history I would like to share with you.

Many years ago, circa 2003 – 2005, my families' development business had a chance to redevelop a large piece of property in the heart of a residential area, a piece of property that used to be a nursery/greenhouse. This property was adjacent to a soccer field and clubhouse, and kitty corner to a church and daycare, all surrounded by residential properties.

We invested all we had to obtain the property, and proceeded to extensively remediate the property from the contamination while diligently consulting the OCP and the neighbourhoods needs, and kept mindful of the character, as well as consulted the local government. We wanted to do the very best for the community we could with the opportunity at hand.

The initial plan was to build homes. Then we were approached by a group of forward thinking community minded folks, to consider making a part of the redevelopment adjacent to the sports fields as a community hub, with amenities such as a bike shop, coffee shop & ice cream parlor, video store. A place where the community could come together, have a coffee while watching the kids play soccer, meet for an ice cream after etc. As there was already a well used public footpath along this area, this could also be kept as a foot corridor with quaint amenities.

It was a brilliant one time only opportunity and one that would be creating a village of sorts for the neighbourhood, which was lacking. We were excited and worked this into the plans, creating a charming amenity hub to be reached by foot or pedal and continued to consult and dream.

The concept did receive support from part of the community, but there were also NIMBY's of course with loud voices, and the council at the time did have an election pending. While studies of sustainable developments by forward thinking experts like Avi Frieman were starting to be looked at, with councils seeing successful and thriving examples of such community villages in other areas of the country, the states and Europe, this was still a relatively new concept here. The council did not have the courage to make this ground breaking decision for the local neighbourhood and chose to 'play it safe' by keeping the status quo of residents only. Now, 20 years later, 52 pleasant houses sit where there could have been homes and a lovely community hub for people to gather and enjoy relating and conversations and building memories. And ironically now, community hubs and villages are a priority with the decision makers and are placed withing OCP's and zonings. But too late for that neighbourhood. The small coffee shop that was eventually allowed in that area is packed and busy – a sign that more was needed and would have been gratefully used. Sometimes I feel sad driving by knowing what could have been, unbeknownst to most people.

I realize the present application under consideration is regarding height and density not a community village hub, but if you agree we can learn from history, the lesson I implore you to consider here from my story is to be forward thinking now. Please be brave and make the ambitious decision to approve this right and appropriate application while the opportunity is present, the time is here and its not too late. Lets not look bad with regret. With a greater number of homes and density in what will be one of the most coveted areas in the country, more individuals and families will be able to live and enjoy building community and our city will benefit in many ways for decades to come. Many can't wait to see this amazing unique development come to fruition & we are depending on you!

Sincerely,

Patricia Mamic

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West.

There are countless reasons for opposing this amended proposal. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).
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- It would totally overshadow and diminish the Roundhouse and heritage properties.
- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.

- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Kathryn Templeton

318 - 203 Kimta Road

Victoria, BC

V9A 6T5

Members of the City Council and Mayor, "Read my lips."

"No developer ever purchases a development site unless the current zoning would offer a profit."

Although my developments were small and inconspicuous, I made a profit on them all without seeking any variances.

A previous Council and Mayor were played by Focus Equities. The case was the supposed ,after effects of the building in which I live 100 Saghalié Road aka Bayview One. Focus Equities maintained that there appeared to be interested in the larger, high end suites they had built. I have owned 2 of those 3 bedroom 2.5 bath suites. I believe that there was interest but not at Focus Equities initial pre-construction pricing. I certainly did not pay the prices that Focus Equities were asking.

Council listened to their appeals and offered taller buildings with more suites for the Promontory and Encore sites.

Not long after this gift, Focus Equities sold both sites to BOSA Construction at a much higher price than the original zoning would have commanded. Do you really want to enable them to do this again with the Roundhouse property (aka - 355 Catherine and 251 Esquimalt Road and 200 Kimta)?

Focus also argues that there are two drivers behind their need for significant up-zoning:

1. The cost of required remediation of these former industrial lands
2. The City of Victoria's requirements for private/public use open /park space.

I maintain any prudent developer would have addressed the remediation as quickly as possible as it is a well known fact that any construction related costs will be more expensive tomorrow than they are today. While i do not know the exact date that Focus Equities bought the large acreage which includes the sites of Bayview One; Promontory; Encore; the Senior continuum of care site on Kimta (Aquara ?) and the undeveloped lands of this variance request.

However I have lived in Victoria 18 years and i believe they have owned this large tract the entire time. Have you noticed that the value of land has been on a steep uphill trajectory for the past 2 decades? There is significant bare land equity that has accrued to Focus Equities while they did nothing but cut down weeds.

It would take a sharper mind than mine to determine with what exactly the City of Victoria has burdened Focus Equities in providing "required open space". Have you noticed that the site is bordered by the large Victoria Youth Park and the beautiful oceanfront Lime Bay Park? The Kimta and Catherine sides of this site are bordered by the E&N Rail Trail and the Galloping Goose begins a block away at the western side of the Johnson Street (Blue Bridge). Both sides of the Bridge's pedestrian/ bicycle pathways come off the Bridge into large new areas of landscaped park space. In addition the VicWest shore of the Inner and Outer Harbours is bordered by the lovely WestBay Walkway which runs all the way to West Bay Marina?

Does the City of Victoria actually believe our part of VicWest needs more parks and open space? Remember one of the requirements for the construction of my building, 100 Saghalié Road/ Bayview One, was the construction of the wonderful and rather large public amenity known as "Songhees Hill Dog Park".

While I certainly would not advocate for the development model of Dockside Green phase 1 and even worse phase 2 which would more appropriately named "Dockside Wall". The line up of ever taller towers sit upon the sidewalk's edge on the east side of Tyee Road preclude any privacy between those tower's closely spaced facing suites unless shades and blinds are down. Despite almost uniform opposition from current residents (including me via testimony I dictated for my tenants to present in my absence), a previous City Council gave the developers , BOSA Construction, significant increases in the heights of towers and allowed those rising heights to increase toward the Tyee/ Esquimalt Road intersection which is contrary to normal planning guidelines. These would suggest that tower heights decline towards a corner to diminish the impact on neighbours.

BOSA Construction said, "We need more, more and more so we can make a profit. Councillors like putty in the developers hands agreed and as a result the existing neighbours Upper Harbour views have vanished and BOSA Construction will not only make a profit, BOSA Construction will make an excessively large profit indeed. I do not believe any of the Dockside Green phase 2 suites will be anything but the higher end of market rate for sale and rental suites.

If the 5% inclusionary zoning requirement of the 3000 Harris Green units has yielded a paltry 150 affordable units. I appreciate the donation of a building site in Focus Equities' proposal. That site i imagine, will be the location of required affordable suites. It took the last Mayor and CityCouncil almost 2 terms to finally pass an "Inclusionary Zoning Ordinance", they apparently chose the low end at 5% of a range that across North America starts at 5% at the lower end and rise to 4 times that to 20%.

I see no mention in this proposal about Focus Equities' commitment to provide family doctors for all the mainly new to Victoria owners and tenants in this expansion and handful of variance requests. Nor does it appear to contain any mention of the expansion of VicWest streets to accommodate the large additional automobile population that will live in this expansion nor any widening of sidewalks necessary...

Mayor and Council, do the right thing and send 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road back to the drawing board. And while you are at it, consider cutting down the height of the Dockside Green phase 2 "wall of towers", so that the remainder of that project reflects the clear opposition of the neighbours who attended the long ago public hearing that up zoned BOSA Construction's "Dockside Wall" phase 2.

Thank you,

Andrew Beckerman
711-100 Saghalie Road
Victoria V9A 0A1

PS: Remember "No Developer ever purchases a development site unless the current zoning would offer a profit."

----- Forwarded message -----

From: **Bob and Glenis Jackson** <[REDACTED]>
Date: Fri, Aug 4, 2023 at 9:50 AM
Subject: Re: REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and # 200 - # 210 Kimta Road.
To: Bob and Glenis Jackson <[REDACTED]>

ATTN: Mike Angrove, Senior Planner

Attached is the email we sent regarding development on the Bayview Place development by Focus Equities in May 2023.

We are still of the same mind. We bought this property from blueprints and a model site plan for the whole Roundhouse site.

We have been waiting for more than six years for this development to be completed. We are still behind it 100% and understand the changes needed in a changing City.

Robert and Glenis Jackson
#1403 60 Saghalie Road
Victoria BC V9A 0H1

-

Rezoning Application for the Roundhouse Development Site at Bayview Place.

We are current and original owners of our unit at 60 Saghalie Road.

We would like to express our complete agreement with Focus Equities rezoning proposal.

We look forward to constructive usage of the property as expressed by Mr. Mariash and his Associates.

This project is long overdue.

Robert and Glenis Jackson
#1403 60 Saghalie Road
Victoria BC V9A 0H1

Dear Mr. Angrove,

I would like to voice my opposition to increase height and density to proposed buildings in this area.

I believe increased density has a detrimental affect on our environment, our community, and future public safety.

I didn't need to look far to find information that speaks to this:

<https://www.nationalgeographic.com/environment/article/urban-threats>

http://theoryandpractice.planning.dal.ca/_pdf/multiple_plans/mdalton_2017.pdf

A passage from this Dalhousie U document is of note:

...Not only has it become fashionable to live densely, but the positive effects density has on consumerism are hidden under the guise of environmentalism. One of the appeals of density is walkability, but as Quastel et al. (2012) find, while walkability is thought of as a way of protecting the environment by decreasing car use, middle and upper class gentrifiers see it as a consumer good that gives urban areas a rural quality. Sustainability policies assist with local economic growth by attracting and retaining the middle and creative classes, leading to rising housing costs and a new community culture that displaces working-class residents. As Kern pu it: "The 'greenwashing' of intensification means that critical questions about the process and outcomes of urban redevelopment are effectively evaded" (2013, 663), thus intensification is rarely questioned...

Aside from scholarly articles, recent lived experience provides sufficient evidence that we can't push our environment further. July was the hottest month in history, globally. We can't support projects that continue to push our beautiful environment to the brink.

Also, Victoria is experiencing ever present crime and risks to public safety. Increasing density increases the likelihood for this to continue or get worse.

These proposed amendments put all of us at risk.

Please stop this from moving forward.

Best regards,
Cathy Mally

Dear Mayor and Council.

It is with regret that I rescind my former position of support of the the plan for the rezoning of the Roundhouse site. The open house I attended in the spring had mixed messages and the handout that was given turned out to be an old plan, not the current one.

I see the plan as being merely a forest of towers. It is not the vision we should have for Vic West or for the historical Roundhouse.

When I moved to Vic West in 2005, I was assured by the developers that we would have something like Granville Island in three years. Three years passed, and there was another open house. I was once again assured we'd have something like Granville Island. Coming from Winnipeg, the least I expected was something like The Forks. Now they're talking 15 years. They obviously were clueless in 2005. What else have they dropped the ball on?

The rents were going to be too high and the developer couldn't entice anyone to be a cornerstone tenant, so they decided to go to a forest of towers instead. The graceful rock outcropping on Esquimalt Road will be destroyed and a wind tunnel and shadows created for those at Catherine and that street. The developers have admitted that they have not looked into wind effects.

In addition, the developers have admitted they haven't looked into traffic problems. The increased traffic will be too much for Esquimalt Road, and as much as we hope people will use their bikes, only a small percentage actually get out of their cars. The pollution, noise, and accidents will affect my neighbourhood.

This, instead of a friendly, low profile set of market buildings and some green space. The developer has already put my own passive solar condo in shadow for a couple of hours a day, causing a need for extra electrical heating in the winter. This was a huge mistake. We shouldn't go ahead simply because a mistake was made in the past.

Who wants to go shop at a small warehouse drowned by a dozen high-rises? There's no heritage in that!

I am vehemently against the latest proposal by Bosa Properties.

Sincerely,
Carol S. Roberts, P.Eng. (non-practising), MBA
409-455 Sitkum Road
Victoria, BC V9A 7N9

Good afternoon,

Please find attached CRD comments on the proposed OCP amendment.

Regards,

Aggie Chan

Senior Administrative Secretary | Real Estate Services



[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | www.crd.bc.ca



Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7

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CRD Staff Referral Response Form

Referral No.: Proposed Official Community Plan amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road

	Interests Unaffected	Approval recommended for reasons outlined	Approval recommended subject to conditions	Approval not recommended due to reasons outlined	Comments
Executive Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Finance & Technology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Integrated Water Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No comment
Legislative Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Parks & Environmental Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	With reference to the Roundhouse at Bayview Place, kindly note that CRD manages the E&N west of Catherine Street and would like to discuss the proposal for connectivity as it relates to the E&N. Dominique Moghaddam Planning Assistant Regional Park [REDACTED]
Planning & Protective Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RSP has reviewed this referral and found that it is aligned with the Regional Growth Strategy. The proposed density and building heights are appropriate given the proximity to downtown, the character of the surrounding neighbourhood, and the presence of transit and active transportation links around the development. The City of Victoria has completed extensive public engagement on this project, addressing many community concerns and supporting policy directions set by Council. One aspect that will require ongoing input from CRD staff is the proposed future multi-use trail that will run through the site. CRD Parks and Regional Strategic Planning will continue to interface with City of Victoria staff to coordinate implementation and ensure that the new trail appropriately integrates with existing regional cycling infrastructure in the area. Noah Brotman Research Planner Regional & Strategic Planning E: [REDACTED]

Attention: Mayor and Council; Mike Angrove, Senior Planner
City of Victoria

To whom it may concern:

As neighbours, ratepayers and citizens, we oppose the proposed Official Community Plan amendment for 251 Esquimalt Rd., 355 Catherine St and 200 Kimta Rd. for the following reasons:

- a. Nine buildings as proposed are far too many for this site; heights and densities are astonishingly excessive;
- b. The developer was granted rezoning years ago in exchange for promising to renovate heritage properties, failed to deliver, and now seeks an outrageous development amendment, knowing he can scale back and still achieve outcomes that fly in the face of the OFC and years of heritage planning;
- c. The sheer scope of this project and resultant population increase will overtax services, infrastructure, roads, etc.;
- d. The steam-era railway roundhouse, related buildings and railyards, a national historic site, will be rendered meaningless by such a high density mega-project;
- e. Most importantly: this proposal overwhelmingly serves the very wealthy; it will not address current housing and economic pressures in Victoria, only add pressures in an already challenging area.

We take exception to the "It's Your Neighbourhood" planning bias: "The proposal is consistent with many of the broad objectives in the OCP and advances a number of strategic goals related to housing, parks, and open space, urban design and placemaking, and community well-being." Valid arguments can be made to dispute that statement.

We urge the Mayor and Council to reject this amendment. You do not need to acquiesce to this developer's fantasy in the flawed belief that it will help solve real problems faced by citizens and visitors.

Sincerely,

Don Bourdon and Margery Hadley
Songhees

Dear Mr. Angrove.

Attached are copies of 16 signatures from residents of 65 Songhees Road requesting the City of Victoria deny the above-referenced rezoning proposal and return to the original application approved in 2008.

Thank you.

Don Gordon



- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

We, the undersigned, **urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan.** Please protect the upstanding, voting, tax paying citizens by honouring your role as public servants and protecting our community from becoming another overly congested neighbourhood.

Thank you.

DATE	NAME PRINTED	SIGNATURE	ADDRESS	PHONE NUMBER /
July 7/23	BILL MITCHELL		#303-65 Songhees Rd	
"	CHERYL BEICAR		#303-65 Songhees Rd	
10	DAVID SHINGARNE		306-65 Songhees	
10	LINDA SCOTT		306-65 Songhees	
July 11/23	Bob Newton		301-65 SONGHEES RD	
July 11	GAIL MacLEOD		101-65 Songhees Rd	
"	JIM MacLEOD		101-65 Songhees Rd	
July 12	GORDON BARR		201-65 SONGHEES RD	
July 12	Jocelyn Barr		201-65 Songhees Rd	
July 13	Kelly Bradley		202-65 Songhees Rd.	
July 14	Pamela Arora		204-65 SONGHEES RD	
July 15	RONALD FERRIS		206-65 Songhees Rd	
2023 July 15	JANET FERRIS		206 65 Songhees Rd	
July 15	Diane Schille		105 65 SONGHEES RD	
"	Dale Schille		"	

Att: Mike Angrove, Senior Planner

I am writing this in response to a letter received in the mail entitled 'It's your Neighbourhood'. I am hoping that what I have written, and what numerous others in our neighbourhood have written in opposition to this new amended proposal will be taken seriously as the downside of this new plan as I see it greatly outweighs any of the benefits that are so vaguely described.

This new proposal does nothing for the proposed 'community well-being' of the area. Nineteen hundred additional residential units in that small parcel of land will only add to the already increased traffic/chaos in the area with the recent additions of the Marina, Restaurant, and bike lanes. How many more people will those additional units represent? 3000?4000? Density for the sake of density will do nothing to enhance anything. There are 1900 parking spaces allocated for these units. It is my understanding that there have not been any road or traffic plans as yet to accommodate this huge influx of people and vehicles to this already 'dense' area. How will it affect the already busy two bridges? For a project of this magnitude, the road and traffic situation should absolutely be part of the overall proposal and not something to be figured out after the fact. Traffic in the area will be hugely affected and clarification of what is to be done to accommodate the 'new' traffic situation needs to be addressed before the fact - not after.

Only 156 of the 1902 units will be dedicated to affordable housing/rental means that 1746 units will be dedicated to only the folks that can afford high priced condos. I'm just

not that excited about several years of noise, dirt, construction traffic, outhouses on the street again in my once serene neighbourhood just to accommodate those folks. We just went through it with the Marina and bike lanes - please slow things down. These decisions are irreversible and will have a huge impact on thousands of us in the neighbourhood for the next several years. The original Roundhouse design guidelines are what we in the neighbourhood believed was 'The Plan'. Let's stick to that plan.

Thank you very much for your attention to this matter.

Don Gorman

Sent from my iPad

Dear City Councillors,

I am concerned about developments being considered in West Vic, our home.

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West.

There are countless reasons for opposing this amended proposal. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood

residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).

- It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR.
- “The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.” Page 14, City Planning Staff report, April 20, 2023.
- “The proposals at 4.75 FSR appear inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E &N transportation corridor, respects the heritage precinct and overall OCP (Official Community Plan) policies geared towards positive placemaking.” City Planning Staff report, April 20, 2023.
- “... the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 ... does not sufficiently meet the applicable design guidelines and policies and should be declined....”. Motion passed by The Heritage Advisory Panel Review on May 17, 2021.
- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!
- The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to see or experience.

- It would totally overshadow and diminish the Roundhouse and heritage properties.
- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned

development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.

- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Denise Larsen

#847 205 Kimta Road

--

Denise Larsen, Ph.D., R. Psych.

Dear Mayor and Council and City of Victoria Development Services:

I write again in **IN FAVOUR** of Increased Density and Increased Height at 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road – REZ00729 – The Roundhouse at Bayview Place – Phase 2.

I have lived within a 200 meter radius of the subject property for 13 years and am very familiar with the site. I am in support of increased height to provide **as many new homes as possible** during a housing crisis. This is a rare opportunity for our community to be blessed with housing supply. I am vehemently in support of the increased density and heights required to create those homes.

I am a business owner in the community, and one of the major challenges we face as an employer is labour. Labour cannot afford housing in Victoria - particularly due to the lack of supply. We need your support of this project to create a vibrant, affordable and livable Victoria for all. Continuing to stifle available supply based on the opinions of a few disadvantages our city's vibrant future.

The heights proposed are consistent with other nearby buildings already built (Encore and Promontory), as well as other beautiful tall buildings on Victoria's skyline, such as Hudson One. The tall, slender profiles allow for excellent view corridors and the project's numerous community amenities would be a welcome addition to the neighborhood. The development at Dockside Green has substantial massing, with buildings close together and has blocked view corridors - fat, low buildings do not create bright, airy spaces the way tall, slender buildings do.

Additionally, precedent has been set by the floor space ratios granted for other nearby developments for higher FSR's. I urge you to consider aligning the FSR for this site with those precedents you recently set.

- Roundhouse FSR = 4.75 (the developer has self-elected down to this to advance the project, so it remains economically viable)
- Chard Development at Douglas and Caledonia FSR = 6.75
- Starlight Development at Harris Green FSR = 6.1

At a time when I walk daily through the park at Vic West, and see numerous tents permanently erected, blocking the creation of homes seems egregious. Please, support this project moving forward - because the empty land sitting underutilized is serving no one.

Sincerely,

Daniel Melnyk
814-100 Saghalie Road
Victoria, BC V9A 0A1

To the attention of Mike Angrove, Senior Planner - Development Agreements and Victoria City Council and Staff;

We are writing in reference to the City's consideration of changes to zoning OCP bylaws related to the proposed development at 251 Esquimalt Rd (Catherine St and Kimta Rd).

We are residents of 60 Saghalie Rd. We bought a condo in the Tower pre construction as our primary residence. We have lived here since 2019.

While we support the need for housing and densification in Victoria, we do not agree with the current proposal to amend the bylaw to allow for the proposed dramatic increase in height and density. Increased density should be reasonable for the area and this proposal is not. It includes too many buildings and the heights would dwarf the historic Roundhouse and crowd the site. We are also concerned about the impact on traffic in the area and the overcrowding that will result, also given the nearby developments at Dockside and at Bay St. It is too much density for one part of Victoria.

We hope you and the City Council and staff will require the developer to adhere to current OCP bylaws for density and not allow so many towers at such increased heights in one relatively small site.

Thank you for considering our input.

Ellen Reynolds and Tracy Martins
60 Saghalie Rd
Victoria, BC
V9A0H1



Sent from my iPhone

Hello, Mr. Angrove. Thank you for the opportunity to respond to the proposed changes to the Official Community Plan for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road.

I do not support the changes to the proposed development. While I do not oppose the increase in density, we need to recognize the implications on the transportation infrastructure.

1. Road capacity

Considerations for increase in personal vehicle traffic need to include entrances and exits to and from Esquimalt Road, to and from parkades, and the design of the lanes themselves (e.g. the turn from Saghalie onto Kimta is very tight for vehicles to pass each other).

Also, we need to recognize that increased housing density ideally results in increased public transit activity. The current route along Esquimalt Road needs to be evaluated to determine impacts on overall traffic flow if bus traffic increases. Ideally, a transit station should be built into the development so the municipality will have to address exit and entrance to Esquimalt Road, rather than be stuck with juggling space for buses, bicycles, and private motor vehicles around safe bus stops on Esquimalt Road.

2. Delivery Vehicles (short term parking)

Given the growing practice of online shopping and delivery, there has been a significant increase in delivery van traffic. Everything from Amazon, UPS, FedEx, Canada Post and other courier vans, to Skip the Dishes, home grocery and prescription delivery in smaller vans, results in multiple delivery vans in our neighbourhood where there is very little parking for these vehicles. This often means vehicles illegally parked, blocking parkade entrances, covering crosswalks, or simply stopping in the middle of the road with four-way flashers on. While I suspect the original designs were intended to accommodate these vehicles, the reality seems to indicate the designs underestimated the growing demand.

3. Emergency Vehicles

A very important aspect to the revised development plan is access for emergency vehicles. The area currently sees regular police, ambulance, and fire truck traffic. With an increase in density the statistics highlight an increase in this type of traffic as well.

4. Contractor and Service Vehicles (all day parking)

In speaking with strata members of properties around the city, it is becoming increasingly difficult to attract bidders for contracted work due to the lack of parking for contractor vehicles while crews are working. Should they be fortunate enough to find street parking, contractors are limited to two hours. This impacts productivity and often causes frustration. Should the Bayview development increase density this need must be factored into the design.

5. Move in/Move Out

The neighbourhood is already stressed with the amount of moving van traffic. Promontory has one short term (15 minute) spot that is small and difficult for moving vans to access. Encore has no dedicated parking for moving trucks, so trucks simply block the road for hours at a time. With an increase in density, including an increase in rental units, moving vans will be coming and going even more frequently each and every month.

6. Missed Opportunity

The traditional argument has been that commercial vendors are reluctant to set up in the area because they need higher population density to support their commercial operations. I am disappointed that the revised design does not capitalize on the "Granville Island" type market to service not only locals but to attract tourists. The neighborhood would benefit from the vibrancy that would exist if the area were identified as a Granville Island style marketplace. The historical aspects and the plethora of agricultural and artisan vendors in the greater Victoria area would attract visitors and locals alike.

This expands upon the trends to create activity centres which include community, tourism, consumer, institutional and economic activities.

Respectfully submitted for consideration,
Greg Gilks

Mike Angrove,
Senior Planner - Development Agreements
City of Victoria

August 04, 2023

Dear Mr. Angrove,

I write in response to the proposed development at Bayview Roundhouse and respectfully request you to reconsider this proposal in its current form. I am referring to the Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 - 251-259 Esquimalt Road, 45 Saghale Road, 355 Catherine Street and 200-210 Kimta Road.

I very well understand the current enormous need for housing in Victoria but building high-rises fast and furiously is not the answer we need to address these complex problems.

Urban planning has for some time now been considered good, at its best when all aspects of livability and neighbourhood development are considered and built into the plan as opposed to erecting the greatest number of highest condo buildings at greatest density, more than double the current zoning density for the area. Insufficient regard at the planning stage for infrastructure, services, long term livability is necessary to ensure successful communities.

Some questions and thoughts follow.

To what extent will this proposed development **actually** ameliorate affordable housing and the missing middle crisis? Who will buy or rent these condos? At what price? Aging folk? Are families welcome? If so where are the parks, playgrounds, schools for them? Where will the clinics be? And the medical personnel to staff them?

Medical services - a huge issue for Victoria, and for some considerable time now. Despite new clinics being established none seem to include Vic West in their catchment area. A significant increase in population can only exacerbate this existing problem. (On a personal note, my husband and I have not had a family doctor in Victoria since November and December 2019. We are soon to be 80 and 77 respectively.)

Roads, traffic, parking - Kimta Road, and those leading off it to the waterfront are busy at this time of year with many people using the Songhees walkway; with the bike lanes now in place the street is very narrow in places and much busier. How will nine (9) new condo buildings with up to 29 stories be accommodated? Kimta Road cannot handle much if any additional parking. Has the impact on the Bay Street and Johnson Street bridges been studied? These are the exit/entrance points for the community.

One small mall currently exists in Vic West. With no further development of business services and retail, especially a grocery store, other than "boutique retail", people will need to use their cars to shop in Esquimalt, Tillicum, James Bay and downtown. Traffic gridlock? Currently Esquimalt Road at times backs up to past Tye Road with traffic trying to access the Johnson Street Bridge. This will worsen considerably if or when this proposed development goes ahead, along with with the seven (7) new towers on Tye Road with more to come in the Dockside development, existing Bayview condos off Esquimalt Road, and the Rail Yards.

Good planning surely requires that Bayview Roundhouse proposed Rezoning and Development be considered in its context and not as an isolated project. Infrastructure and social requirements must be provided for the area as a whole with the overall density being considered.

Cultural and gathering places - The Roundhouse is special and has a history and location that makes it a natural and ideal place for cultural activities and a gathering place, including a theatre and possibly a market, perhaps along the lines of Granville Island Market, a huge success in Vancouver. It belongs to the people of Victoria not a developer. Will the existing six (6) historic buildings be preserved and the railway right of way maintained?

Public input is essential and I do appreciate this opportunity today to have my say. However we need further planning, more input, public meetings and answers to a multitude of questions that have been raised and at this point not answered - transit; medical services; other services such as schools and playgrounds; roads, traffic flow, parking and access for residents, visitors to the area, fire, police and ambulance access; increased demands on sewer, water, garbage; who pays for the remediation of the soil; compliance with the City's climate action plan; the list goes on. More data and information is required to prevent later problems which would be much more difficult and expensive to address.

I know you have received feedback which speaks to technical issues much more than my simple letter and impassioned plea for a considered second look at this proposed development can do. And I know the City of Victoria has very able planners. More to the point, as a very able Mayor and Council you have a huge and exciting opportunity here in Vic West. Informed decisions based on all the necessary information for the good of the City of Victoria now and into the future and for the good of all local communities will make you a very much appreciated and memorable Council and Mayor.

All best wishes,

Jan Eastman and for Terry Eastman
634-203 Kimta Road,
Victoria, B.C.
V9A6T5



CC Mayor Alto and City Council

Dear Mayor and Council and City of Victoria Development Services:

I write again in **IN FAVOUR** of Increased Density and Increased Height at 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road – REZOO729 – The Roundhouse at Bayview Place – Phase 2.

I have lived within a 200 meter radius of the subject property for 13 years and am very familiar with the site. I am in support of increased height to provide **as many new homes as possible** during a housing crisis. This is a rare opportunity for our community to be blessed with housing supply. I am vehemently in support of the increased density and heights required to create those homes.

I am a business owner in the community, and one of the major challenges we face as an employer is labour. Labour cannot afford housing in Victoria - particularly due to the lack of supply. We need your support of this project to create a vibrant, affordable and livable Victoria for all. Continuing to stifle available supply based on the opinions of a few disadvantages our city's vibrant future.

The heights proposed are consistent with other nearby buildings already built (Encore and Promontory), as well as other beautiful tall buildings on Victoria's skyline, such as Hudson One. The tall, slender profiles allow for excellent view corridors and the project's numerous community amenities would be a welcome addition to the neighborhood. The development at Dockside Green has substantial massing, with buildings close together and has blocked view corridors - fat, low buildings do not create bright, airy spaces the way tall, slender buildings do.

Additionally, precedent has been set by the floor space ratios granted for other nearby developments for higher FSR's. I urge you to consider aligning the FSR for this site with those precedents you recently set.

- Roundhouse FSR = 4.75 (the developer has self-elected down to this to advance the project, so it remains economically viable)
- Chard Development at Douglas and Caledonia FSR = 6.75
- Starlight Development at Harris Green FSR = 6.1

At a time when I walk daily through the park at Vic West, and see numerous tents permanently erected, blocking the creation of homes seems egregious. Please, support this project moving forward - because the empty land sitting underutilized is serving no one.

Sincerely,

Jeremy Chiu

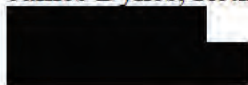
#814 100 Saghalie Road
Victoria BC V9A 0A1

To Mr. Mike Angrove, Senior Planner
Development Service
City of Victoria

Cheers,

James

James Dykes, Retired Architect, AAA, FRAIC, FSLCan



James Dykes,
407 – 50 Songhees Road
Victoria, BC. V9A 7J4
Ph: [REDACTED]
Cell: [REDACTED]
E-mail [REDACTED]

Aug 4, 2023

Development Services,
City of Victoria, BC
Attention: Mr. Mike Angrove, Senior Planner

Re: Rezoning of the Bayview Project, as discussed at the City Council of May 4, 2023,

I appreciate that the City and the Developer (Focus Equities) have gone through numerous iterations for this site over the past twenty years, but I'm compelled to express my disappointment with this latest proposal, which is such a complete departure from the original concept prepared by Hotson Bakker Architects (the architects who also designed Granville Island).

In discussion with Mr. Hotson some years ago, there was hope that this significant heritage site could provide a major asset to the city of Victoria, on par with Granville Island (in Vancouver), The Forks (in Winnipeg) and Aux Claire Market (in Calgary). However, based on the Proposed Master Plan for the Site, prepared by Stantec Architecture and submitted with the current application, it appears that this objective has somehow been lost in the process.

I understand that Council has determined that only persons with a 200m radius of the site are affected by this development, but considering that this nine tower proposal, along with the three new unoccupied towers under construction on Tye Rd. may possibly double the population in the Core Songhees Urban Designated Area indicated on Map 2 Urban Place Designations, I trust that Council may reconsider the 200m limitation and accept comments from any or all persons living in the Core Songhees Area where we currently live (650m from the site). As such, I respectfully offer the following questions and comments to you for your consideration:

1. Services in the Core Songhees Area

- a. There are only two grocery stores located in this area. Save-on-Foods in Westside Village and the Market Garden on Catherine St. The combined are not large enough to provide sufficient retail grocery services to this area, yet there is no indication in the proposal to accommodate any new grocery services in our neighbourhood. The additional density will result in more residents using their vehicles to shop for groceries elsewhere in Victoria, Esquimalt or Saanich, which seems to contradict Victoria's current position of discouraging the increased use of motor vehicles in Victoria.
- b. There are currently less than half a dozen mid-to-high standard restaurants in the area, which are already challenged to serve the demand from local residents, yet the proposal does not appear to include for any new food services.
- c. Retail services are also at a minimum already and there does not appear to be any indication of addressing this shortfall either.

- d. The question is – With this major increase in density, will residents be able to conveniently shop or eat out locally or will they have to go outside the area?
2. **Schools**
 - a. There is only one Elementary School and a private Pre-school in this area.
 - b. Will all the new children have to take buses to school?
3. **Parks and Walkways**
 - a. While there is one reasonable sized park and two dog parks in this area, is this really satisfactory to serve a major increase in population.
 - b. The Songhees Walkway is a very popular amenity for both the Songhees residents, many other Victoria residents and visitors, who flock here on weekends. The walkway appears to have capacity to accommodate more than the current users, but some policing may be necessary to keep cyclists off this walkway to ensure the safety of pedestrians.
 - c. The site in question appears to be cut off from safe access to the Songhees Walkway by a wall of parked cars, the bicycle path and traffic on Kimta Rd. Are there any plans to provide a safe pedestrian link from the site to Songhees Walkway, either underground or overhead? If not, why not?
4. **Site Development**
 - a. There is a significant drop in elevation from Esquimalt Road down to Kimta Road, yet the site plan appears to show an almost flat site, packed with 'stock' nondescript residential tower sketches, filling the site plan without much appreciation for the opportunities offered to incorporate a multi level urban plaza.
 - b. The plan does not appear to be particularly imaginative and does not seem to take advantage of the site's potential. It also seems to be lacking in any of the architectural character that makes Victoria unique. With all the beautiful vistas of the water, how will the site be developed to take the best advantage of its location without its neighbours? The principles of good site planning do not appear to have been thoroughly applied to this concept plan.
5. **Heritage Buildings**
 - a. The heritage buildings are shown on the plan, but it is not clear how they will be refurbished or re-purposed. What will they be repurposed to include?

I appreciate that you may have already addressed a number of these issues, but unfortunately, I don't have access to the complete proposal. I also understand from the minutes of the May 4th meeting that Council has directed you and your staff to undertake a variety of different activities to help move this project forward and I wish you every success, with the hope that this site will one day be a major asset for the city of Victoria to be truly proud of.

Thank you for your time and consideration.

James Dykes, E-mail: [REDACTED]
Architect (Retired), FRAIC, FSLCan
407 – 50 Songhees Road
Victoria, BC. V9A 7J4
[REDACTED]

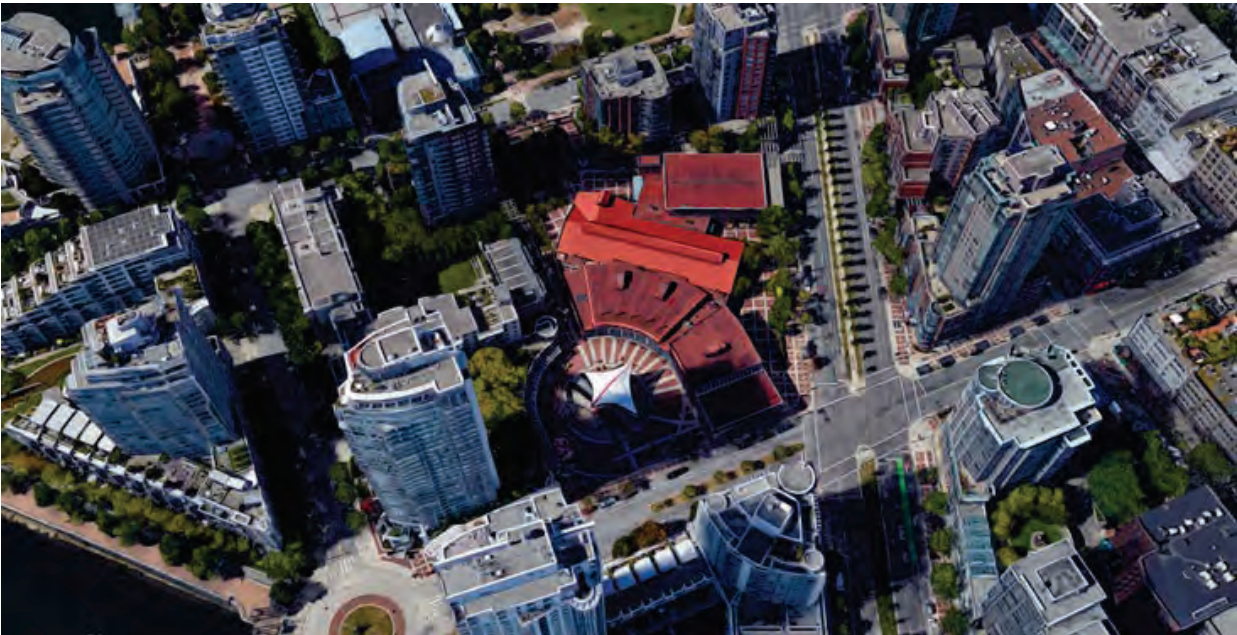
Hello Mike (and Mayor & Council by extension)

As an architect with experience in large, multi-use projects and a longtime resident of Victoria I'm writing to express my deep concern over the Roundhouse development as currently proposed.

I believe the nine 18-29 storey towers proposed is excessive and will overwhelm the site by their sheer bulk, overshadowing of public open space and close proximity to each other.

The Roundhouse buildings, turntable and railway infrastructure are duly recognized as a designated National Historic Site with extremely high public value. As the centrepiece of any new development they must be afforded adequate space around them so their architecture can be experienced and appreciated by members of the public from different vantage points including Esquimalt, Sitkum & Saqhalie Roads. *This fundamental principle is totally violated by the proposed placement of two towers flanking the Roundhouse Back Shop on sites DA-2a and DA-9. These should be removed from the proposal and additional public space provided in their place.*

Shown below is a photo of Vancouver's Roundhouse Community Centre which was rehabilitated in the 1990s as part of the large and dense False Creek North development. Although hi-rise towers are nearby, the Roundhouse there is surrounded on all sides by public open space, green space and/or lower scale buildings. It is a very successful urban design in my view.



I urge the current Victoria Roundhouse proposal be redesigned to achieve a similar outcome. I also think some increase in building density and height from that approved in 2008 may be acceptable provided excellence in the design of the public realm and respect for the heritage elements is achieved.

Finally, given that the Roundhouse buildings & turntable have been languishing for years under the current owner, I believe the City should insist their rehabilitation be done as part of the initial phase of work. This should be a prior condition of the site's overall development approval and would signal that the owner is finally serious in their commitment to the City.

Thank you for your consideration.

Jim

James Kerr, Architect AIBC

JAMES KERR ARCHITECT

1423 Haultain Street

Victoria, BC V8R 2J6

[REDACTED]

[REDACTED]

<http://www.kerrarchitect.ca>

Date: August 4, 2023

To the Mayor and Councillors, City of Victoria

Subject: Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghalié Road, 355 Catherine Street and # 200 - # 210 Kimta Road.

We currently live in View Royal but will be moving into our new condominium apartment at 363 Tyeé Road soon, so this project will be in our neighbourhood.

Victoria is a City whose scale is not overwhelming, and that's what makes it such a desirable place to live. There is a sense of room, but if the City becomes just a place of towers, it will lose its sense of spaciousness. Increased density brings with it increased traffic and a sense of crowding.

We understand the difficulty of striking the right balance between the demand for more housing with the need to preserve the features of the community that make it so livable.

The current plan seems to us to be too dense with excessive heights, and we hope you will find a way forward that works for everyone.

Jim Ramsay and Owen McCooley

Jim Ramsay
304B Stewart Avenue
Victoria, BC V9B 1R7

I am writing in response to the proposed community plan amendment and rezoning for 251 Esquimalt rd, 355 Catherine St and 200 Kimta Rd

I have lived in VicWest for close to 14 years. I reluctantly moved to this side of the bridge from Fernwood. After moving, it did not take me long to realize how amazing VicWest is and, a few years ago, when I had to move out of the house I was renting, I made sure I stayed in this neighbourhood. I now rent an apartment 5 minutes from my old house. I love so many things about this neighbourhood. I love being able to walk to most places I need to go (grocery, pharmacy, hardware store, physiotherapy, eye doctor, hairdresser, downtown, etc). I love all the great businesses in the area (also within walking distance) like Fantastico, Big wheel, La taquisa, Spinnaker's, the market garden, Fry's, Thai green elephant, Driftwood, Saltchuck, Moon Under Water, Boom and Batten. I love all the parks and walkways like the Songhees walkway, the galloping goose, Bamfield park, Vic west park, the skate park and the sense of community they foster with events like drag ball, Vic West Fest, wonderment, corn days/zucchini races, and Swimfest. I love many of the changes that have happened in this neighbourhood since I first had friends who lived here and I used to ride my bike up the desolate dirt hill next to the Queen Mary on Harbour road. Now, that dirt hill is Dockside Green and I love walking through the beautiful pathway they created with ponds and ducks and trees and the local garden they've partnered with where I can go and buy veggies grown a few blocks from where I live. With the exception of one of the newest buildings, I love the unique living spaces that the Railyards has created. One of the things I love the most about VicWest is that, as I walk around to all the other places I love, I get beautiful views of things outside the city, like the Olympic Mountains and the Sooke Hills.

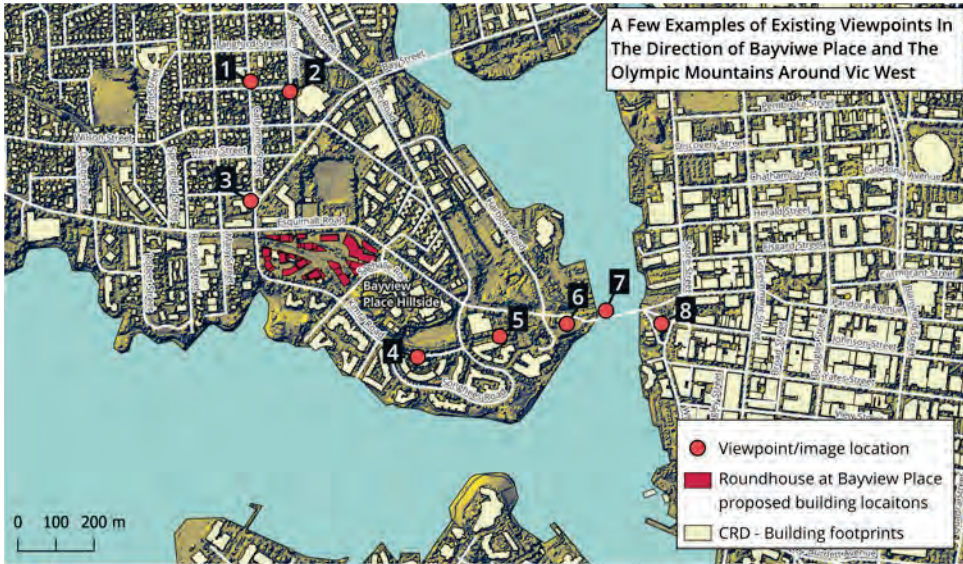
Since first hearing about it, I have been anticipating the development at the roundhouse. Although, I do appreciate walking through that area as it is now, with the overgrown tracks and the mostly abandoned looking buildings, the wild poppies and other flowers in the spring, and occasionally seeing an otter in the large pool of water that used to show up during particular rainy parts of the year. That area has so much potential and possibility to build on and add to the wonderful and unique community of VicWest. Unfortunately, based on what has already been built on Bayview Hillside and the proposed development plan, I do not think it will be a good addition to Vic West. The existing towers at Bayview continue to be one of the most out of place, intrusive and overbearing additions to the neighbourhood (see attached map and photos of views from various locations and please excuse the poor pictures taken by my cell phone that do not do the views justice). The Roundhouse development proposes to put buildings equally high or higher than the existing Bayview towers, a block away from the ocean further creating a divide between those who have the money to buy a condo in one of these new basically ocean front buildings and those who will only ever be able to rent and will continue to be separated and divided from the beauty of the nearby ocean and mountains. I do believe that buildings of this size can exist in Victoria, I just don't think they have a place one block from ocean. I sincerely hope that the roundhouse goes forward at some point in the future, but not as it is currently being proposed and only with the existing zoning and restrictions on building heights.

Sincerely,

Kristen Kilistoff

109 Wilson St





Attention Mike Angrove
Senior Planner-Development Agreements

I have resided at Bayview One since 2010, first as part time but full time since 2017. The original proposal was a major attraction.

I understand that major issues with the remediation of the land derailed that development. But I believe this new proposal is a stepback from the original 2008 plan.

My biggest concern is the building identified as B4 at the corner of Esquimalt and Sitkum Roads.

I guess an empty piece of land to a developer is like dead air to a radio talk show host, something bad, that needs to be filled.

Indeed, the site of building B4 is on an area of land so small that the delightfully named E&N Tower when completed to its full 23 storeys would be so pencil thin that it might actually resemble a railway track itself.

Its positioning on the property would also appear aesthetically displeasing, a monster of a building dominating Esquimalt Road. On its side of the street is a series of low profile heritage buildings. Across Esquimalt Road is a playground/skate park and lawn bowling club. Further, building B4 is positioned directly in front of the only "round" portion of the Roundhouse. At best this building only serves to add to the "moonscape" of towers dotting the development.

Probably the first vision of what the Roundhouse District could become was a bit idyllic, and destined to crash in the full light of reality. But I believe the existence of such a structure inside city boundaries is something to be celebrated and highlighted, not hidden behind a tower. Preserving such a valuable Heritage treasure is surely a goal to strive to attain.

As for the building itself, it is presented as a market Condo/Hotel which would not help with the city's plan for more rental housing. And it would also presumably present an increase in traffic on Sitkum Road, which is already strained, serving three full-sized condos on the Bayview Hill.

Those are my views. Thank you for hearing them.

Sent from my Galaxy

Mayor, Marianne Alto

City Councillors, Jeremy Caradonna, Susan Kim, Matt Dell, Stephen Hammond, Krista Loughton, Dave Thompson, Marg Gardiner, Chris Coleman.

Mike Angrove, Senior Planner

City Hall

1 Centennial Square
V8W 1P6

developmentsservices@victoria.ca

mayorandcouncil@victoria.ca

Dear Mr. Angrove and Victoria Mayor and City Council,

I am writing to express my opposition to the rezoning application before council for the Bayview property in Vic West.

There are countless reasons for opposing this amended proposal. Here are some of them:

- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City and neighbourhood residents in exchange for agreeing to refurbish the Roundhouse and heritage properties (which was never done).
- It almost doubles the current zoning density for the area from 2.5 FSR (floor space ratio: total area of floors divided by total area of site) to 4.75 FSR.
- “The proposal is inconsistent with the envisioned height and density of 16 to 23 storeys and 2.5 FSR found in the Victoria West Neighbourhood Plan.” Page 14, City Planning Staff report, April 20, 2023.
- “The proposals at 4.75 FSR appear inconsistent with achieving high quality architecture and urban design in a way that ensures adequate protection for the E & N transportation corridor, respects the heritage precinct and overall OCP (Official Community Plan) policies geared towards positive placemaking.” City Planning Staff report, April 20, 2023.
- “... the Heritage Advisory Panel recommend to Council that Rezoning Application No. 00729 ... does not sufficiently meet the applicable design guidelines and policies and should be declined....”. Motion passed by The Heritage Advisory Panel Review on May 17, 2021.
- The current proposal is 9 buildings with up to 3 hotels now instead of the prior approved 5 buildings!
- The views for tourists and people arriving via the harbour will look like any overly developed, large city waterfront; this is not what draws people to Victoria to see or experience.
- It would totally overshadow and diminish the Roundhouse and heritage properties.

- Artist illustrations show that the spectacular views and seasonal daylight currently enjoyed by residents to the west, north and east of the rezoned development, including those who invested in the existing Bayview buildings, would be ruined by the structures and shadows cast year-round.
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years.
- The City of Victoria has not carried out a due diligence exercise with respect to the developer itself or with respect to impacts on traffic, waste disposal, wind effects, access to schools, day care availability, parking, etc.

I am not opposed to development, but I am opposed to this level of density and appeal to you to reject this proposal and listen to the voices of moderation from your constituents. This is not the Victoria we want.

With concern for my city,

Michael Gulayets
#847, Kimta Rd
Victoria, BC V9A 6T5

Dear Mayor Alto and Councillors,

Attached please find our letter re the above mentioned re-zoning application.

I have copied Mike Angrove, as the senior planner for development agreements.

Yours truly,

Michael Nation
217 Mary Street

August 3, 2023

Mayor Mariane Alto and Victoria City Councillors
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Alto and Councillors,

Re: Focus Properties application for re-zoning the Bayview Development

We live within 150 yards of the development and would like Council to reject this application for re-zoning.

City staff have rejected the proposal which would result in an FSR of 4.75, nearly double the original plan's 2.5. They have declared it would overwhelm the area with a large mass of buildings, way beyond the scale of buildings appropriate to, and existing in, the area. Your planners have recommended an FSR of 4.0.

We are pleased with the inclusion of 156 units of affordable housing (8.2% of the total) although we point out that these are "ghettoized" in one building, as opposed to the affordable units in the original Dockside Green site which were integrated throughout the development. We note that there will be a further 150 units (7.9%) which might be rentable at less-than-market prices. However, the remaining 1,600 units (84%) will be available only for families with high incomes and will not be part of any solution to Victoria's housing problems.

Even if the FSR is reduced, with the proposed increased height of the buildings the number of units / residents—and therefore the impact on the neighbourhood—would be the same. The pressure from the added vehicle traffic and parking, the blocking of viewsapes, and the increased noise levels are likely to overwhelm the location, and lessen the quality of life of current and future Bayview residents as well as residents in adjoining condominiums.

A consultant asserts that Bayview will be a "walkable community" but we think this is unlikely, given that the majority of the residents will be very well-off financially and will use their cars other than for short distances in the immediate vicinity. Nor will they be riding the #15 bus.

With regard to the 40% of the site which Focus Properties states will be publicly available amenities, this is true. But the 40% is not additive: it's already there, and already used by the public, though the development will certainly make it more attractive

Focus Properties is taking advantage of many public benefits already in place—roads, parking, sidewalks, parks, harbour views and harbour walkways—in exchange for a density which only benefits them.

August 4, 2023

" IN FAVOUR OF ADDED DENSITY AND ADDED HEIGHT "

Attn: Mike Angrove - Development Services - Senior Planning

City of Victoria
Department of development Services
1 Centennial Square
Victoria , British Columbia V8W 1P6

Re: 251 Esquimalt Road, 355 Catherine Street and 200 - 212 Kimta Road - The Roundhouse at Bayview Place - Phase 2 - Development Site located on the Songhees Hillside in Victoria West
Subject : Height & Density

Hi Mr. Angrove:

I am " In Favour " of increased height beyond the applicants request / increased density beyond the applicants request / flexible floor plate sizes 7 to 9,000 sf / for various types of multi residential building forms whether the building is a condominium building , a rental building or is a hospitality building.

I believe that the height and the density are to be considered relative to " site shape " and " site function."

That means the site should be considered at grade and below grade because the sites are irregular and where there is (parking is to be located) along with required storage.

Parking or storage today may not mean motor vehicles and may mean bicycles or kayaks or other things but space is required for anything that is considered transportation. There is also no reason that electric charging can't be shared like a modern gas station that dispenses gasoline, so that individuals are responsible for the cost and the electric facility shared. Over doing infrastructure just drives up costs . Given the modernization and rapid development of charging methods becoming available, mandating too much infrastructure is just expensive and potentially wasteful. There are more issues with electrification than people want to deal with.

Of course, general site conditions and flexible floor plate sizes must also maximize the opportunities to problem solve missing housing types required by our community. If three bedroom rental or three bedrooms condominium homes are desired for

families , then a commensurate floor plate size needs to be considered . These variables differ from site to site and all help determine the best and highest use for a building site and its building form. I worry that staff and council are too focused on " one size fits all " when it does not. Governance is different building type to building type also. I would encourage allowing development to unfold and that officials allow a developer to propose solutions to problems as buildings are developed. This is a rezoning process and this is an Amendment to the Official Community Plan and Amendment to the Roundhouse Design Guidelines. It is not a development permit application.

One size does not fit all. Multi residential buildings are very different from rental buildings often operated as for profit or even non profit.

I am " in Favour " of increased density because (density = square feet) and we need as many homes in British Columbia and Victoria as we can get in multi residential building opportunities because Victoria area land is scare and even non existent. By 2030 the province wants 575,000 homes when only 42,000 are built per year? We have a skilled labour shortage and we have a lot of work to get completed. I have paid for VISAS to get skilled labour from other countries for Victoria in the past. The rezoning process is no cake walk but neither is execution.

Housing shortages create a domino effect of problems beginning with affordability.

I reside within a 200 meter radius of the subject property. I am the strata council President at the Bayview One Building at Bayview Place and a stakeholder. I am a founding member of the Bayview Place Community , who knows the neighbours, has studied the area, written detailed, modern , condominium disclosure statements for the property with multi residential buildings in mind, created bylaws for the buildings and rules by which the buildings operate. Every disclosure statement written for Encore, Promontory and Bayview Buildings was clear about the Phase 2 site being completed and no one owns their view? Height Fright by older or establishment NIMBY neighbours not willing to visit the information site, who never studied a model or unwilling to share our vision of the community has been disappointing. The condos facing the Inner Harbour have a front row seat to an ocean view as they occupy the best site in Victoria . These residents are not acting reasonably in their complaints about height and density nor are they engaging in any fair or reasonable engagement process.

Eighteen years ago , I spent months in Vancouver with residential building managers to find out how their buildings got broken into , how cars and bicycles were stolen , how trash rooms are arranged , how move in and move outs are conducted , how many elevators were required in a residential building based on population . I wanted to determine what worked and what did not work to achieve a calm and reasonable living experience with lots of neighbours arranged in one building container? I feel the same about our the housing crisis and climate change. We can help effect change and I also feel that the councilors know that.

I have championed and prevailed at stopping VRBO and Air B& B occupancy in multi

residential building intended for residential use only , by using City of Victoria residential zoning bylaws currently in place that prohibit that tourist based business. My efforts are supported by Denton's property lawyers to promote long term rentals at multi residential buildings by not having short stays. I have also succeeded in establishing both a non smoking building (Bayview One) and a minimum of one year rental term for units that are rented by their owners to help renters establish community roots . We actively work on creating permanent residents for our community. We have families at our building with small children and we look after them with heightened security measures.

Victoria is an employer for government , military , numerous higher education institutions, medical and tech professionals along with many retirees and active students. Visitors should stay in hotels. I surveyed how many nationalities co existed within one building and we are at 17 different nationalities, which speaks to immigration in Canada increasing well beyond capacity. Our community professionals and students need available rental opportunities and new homes to fill the current demand and to retain young people to begin their families. As a first generation person , I have supported those who are immigrating and in fact some of the first Bayview One owners still here were immigrants.

I live with over 200 full time residents. Our building is pet friendly (dog friendly) and as a result , we have an adjacent 1.7 acre dog park. Because of my love for animals and the adjacent ocean water front and dog park , I imagined and created the first dog wash any where in a multi residential building. I also created an " in building" car wash , kayak storage , business conference room with adjacent office work room complete with color copier, computer and small conference area for people working at home. As well we have a sauna - steam area - jacuzzi - , next to a fitness facility with a community room featuring a full kitchen , pool table, games, etc.. We employ a professional property management firm that meets monthly and interfaces with the other buildings in our neighbourhood. We pay for extra security patrols as the crime problem increased. Our building uses a double entry door system , so if someone gets in , they can't get out! We rent our non occupied parking stalls and storage units to benefit the strata corporation and host events for the occupants. We are a community.

I also created an award winning exterior area with a communal firepit, stainless steel and granite exterior kitchen and BBQ area with ample seating that attracts all ages. (This amenity is by far the most enjoyed and loved.) I personally commissioned original art for the building. At present , I am working on upgrading the property for fast charge , electric car charging but I was the first planner to put in " shared " - Level One Car Charging in the parking structure and provided an electric vehicle for the building , when electric vehicles were not on anyone's radar. This planning was done mid 2006. Today, we share the charging with each other and each electric car owners contributes a small monthly fee for electricity refundable based on mileage at the end of the years.

Many of my concepts are recognized as amenities for multi residential living and are now included in many new applications presented to the City of Victoria. I don't say

much, but I contribute as much as I can for positive community living in multi residential buildings conscious of climate issues! I now take many calls from many architects and planners on what works and what doesn't. Serving on a strata council avails one of much information on how well a building serves its occupants and what problems exist. The evolution is always ongoing. There is always more to learn. Architects and lawyers catch up to the change but peoples needs, wants and desires are the change. Change is inevitable.

I am a commercial space planner by training having completed hundreds of commercial projects (of all types and some quite complicated) and millions of square feet with architects and development companies world wide. You have seen my work in film and on television. I am the planner who took over the plans for the Bayview One Building after 11 space planners failed to create legal exiting, enough elevators , security , sensible space planning for real living, including a mix of housing that included - 3 bedroom family units (that everyone told me not to build - they sold first) . I also developed the lock off unit for Promontory which was later built by C. Bosa. Commercial space planners that evaluate building use are in short supply. It's important to understand the problem you are trying to solve before you start building.

I also planned a very livable one bedroom unit. They are valued units for their sensible design and open plan concept as well as use of durable materials- (they have nearly doubled in price since March of 2009) . 25 % of the building is long term rental.

I am quite comfortable with high rise building forms and decades ago I was the planner who test planned and brought a 73 floor tower to downtown Los Angeles and spear headed industrial concrete warehouse conversions into homes. If there is land, their is a wealth of possibility!

The Bayview One building container is unusual because it is an architectural building container that is short, wide , with an articulated curtain wall - making it difficult to clean and maintain driving up costs to maintain . Local architect Paul Merrick was the core and shell architect - his team couldn't finish the working drawings but was selected as the architect from pressure by former City of Victoria Councilor Pam Madoff . DYS Architects finished the project. Paul Merrick also used our plans to complete Aria in downtown(in a different color) . He is responsible for Shoal Point and Swallow's Landing and other projects. Merrick and his team enjoyed a long run of creating short, wide buildings in Victoria. I believe Ms. Madoff was trying to do the right thing at the time and during her tenure, but it didn't work out too well as the buildings around the Inner Harbour are cartoonish. For a woman with a penchant for historical preservation her portfolio of buildings did not enhance the architectural importance of Victoria and did much to deter serious investment.

I was disappointed that these short, wide building masses by one architect continued to get traction and ruin the variety we need for modern city urbanism . Hemming in all of the available waterfront sites with the " crew cut " look of the buildings was completed on very expensive land or " A sites. " Walls of really clunky building forms?. I spent a lot of time in Europe and studied many historical references and

Victoria will never resemble Europe on any level and to believe so or think so is foolish. I heard this reference recently and was again disappointed?

If elevators were around in the 15th Century , buildings would have been much taller and would have housed many occupants. Change is inevitable. Unfortunately, demand chases supply and the problems caused by ignoring population projections for decades in Victoria is causing many of our modern problems. Land is scarce , land needs to be respected and used by maximizing available opportunities by granting density and commensurate height for beautiful architecturally orchestrated outcomes and open ground plane spaces for public enjoyment or interactive use. I'm getting my head around podiums but need to be convinced?

The Roundhouse at Bayview Place Master Plan is well positioned to receive both increased height and increased density for the greater good of the entire community as it was always envisioned for the most density in the city and is an amenity rich proposal. Politics should not hinder completion of the vision begun decades ago. It's time for new concepts of urban planning to be unleashed and for the neighbours to get over their height fright or selfish NIMBY nonsense.

Height and Density:

I am uniquely qualified to comment on height and density. I understand buildings from the inside out. I spent my career and made a living fixing architect messes because many messes are as a result of building exterior design not thinking through what the building container is meant to function as. My work is completed quietly , since the need for making building space work is what I am very good at and what creates a satisfying and successful occupant experience. Master Plans for land planning a community are similar. Why limit the potential of the land to solve problems in a serious, malignant , housing crisis? Height and density are tools uniquely positioned to deliver positive results for the greater good of our community. The application was already shaved down from 6.0 to 4.75 when projects of less land mass and less public amenity received more than 6.0 FSR up to 6.75 FSR.

Public opinion or mis information being distributed because of your inquiry about height and density including NIMBY residents or haters or pretend heritage protectors about the design of the exterior of a building or the height of a building has come to fascinate me. Victoria would not have an old , unsuccessful collection of truly ugly architectural forms trying to blend in with a few heritage buildings , if unqualified people were not interfering with urban design and leave expert design to design experts .

What's really unfortunate is that new 2022 - 2023 short wide rental buildings that are black and gray are built on the Upper Harbor today like a wall of soldiers marching up a hill ! If aesthetics, height and density had been managed and the land treated like sculpture with an arrangement of forms that were taller and slimmer more homes would be on this valuable site. The value of vacant land is at an all time high! Whether a floor plate is 7,000 or 8,000 square feet or greater depends on the site. It also matters what the purpose of the building is intended for and what will work best

to maximize the land use. One size does not fit all. Globally, multi residential building heights regularly complete with ease up to forty storeys. They are tall and slim. They are built around livable interior spaces , intended for human occupancy. Stop trying to keep it short and wide and let the site breath. Visit with your applicants and ask or tell them what the housing goals are . I guarantee they will try and help.

Non qualified people or simply selfish people (now in a historically significant housing shortage) are opining on what something looks or how tall it is instead of what something is being used for and why?

As people, we should care about how a residential building space provides useable living space and builds community. After all, people living in multi residential buildings are " sharing " their land, utilities, amenities, responsibilities and not contributing to traditional suburban housing sprawl or climate issues? If taxes are to lower, if crime is to subside or if homelessness is to get managed , those tax paying citizens , who want to live in a multi residential building should be celebrated because their sacrifice to live in common within a container and to share assists with climate change and urban sprawl. High rise living addresses a host of problems , all of which are important and none of which get solved with single family residential development near the urban core.

People sitting in their single family residential homes outside a 200 meter radius of the site or even within a 200 meter radius, that never attended a community hosted meeting, that have never stood on this site or know its history, or understand its thoughtful , problem solving capability can't possibly have an opinion on the sites potential or what its geodetic height is or isn't or what that means or wind velocity issues or bird issues or meth addict issues or homelessness, or break ins or crime ,or trash collection challenges, bicycle storage and general concerns that my community neighbours manage?

In fact, what neighbours?

The 200 meter radius has very few neighbours?

The loudest and most misinformed neighbour with the most outrageous opinions lives in James Bay and are some kind of new complainant distributing hate and mis information to hurt the progress of the development? Sure there are old timers stuck in the past that do not want change but change is inevitable in one of Canada's most desired micro climates , where people want to locate and have a right to be.

Density = Homes. We need homes. Homes are square feet . I want homes for my community ! Thank you for reading my thoughts, I am generally not this animated but I love my community and the work I have done to make my community a great place to live.

Sincerely and personally,

Patricia A. Mariash - Development Stakeholder - The Roundhouse at Bayview Place
100 Saghalie Road - Victoria - British Columbia V9A 0A1

To: Mike Angrove, Senior Planner - Development Agreements
City of Victoria

Dear Mr. Angrove,

As a resident of Vic West, living within five minutes' walk of the Bayview Properties, I write to express my deep concern and strong opposition to the proposed amendment to the Official Community Plan for the Bayview Properties, as well as the accompanying application to amend the City's Zoning bylaws. This project, as currently conceived, will not provide the housing desperately needed by Victoria residents, is out of character with the neighborhood and greater community, breaches the guidelines established by several recent key official city planning documents and entrusts the future of Victoria's historic harbour and the Vic West neighborhood to an inexperienced and contentious developer.

The major concerns I have with this project are as follows:

1. **Lack of Affordable Housing:** the Victoria Housing Strategy identified its top priorities as "Increase the supply of housing for low to moderate income households in Victoria", "Prioritize renters and renter households", and "Increase housing choice for all Victorians". I am a supporter of the "Missing Middle" initiative and strongly support an increase in affordable, family centered and ground-oriented housing in the city. We need housing for residents: nurses, physicians, civil servants, hospitality industry workers and of course the tradespeople (carpenters, framers, electricians etc.) who we expect to build new housing stock). Given the small unit size required due to Bayview's proposed tall, narrow building footprints, these condominiums will be suitable for singles and couples, not families. Also, these "market-rate" units will be out of the reach of working families. More likely, they will provide opportunities for investors as "short stay" rental accommodations, as well as vacation homes for wealthy out of towners.
2. **Overdevelopment and Density:** the proposed towers are significantly taller and denser than anything currently present in the neighborhood. Over the course of the development, the proposed building height has increased steadily from 20 to 30 stories and now would represent some of tallest buildings in the city, taller even than the Hudson District, identified in the Downtown Core Area Plan as the densest planned zone in the city. In addition, the project does not conform to the Official Community Plan and deviates significantly from the original zoning. The developer has doubled the approved floor space density, increased the total combined square footage of the area by over

one million square feet and increased the maximum height from twenty-two floors to close to thirty. These buildings will dominate the skyline and Inner Harbour, forever changing the image of downtown Victoria. I attended the public City Council of the Whole meeting on May 4th and listened to the city's planning staff's presentation. As opposed to the developer's gauzy, insubstantial submission, the city's presentation was well grounded in history, contemporary architectural and town planning theory and sensitive to balancing the needs of the community with the need to maintain Victoria's distinct character and identity. The planners recommended sensible mitigation, like "tiering" building heights up from the surrounding neighbors, modestly increasing the spacing between buildings (the developer proposes a spacing more drastic than metropolises like Tokyo, Manhattan, London, and Vancouver's West End), and increasing the "podium" depth.

3. **Impact on the Community:** one of the strengths of Vic West's character is the interesting mix of diversity in age and income. The addition of transient strangers will fray the cohesion of the community and exacerbate the existing wealth disparity in Victoria. The existing heritage Roundhouse buildings will be dwarfed against by the massive towers flanking them to the west. The community is not prepared for the increase in traffic congestion and demand for retail and commercial services. For affordable housing, the developer has proposed to "donate" a small parcel of land on the northwest corner adjacent to the intersection of Esquimalt Road and Catherine Street. Ironically, this corner lot includes the only natural landmark of historical and geological significance: a large rocky knoll which has stood for generations. It is a lovely example of the volcanic and sedimentary rock this city is built on, as well as a sound buffer and natural "gateway" to Esquimalt and Vic West approaching from the west, and to Victoria's harbour and downtown from the east. The developer proposes to dynamite and level this beautiful natural landmark, in order to provide the only affordable and below market rental accommodations within the rezoned area.
4. **Developer's Track Record:** the developer, Focus Equities, has no experience with a project of this scope and complexity and the subsequent need for sensitivity to community, visual character, and heritage concerns. Their three other publicly disclosed projects involve the acquisition, rezoning and sale of property for commercial or industrial use. Over the course of the past fifteen years, Focus Equities has managed to complete only three buildings at Bayview, while continuing to pursue more permissive zoning. During this time, other companies worked with city council and staff to develop projects, rezone land, and build and deliver housing for the community. Focus Equities, in contrast, has publicly criticized municipal politicians and staff of zoning "mistakes", unrealistic design guidelines and ignorance of large project planning. The developer's history of minimal progress on the property, coupled with a contentious relationship with past councils and planners, raises doubts about their ability to deliver on their promises. We should not entrust the future of our neighborhood to a developer with

such a track record.

While I understand and support City Council's desire to expand accommodations, I urge you to consider alternative options that respect the history of and align with the values and character of our city. Let's explore thoughtful and sustainable urban planning projects that provide affordable housing opportunities for residents, blend harmoniously with our historic surroundings and contribute positively to the fabric of our city.

I implore you to listen to the voices of the residents, organizations and the expert and experienced municipal staff who have expressed concerns regarding this rezoning proposal.

Regards,

Randy Mutch
335 Dundas St
Victoria, BC

To whom it may concern,

As a resident of Vic West, I am writing to offer feedback and questions on the current community development proposal for 355 Catherine Street, 251 Esquimalt Road and 200 Kimta Road.

After reviewing the proposal, I feel the towers will give the form of a massive wall close to the harbour. Similar to a mini-Hong Kong harbour. As well, when viewed from anywhere in the vicinity of the harbour, it will be a massive blight that dominates the landscape and overwhelms the scenic panorama of the harbour. This great wall will block the view of those living on the landward side. Thus, creating a division. Is this a desire of this development?

In addition, this would produce a very dense development with a large population on a small land mass close to the water. With the potential sea level rise in the future due to climate change, what planning, and provisions have been made for this?

In addition, this dense population creates a large increase in traffic, noise and pollution close to the harbour. What provisions have been made for this. And is this what we wish tourists and cruise ships to see when arriving and visiting the harbour area?

If one is planning with the current needs of Victoria and keeping the future in mind, one would take into consideration the shortage of workers needed for many jobs in the city and surrounding area. Many jobs remain unfilled because workers are unable to find affordable housing. I do not see how this development aids in this situation. Is it compounding this situation given the anticipated cost of residing in this location.

Essential Questions:

- Have the principles of Universal Design, sustainability and energy conservation been taken into consideration?
- Can an environmental study of the proposal be shared with the public?
- Have the Songhees First Nation been consulted and if so, what is their response?

To respect Victoria's harbour, there should be a gradual and very conservative height increase as you move inland from the harbour. It is erroneous to have towers this high this close to the

harbour. Buildings of that height are only appropriate for much farther away from the harbour.

Victoria has managed to keep its harbour beautiful and unimpeded. Victoria should continue to honour its harbour as the centrepiece of the city. The harbour must be visible, (This proposal would hugely block the view of the harbour.) And the harbour must be honoured visually. It does not do justice to Victoria to be overwhelmed by a great monolith of big buildings.

This would change the trajectory of development in Victoria. This project would set a massive precedent for what would be allowed on Victoria harbour.

Victoria's harbour, like many harbours, gains elevation gradually as you move away from the water. That means the harbour and the water are visible from a fair distance in almost all directions. If this project proceeds, it will set a precedent for skyscrapers ringing the harbour. The view of the harbour from much of the rest of the city will be gone. It would come to look like a mini-Hong Kong. It would be a little harbour lost in an enclosure of skyscrapers.

Note: The developer has reduced the number of skyscrapers covered by the application from 10 (proposed initially) to eight. The developer does state he foresees coming back to apply for the last two in the future. Is this taken into consideration with regard to the above-mentioned environmental impact, sustainability and impact of numerous towers on the visibility of the harbourfront?

I appreciate your consideration of this feedback and questions.

Kind regards,

Roberta Thomson
Educational Consultant - Access for All

Dear Mayor and Council and City of Victoria Development Services:

I write again in **IN FAVOUR** of Increased Density and Increased Height at 251 Esquimalt Road, 355 Catherine Street, 200 Kimta Road – REZ00729 – The Roundhouse at Bayview Place – Phase 2.

I have lived within a 200 meter radius of the subject property for 13 years and am very familiar with the site. I am in support of increased height to provide **as many new homes as possible** during a housing crisis. This is a rare opportunity for our community to be blessed with housing supply . I am vehemently in support of the increased density and heights required to create those homes.

I am a business owner in the community, and one of the major challenges we face as an employer is labour. Labour cannot afford housing in Victoria - particularly due to the lack of supply. We need your support of this project to create a vibrant, affordable and livable Victoria for all. Continuing to stifle available supply based on the opinions of a few disadvantages our city's vibrant future.

The heights proposed are consistent with other nearby buildings already built (Encore and Promontory), as well as other beautiful tall buildings on Victoria's skyline, such as Hudson One. The tall, slender profiles allow for excellent view corridors and the project's numerous community amenities would be a welcome addition to the neighborhood. The development at Dockside Green has substantial massing, with buildings close together and has blocked view corridors - fat, low buildings do not create bright, airy spaces the way tall, slender buildings do.

Additionally, precedent has been set by the floor space ratios granted for other nearby developments for higher FSR's. I urge you to consider aligning the FSR for this site with those precedents you recently set.

- Roundhouse FSR = 4.75 (the developer has self-elected down to this to advance the project, so it remains economically viable)
- Chard Development at Douglas and Caledonia FSR = 6.75
- Starlight Development at Harris Green FSR = 6.1

At a time when I walk daily through the park at Vic West, and see numerous tents permanently erected, blocking the creation of homes seems egregious. Please, support this project moving forward - because the empty land sitting underutilized is serving no one.

Sincerely,

Daniel Melnyk
814-100 Saghalie Road
Victoria, BC V9A 0A1

Re: Bayview/Roundhouse Rezoning and Development Proposal 2023

To: Mike Algrove, Senior Planner Development Services, Development Services, Mayor and Council
City of Victoria

I am an owner at Ocean Park Towers (OPT), directly across from the proposed Development Site.

I have several concerns about this project in its current configuration being approved and moving forward:

1) Traffic flow- at the moment there are only two streets that provide direct access to the properties at the west end of the Songhees. These are Kimta Road and Esquimalt Road.

With the new bike lanes and street parking on Kimta Road, there are already significant issues with traffic flow, especially with the narrowed car lanes and the curve heading up to Esquimalt Road. In the latter case, most vehicles seem unable to negotiate the curve without crossing the yellow line, making it hazardous for drivers and for bikers who opt not to use the bike lanes. At the east end of Kimta Road, cyclists for the most part do not obey the “all way” stop signs. I have already witnessed several near misses, when walking in the neighborhood.

On Esquimalt Road, there are frequent traffic line ups because of the Johnson St Bridge, either because the bridge is up, or because of traffic backup from the Wharf St entrance into downtown.

The Bay Street bridge experiences traffic delays on all weekday afternoons, particularly from about 2:30 PM onwards.

It is challenging to imagine what the ingress and egress of additional construction traffic during the extended time required for this proposed 9 tower project . Further how will the additional density added by 1900 units impact post-construction traffic flow?

Will the proposed Traffic Impact Assessment fully address these issues?

2) Maintaining quality of life for those of us who live and are tax payers in the quiet residential neighborhood along the Songhees and immediately across from the proposed development.

At a minimum I would expect Mayor and Council to consider, and action strategies to ensure some level of quality of life during what I anticipate will be from 10-12 years of constant construction noise and heavy vehicle traffic along the aforementioned two available access roads- Kimta and Esquimalt Road.

Additionally, for those of us in the OPT and Legacy buildings that face to Cooperage Place, there needs to be a guarantee that this dead end roadway will not become a staging area for heavy equipment and materials for the proposed construction site.

Whilst both the Lime Bay beach improvements were happening (a process I applaud, and am grateful for,) and the construction of the redesigned Kimta Road parking/cycling lands- heavy equipment showed up on Cooperage by as early as 6:30 am and operators often left motors running, making it impossible to have the quiet enjoyment of our homes. In the case of the Kimta Road changes, one City vehicle parked on Cooperage and left its engine running as late as 7:30 pm for weeks. These projects were both short lived but the Roundhouse Development will go on for years.

Can the Cooperage roadway be designated and marked as a dead end, and can Council guarantee it will not be used as a future staging area for construction projects?

Anticipating that there will be protracted and marked congestion on Kimta Road, could a flashing light system similar to the one on Esquimalt Road, be installed so that at least we could know when the Johnson St. bridge is inaccessible, and opt to turn up Catherine St. to access the Bay Street bridge?

I am sure there are other creative ways that your Planners and others could recommend for helping existing residents to maintain quality of life during this vast and potentially protracted project.

3) Consistency in applying City Planning guidances and rules. I was very interested to read of the recent objections Council rightfully raised about the proposed 17-story James Bay Tower. Specifically, the Times-Colonist reported that the project was “too high for the area” (July 29/23). Further, Coun. Jeremy Caradonna was quoted as saying that despite the need for housing, “The rules still do matter.” Coun. Marg Gardiner “noted the project is being proposed for an area that is already dense with housing and *has few roads to handle the increased traffic.*” (italics added). This traffic concern, of course, is also relevant to the proposed Roundhouse project (see 1. Above)

All of the above comments with which I would agree, surely also pertain to the Roundhouse proposal which is suggesting 1900 units and 9 towers ranging from 18-29 stories. As I’m sure you know, the current zoning density for Floor Space ratio is designated at 2.5 FSR in the Victoria West Neighborhood Plan. Can Council possibly consider almost doubling that as reasonable, consistent with liveability, or congruent with their stated objections to the 17 story James Bay tower? The proposed building height also exceeds the Vic West Neighborhood Plan for a maximum of 23 storeys.

While I respect Council’s desire to address the pressing need for housing in Victoria, I do think that long-term planning requires due consideration to quality of life for both present and future residents of the city. Lastly, I would point out that as I understand it, only one of the nine proposed towers would even attempt to meet affordable housing criteria.

Consequently, I call upon our City Planners and our Mayor and Council, to reconsider the entire project and recommend a scaled back version that would be more consistent with the remainder of the neighborhood, and would enhance opportunities for affordable housing, while mitigating the impacts of such a huge construction project on the Songhees neighborhood.

Yours respectfully,

Judith A Vestrup, MD FRCS, MA, MSc.

317-203 Kimta Road,
Victoria, BC
V9A 6T5

CRD Staff Referral Response Form

Referral No.: Proposed Official Community Plan amendment for 251 Esquimalt Road, 355 Catherine Street and 200 Kimta Road

	Interests Unaffected	Approval recommended for reasons outlined	Approval recommended subject to conditions	Approval <i>not</i> recommended due to reasons outlined	Comments
Executive Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Finance & Technology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Integrated Water Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No comment
Legislative Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Parks & Environmental Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	With reference to the Roundhouse at Bayview Place, kindly note that CRD manages the E&N west of Catherine Street and would like to discuss the proposal for connectivity as it relates to the E&N. Dominique Moghaddam Planning Assistant Regional Park dmoghaddam@crd.bc.ca
Planning & Protective Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RSP has reviewed this referral and found that it is aligned with the Regional Growth Strategy. The proposed density and building heights are appropriate given the proximity to downtown, the character of the surrounding neighbourhood, and the presence of transit and active transportation links around the development. The City of Victoria has completed extensive public engagement on this project, addressing many community concerns and supporting policy directions set by Council. One aspect that will require ongoing input from CRD staff is the proposed future multi-use trail that will run through the site. CRD Parks and Regional Strategic Planning will continue to interface with City of Victoria staff to coordinate implementation and ensure that the new trail appropriately integrates with existing regional cycling infrastructure in the area. Noah Brotman Research Planner Regional & Strategic Planning E: nbrotman@crd.bc.ca

[REDACTED]

From: Liam Sawford [REDACTED]
Sent: August 14, 2023 7:15 PM
To: Public Hearings
Subject: Support for bayview place

My name is Liam. I live in James Bay, I'm [REDACTED] and one of the lucky ones not affected by the housing crisis.

I read a chek news article about a petition being circulated to stop the development of bayview place.

I just want to say I fully support this project. The fetishization of heritage buildings needs to stop. I really don't think a city's character is defined by its buildings but the people who live in it. And I think the effects of the housing crisis are affecting the character of our city to a greater extent. Just wanted to give my two cents and hope council doesn't give into the moans of a few boomers who are out of touch with the struggles of living in this city.

[REDACTED]

From: Seth Wynes [REDACTED]
Sent: August 29, 2023 8:16 AM
To: Public Hearings
Subject: Project at Roundhouse and Bayview Place

To whom it may concern,

I am writing as a recent addition to the Victoria community. I moved to downtown Victoria three months ago to begin a new job in the city and found the search for housing to be absolutely dispiriting. There were so few listings, and the listings available were outrageously expensive. It is extremely clear to me that the city is in a housing crisis and in desperate need of more homes.

So I was very disappointed to hear that, when faced with an opportunity to allow new housing in our community, city council opted to decrease the FSR of the new Roundhouse project at Bayview Place. This change resulted in the loss of 400 homes. It saddens me to think of the 400 people that will be competing for other spaces in the community who could have been living in this new development.

In the future, I hope the council shows greater willingness to add homes to the community and add them quickly, rather than voting to take them away.

For this particular project, I hope every effort is made to streamline the process so that as many units become available as quickly as possible.

Warm regards,

Seth Wynes

Dear Mayor Alto and councillors Caradonna, Coleman, Gardiner, Thompson, Hammond, Kim, Dell and Loughton.

I am strongly in favour of and support the Roundhouse project at Bayview Place.

The city of Victoria desperately needs more housing units to meet an ever growing demand. This Bayview project and the completion thereof should be accelerated. It will bring on a significant number of new units and once occupied will alleviate the housing crunch elsewhere in the city. Many UVIC students, for instance, will more easily find nearby accommodation as prospective unit owners shift to VicWest.

I currently own a condo in Bayview Encore - phase one of the master development plan. My attraction to this place was the amenities associated with the master plan (phase one plus phase two), an abundance of green space plus an emerging sense of 'community'.

Ken and Patty Mariash, as developers, are very credible and have a proven track record in other parts of Canada and USA. They have the experience and expertise to complete this Bayview project as per the master plan. It is a huge capital commitment for the proponent but we should not take it for granted. Capital can be fleeting if the timelines are expanded beyond a certain point.

My encouragement to all of you is to seize this unique opportunity and to remove all permitting obstacles. In order to maintain financial viability let's not unfairly constrain the building height requirement for instance. The higher the building the more green space is created between the various towers.

Let's not run the risk of relegating this Bayview project to a piecemeal approach (which could be the outcome if business viability is unduly compromised and if, in turn, another developer became involved).

The Mariashs have shown incredible patience. Their vision for this project began over 2 decades ago. In their quest to move forward they have held countless meetings with many Victoria people plus successive Victoria city mayors and councils.

It is time to seize the unique opportunity and to move forward without delay. No more last-minute restrictions which are very costly for the proponent.

Thank you for considering my point of view.

Craig Lodge

307 - 60 Saghali Road, Victoria BC. V9A 0H1.

May 3, 2023

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

Re: Roundhouse Development Application

Dear Mayor Alto and Council

Cool Aid would like to indicate our support for the Rezoning and OCP Amendment applications associated with the entire proposed Roundhouse project.

We have reviewed the plans and the staff report and feel the housing associated with this application will not only assist in providing much needed housing in general but alleviate the need for many to leave the area to find appropriate housing and then commute to Downtown.

We are appreciative of the large component of affordable housing being provided on land donated to the Greater Victoria Housing Society. However, we also feel it is particularly important to provide all types of housing within easy access to downtown (employment, shopping, events) allowing future residents to rely less on cars and more on alternative modes of transport.

The large percentage of 2+ bedroom units (775/1902) will accommodate many families in the area. Many families are leaving the City of Victoria to find housing, and that makes family life more complex if one still needs to commute to Downtown for work. The Victoria Cool Aid Society has many staff members who would prefer to live in the City of Victoria but have had to move further away in order to find suitable accommodation for family sized units - whether condo or rental.

This currently vacant land can contribute much needed housing and life to both Vic West and Downtown Victoria and provide a high quality public realm for both on site residents and those from the broader community. We urge council to approve this mix of housing close to Downtown

Yours sincerely,



Kathy Stinson, CEO
Victoria Cool Aid Society

CC: Steven Hurst, Director of Real Estate Development, Victoria Cool Aid Society

Dear Mayor and Councillors,

We are writing once again to express our grave concern regarding the height and density of the Bayview Place re-zoning application.

We were dismayed to view the May 4, 2023 City Council Meeting of the Whole regarding the rezoning application for this project. We were disappointed that it appeared many councillors were uninformed about this project. The lack of questioning for details and challenge to clarify the design seemed to indicate a gross lack of engagement.

Have you actually examined the proposal in detail?

Have you visited the site in person to see the impact this 9 tower development would have on the neighbourhood (height, density and infrastructure)?

Are you concerned about and requiring that the heritage buildings on the site be preserved and enhanced?

Are you aware that the advertising signage on and around the site is grossly inaccurate and does not represent the current proposal?

Please take the time to visit the site, see the property, envision the 9 towers and the impact it would have on the community ie. sight lines, shading, road/safety issues, infrastructure overload...

We would hope that at the very least, building DA9 should be discussed and eliminated.

The Roundhouse and complimentary buildings are not only a Municipal but a National Heritage site and protected as such. The current plan with towers DA-2a and DA-9 looming over and hiding the Back Shop dwarfs and hides these heritage buildings.

Tower DA-9 would entirely block the unique semi-circular shape of the roundhouse building from sight of people walking, biking or driving along Esquimalt Road. It appears to be an afterthought plopped onto a tiny chunk of available land. DA-9 is physically separated from the other proposed Bayview buildings and towers that would form a backdrop for the Roundhouse buildings. The corner of Esquimalt and Sitkum Roads is already a precarious intersection. Building DA-9 would also increase the safety risk of

approaching onto Esquimalt Road as it would block views of the oncoming traffic.

At the very least ask the developer to design a plan eliminating (and compensating elsewhere) for building DA-9. Tower DA-9 is crowded into the corner of the property and is disconnected from the other new development towers. Vic West deserves a design that honours and highlights the beauty and significance of these National Historic Site Heritage Buildings.

Regards,
Norm & Linda Saffin

From: Arthur McInnis [REDACTED]
Sent: Sunday, May 21, 2023 9:18 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Bayview REZ00729

Dear Mayor and City Council,

The Colliers Report

The COTW meeting took place on May 4th. Prior to that meeting Focus Equities provided two Reports from Coriolis, and Colliers to help it make the case to you that the rezoning should be approved. *Let me offer a few comments on what is wrong with this process and what is missing from the Reports. I will begin with the Colliers Report and return to the Coriolis Report another day.*

Most significantly the two Reports were prepared at the behest of and instructions from Focus Equities. That means there would have been a brief to the consultants, and I suppose it would have gone along these lines: help me make my case in these two respects. Unsurprisingly, that is exactly what the two consultants have at least tried to do. Now, there is nothing wrong with that from their perspective, but any reader should know the Reports will also reflect the client's perspective. For that matter if the client does not agree with a report we will never know, and it will either not have been submitted or another report would have been sought. This is part of the shortcomings of City Council consultations; there is no check on this as there could be in discovery during litigation.

The second problem with these Reports is that it appears the City Council staff took them at face value not making any allowance for them being submitted by the applicant. That is not how I would do it. Here is what I would do if I were the Council in this case and going forward. I would instruct consultants *qua* Council to give me (the Council) the best advice on these issues and then have the applicants pay for it. The difference here then is that it is the City who is the client and *not* the developer. Pause on this for a moment and you will appreciate the difference that could make. In litigation BOTH parties routinely submit consultants' (experts') reports and then cross-examine each others' consultants. Typically, the Court accepts this mode though it also has the power to appoint its own

consultant (expert). Why? To test the submissions. Sadly, I don't think there has been any real testing here. Let me turn briefly to the first of the two Reports.

Colliers Strategy & Consulting Group

200 Granville Street, 19th Floor Vancouver BC V6C 2R6 Canada Main: +1 604 661 0857

Letter Report to Chris Reiter – Project Manager, Focus Equities

From: Gordon Easton – Vice President, Colliers Strategy & Consulting Group and Russell Whitehead – Vice President, Colliers Strategy & Consulting Group

Dated: 25 October 2021

Subject: Bayview Place – Strategic Retail Considerations

The 13 page report itself can be found as Attachment F to the Merged Agenda Package filed for the COTW meeting held on May 04 and on the City Council website.

In my view the Report is a nothingburger. It is intended to have one central purpose; that is, to make the case for higher density and yet in my view it does not do so convincingly. This is because the difference that the extra density would make is almost a rounding error. The Report – even though purchased – is not emphatic enough and there are some key factors which I would say are missing. Let me develop this.

What Colliers has done is come up with some scenarios that seek to model how much sales revenue a Primary Trade Area (PTA) comprising 75,440 square feet surrounding the Roundhouse could be expected to produce and what rental costs could be expected for the retailers.

In scenario one it can be expected that the PTA would capture sales of between \$19.1 to \$23.9M as at 2021 if operating with the current population.

In comparison under the current City Council approved rezoning the PTA capture potential is \$22.4 to \$27.9M.

Finally if the rezoning were approved by Council the PTA capture potential would be \$25.8 to \$32.2. (p 9)

So what is the rounding error? Well focusing on the range of figures in the two key scenarios (existing and rezoned bylaws) the extra density may make no difference at all because the high figure in the range given for the existing zoning falls in the mid-range for the rezoned site. Hence increasing the zoning may make no difference at all to the retail sales in this development given the ranges that Colliers has put forward. Not helpful I am afraid to the applicant.

Colliers would know this but you have read their report to understand it. They did offer more support though by noting that whatever is done with the retail it is unlikely to break even in any case (given their assumptions) because what the retail component really needs is a PTA sales capture requirement of \$47.5 to \$54.3M. In Colliers view to make this work, over and above the additional density under approved rezoning, the development really needs:

“approximately 4,000 to 5,000 additional residents throughout VicWest to fully support the vision for this retail village.” (p 9).

So maybe all Colliers has really done with this Report is to make the case why this part of the development should focus on the historical rather than the commercial side of it? Nah, actually I don't think so. If it's any good people will come and shop there despite this base case. Colliers even concedes this and thereby contradicts themselves when they write:

“[t]he creation of a true ‘sense of place’ within Roundhouse, driven by the key ingredients of success highlighted in the latter sections of this report, could attract a large amount of regional visitation while serving the daily needs of local residents.” (p 4)

The Colliers Report also spends a lot of time reminding the reader about just how tough this site is and why Focus Equities really needs a leg up including:

- *“While this mix of land uses was deemed appropriate in 2008, the year in which the plans were approved, market conditions in the area have since significantly changed. This has resulted in the need for an updated strategy to ensure development proceeds in line with best practices and market trends.” (p 3)*

- *“challenges relate to the constrained floorplates within the historic buildings, which may make potential retailers more hesitant to pay market rates unless all their other conditions are ideal, such as density of the on-site and surrounding population.”* (p 4)
- *“the site will be partially challenged from a lack of surface parking, adequate public parking...”*. (p 5)
- *“the physical fabric [of the historic on-site structures] has experienced considerable deterioration over the years...[and] this formerly active railyard has varying degrees of contamination.”* (p 5)

Leading to this unsurprising penultimate conclusion of Colliers that:

“[b]ased on these costs, along with the additional challenges noted above, it is likely that significant additional density will be required to attract demand from quality tenants that are also willing to pay the lease rates necessary for a financially feasible development scenario.”

Okay, maybe that’s right but what part of that was not apparent 15 years ago when the zoning for this project was first approved? For me anyway it’s obvious and that is the developer.

This is but one snapshot of what Colliers has said but once again there are no surprises here. The costs were always there. The challenges in doing a first class-retail environment (as that is what was preferred by the City Council in its wisdom in the day over an historical development) were always there. Would greater density help? One would think so but even on Colliers’ numbers that is by no means clear.

There are some other comments I wish to make about this Report; in particular Colliers’ retail demand model and used for their calculations seems to be missing several key factors that could impact its accuracy including:

1. Competition - The model does not plainly account for the level of competition in the surrounding area, which could impact the demand for

retail space at Bayview. If there are planned retail developments in the area, demand for retail space at Bayview may be lower than anticipated.

2. Demographic Shifts - Their model does not account for potential demographic shifts that could impact demand during a very long construction period. For example, if the population in VicWest shifts towards an older demographic and demand for certain types of retail may decrease.
3. Changes in Consumer Behaviour - Their model does not account for potential changes in consumer behaviour that could impact the demand for the retail space. For example, the rise of e-commerce and online shopping may decrease demand for the types of retail space they are holding out.
4. Economic Downturns - Their model presumably assumes consistent economic growth and does not account for potential economic downturns that could impact consumer spending and demand for retail space.
5. Shifts in Retail Trends - Their model does not account for potential shifts in retail trends that could impact the demand for certain types of retail space. For example, a shift towards more experiential retail offerings that might decrease demand for traditional retail space.

In summary, Colliers retail demand model used in their calculations for potential sales capture in the three different scenarios seems to be lacking some important factors that could impact its accuracy including competition, demographic shifts, changes in consumer behaviour, economic downturns, and shifts in retail trends.

There is another telling aspect to this Report and that is throughout there are key development principles and best practices outlined yet Colliers does not bring home how significant the negative impacts of failing to take them on board by Focus Equities would be on the viability and sustainability of the retail component of the development. For example, not honing in on the location of this development or the target market could result in a mismatch between the retail offerings and the needs of the PTA and potential visitors from the wider surrounding area, leading to low footfall and expenditures. Similarly, not considering *in more detail* the importance of anchor tenants or tenant adjacencies

in particular those in West Side Village could result in a lack of critical mass and cross-shopping opportunities, further diminishing the viability of the development.

In summary the Colliers Report offers very little in support of higher density for this development.

Sincerely,

Arthur McInnis

Re: Bayview/Roundhouse Rezoning and Development Proposal 2023

To: Mike Algrove, Senior Planner Development Services, Development Services, Mayor and Council
City of Victoria

I am an owner at Ocean Park Towers (OPT), directly across from the proposed Development Site.

I have several concerns about this project in its current configuration being approved and moving forward:

1) Traffic flow- at the moment there are only two streets that provide direct access to the properties at the west end of the Songhees. These are Kimta Road and Esquimalt Road.

With the new bike lanes and street parking on Kimta Road, there are already significant issues with traffic flow, especially with the narrowed car lanes and the curve heading up to Esquimalt Road. In the latter case, most vehicles seem unable to negotiate the curve without crossing the yellow line, making it hazardous for drivers and for bikers who opt not to use the bike lanes. At the east end of Kimta Road, cyclists for the most part do not obey the “all way” stop signs. I have already witnessed several near misses, when walking in the neighborhood.

On Esquimalt Road, there are frequent traffic line ups because of the Johnson St Bridge, either because the bridge is up, or because of traffic backup from the Wharf St entrance into downtown.

The Bay Street bridge experiences traffic delays on all weekday afternoons, particularly from about 2:30 PM onwards.

It is challenging to imagine what the ingress and egress of additional construction traffic during the extended time required for this proposed 9 tower project . Further how will the additional density added by 1900 units impact post-construction traffic flow?

Will the proposed Traffic Impact Assessment fully address these issues?

2) Maintaining quality of life for those of us who live and are tax payers in the quiet residential neighborhood along the Songhees and immediately across from the proposed development.

At a minimum I would expect Mayor and Council to consider, and action strategies to ensure some level of quality of life during what I anticipate will be from 10-12 years of constant construction noise and heavy vehicle traffic along the aforementioned two available access roads- Kimta and Esquimalt Road.

Additionally, for those of us in the OPT and Legacy buildings that face to Cooperage Place, there needs to be a guarantee that this dead end roadway will not become a staging area for heavy equipment and materials for the proposed construction site.

Whilst both the Lime Bay beach improvements were happening (a process I applaud, and am grateful for,) and the construction of the redesigned Kimta Road parking/cycling lands- heavy equipment showed up on Cooperage by as early as 6:30 am and operators often left motors running, making it impossible to have the quiet enjoyment of our homes. In the case of the Kimta Road changes, one City vehicle parked on Cooperage and left its engine running as late as 7:30 pm for weeks. These projects were both short lived but the Roundhouse Development will go on for years.

Can the Cooperage roadway be designated and marked as a dead end, and can Council guarantee it will not be used as a future staging area for construction projects?

Anticipating that there will be protracted and marked congestion on Kimta Road, could a flashing light system similar to the one on Esquimalt Road, be installed so that at least we could know when the Johnson St. bridge is inaccessible, and opt to turn up Catherine St. to access the Bay Street bridge?

I am sure there are other creative ways that your Planners and others could recommend for helping existing residents to maintain quality of life during this vast and potentially protracted project.

3) Consistency in applying City Planning guidances and rules. I was very interested to read of the recent objections Council rightfully raised about the proposed 17-story James Bay Tower. Specifically, the Times-Colonist reported that the project was “too high for the area” (July 29/23). Further, Coun. Jeremy Caradonna was quoted as saying that despite the need for housing, “The rules still do matter.” Coun. Marg Gardiner “noted the project is being proposed for an area that is already dense with housing and *has few roads to handle the increased traffic.*” (italics added). This traffic concern, of course, is also relevant to the proposed Roundhouse project (see 1. Above)

All of the above comments with which I would agree, surely also pertain to the Roundhouse proposal which is suggesting 1900 units and 9 towers ranging from 18-29 stories. As I’m sure you know, the current zoning density for Floor Space ratio is designated at 2.5 FSR in the Victoria West Neighborhood Plan. Can Council possibly consider almost doubling that as reasonable, consistent with liveability, or congruent with their stated objections to the 17 story James Bay tower? The proposed building height also exceeds the Vic West Neighborhood Plan for a maximum of 23 storeys.

While I respect Council’s desire to address the pressing need for housing in Victoria, I do think that long-term planning requires due consideration to quality of life for both present and future residents of the city. Lastly, I would point out that as I understand it, only one of the nine proposed towers would even attempt to meet affordable housing criteria.

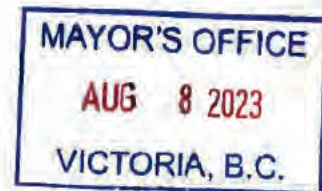
Consequently, I call upon our City Planners and our Mayor and Council, to reconsider the entire project and recommend a scaled back version that would be more consistent with the remainder of the neighborhood, and would enhance opportunities for affordable housing, while mitigating the impacts of such a huge construction project on the Songhees neighborhood.

Yours respectfully,

Judith A Vestrup, MD FRCS, MA, MSc.

317-203 Kimta Road,
Victoria, BC
V9A 6T5

Mayor Alto and City Council Members
City of Victoria



August 04, 2023

Dear Mayor and City Council:

I write in response to the proposed development at Bayview Roundhouse and respectfully request you to reconsider this proposal in its current form. I am referring to the Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 - 251-259 Esquimalt Road, 45 Saghalie Road, 355 Catherine Street and 200-210 Kimta Road.

I very well understand the current enormous need for housing in Victoria but building high-rises fast and furiously is not the answer we need to address these complex problems.

Urban planning has for some time now been considered good, at its best when all aspects of livability and neighbourhood development are considered and built into the plan as opposed to erecting the greatest number of highest condo buildings at greatest density, more than double the current zoning density for the area. Insufficient regard at the planning stage for infrastructure, services, long term livability is necessary to ensure successful communities.

Some questions and thoughts follow.

To what extent will this proposed development **actually** ameliorate affordable housing and the missing middle crisis? Who will buy or rent these condos? At what price? Aging folk? Are families welcome? If so where are the parks, playgrounds, schools for them? Where will the clinics be? And the medical personnel to staff them?

Medical services - a huge issue for Victoria, and for some considerable time now. Despite new clinics being established none seem to include Vic West in their catchment area. A significant increase in population can only exacerbate this existing problem. (On a personal note, my husband and I have not had a family doctor in Victoria since November and December 2019. We are soon to be 80 and 77 respectively.)

Roads, traffic, parking - Kimta Road, and those leading off it to the waterfront are busy at this time of year with many people using the Songhees walkway; with the bike lanes now in place the street is very narrow in places and much busier. How will nine (9) new condo buildings with up to 29 stories be accommodated? Kimta Road cannot handle much if any additional parking. Has the impact on the Bay Street and Johnson Street bridges been studied? These are the exit/entrance points for the community.


One small mall currently exists in Vic West. With no further development of business services and retail, especially a grocery store, other than "boutique retail", people will need to use their cars to shop in Esquimalt, Tillicum, James Bay and downtown. Traffic gridlock? Currently Esquimalt Road at times backs up to past Tyee Road with traffic trying to access the Johnson Street Bridge. This will worsen considerably if or when this proposed development goes ahead, along with with the seven (7) new towers on Tyee Road with more to come in the Dockside development, existing Bayview condos off Esquimalt Road, and the Rail Yards. Good planning surely requires that Bayview Roundhouse proposed Rezoning and Development be considered in its context and not as an isolated project. Infrastructure and social requirements must be provided for the area as a whole with the overall density being considered.

Cultural and gathering places - The Roundhouse is special and has a history and location that makes it a natural and ideal place for cultural activities and a gathering place, including a theatre and possibly a market, perhaps along the lines of Granville Island Market, a huge success in Vancouver. It belongs to the people of Victoria not a developer. Will the existing six (6) historic buildings be preserved and the railway right of way maintained?

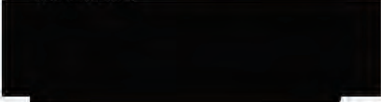
Public input is essential and I do appreciate this opportunity today to have my say. However we need further planning, more input, public meetings and answers to a multitude of questions that have been raised and at this point not answered - transit; medical services; other services such as schools and playgrounds; roads, traffic flow, parking and access for residents, visitors to the area, fire, police and ambulance access; increased demands on sewer, water, garbage; who pays for the remediation of the soil; compliance with the City's climate action plan; the list goes on. More data and information is required to prevent later problems which would be much more difficult and expensive to address.

I know you have received feedback which speaks to technical issues much more than my simple letter and impassioned plea for a considered second look at this proposed development can do. And I know the City of Victoria has very able planners. More to the point, as a very able Mayor and Council you have a huge and exciting opportunity here in Vic West. Informed decisions based on all the necessary information for the good of the City of Victoria now and into the future and for the good of all local communities will make you a very much appreciated and memorable Council and Mayor.

All best wishes,



Jan Eastman and for Terry Eastman
634-203 Kimta Road,
Victoria, B.C.
V9A6T5



CC Mike Angrove, Senior Planner - Development Agreements, City of Victoria

Re: Bayview/Roundhouse Rezoning and Development Proposal 2023

To: Mike Algrove, Senior Planner Development Services, Development Services, Mayor and Council
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All of the above comments with which I would agree, surely also pertain to the Roundhouse proposal which is suggesting 1900 units and 9 towers ranging from 18-29 stories. As I’m sure you know, the current zoning density for Floor Space ratio is designated at 2.5 FSR in the Victoria West Neighborhood Plan. Can Council possibly consider almost doubling that as reasonable, consistent with liveability, or congruent with their stated objections to the 17 story James Bay tower? The proposed building height also exceeds the Vic West Neighborhood Plan for a maximum of 23 storeys.

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Consequently, I call upon our City Planners and our Mayor and Council, to reconsider the entire project and recommend a scaled back version that would be more consistent with the remainder of the neighborhood, and would enhance opportunities for affordable housing, while mitigating the impacts of such a huge construction project on the Songhees neighborhood.

Yours respectfully,

Judith A Vestrup, MD FRCS, MA, MSc.

317-203 Kimta Road,
Victoria, BC
V9A 6T5

To Whom It May Concern:

I enclose a link to a report by Mary Griffen that ran on CHEK TV News on which interviews Ken Mariash, Pamela Madoff and Arthur McInnis about the Bayview Place project.

<https://www.cheknews.ca/petition-against-bayview-place-development-in-vic-west-gains-steam-1164110/>

I also enclose a pdf which has a transcript of the interview in case the link changes. In the interview transcript quotes Mr Mariash (presumably referring to our petition) as follows:

“No. Not at all. No. It’s inaccurate. It’s not relevant,” he said. “They are signing up people at the front door of places. They don’t know what they are signing. No. And they are telling people all sorts of misinformation,”

To rebut there is any misinformation here is what our 2 petitions say :

Petition 1 - Victoria City council is considering a staggering change to the Official community plan by allowing rezoning of the Bayview Project in Vic West that would allow for almost doubling the current approved density. The plan previously approved by council for the site and phase 2 of the development allowed for 5 towers and the plan currently before council proposes 9 towers including 3 hotels and up to 29 storeys.

While those who oppose this rezoning are not against development (in fact the original plan submitted by this developer generally has neighbours support) those currently opposed are against the rezoning to allow for density that almost doubles the OCP.

How can the Vic West neighbourhood , and by extension downtown Victoria, possibly survive such a drastic change.

What about bridge traffic, parking, schools, playgrounds, police, fire services, medical facilities? Victoria council has not researched or addressed any of these issues while considering this rezoning application.

Again, this is not an anti-development petition or a nimby petition. We want development and more housing in our neighbourhood and Victoria in general, but the density has to be such that it can be supported. Even the staff at city council tasked with making recommendations have not supported the density levels in this rezoning application.

Help us tell Victoria City council to reject the rezoning on this project that is currently before them, and to do more research before making a decision that will forever change Victoria. Council has requested feedback by an August 4th, 2023 deadline so time is very short. Please sign now, and forward and post this link to others.

Petition 2 - We, the undersigned, wish to express our strong opposition to the current Rezoning Application for the Roundhouse Development Site at Bayview Place - REZ00729 # 251 - # 259 Esquimalt Road, 45 Saghali Road, 355 Catherine Street and #200 - #210 Kimta Road.

As voting, tax paying residents of Victoria in general, our primary reasons for opposing the project as it is currently proposed are as follows:

- It more than doubles the current zoning density for the area
- The current proposal is 9 buildings (3 which may be hotels) now instead of the prior approved 5 buildings!
- It contradicts the first amended rezoning from 15+ years ago drastically, which Focus Equities sought and had approved by the City in exchange for agreeing to refurbish the Roundhouse and heritage properties which has yet to happen
- It offends the Victoria West Neighbourhood Plan. The Songhees pathway, roads and parks will be overrun with people, pets & vehicles if the current number of buildings/hotels are approved
- The views for tourists and people arriving via the harbour will look like the Vancouver waterfront; this is not what people come to Victoria to see or enjoy
- It will overshadow and diminish the Roundhouse and heritage properties. The Heritage Advisory Panel voted against the proposal
- Voting, tax-paying residents of Victoria have been expressing significant concerns and opposition to this project for the last couple of years
- The City Council rejected the advice of City Planning Staff to reduce the density
- The site contamination and remediation plan is unclear
- There are no guarantees the retail held out for the Roundhouse will be successful even if all the buildings are built (per Collier Strategy and Consulting)
- The City of Victoria has not carried out a due diligence exercise with respect to the developer

We, the undersigned, urge the City to deny the current rezoning application as it stands and insist that the application returns to the originally approved plan. Please protect the upstanding, voting, tax paying citizens by honouring your role as public servants and protecting the Vic West community from becoming overly congested. Thank you.

Regards,

Arthur McInnis

Petition against Bayview Place development in Vic West gains steam

Developer Ken Mariash has spent years trying to develop Bayview Place on a 20-acre piece of land in the Songhees neighbourhood of Vic West.

It's a National Historic Site, the largest collection of intact railway buildings in Western Canada, including the Roundhouse in Vic West.

Bayview One was the first phase.

It's finished, and now the new plan for the rest of the site is for nine towers, some as tall as 28-storeys.

The renderings have been circling in the community for months, and some don't like what they see.

Arthur McInnis lives across the Inner Harbour in James Bay.

He's part of a group determined to convince Victoria council to reconsider the proposed zoning for the project.

He's gathering up signatures for the petition against the Bayview Place phase two project.

"Here are some of the signed petitions we left with the

city last week. We're up about 1,150 or so," McInnis said.

His issue with the plan isn't the height.

"I've been accused of being afraid of tall buildings. I'm not," he said. "What I'm afraid of are too many tall buildings on one site. And that's what we've got here."

McInnis and his group, [StopBayviewRezoning](#), are trying to rally support before the project moves ahead.

Victoria council has seen the preliminary design but a public hearing date hasn't been set.

"Nine is too much. Nine towers. So we said go back to the original plan, do that," said McInnis. "Redevelop the Roundhouse. The heritage properties that are there, all six of them."

Former City of Victoria councillor Pam Madoff was chair of the city's Heritage Advisory Panel.

She was long-viewed as the city's strongest defender of all things heritage, and fears the housing crisis may lead to the project being rushed.

"With a site as important as the Roundhouse, which if done properly, I really believe would enhance our international reputation, in terms of heritage, and also how we achieve housing, and how we achieve amenities," Madoff said.

Mariash says he's not concerned.

"No. Not at all. No. It's inaccurate. It's not relevant," he said. "They are signing up people at the front door of places. They don't know what they are signing. No. And they are telling people all sorts of misinformation," Mariash said.

Council is still waiting to see an updated master plan.

Once that's submitted, then petitioners may get their chance to officially weigh-in on a project that could be finally be nearing the finish line.

"This is Victoria, this is one of the world's best small cities, we've got to keep things in proportion," McInnis said.

READ MORE: [Re-envisioned, denser Victoria Roundhouse development advanced to public consultation](#)

[Editorial Policies Report an Error](#)

My name is Liam. I live in James Bay, I'm 35 and one of the lucky ones not affected by the housing crisis.

I read a chek news article about a petition being circulated to stop the development of bayview place.

I just want to say I fully support this project. The fetishization of heritage buildings needs to stop. I really don't think a city's character is defined by its buildings but the people who live in it. And I think the effects of the housing crisis are affecting the character of our city to a greater extent. Just wanted to give my two cents and hope council doesn't give into the moans of a few boomers who are out of touch with the struggles of living in this city.

Liam Sawford

To Whom It May Concern,

I wish to share some comments in reply to an article entitled: “1,900-home Roundhouse development inches closer to reality” dated June 14, 2023 by Evan Saunders in the *Journal of Commerce that has recently come to my attention. My comments are in red and/or underlined. All quotations are in italics.*

“It’s very difficult to realize the amount of density being proposed on the site in a way that reflects standard practice urban design criteria,” said Miko Betanzo, senior planner of urban design with the city.

Agreed.

But there was an acknowledgement that the developer and the city could compromise.

Focus Equities is seeking to rezone property around the Roundhouse (355 Catherine St, 251 Esquimalt Rd, 200 Kimta Rd, and 210 Kimta Road).

-

“The application seeks a revised set of entitlements for the remaining 9.3 acres of land (hereafter known as the “Plan Area”) to accommodate mixed-use neighbourhood that aligns closely with the City of Victoria’s city-building goals.”

-

Why should the City compromise? The City and Focus Equities agreed what was supposed to be done under the Roundhouse Master Development Agreement in 2008 and which has now already been amended twice in 2014 & 2018. It seems each time there is another amendment Victoria gets less and Focus Equities gets more.

Caradonna added an amendment requesting the final density be somewhere around 4.4 FSR.

In order to accommodate the 4.4 FSR density, some of the building heights may need to go as high as 32 storeys and would be some of the tallest buildings in the city, according to the staff report.

Why? As I have said in writing to Councillor Caradonna: (1) he should not substitute his view for the collective wisdom of past City Councils, the present City Council staff, and the Heritage Advisory Panel; (2) the project is out of character with the Heritage Buildings, Vic West’s Neighbourhood Plan and the City of Victoria itself (let alone the

City's zoning bylaws and Official Community Plan; and (3) the wrong development is not better than no development.

City staff noted it is too early to offer a timeline for when the project could actually be built.

Of course there should be a timeline and for each aspect of such a project.

One of the developments defining features is the location of the old E&N Railway Roundhouse, built in 1913 and designated a national historic site in 1992.

More than a defining feature the historic buildings seem to have been used as leverage for exceeding the stipulated height and density for the site in the original application to rezone, and are now being used as leverage again for further increased height and density on the site.

-

The Times Colonist: "Victoria city council OK'd far reaching development plans for the brownfield site that will save one of Canada's last railway roundhouses and a railway corridor in exchange for the right to build a 180-unit hotel, 460-unit condominium and a suite of retail services on the 4.25 hectare site." That's right.

The E&N rail corridor is not currently being operated but its preservation as a working rail route has been prioritized by the city and GoVictoria. The railway cuts directly through the development lands and is protected by various legal policies from removal.

If true it would appear the developer is stuck with rail then. Seriously, the rail bridge is gone. This is not going to be "rail's end" quite apart from the plans holding out "Curated Rail Integrated Through Site" and which will also provide "Interpretive Opportunities... [to e]xplore storytelling opportunities along the Carriage Lane and E&N Rail Trail that speak to rail heritage and intangible values."

The developer has added a proposal to realign the rail corridor, hired a rail consultant to oversee the proposal and acquired support from the Island Corridor Foundation.

True.

According to the consultant's comments, the realigned corridor would be narrower but still viable for passenger-based LRT use in the future.

Yes narrower and further reducing the likelihood that this ever goes ahead as held out. See <https://www.canada.ca/en/transport-canada/news/2023/03/joint-statement-by-transport-canada-and-the-province-of-british-columbia-on-future-of-the-vancouver-island-rail-corridor.html>

The historic buildings of the railway will also be revitalized for commercial space with the intention to create a marketplace inside them.

“Mariash shies away from project specifics...The submission to the city puts the costs of remediating contaminated soil on the site at \$12 million. Rehabilitation of the E & N Roundhouse buildings is estimated at between \$8 and \$11.3 million, with an additional \$6 million for internal building improvements to accommodate new uses.” (Properties in Victoria Professionals)

Two points:

1. The developer got a deal on this site because there are remediation costs. What it should not then be able to do is say *because* it has to pay remediation costs that it *needs* more height and density. Sorry, you have had the benefit of that once, and as the saying goes “that ship has sailed”. Now, your costs are your costs. Another developer on a clean site would not get such a discount.
2. There are few binding details about what will go into any revitalized heritage buildings in any case. What we do know, according to the Colliers Consulting & Strategy Group report on Bayview Place's Strategic Retail Considerations, is that:

“[b]ased on these costs, along with the additional challenges noted above, it is likely that significant additional density will be required to attract demand from quality tenants that are also willing to pay the lease rates necessary for a financially feasible development scenario.”

So good luck with that especially when we have very few details. That said, Councillor Matt Dell put forward one suggestion for use of the Roundhouse at the COTW meeting considering this project on May 4th and that is to turn it into a wedding hall.

The site will also include public space with roughly 40 per cent dedicated as publicly accessible amenity area. This includes extensive landscaping such as the construction of a seven-metre-wide multi-use pathway next to the Rail Trail.

A publicly accessible amenity area is essentially what is not covered by buildings on the site. Perhaps more than a path though is called for.

Generally, the application is seen by Victoria councillors as a way to bring life to an underused piece of land and tackle the housing affordability crisis.

It is underused because no construction has been undertaken on it since it was rezoned now 15 years ago. Whose responsibility is that? Well according to the developer, it is the City and in the application, it is really down to:

“The prescriptive nature of the current zoning [which]:

- Limits density and permissible floor area needed to help offset the extreme cost of creating a vibrant public realm with integrated historic resources
- Reduces housing opportunities by limiting residential floor area
- Constrains innovative site planning and urban design
- Generally, limits building heights
- Restricts development that could be complementary to historically designated buildings (i.e., restricts residential uses in DA-1)” (applicant’s proposal)

“We’re in a housing crisis, why not shoot for the stars?” said Coun. Susan Kim.

Councillor Kim this project will add all the costs to date in securing your and the Council’s approval as well as the mark up on any resale of the site upon its rezoning which could be in the realm of \$100 million (based on past practice of the developer) or even possibly considerably more. I do not have those projections so why don’t you ask the developer for them so we will all know what it is going to cost to “shoot for the stars?”

The development is phase two of the ongoing Bayview Place project. The first phase, Bayview Place Hillside, saw the construction of three residential towers on the property adjacent to the Roundhouse.

Yes, and let’s just remind ourselves those are Bayview 1, Promontory, and Encore respectively 11, 21 and 17 stories.

The project is expected to be back before councillors for further consideration later this summer.

After they hear further from us and the public.

Sincerely, JA McInnis

Attention: The Mayor and City Council

Could Changes Proposed by the Ministry of Housing in BC be Driving the Rush to Have Bayview Approved, (Let Alone Contemplating “END TIMES”)?

A Health Report by Statistics Canada on “**The Prevalence of Household Air Conditioning in Canada**” showing BC at the bottom of the league tables may end up forcing changes to local building and planning regulations. It could also be a reason why some may wish to rush City Council planning approval, while others see it as a reason for stopping approval.

Why? Because of the increasing understanding of the effect of heat on four heat-vulnerable populations which are defined as: (1) older adults, (2) older adults living alone, (3) older adults with at least one health condition associated with reduced thermoregulation and (4) older adults living alone and with a health condition associated with reduced thermoregulation.

This type of research appears to now be prompting the BC Ministry of Housing into making changes. “**A housing ministry spokesperson said the province is proposing all new homes provide one living space that is designed not exceed 26 C – through elements like insulation, solar reflectivity or using cooling devices.**” (*Victoria News*, 19 July, 2023).

Suggestions as to how more extreme heat should be managed in Canada have been given following research in 2022 by the University of Waterloo’s Intact Centre on Climate Adoption, “**Irreversible Extreme Heat: Protecting Canadians and Communities from a Lethal Future,**” There are a range of measures indicated for individuals, property owners and communities in the Report. For example, use green infrastructure: plant and maintain trees, expand vegetation cover and absorb water to keep gardens and balconies cooler, install a green (vegetated) roof, and grow a green (vegetated) façade. To improve buildings move to grey infrastructure: enhance insulation and airtightness, install cool (reflective) roof / wall / paving surfaces, use concrete, brick, stone and tile finishes that absorb heat, install windows that reduce heat gain from the sun, install shading devices (shutters, awnings, overhangs, blinds, heat-resistant curtains), install temperature and humidity monitors or controls, use ceiling / portable fan(s), install and maintain air conditioning / heat pump, install and maintain backup power generation (e.g. to maintain air conditioning in designated ‘cool’ rooms), and arrange for backup water supply during power outages (pumped water supply cannot function properly without power).

Excuse me but where is this addressed in the current application? It appears to be missing and no one today should expect grandfathering with current building and planning regulations that do not contemplate what is coming.

Of particular salience for Bayview is that part of the Waterloo Report that pertains to “**Urban Heat Islands**”. You see, Bayview will be its own mini-heat island. Here are just two factors and their descriptions that the Waterloo Report states regarding heat islands:

“Replacement of natural ‘green’ infrastructure with man-made ‘grey’ infrastructure (factor):

Trees, vegetation and water bodies (rivers, lakes and ponds) tend to cool the surrounding air and surfaces by providing shade, transpiring water from their leaves, and by evaporation. Man-made surfaces—such as roofs, sidewalks, roads, buildings, and parking lots— provide less shade and evaporate less moisture than natural landscapes. Man-made

materials also tend to absorb, and later emit, more of the sun's heat than natural surfaces" (description).

"Urban geometry (factor):

The sizes and spacing of buildings in a city influence the flow of wind, and its ability to absorb and release solar energy. In heavily developed areas, the surfaces and structures of buildings that are near each other become large thermal masses that cannot readily release their heat. Cities with many narrow streets and tall buildings also create urban canyons, which can block the natural flow of wind that would cool the area (description)."

Here is my point. Climate, and what we will have to do to mitigate its worst effects, not just its effects on heat-vulnerable populations but everyone, is one more good reason for **No Rush To Judgment on Bayview**. The City needs to take a moment and look at all of the implications of approving this project as there is too much at stake. On Sunday, 23 August 2023, when fires blanket the province, evacuation orders for Yellowknife and West Kelowna are in effect, Lahaina is in ruins, and Typhoon/Tropical Storm Hillary is bearing down on California - **we need a timeout. Bayview is now officially wrong for the times**. The City Council needs to step up and be honest about what Vic West needs today, what Victoria needs today, what the province needs today, and what the world needs today. It is most certainly not 9 towers at Bayview.

<https://www150.statcan.gc.ca/.../article/00002-eng.htm>

https://www.intactcentreclimateadaptation.ca/.../UoW_ICCA...

<https://www.vicnews.com/local-news/with-hot-days-ahead-bc-has-the-lowest-air-conditioning-access-in-canada-667195>

Regards, JA McInnis

Dear Mayor and City Council c/o
Mike Angrove, Senior Planner

While it is frustrating to once again have to reiterate my wishes that You uphold the previously agreed upon terms of zoning in regards to the matter of Bayview Properties and the Roundhouse development, here goes.

Simply put, I ask You to Not Rezone at this time.

Furthermore, if for some bizarre reason you still feel that it would somehow be appropriate to grant some minor level of rezoning to Bayview Properties please include my concerns and comments and be sure to get them satisfied - and in legally binding language - before any city stamp of approval is given.

As a property owner and resident of 83 Saghalie Road:

- the density being proposed is FAR TOO Much for the footprint of this area;
- in no way would such density or building heights satisfy the visual character of our beautiful, quaint, and community spirited Songhees, Victoria neighborhood;
- and please think ahead about all the additional street parking that will be required. Currently Saghalie Road is brutally short of spaces for our existing density needs.

Having lived and owned here since 2016, I have personally seen many “versions” and “iterations” of the elusive “Official Bayview Properties Development Plan”.

Just last year I saw my strata fees pay for our Concierge's time to hand deliver notices on behalf of Bayview Properties to encourage us to support their application for rezoning!! At no time past or present did our Strata request or inform us as owners that our Concierge via our Strata would be tasked with this obvious conflict of interest.

Many of the features depicted on models and “versions” of our Promontory plan have disappeared or been conveniently removed from what our final reality is today. Liberties have been taken and I can assure you that they do not favour the owners, residents or community here.

Personally, I am done with the lack of transparency and disrespect for the contracts previously negotiated and signed, and I would like to see this developer held accountable for the restoration of the Roundhouse Property and Buildings.

There is no need for any “emotional appeal” here. We as residents cannot and should not be expected to approach the developer directly - that’s precisely what the role of City Council is. And once agreements are reached and signed, we expect You to uphold them on our behalf and to the benefit of both the community and City.

Please do not fall for the baited suggestion of a future “Four Seasons Hotel” until you’ve fully canvassed our neighbourhood and engaged our community residents (not future businesses) for our input.

Yes our city requires housing solutions and Yes, a far smaller portion of the land in the Roundhouse area would be very appropriate for middle or perhaps lower income housing options, but most certainly NOT as per the language being used at this time by Bayview Properties.

Please do not take or make decisions that might be appropriate in a metropolitan region such as Toronto or Vancouver here in Victoria.

Thank you for your time and service in representing me and all those who are advocating for reasonable zoning decisions and respect for commitments made on our behalf.

Best regards,

James Barry
83 Saghalie Road
Victoria, BC V9A 0E7

Dear Mayor & Council

I live in Vic West, about 300 meters from the Bayview Roundhouse project site, and go past it regularly on foot and bike, on my way to Spinnakers, Boom & Batten, Lime Bay Park, the Songhees walkway, and the Kimta/E&N bike lanes (which are a great improvement - thank you!).

I've lately been hearing about some opposition to the Bayview Roundhouse project, and wanted to give Council my perspective on that opposition, as well as my own thoughts on the project.

1. I'm an active member of the Vic West CALUC. As such, I've attended community meetings about almost every project proposed in Vic West for the last several years.
 - o At any Vic West meeting, about any modest multi-family infill proposal for the last 2 years, those neighbors in opposition invariably said that they support adding more housing in Vic West, just not this specific townhouse/houseplex project on their street, and that Vic West's housing needs would be more appropriately met by the Roundhouse project, which was on a main road and, in the version of 2021-04-27, was envisioned to eventually include over 1,800 units in 9 towers ranging from 10 to 31 storeys.
<https://tender.victoria.ca/WebApps/OurCity/Prospero/FileDownload.aspx?fileId=7A568B41-110C-40AC-920C-054D53FBBFCA&folderId=97652C200130130718936158> is the 2021-04-27 version on DevTracker
 - o The Roundhouse project proposal has gone through a number of iterations since then, and they've repackaged their rezoning request to cover the entire parcel instead of pursuing North & South section rezonings separately, but the overall concept for the entire site is still 9 towers. Now, many of those neighbors who were specifically touting the 2021 Roundhouse proposal as the solution to Vic West's housing needs, and the justification for why their opposition to small infill made sense, are suddenly voicing concerns about too many towers, too much density, etc.

2. A number of people in James Bay are running a publicity & petition campaign against the Bayview Roundhouse project. I find that rather ironic as, at every council meeting I watch, there are James Bay residents stating that they support development and density for Victoria, but that James Bay has already hosted more than its share, and future development should go in other neighborhoods. Well, Vic West is one of those "other neighborhoods" where new density and development supposedly should go. The organizers of this campaign assure me that they aren't against height and density in general, just that this particular proposal is "too much". And that, given it's only been 15 years since the 2008 concept plan for this site, we need to be careful not to rush things.

Good grief! I choose to believe that people are acting in good faith, but sometimes it's hard.

I know that staff is currently working with the applicant on revisions, and I await that outcome with great interest. In the meantime, I just want to say that:

- This site has been an abandoned polluted mess for many decades. Restoring and repurposing the E&N Roundhouse National Historic Site, while also building much-needed housing and mixed use is a noble goal but, with remediation costs and complexities continually increasing, the E&N right of way going through the site, and the amount of non-buildable space taken by the heritage features, we need to recognize that getting something viable done on this site is going to require tradeoffs, including more towers than we might otherwise prefer.
- That said, I think that a number of Staff's concerns and suggestions are valid, and I hope they are able to help the developer come up with revisions that address the major concerns, and still pencil.
- It's been a long strange trip with Focus Equities and Mr Mariash on the overall Bayview Project, But they're the developer we've got for this site, they've stuck with the project for 20 years, the phase they've completed is a high-quality development that enhances Victoria's skyline, and they seem to understand that the Roundhouse phase needs to be more walkable, lively, and urban feeling than Phase 1.

To quote one of Mr Mariash's many presentations on this project "If not now, when?"

In closing, I just want to say that I really appreciate the focus that this Council is putting on housing, and the way that you effectively work together even if you don't all agree.

Irene Allen

Tyee Rd, Victoria BC

Dear Mayor and Council,

I saw in the news the other day that there's a Change.org petition circulating against the Roundhouse proposal in Vic West. Similarly, there appear to be Facebook groups like "StopBayviewRezoning: and "PeopleforSensibleRezoning" that are organizing against the project. I live less than 300 meters from the Roundhouse, and the concerns raised by these groups do not reflect my views in any way.

Because I am a neighbour I've been following the project for a long time. I've seen multiple iterations of project plans, and wrote to Council when this project came up in May. I understand that Council decided to have staff continue to work with the applicant, and, as of now, I really don't know what the next proposal will look like. The organizers of the petition don't either.

When I look at the Change.org petition I'm struck by how unrealistic it is. In particular:

- The organizers wave the word "density" around as if it was a four letter word.
- The organizers claim to generally support the earlier zoning, but do not recognize that the developer has indicated that plan is not financially viable.
- They bring up "bridge traffic, parking, schools, playgrounds, police, fire services, medical facilities", and claim that Council has not researched any of these issues, when all of those things are routinely considered by staff for a project of this size, and when some of those issues are precisely why staff wanted to continue working with the applicant!
- They ignore the fact that much of the site is dedicated to the existing heritage buildings and that something has to pay for that work. In this case, the restoration and the remediation of a highly polluted industrial site needs to be paid for by the rest of the project.

The petition says "How can the Vic West neighbourhood , and by extension downtown Victoria, possibly survive such a drastic change." Please, just give me a break.

The truth is that BC's population is growing fast, that Victoria is a growing center for jobs and culture, and that increasing numbers of people are looking for homes here. According to the 2023 CMHC report, Victoria has one of the lowest vacancy rates in the nation. The cost of housing is climbing rapidly, and studies around the world show that out of control housing costs are the major cause of homelessness. Saying one supports more density at the Roundhouse site, but not enough to pay for the restoration and remediation work, is no different than opposing any building on the site at all.

The roundhouse development is a very large project. It will never make everyone happy. Earlier versions did not entirely make me happy. But the city's staff have worked with the developer to improve the active transport corridor. They're working on the relationship to Esquimalt road and the neighbourhoods on the other side. I listened to Council's deliberations back in May, and you were asking good questions, and getting sensible answers from staff.

I, for one, am happy with Council's decision making on this topic so far, and am looking forward to seeing the revised plans when they become available.

Sincerely,

Jim Mayer
Tyee Rd, Victoria

You have received an email from Daniel Thon via the City of Victoria website feedback form

Name: Daniel Thon

Email: [REDACTED]

Topic: Development Services

Phone: [REDACTED]

Address: 1404-848 Yates Street

Message: Hi there,

I'm writing to directly counter the narrative that a certain group of residents is pushing. We are in the grips of a massive housing crisis, and it's absolutely unconscionable that so many of the most privileged in this city are pushing back on the Bayview Place project - one that's had some of the longest consultation processes of any project I've ever seen. It's honestly disgusting how much airtime this group of "concerned citizens" gets while I witness the traumatic reality of our homelessness crisis daily. Further, the reasons given against this development hold no water. "Preserving our historic skyline"? What skyline? Victoria's tallest building is a measly 23 stories. And to emphasize - these residents self-proclaim to be James Bay locals. They don't even live in Vic West.

I'm writing to put it on record somewhere that yes, there are people that live in this city that are huge supporters of projects like this one. You don't hear from us as much as the other side likely because most of us are of working age or students and don't have the time or energy to organize in the same way but we are here!

Date: Monday, August 28, 2023 10:00:24 PM

I'm just now reading that council opted to remove 400 units of housing for the roundhouse project. Maybe I'm mistaken, but I thought we were in a housing crisis, and desperate for all the housing we can get. Why add cost and time delays while reducing the amount of housing provided in this dense, amenity rich, transit served neighborhood? Why turn down hundreds of thousands of dollars in tax revenue from net-positive (pays for its own infrastructure and more) housing? Am I missing something?

Jack Sandor

Good Afternoon Council

I hope this message finds you in good health.

I am writing to express my wholehearted **support** for the proposed Bayview Place development in our community. This project's potential to contribute significantly to addressing the housing crisis while incorporating affordability and enhancing an otherwise vacant lot (without any displacement of existing tenants) is commendable.

As we navigate a housing crisis that is **severely** affecting individuals and families throughout our region, it's crucial that we embrace opportunities that can alleviate this pressing issue. The Bayview Place development represents a step in the right direction by adding housing units at a time when they are sorely needed. The inclusion of affordable units is particularly noteworthy, as it provides a lifeline for those who are struggling to secure suitable housing amidst rising costs.

I want to emphasize the significance of the current vacant lot that the Bayview Place development seeks to transform. This unused space presents an ideal canvas for creating a vibrant and sustainable community that can contribute positively to our neighborhood's character and vitality. In my experience, neighborhood character is often misused to mean inanimate structures while allowing significant changes of the neighborhood demographic. I feel the people of Victoria are the neighborhood character, they are the beating heart, living, working, volunteering, playing in our city and for that reason it is vital that we support housing for Victoria's residents.

The importance of developments like Bayview Place cannot be overstated, especially when they align with our community's goals and values. By providing a **range of housing options**, including affordable units, this project shows a commitment to inclusivity and accessibility. As we work collectively to ensure that everyone has access to safe and affordable housing, the Bayview Place development stands as a testament to our dedication to making a positive impact.

I want to express my gratitude for your role in guiding our community. Your consideration of projects that align with our community members' needs is appreciated. I urge you to support the Bayview Place development as a step towards **addressing our housing crisis** while adding value to our community in a meaningful way.

Thank you for your time and dedication to our community **member's** well-being.

Respectfully,

Morris

Hi,

I am writing as a recent addition to the Victoria community. I moved to downtown Victoria three months ago to begin a new job in the city and found the search for housing to be absolutely dispiriting. There were so few listings, and the listings available were outrageously expensive. It is extremely clear to me that the city is in a housing crisis and in desperate need of more homes.

So I was very disappointed to hear that, when faced with an opportunity to allow new housing in our community, city council opted to decrease the FSR of the new Roundhouse project at Bayview Place. This change resulted in the loss of 400 homes. It saddens me to think of the 400 people that will be competing for other spaces in the community who could have been living in this new development.

In the future, I hope the council shows greater willingness to add homes to the community and add them quickly, rather than voting to take them away.

Warm regards,

Seth Wynes

Good afternoon

I'm writing to say that as a resident of Victoria, I fully support building more housing in the vacant lot at Roundhouse in Vic West.

I'm writing because of the recent story in Vic News about a small number of people writing dozens of letters to try to prevent more people from living in their neighbourhood. I want to make sure that my voice is heard, saying that I'd rather live in a city with a large supply of housing and a healthy vacancy rate.

I also heard that the last time this development submitted this proposal, council requested that 400 units be removed from the development in order to reduce the floor to space ratio. I'm wary of this request, as it seems extreme to ask 400 households to go without a place to live because other people might not like how their house looks. Perhaps this would be reasonable if we had enough housing that we were confident that these 400 families looking for a place to live could find somewhere else to live in the city. But demand is so high that we can't make that assumption at the moment.

Thank you for your time and consideration.

Will Owen

Fernwood

I can't believe that we have universal agreement that we are in a housing crisis, yet we're still talking about aesthetics? The only view we should be concerned about is the view from the streets and the hundreds of people forced to live there. Shame on you if you delay this project any further

Tony Johnson

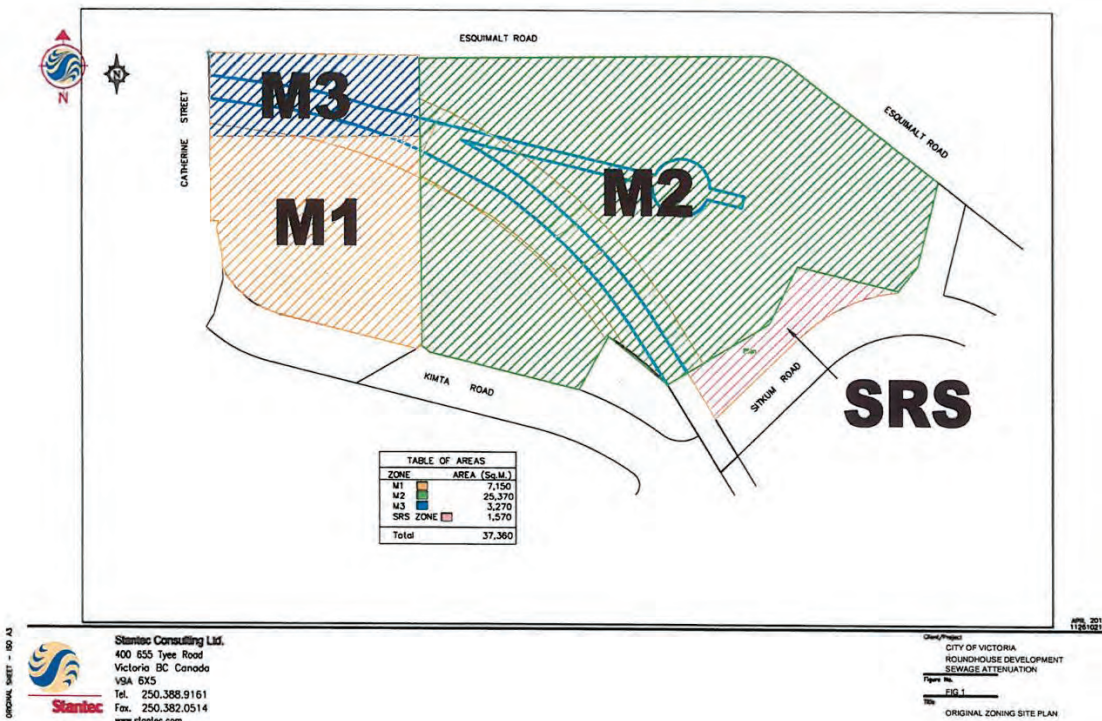
To the Mayor and Council,

When will this end and where is the outrage – finessing the sewage flows at Bayview

Focus Equities has had Stantec as a consultant for decades. This retainer includes Stantec Consulting calculating the permissible and expected sewage flows at Bayview. Thus, on Sept 7, 2022 Deb Becelaere, an engineering technologist with Stantec, wrote in a **report to the city dated September 7, 2022** what their calculations and conclusions were in this regard on the Bayview site.

As the letter states the City of Victoria has a policy in effect concerning new development applications. Under the policy all applications for rezoning which result in a potentially larger sewage flow than the original zoning must attenuate the additional flow on-site and release to the municipal system at a rate no higher than the maximum possible peak flow with the original zoning designation. The revised zoning to the Roundhouse site would potentially result in an increased density, and as such, sewage attenuation had to be considered as part of the application so Stantec was retained for this role.

Here is the finesse though. The calculations of the original sewage flows (pre-development calculations) were performed by Stantec and summarized in a technical report “Roundhouse Development: Sewage Attenuation Calculations” **sent to the City of Victoria on April 10, 2012.** Using the applicable standards at the time, the 2012 report calculations estimated that the sewage Peak Dry Weather Flow (PDWF) for the site was 33.14 L/s. But that pre-development site bears almost no relation to what is proposed. The pre-development site zoning looked like this:



You will see that the site is originally divided into these zoning designations:

- M1 Zone, Limited Light Industrial. Area = 7,150 sq m
- M2 Zone, Light Industrial. Area = 20,475 sq m (plus 4,895 sq m of rail easement)
- M3 Zone, Heavy Industrial. Area = 3,270 sq m
- SRS Zone, Songhees Single Family Residential District. Area = 1,570 sq m
- Total Site Area = 37,360 sq m

Now, I do not want to oversimplify this because there are many calculations for average dry weather, population density, peaking dry weather factors, inflow and infiltration, and peaking wet weather. And that is fine. The problem is with Stantec's assumptions, for instance:

- "We used a 900 foot square condo size as an average size, estimated unit numbers based on this assumption, and estimated 2 People per Condo unit. This is likely a **conservative** population density estimate."
- "Hotel Density: the same factor as for residential zoning was used, assuming 1 person per 450 square foot...Note that currently the area of the development designated as hotel is unknown, so the hotel areas have **conservatively** been included in the Residential flow calculations" [that is because there might be as many as three hotels we still don't know] [emphasis added]

Most importantly, and let me repeat this these assumptions are compounded because **the Sept 7, 2022 report is based on their earlier April 10, 2012 report**. The 2012 report too made some assumptions which were noted to be "not...a realistic proposition" and a "scenario presented here [which] is a very unlikely one in practicality".

Here are these quotations from the April 10, 2012 report in full:

"A potential method of calculating the potential sewage flows as per the existing zoning is by applying the allowable uses and FSR permitted in the zoning bylaw for each zoning designation. This method allows for an infinite number of potential scenarios based on what combination of the allowable uses was used to calculate the flow. **Some of these potential scenarios may not be a realistic proposition, but the zoning bylaw allows these potentially unrealistic scenarios to be built.**" [emphasis added]

"We calculated the flows for a given scenario in which the areas zoned M1, M2, M3 had various high sanitary use businesses on-site, such as car washes, gas stations, restaurants, manufacturing plants, dry cleaners/laundromats etc as allowed in the zoning bylaw. Although the scenarios may not be realistic, the exercise proved that it is possible to estimate very large flows for the original zoning designation by this method, to the point where the flows as per the original zoning designation can match and exceed the post-development sewage flows. This method is typically used to calculate flows when the actual uses and the size of the non-residential units on a site are better defined. Using it in this instance, as mentioned earlier, can result in an infinite number of potential scenarios...**While it is acknowledged that the scenario presented here is a very unlikely one in practicality, it is a possibility under current applicable zoning bylaw regulations.**" [Emphasis added]

Hence the City is being taken again to one of those fictional cleaners on the hypothetical Bayview site. You see while the Stantec reports have been presented based on the existing zoning those uses were

never going to happen today. Accordingly, the rezoning is predicated on outdated assumptions and scenarios. But rather than having moved to update the zoning for that site, consistent with the Vic West Neighbourhood Plan and the Official Community Plan, our past City Councils have been asleep at the railroad switch there and the present Mayor and City Council are ready to let this derailment happen. That should not be allowed. **What City Council should do rather than rezone for Bayview is to rezone and update the site for the realistic and likely uses which we would envision for it today.**

Let's remember you were elected to represent our interests not those of one developer. So you need to take our critiques on board and show that you understand what the real limitations are with the current proposal. This is no time for finesse.

Sincerely,

Arthur McInnis

Subject: Bayview REZ00729

To Whom It May Concern:

653 New 2023 Toyota Camrys at the MSRP

That is what Ken Mariash and Focus Equities has approximately spent over a period of 200 months up to April 2023. TWO HUNDRED MILLION DOLLARS. \$200 MILLION.*

Now this is quite the sum. And, if accurate, then there is a \$200 million premium that will have to be recovered on the development at Bayview Place just to break even.

My guess would be that is not going to help affordability in Victoria. Surely, it would be preferable to keep development costs (pre-construction) to a minimum, so those costs do not have to be passed on to any ultimate purchasers. In addition, we do not even know if this sum *includes* the original purchase price of the land! If it does not that would have to be added pushing up the total.

Rather than dispute this figure though I would simply ask to SHOW US THE RECEIPTS. Seeing those receipts might even more favourably dispose me to the predicament of the developer having spent so much money with no guarantee of a result or return.

Further, knowing exactly whether these sorts of sums are required to take forward developments in Victoria should also be of real interest to the City Council. This is because the Council should never condone imposing such costs on developers. It is also a warning in effect that such costs, accumulated at approximately \$1 Million per month, cannot go on “much longer before the site must be broken up and sold off for single-building projects instead of a master planned community.”*. I find this interesting as well because I thought that is what Ken Mariash is already on the record for what he does:

“We’re a master developer and we subdivide everything into parcels,” said Mariash. “We’ll carve out one parcel for this guy and one for that guy.” Steve McLean, “Focus Equities’ Mariash sets sights on master plans,” *Real Estate News Exchange*, October 17, 2017.

So, I have given two good reasons to Show Us The Receipts. And if that cannot be done, will not be done, or the City will not ask for them then I suppose that I am just going to have to knock some Toyota Camrys off that total.

* “We have been spending approximately \$1 Million per month on this project over the last 200 months and cannot sustain such a cost much longer before the site must be broken up and sold off for single-building projects instead of a cohesive master planned community. We reluctantly closed on our CPR option on this land in 2008 despite the tragic economy, our finance partners backing out, and the obvious design guideline challenges, much like the design guideline problems experienced with the 1998 zoning for Phase I that also required over eight years of redesign and rezoning to create the successful Bayview Phase I that exists today.”

- Undated covering letter from Kenneth W Mariash on Bayview Place letterhead regarding a meeting of Bayview Place residents scheduled for April 26th.

From: webforms@victoria.ca
To: [Development Services email inquiries](#)
Subject: Development Services - City of Victoria Feedback Form
Date: September 6, 2023 10:24:25 PM

You have received an email from Nathan Schmidtke via the City of Victoria website feedback form

Name: Nathan Schmidtke

[REDACTED]

Topic: Development Services

Phone: [REDACTED]

Address: 301-55 Bay St

Message: Regarding Roundhouse/Bayview development on Catherine/Esquimalt//Kimta. I am a resident in support of the construction and revival of the Bayview area. I don't think that having a few more tall towers are going to ruin the neighborhood or view that some folks enjoy from across the bay. It actually seems quite prudent that with the badly needed housing that there are more selective area's like this with more concentrated density. A well designed city may have one central "downtown" but we know that it is good to have other central "hubs" to spread out the traffic, services, and amenities. Vancouver has a downtown but also a great secondary area around Broadway/West 4th Ave, and while Edmonton downtown is north of the river, 82nd Ave/Old Stadacona is a great secondary area.

Victoria has it as well more cross town up the Yates St area, and I think that Vic West is another area that can support more towers. There is already grocery stores, bus service and bike infrastructure in place. Considering there are already the condo's and pathways along the Songhees, it makes more sense for dense development in that area then say Banfield Park/Craigflower getting some high-rises.

Thank you.

Date: Thursday, September 7, 2023 5:24:21 AM

From: ANDREW BECKERMAN <andrewbeckerman@shaw.ca>

Sent: Wednesday, September 13, 2023 1:41 PM

Subject: Re: Bayview

Arthur,

Since no hearing date has been set, I doubt it will happen before I return on October 7th. My August 4th letter was in response from the City Government's call for comments. I believe the Council has seen it.

I doubt those comments did not get past the inept Planning Department to the City Council since the ultimate decision rests with Council. Having said that I have no hope that Council will do anything aside from pass the enormous project which is pure extra profit for the Mariasch's who purchased this land almost 2 decades ago.

Developers are generally greedy and 17 years of Victoria City Councils have only shown me a bunch of un-educated Councilors and City Planning staffers, in the generally accepted norms of good city planning. I know about this since myself and another staffer won a National Planning award in the USA in the late 1970's for a participatory planning ballot which convinced the City and County of San Francisco's Convention and Visitors Bureau that if they were going to knock down a bunch of low income SRO's to expand their convention centre they DID have to provide replacement housing within a block or 2 of where it had been. I doubt anyone on Council or Planning staff are "Award Winning Planners". The past 17 years of City Council's and Mayors have been nothing more than anti public opinion enablers who always say yes to developers. I see nothing in this Council to change that.

What has happened in Victoria since I have lived here these 17 years is a clear, "kill the goose that laid the golden egg: Let's take a livable City and make it really unpleasant just because lots of people who formerly did not live here now want to since we have the mildest climate in Canada and are relatively natural disaster free." Again no one on past Councils have been affected by this over building and I have no reason to assume any of them live in Vic West or near Harris Green.

And one of the worst parts is they have been very late to the affordable/supportive needs which I feel are the only reason for increase last week, seen in densities

Andrew

PS Victoria was already among the densest of cities in Canada. As far as I know none of the past and present Council lives anywhere near VIC West so they will not feel the pain of yet another egregious over build. I'd like to tie Maryanne Alto and all of the Councillors to the top of the Shell Gasoline station sign and then see what they think in the deep shade of Dockside Green and the Roundhouse. Compare both these blots on our neighbourhood to the successful completion of the low to medium rise Railyard Project just across Bay Street which was very well done and has a sense of community no cluster of overly tall and bulky towers will ever have

Here in Italy I was waiting for a bus in Turin. I was chatting with the developer of an adjacent 8 story building. Throughout Italy, Germany, and Scandinavia generally residential construction tops out at 8 preferably or rarely 10 stories. From an 8 story balcony a mother can keep an eye on her kids playing on the street below and shout at them if they are being careless. The developer I was chatting here had a classic Italian response to Dockside Green, The Roundhouse and Harris Green, "Che Oddio" which basically means "What a hateful project." In Italian the word is "scherzo" = a mess!

To Whom It May Concern:

I enclose what are seven submissions on Bayview in one email and given the applicant has now filed its final submission. I urge you read these now before you approve the proposal and lest you have to return to any aspects of them at a later time.

The submissions are headed:

1. This is what is really coming to Bayview Place
2. Five quick points critiquing the Final Submission of the Applicant
3. Relevance of Government Bill (House of Commons) C-23 (44-1) First Reading Historic Places of Canada Act
4. What Density Really Looks Like on this Site
5. 653 New 2023 Toyota Camrys at the MSRP
6. When Will this End. Finessing the Sewage Flows at Bayview
7. Could Changes Proposed by the Ministry of Housing in BC be Driving the Rush to Have Bayview Approved, (Let Alone Contemplating "END TIMES")?

1. This is what is really coming to Bayview Place

This is what is really coming more or less to Bayview Place. The rezoning will add the equivalent of 14 and 1/3 Encore towers. For your information Encore is in Bayview 1. Is this what you are intending?



2. Five quick points critiquing the Final Submission of the Applicant

1. FE did increase the number of affordable (to 215) units and rental (to 240) units but still in addition to 1,410 market units. The grand total then on that site 1865 units. Here is the thing though, Focus Equities is not paying to build it. It is just transferring a portion of the site. I do not see how that possibly satisfies the June 27, 2019 City Council's Inclusionary Housing and Community Amenities Policy which is behind forcing this transfer in the first place.
2. The density has been reduced from the 4.75 FSR, which was before you in May, to 4.58 FSR but which is still above the 4.4 FSR that Jeremy Caradonna put

forward as a compromise on the 4.4 FSR that you City planning staff recommended. Will you give in again?

3. Sequencing of the construction which you pressed for so you could prioritise affordable housing looks instead that it will only be as to community amenities and not the buildings meaning Focus Equities (or to whomever if it sells this approval) could build what it wants in the order it wants. Again, your intention?

4. Focus Equities has made a particular concession on one building (DA-10) reducing it from 23 floors to 10 floors. The only problem though is that no building whatsoever should ever go on that part of the site. DA-10 is at the corner of Sitkum and Esquimalt Roads. You may recall my earlier submission with a Google Earth photo of this tiny triangular patch of land in which case it should be apparent that nothing should go there as even at 10 storeys it will still obscure the Roundhouse anyway. It was likely our public pressure resulted in this change, but it is not enough, not nearly enough.

5. Lastly, and most importantly, none of this necessarily matters. Here is why. Despite it all Focus Equities reserves itself a nice out with this (in bold no less in the application):

“Please note that this application does not exceed a density of 4.8 FSR or 32 floors as indicated in the CALUC in August 2021.”

This then is likely the real limit on Bayview Place which, like so much of what is in this application anyway, really should just not be there.

3. Relevance of Government Bill (House of Commons) C-23 (44-1) First Reading Historic Places of Canada Act

An Act respecting places, persons and events of national historic significance or national interest, archaeological resources, and cultural and natural heritage. <https://www.parl.ca/Docum.../en/44-1/bill/C-23/first-reading:>

“This enactment enacts the *Historic Places of Canada Act*, which provides for the designation of places, persons and events that are of national historic significance or national interest and fosters the protection and conservation of the heritage value of the designated places.”

Why Legislative Protection was Needed

The Auditor General in 2003 - built heritage under federal control will be lost to future generations unless action is taken soon and thus called for strengthening the legal framework

The Standing Committee on Environment and Climate Change in 2017 - the federal government must set an example by adopting legislation to provide better statutory protection for federal heritage buildings and national historic sites under its stewardship Bill C-23 Bill C-23 clarifies legislation affecting federal heritage properties and the designation of places of national significance. It addresses conflicting requirements and better sets out the Government of Canada's role. For the first time it creates a Public Register that gives the public access to information on "designations", "condition" and "planned action" for federal historic places. It needs to be asked if the current rush to judgment on this has anything to do with this pending federal legislation? Passage might also enlighten us as to the role a federal lobbyist may have played in the sale of this property. At the time Roundhouse Properties Limited Partnership was involved and had a federal lobbyist on the payroll - Hal Danchilla, reg no 781289-229263. The address given was 80 Saghalie Road.

<https://lobbycanada.gc.ca/app/secure/ocl/lrs/do/vwRg...>

Bill C-23 also adds Indigenous representation on the Historic Sites and Monuments Board of Canada; by requiring the Board to consider the best available information including Indigenous and community knowledge in its recommendations to the Minister; and by providing an Indigenous-led process for including places in the Public Register. Are the Songhees and Esquimalt Nations aware of this?

Here is the point. It is not too late for this project. A designation has been made with respect to the Roundhouse site and Bill C-23 will affect it going forward. The Bill seeks to better control and manage exactly what has taken place with the Roundhouse. A historic site was purchased and the federal government seems AWOL on it. As a result, and once again, I am calling for you to pause this application and answer more questions. Since the very beginning of my review of this project I have called for more answers about what is happening and has happened. You seem too busy to follow up with any of this. So answers have not been forthcoming. There is simply too much at stake and too little known about what is going on to approve the rezoning without more

4. What Density Really Looks Like on this Site

Let me remind you what your near approved density will look like on this site (on the left in the diagram) according to your City planning staff who I remind you turned it down.

Neighbourhood Transition



4.75 FSR

- **Urban Residential- 6 storeys - 1.2 to 2 FSR**
- **Employment w Limited Residential - 5 storeys - 2.5 FSR**



5. 653 New Toyota Camry's at the MSRP

That is what Ken Mariash and Focus Equities have approximately spent over a period of 200 months up to April 2023. TWO HUNDRED MILLION DOLLARS. \$200 MILLION.*

Now this is quite the sum. And, if accurate, then there is a \$200 million premium that will have to be recovered on the development at Bayview Place just to break even.

My guess would be that is not going to help affordability in Victoria. Surely, it would be preferable to keep development costs (pre-construction) to a minimum, so those costs do not have to be passed on to any ultimate purchasers. In addition, we do not even know if this sum *includes* the original purchase price of the land! If it does not that would have to be added pushing up the total.

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Further, knowing exactly whether these sorts of sums are required to take forward developments in Victoria should also be of real interest to the City Council. This is because the Council should never condone imposing such costs on developers. It is also a warning in effect that such costs, accumulated at approximately \$1 Million per month, cannot go on “much longer before the site must be broken up and sold off for single-building projects instead of a master planned community.”*. I find this interesting as well because

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So, I have given two good reasons to Show Us The Receipts. And if that cannot be done, will not be done, or the you will not ask for them then I suppose that I am just going to have to knock some Toyota Camrys off that total.

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- Undated covering letter from Kenneth W Mariash on Bayview Place letterhead regarding a meeting of Bayview Place residents scheduled for April 26th



6. When Will this End. Finessing the Sewage Flows at Bayview.

Focus Equities has had Stantec as a consultant for decades. This retainer includes Stantec Consulting calculating the permissible and expected sewage flows at Bayview. Thus, on Sept 7, 2022 Deb Becelaere, an engineering technologist with Stantec, wrote in a **report to the city dated September 7, 2022** what their calculations and conclusions were in this regard on the Bayview site.

As the letter states the City of Victoria has a policy in effect concerning new development applications. Under the policy all applications for rezoning which result in a potentially larger sewage flow than the original zoning must attenuate the additional flow on-site and release to the municipal system at a rate no higher than the maximum possible peak flow with the original zoning designation. The revised zoning to the Roundhouse site would potentially result in an increased density, and as such, sewage attenuation had to be considered as part of the application so Stantec was retained for this role.

Here is the finesse though. The calculations of the original sewage flows (pre-development calculations) were performed by Stantec and summarized in a technical report “Roundhouse Development: Sewage Attenuation Calculations” **sent to the City of Victoria on April 10, 2012.** Using the applicable standards at the time, the 2012 report calculations estimated that the sewage Peak Dry Weather Flow (PDWF) for the site was 33.14 L/s. But that pre-development site bears almost no relation to what is proposed. The pre-development site zoning looked like that in the drawing at the end of this post.

You will see from the diagram that the site is originally divided into these zoning designations:

- M1 Zone, Limited Light Industrial. Area = 7,150 sq m
- M2 Zone, Light Industrial. Area = 20,475 sq m (plus 4,895 sq m of rail easement)
- M3 Zone, Heavy Industrial. Area = 3,270 sq m
- SRS Zone, Songhees Single Family Residential District. Area = 1,570 sq m
- Total Site Area = 37,360 sq m

Now, I do not want to oversimplify this because there are many calculations for average dry weather, population density, peaking dry weather factors, inflow and infiltration, and peaking wet weather. And that is fine. The problem is with Stantec’s assumptions, for instance:

*“We used a 900 foot square condo size as an average size, estimated unit numbers based on this assumption, and estimated 2 People per Condo unit. This is likely a **conservative** population density estimate.”*

*- “Hotel Density: the same factor as for residential zoning was used, assuming 1 person per 450 square foot...Note that currently the area of the development designated as hotel is unknown, so the hotel areas have **conservatively** been included in the Residential flow calculations” [that is because there might be as many as three hotels we still don’t know] [emphasis added]*

Most importantly, and let me repeat this the effect of these assumptions is compounded because **the Sept 7, 2022 report is based on their earlier April 10, 2012 report**. The 2012 report too made some assumptions which were noted to be “not...a realistic proposition” and a “scenario presented here [which] is a very unlikely one in practicality”.

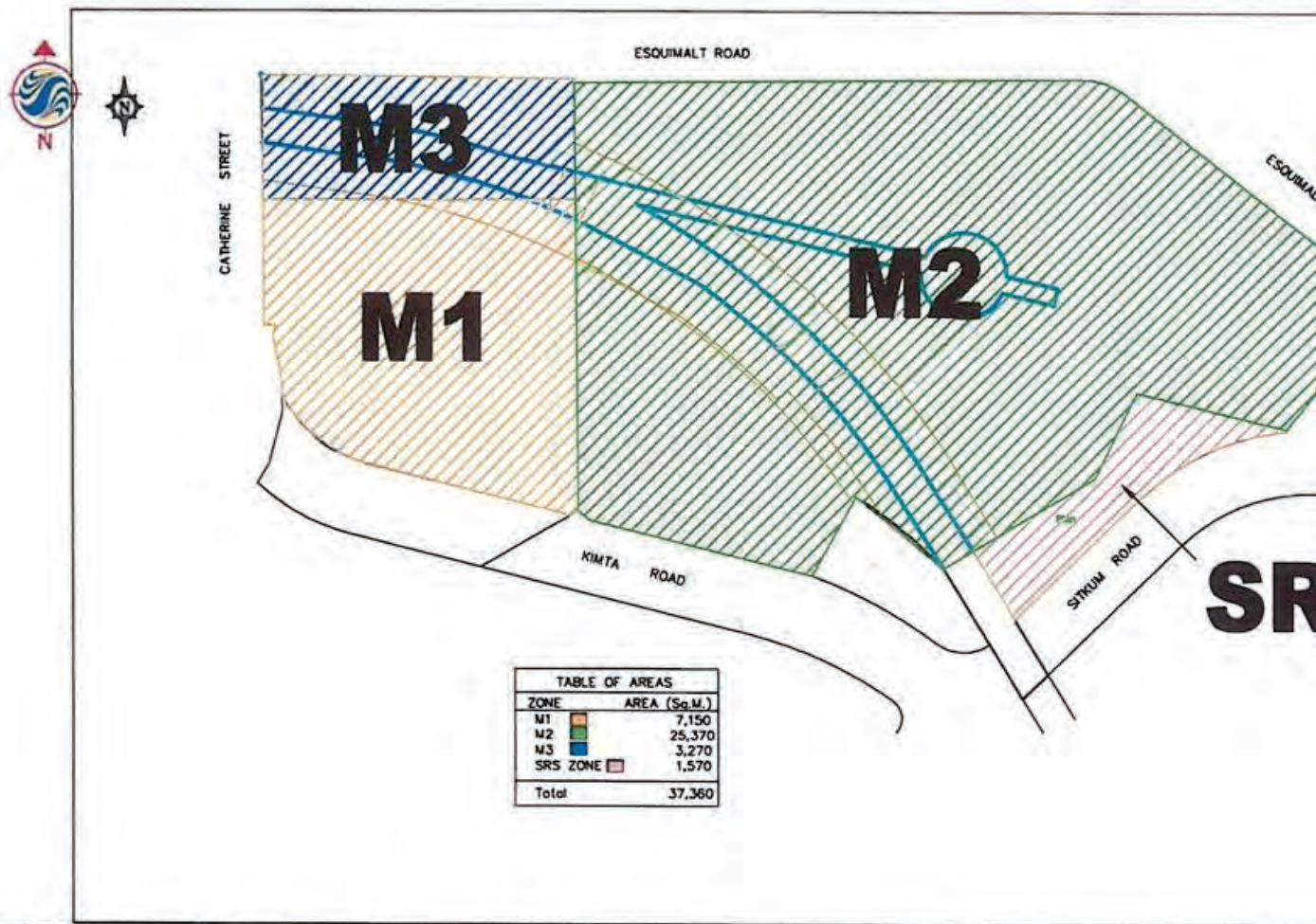
Here are these quotations from the April 10, 2012 report in full:

*“A potential method of calculating the potential sewage flows as per the existing zoning is by applying the allowable uses and FSR permitted in the zoning bylaw for each zoning designation. This method allows for an infinite number of potential scenarios based on what combination of the allowable uses was used to calculate the flow. **Some of these potential scenarios may not be a realistic proposition, but the zoning bylaw allows these potentially unrealistic scenarios to be built.**” [emphasis added]*

*“We calculated the flows for a given scenario in which the areas zoned M1, M2, M3 had various high sanitary use businesses on-site, such as car washes, gas stations, restaurants, manufacturing plants, dry cleaners/laundromats etc as allowed in the zoning bylaw. Although the scenarios may not be realistic, the exercise proved that it is possible to estimate very large flows for the original zoning designation by this method, to the point where the flows as per the original zoning designation can match and exceed the post-development sewage flows. This method is typically used to calculate flows when the actual uses and the size of the non-residential units on a site are better defined. Using it in this instance, as mentioned earlier, can result in an infinite number of potential scenarios... **While it is acknowledged that the scenario presented here is a very unlikely one in practicality, it is a possibility under current applicable zoning bylaw regulations.**” [Emphasis added]*

Hence you are being taken again to one of those fictional cleaners on the hypothetical Bayview site. You see while the Stantec reports have been presented based on the existing zoning those uses were never going to happen today. Accordingly, the rezoning is predicated on outdated assumptions and scenarios. But, rather than having moved to update the zoning for that site, consistent with the Vic West Neighbourhood Plan and the Official Community Plan, you and our past City Councils have been asleep at the railroad switch there and appear ready to let this derailment happen. That should not be allowed. What you should do rather than rezone for Bayview is to rezone and update the site for the realistic, practical and likely uses which we would envision for it today.

Let's remember you were elected to represent all of our interests not those of just one developer. So you need to take our critiques on board and show that you genuinely understand what the real limitations are with the foundations of the current proposal. In short, this is no time for finesse. The quotations and diagram below all taken from materials filed by the applicant with the City and viewable on the Development Tracker website for application REZ00729.



ORIGINAL SHEET - 150 A1



Stantec Consulting Ltd.
 400 655 Tye Road
 Victoria BC Canada
 V8A 6X5
 Tel. 250.388.9161
 Fax. 250.382.0514
 www.stantec.com

7. Could Changes Proposed by the Ministry of Housing in BC be Driving the Rush to Have Bayview Approved, (Let Alone Contemplating “END TIMES”)?

A Health Report by Statistics Canada on “The Prevalence of Household Air Conditioning in Canada” showing BC at the bottom of the league tables may end up forcing changes to local building and planning regulations. It could also be a reason why some may wish to rush City Council planning approval, while others see it as a reason for stopping approval.

Why? Because of the increasing understanding of the effect of heat on four heat-vulnerable populations which are defined as: (1) older adults, (2) older adults living alone, (3) older adults with at least one health condition associated with reduced thermoregulation and (4) older adults living alone and with a health condition associated with reduced thermoregulation. This type of research appears to now be prompting the BC Ministry of Housing into making changes. **“A housing ministry spokesperson said the province is proposing all new homes provide one living space that is designed not exceed 26 C – through elements like insulation, solar reflectivity or using cooling devices.”** (*Victoria News*, 19 July, 2023).

Suggestions as to how more extreme heat should be managed in Canada have been given following research in 2022 by the University of Waterloo’s Intact Centre on Climate Adoption, **“Irreversible Extreme Heat: Protecting Canadians and Communities from a Lethal Future,”** There are a range of measures indicated for individuals, property owners and communities in the Report. For example use green infrastructure: plant and maintain trees, expand vegetation cover and absorb water to keep gardens and balconies cooler, install a green (vegetated) roof, and grow a green (vegetated) façade. To improve buildings move to grey infrastructure: enhance insulation and airtightness, install cool (reflective) roof / wall / paving surfaces, use concrete, brick, stone and tile finishes that absorb heat, install windows that reduce heat gain from the sun, install shading devices (shutters, awnings, overhangs, blinds, heat-resistant curtains), install temperature and humidity monitors or controls, use ceiling / portable fan(s), install and maintain air conditioning / heat pump, install and maintain backup power generation (e.g. to maintain air conditioning in designated ‘cool’ rooms), and arrange for backup water supply during power outages (pumped water supply cannot function properly without power).

Excuse me but where is this addressed in the current application? It appears to be missing and no one today should expect grandfathering with current building and planning regulations that do not contemplate what is coming. Of particular salience for Bayview is that part of the Waterloo Report that pertains to **“Urban Heat Islands”**. You see, Bayview will be its own mini-heat island. Here are just two factors and their descriptions that the Waterloo Report states regarding heat islands:

“Replacement of natural ‘green’ infrastructure with man-made ‘grey’ infrastructure (factor):

Trees, vegetation and water bodies (rivers, lakes and ponds) tend to cool the surrounding air and surfaces by providing shade, transpiring water from their leaves, and by evaporation. Man-made surfaces—such as roofs, sidewalks, roads, buildings, and parking lots— provide less shade and evaporate less moisture than natural landscapes. Man-made materials also tend to absorb, and later emit, more of the sun’s heat than natural surfaces” (description).

“Urban geometry (factor):

The sizes and spacing of buildings in a city influence the flow of wind, and its ability to absorb and release solar energy. In heavily developed areas, the surfaces and structures of buildings that are near each other become large thermal masses that cannot readily release their heat. Cities with many narrow streets and tall buildings also create urban canyons, which can block the natural flow of wind that would cool the area (description).”

Here is my point. Climate, and what we will have to do to mitigate its worst effects, not just its effects on heat-vulnerable populations but everyone, is one more good reason for **No Rush To Judgment on Bayview**. You need to take a moment and look at all of the implications of approving this project as there is too much at stake. On Sunday, 23 August 2023, when fires blanket the province, evacuation orders for Yellowknife and West Kelowna are in effect, Lahaina is in ruins, and Typhoon/Tropical Storm Hillary is bearing down on California - **we need a timeout. Bayview is now officially wrong for the times**. You need to step up and be honest about what Vic West needs today, what Victoria needs today, what the province needs today, and what the world needs today. It is most certainly not 9 towers at Bayview.

<https://www150.statcan.gc.ca/.../article/00002-eng.htm>

https://www.intactcentreclimateadaptation.ca/.../UoW_ICCA..

Sincerely,

Dr (Joel) Arthur McInnis

We are writing in support of the development of the Roundhouse at Bayview Place in Vic West.

There is a need for increased housing availability in Victoria. While we understand the tendency of people to say “not in my back yard!”, the reality is we have an increasing population and it is essential that we create housing.

We have been impressed with the thoughtful and intelligent design that appears to have gone into this proposed development. The inclusion of both the affordable housing component and the rental building will be very important. Certainly the donation of the serviced lot to build affordable housing is significant.

The proposal is designed to provide for additional commercial space that will serve the needs of a growing Vic West population. Also, if a hotel were to be built, it would free up units (currently used for short term rentals) for the long term rental market.

The restoration of the heritage buildings and the footprint of the proposed buildings will allow for open public space and a functional and pleasing aesthetic result.

Thank you for your consideration,

Ian and Juliana Gibson
404-70 Saghali Road
Victoria, BC V9A 0G9

BAYVIEW PLACE

UPDATE MEMO FOR COUNCIL

October 23, 2023

Please accept this memorandum to Mayor and Council in support of your consideration of Committee of the Whole Report dated October 20, 2023 for the Bayview Roundhouse project.

Focus Equities has enjoyed a partnership with the City of Victoria for more than two decades. Since the initial launch of our Bayview project in 2008, we have completed environmental remediation of the hilltop, delivered hundreds of new homes for Victoria, and provided new and improved public spaces and parks to the Vic West community. We look forward to continuing our partnership with the City through the rezoning and commencement of the Roundhouse phase of the project – the final 10 acres of a project that was always envisioned as part of the complete 20-acre master-planned community.

RECENT CHANGES

Since Council last considered this application in May 2023, we have had our consultant team busy working with staff to make a number of updates to our application. These updates include:

- A decrease in overall density to 4.58 from 4.75
- A 43% increase in affordable housing units – total for the site is now estimated at 215
- An increase in the number of rental housing units to approximately 245 units, a 60% increase
- A commitment for daycare space within masterplan along with guidance for child-friendly public areas
- Modest increase in height to some buildings to support additional smaller tower floorplates and increased tower separation to meet City livability goals
- A decrease in height in the building fronting Catharine Street (DA-6) to support neighbourhood transition and the building behind the Roundhouse (DA-9) to improve heritage outcomes

UNLOCKING THE SITE

As you are likely aware, development of the Roundhouse lands has been stalled for many years due to challenging development constraints, specifically restrictive and rigid design zoning and development regulations. **In short, the project cannot be built under the current zoning and restrictive design guidelines.** Fixing these regulations and repositioning of the project is vital to be able to deliver the public amenities that were promised to local residents in 2008 -- such things as the restoration of the heritage structures on site, as well as the provision of a community-focused retail area and associated public spaces – let alone the additional amenities requested and provided in this new application. We at Focus Equities are committed to providing these amenities to the City of Victoria, but they can only be delivered through the development of the project as presented in the rezoning application before you now.

In the intervening period since 2008, costs have risen significantly requiring additional revenue to keep the project viable. In addition to supporting viability, **this additional density will provide a total of approximately 1,870 new homes to support Victoria's growth and development**, with many of those homes coming in the form of rental and affordable housing.

When we began this process in 2020, we proposed development of the site at 5.80 FAR – an amount in line with other recently-approved applications in the core and one that would have provided even more housing for current and future Victorians. Since then, subsequent revisions undertaken in discussions with the City have decreased that

BAYVIEW PLACE

number to the current 4.58 FAR, all while increasing the scope of the public amenities being offered. Despite challenging financials for the project, and a land lift analysis that shows amenity contributions well in excess of those required, we have responded to requests for more public benefits at each step as we strive to achieve the best possible outcome for all stakeholders. **However, any further decreases in density or additions to the amenity package beyond those within this iteration of our application run a serious risk of rendering the project unviable, once again.**

REALIZING PREVIOUS COMMITMENTS

Unlocking this site through the rezoning will allow us to deliver the original site amenities (valued at \$25 million) guaranteed through the existing approvals – amenities that we are committed to maintaining. These include:

- Rehabilitation of the E&N Roundhouse heritage structures
- Provision of off-site streetscape and frontage improvements along Esquimalt Road
- Development of a series of public spaces and plazas on-site along Esquimalt Road
- Development of a multi-purpose pathway (Rail Trail) and greenway linking Sitkum Road and Catherine Street
- Development of a central Turntable Plaza, which will function as forecourt for the heritage setting and a focal point of community gathering
- Provision of off-site park improvements to Lime Bay Park and Sitkum Park
- Development of Lime Bay Mews and Roundhouse Mews, shared-use corridors that will accommodate vehicular, pedestrian and cyclist traffic
- Protection and retention of a significant stand of Garry Oaks
- A cash contribution to support future indoor community space, exceeding \$800,000 in value
- Development of an on-site Site Interpretation Program which will highlight the unique history and heritage value of the E&N Roundhouse.

The rezoning will also allow for works supporting the rehabilitation and adaptive re-use of the heritage designated Roundhouse buildings and structures, including the Car Shop, Roundhouse, Back Shop and Stores Building at a cost of \$22.8M.

Given that the current proposal would see the addition of new density to the Roundhouse neighbourhood, expansion of the list of amenities has been part of the plan from its earliest iterations. This expanded package includes additional public spaces, plazas and green space along with a significant rental and affordable housing contribution.

A land lift analysis for the revised Roundhouse project previously identified \$11.6 million as representing an appropriate community amenity package as per City of Victoria policy. The reductions in density undertaken since the last COTW meeting have changed that calculation somewhat. While an updated CAC calculation has not yet been completed by the City's consultants, a revised estimate (using the same methodology used by Coriolis Consulting) indicates that the new CAC target (based on 4.58 FAR and the expansion of the affordable and rental housing share) is now closer to \$9.2 million. This means that the additional amenities proposed in the new package, which represent a value of approximately \$13.6 million, **exceed the required CAC threshold by approximately \$4.4 million.**

In addition to this, provision of land for an affordable housing site to the Greater Victoria Housing Society represents a benefit **appraised at approximately \$13.2 million dollars in value.** A summary of the public benefits and amenities unlocked by this application is provided below.

BAYVIEW PLACE

Previously Committed	Value (\$2021)
Heritage Building Rehabilitation	\$ 22.8 M
2008 Public Realm and Amenity Investments	\$ 25.0 M
New Commitments	
On-Site & Off-Site Community Amenities (In Addition to 2008 Commitments Above)	\$ 13.6 M
Affordable Housing Site (Donation to GVHS)	\$ 13.2 M
Previously Calculated CAC (Based on 4.75 FAR)	\$ 11.6 M
Estimated New CAC (Based on 4.58 FSR)	\$ 9.2 M
Value of New Commitments in Excess of CAC Policy	\$ 17.6 M

In total, the proposed rezoning of the site will unlock \$47.8 million in value to the City previously committed to, while also providing \$26.8 million in additional benefits -- \$17.6 million above that required by the City's CAC policy.

Overall, we feel that our represents a once-in-a-generation partnership to support the ongoing development of this community.

IN CONCLUSION

Overall, we feel that the revised Roundhouse project is well positioned to meet the goals and objectives of the City of Victoria, and as importantly, to support the long-held shared community vision for the transformation of the site along with the delivery of commitments made when project was first conceived.

As you can imagine, we at Focus Equities are keen to see this project move forward in a timely way, but we are just as committed to creating a positive legacy for the City of Victoria. Our track record in Vic West, established as part of the first phases of the Bayview project, shows that we are well positioned to deliver a community-focused project that the City can be proud of.

We look forward to your support as we move this project forward to a Public Hearing.


202
2

CITY OF VICTORIA | Sustainable Planning & Community Development


Update Report-Rezoning & Official Community Plan Amendment Application

For 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road


COMMITTEE OF THE WHOLE | October 26, 2023



1



Aerial Photo



2

COTW May, 2023

Motion Summary

- Commence with the OCP notification
- Refine the master plan to achieve standard urban design criteria, determine park and frontage standards, agree on TDM measures
- Establish a phasing plan to secure timely rail realignment and heritage revitalization
- Reduce the FSR from 4.75 :1 to ~4.4:1
- Explore creating more on-site amenities, such as child care facilities and play features for kids and teens



Building Heights/ Uses

MASTER PLAN



Building Heights - Previous Application

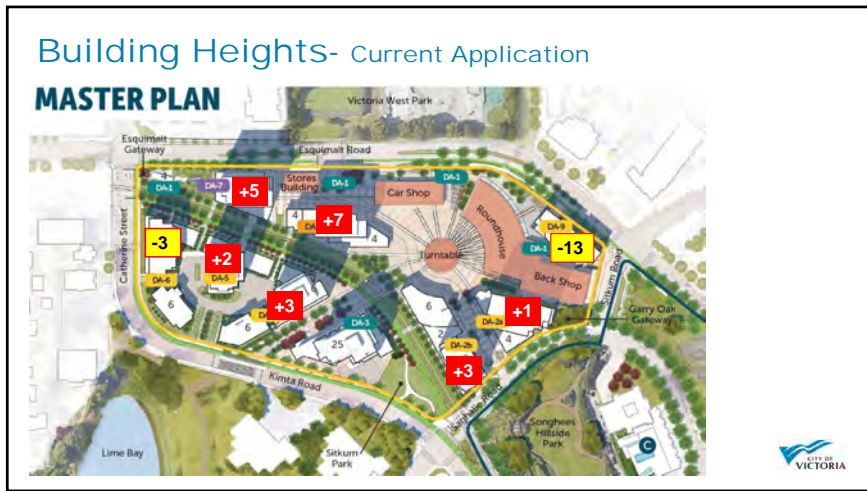


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Building Heights- Current Application



6



Massing/ Floor Plates

Previous Proposal

PROPOSED DEVELOPMENT AREA:	Tower
DA-2	Condo/Hotel 740
DA-3	E&N Tower 810
DA-4	Condo/Hotel 740
DA-5	Condo/Hotel 740
DA-6	Condo 700
DA-7	Rental 750
DA-8	Condo 700
DA-9	Condo 700
Sub-Total: -	
DA-10	Affordable Housing 720
TOTAL PROPOSED AREA:	TOTAL: -

Current Proposal

PROPOSED DEVELOPMENT AREA:	Tower	
DA-2a	Condo 700	-40
DA-2b	Condo/Hotel 655	-45
DA-3	E&N Tower 810	n/c
DA-4	Condo/Hotel 680	-80
DA-5	Condo/Hotel 650	-90
DA-6	Condo 650	-50
DA-7	Rental 710	-40
DA-8	Condo -	-
Sub-Total: -		-
DA-1	Esquimalt Gateway**	-
DA-7	Affordable Housing 655	-
TOTAL:	TOTAL: -	-



Proposed Density

- Staff recommended a density of 4:1 FSR
- Council Motion indicated densities of approximately 4.4:1 FSR
- Amended proposal reduced density from 4.75:1 to 4.58:1 FSR



9

Density - Previous Proposal



10

Density- Current Proposal



Proposed Master Plan for the Site (2016/17)



Views- Previous Proposal



Views- Current Proposal

1 View from Fisherman's Wharf Park



Views- Current Proposal

2 View from Coast Intersect



3 View from Laurel Point



4 View from Ship Point



5 View from Harbour Road



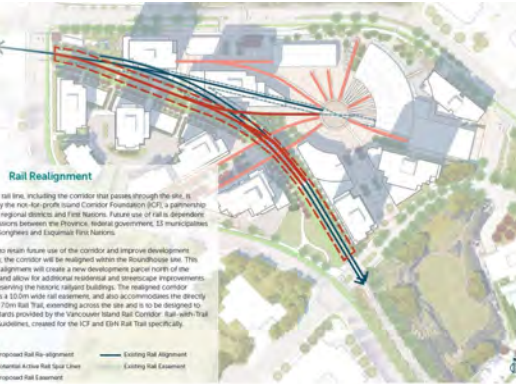
Rail Realignment/ Sequencing

6.4 Rail Realignment

The ERM rail line, including the corridor that passes through the site, is owned by the not-for-profit based Corridor Foundation (CF). A partnership between regional districts and First Nations. Future use of rail is dependent on discussions between the Province, federal government, 13 municipalities and the Songhees and Esquimalt First Nations.

In order to retain future use of the corridor and improve development feasibility, the corridor will be realigned within the Roundhouse site. This adjusted alignment will create a new development parcel north of the corridor and allow for additional residential and streetscape improvements while preserving the historic adjacent buildings. The realigned corridor maintains a 10.2m wide rail easement, and also accommodates the directly adjacent 70m Rail Trail, extending across the site and is to be designed to the standards provided by the Vancouver Island Rail Corridor Rail with Trail Design Guidelines, created for the ICF and ERM Rail Trail specifically.

Legend

Affordable Housing/ Rental

- ~1900 Homes
- ~10% Affordable- DA7
- ~12% Market Rental- DA8



Affordable + Rental Housing
 10% (or 20% of total units) Affordable + Rental

Approximately 215 Affordable and 240 Rental Housing units. A 40% increase in Affordable and 60% increase in Rental units by May 2023 (revised by 50%).



Market Housing
 Approximately 1,685 market rental units across a 1.6M sqm of site space from build to 54 buildings.



- Approximately 1,870 residential units including market condominiums and rental homes and affordable below-market homes
- Almost 25% of housing (460 homes) are identified for affordable below-market rental and market rental housing



Affordable Housing/ Rental



Affordable Housing/ Rental



Childcare

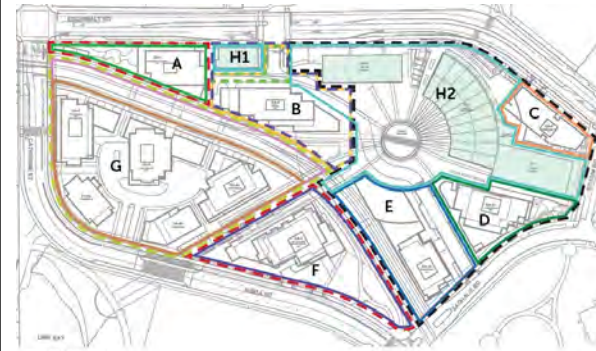


Childcare

5,200 sq of childcare centre with outdoor play area for a minimum of 10 years



Amenity Sequencing



Amenity Sequencing



Amenity Sequencing Heritage

2.4.3 Heritage Building Rehabilitation Sequencing

The rehabilitation of heritage buildings and assets is a multi-factor process that is dependent on several other on-site redevelopment activities.

The site remediation and clean-up works are a primary determinant in the scheduling of this rehabilitation work, as the forecourt areas of the heritage buildings are to be excavated as part of the site remediation works, and reinstated to grade, at which time building rehabilitation can commence.

In order to ensure that the rehabilitation works are not the last development activities on the site, Focus Equities has committed to scheduling a staged program for rehabilitation that ensures that works on all heritage buildings are to be underway prior to a Building Permit being issued for DAs 4-6 inclusive. These remaining sites represents approximately 30% of the overall density of the application area, which represents a significant commitment and incentive to ensure rehabilitation of these heritage resources.

In addition the rehabilitation of the Stokes Building is to commence in conjunction with the development of DA-8.

Additional information for sequencing can be found in Section 10.0. Details as to the conditions of sequencing of works related to these heritage resources is to be outlined in the Master Development Agreement (MDA).

Amenities for Kids/ Teens

- Native Forest
- Gathering Groves
- Garry Oak Outcrop

OCP Notification

The majority of responses were from those in opposition to the proposal, but there were also responses from those in support and those undecided. Within the responses for those in support, there were comments regarding:

- increase in housing, including rental and affordable housing
- proximity to downtown and ability for this to be a walkable development
- potential to increase the vibrancy of the area
- new retail, services and amenities in the area
- remediation and redevelopment of a contaminated 'brownfield' site
- rehabilitation of the heritage buildings.

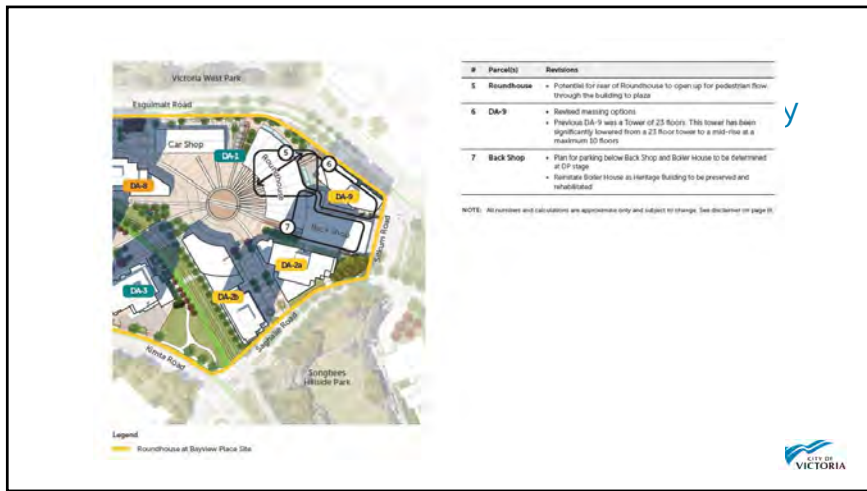
The responses for those opposed identified the following areas of concern:

- too much density and the impact this will have on surrounding services and infrastructure
- the increased number and height of proposed buildings
- increased shadowing
- impact on the skyline and public views, including spacing between buildings
- impact on the heritage buildings and that the heritage rehabilitation is in the later phases of the development
- lack of public and green spaces to accommodate the increased density
- inconsistency with current neighbourhood and OCP policies
- narrow setbacks
- increased traffic and impact to existing roadways and street parking
- roadway through the site would negatively impact pedestrians
- impact of construction to neighbouring properties throughout the development
- track record of the developer.



End





#	Parcels	Revisions
5	Roundhouse	<ul style="list-style-type: none"> Potential for rear of Roundhouse to open up for pedestrian flow through the building to plaza
6	DA-9	<ul style="list-style-type: none"> Revised massing options Previous DA-9 was a tower of 23 floors. This tower has been significantly lowered from a 23 floor tower to a mid-rise at a maximum 10 floors
7	Back Shop	<ul style="list-style-type: none"> Plan for parking below Back Shop and Boiler house to be determined at 3D stage Restora Boiler house as Heritage Building to be preserved and rehabilitated

NOTE: All numbers and calculations are approximate only and subject to change. See disclaimer on page 11.

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Affordable Housing/ Rental

- ~1900 Homes
- ~10% Affordable- DA7
- ~12% Market Rental- DA8

2.3.1 Summary of Changes

#	Parcels	Revisions (since May 2023 CofW)
1	DA-7 / DA-1 Area	<ul style="list-style-type: none"> Height increased from 18 to 22 floors at request of CofW to meet inner South of affordable housing Additional height supports approximately 225 units based on CMAA current program, a 43% increase Program anticipates incorporating Childcare within the affordable housing building, as a preferred location West portion of parcel retained for potential rail heritage structure and commercial use separate parcel.
4	DA-8	<ul style="list-style-type: none"> Height increased from 18 to 24 floors at request of CofW to address additional rental housing Additional height, combined with a re-allocation of other land, supports approximately 240 rental units, a 60% increase.

26