

1) Four levels of residential use above the Alston Street entrance level results in a 25 metre high elevation to Tyee Rd, ie seven/eight floors compared to the three/four floors of the existing residential buildings opposite. The result will be serious shadowing and excessive massing on that elevation. No drawings show this relationship, nor are there any shadow diagrams. No attempt has been made to reflect the huge level difference across the site. The scheme might be more acceptable if the massing reflected this.

2) There is a continuous strip of mature vegetation including trees which will be lost along Tyee Road. These currently soften the boundary between industrial and residential uses, and the minimal planters shown to replace them will have minimal effect.

3) Since there appears to only be access to the industrial units via Tyee Road, with no open yard space to the units, and only assigned parking, then vehicle movements, parking for loading/offloading will all happen on Tyee Road close to its corner with Regatta Landing, risking congestion and traffic hazards. In conclusion I oppose the change of use application as it enables an overdevelopment of the site.

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James G White #311 90 Regatta Landing, Victoria

> -----Original Message-----

> From: Lorna Jamison [REDACTED]

> Sent: Thursday, April 13, 2023 3:23 PM

> To: Development Services email inquiries <DevelopmentServices@victoria.ca>

> Subject: 1055 Alston

>

> Hello: Light Industry is in appropriate for this particular corner and the height of the building will cause considerable shadow which will affect the foliage in the neighbourhood. Traffic is another issue. I live at 90 Regatta Landing. Lorna Jamison

Madame Mayor and Council,

I could speak volumes on this proposal and why it negates the beauty, uniqueness of Vic West was, is and could become.

I am a senior citizen, inactive educator of 28 yrs with the VSB. (Van) I am an original owner who bought my 475 sq ft property on the southwest side of building, Lefevre developers and realtors boosting one of Victoria's last waterfront opportunities. Treasures of a budding community, Galloping Goose (nature appeal) cycling, walking, situated close to downtown. An acknowledged bird sanctuary and environmentally sensitive area.

Tyee Rd is the entry way to the Regional Selkirk Trestle. To the left of Tyee Rd and right are main arteries for cyclists connecting towards city and other destinations.

Tyee Rd and Central Spur thoroughfares to the Goose.

Reading the OCP for creating a healthy, walkable, recyclable community can you even begin to understand the characteristics of this "self-serving", esthetically/environmentally disregard for what the residents wish to mold into a place we call home, build community, raise families, preserve/protect our wildlife.

This project trespasses on all aspects of the OCp.

This project is "destruction" to an eco system less than a mile away that is a migratory bird sanctuary and designated sensitive environment.

This project defies the definition of the M2-S zoning which allows a number of business. WHY CAN'T we get the "lighter side of industry". Presently, we have pot sop, auto industrial paints/solvents, carpet depot, book publisher's warehouse. With it,, freightliner trucks that barely navigate the narrow roadway. Honking and beep-beep backup signals all day long. On the residential side of our "light industrial" neighbors we have private residences with no connection to these business occupants. They do not contribute to the enjoyment or well being of the community. Top it off with a rooftop fan installed on the closest side of Tyee Rd that made a higher than acceptable decibel reading and sickening aiaiaiaiaiaia sound 24/7 and numerous calls and investigation checks inside our homes by John Kitson (bylaw officer) negotiating with the HOSTILE building owner. IT TOOK 1 YR. AND DESPITE AN ACOUSTIC WALL ON ROOFTOP FAN AND SOME OTHER MOUNTED WALL FIXTURE TO QUELLE THE SOUND IT PERSISTS TODAY.

Way more when you add TRUTH Gym a 24/7 business. Cardlocl system for members. Thunderous drops of weights in wee hrs of am. And indoor lighting and tv playing football all in sight line of my home.

A warehouse with a parkade? A 5 storey bldg on a hillside to shadow all residents on the southwest side of the building. Give your head a shake! The entryway on Tyee Rd should be a celebrated bike path with a reach out to the "Kwum Kwum Lelum" or House Of Courage recently opening 865 Catherine St to do something positive and showcase Aboriginal Art.

In the spirit of reconciliation this is there land. They'd never approve "pave paradise and put up a parking lot"

To the developer, go across the street Bay St complex would make a good industrial site.

Truly, you are not welcome in our residential, community,

Environmentally loved neighborhood.

Regards, Lynn Miller

797 Tyee Rd

P.s. Just thought I'd share an informal "community garden" started by emptying a pot of dirt. Snapdragons appeared. It has brought together a group of people from gateway, regatta landing and other neighbors who gather to talk, laugh. All enjoy and pitch in with caregiving the space. It is even regularly swept, watered. There are beautiful songbirds, fruit plants. It is the "woods" or "greenspace" for Tye Rd gateway to the Selkirk Trestle. Preserve the last of natural beauty and home to much wildlife. We are more of a residential neighborhood and building community is a process. As an original owner of my property and a senior citizen. I see and witness people building relationships. Help save Vic West from this proposed aggressive, unwanted development proposal  
1055 Alston Street, Victoria BC

Sincerely,  
Lynn Miller  
Vic West



**From:** [REDACTED]  
**To:** [Development Services email inquiries](#)  
**Cc:** [REDACTED] [landuse@victoriawest.com](mailto:landuse@victoriawest.com)  
**Subject:** 1055 Alston Development Application  
**Date:** April 19, 2023 12:13:46 AM

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I own an apartment on Regatta Landing, diagonally opposite, and facing, the proposed development. I believe the proposed building exceeds the current zoning bylaws, and I oppose it in its current form.

### 1) Size of scheme.

The information package available online contains no schedule of areas, so I am using their Architect's drawing A001 ,A201 & A202.

A001 states the development total area is 3207 sq. M., it also records the residential element as 2914 sq M. I believe the OCP for Industrial- Residential, the zoning applicable, recommends that the upper floor preferred, residential element have an FSR of 1.5:1 , which based on the site area of 1406 sq M yields 2109. sq M of residential, significantly less than their proposal.

Their total of 3207 sq M, does not match their stated figures on A001 of the Light industrial element-906 sq M plus the Residential figure of 2914 sq M which would total 3820 sqM .

Their drawings A201&A202 indicate that the Light Industrial floor is 846 sq M with a further mezzanine floor above of 340 sq M giving a total of 1186 sq M, rather than the 906 sq M they state as the Light Industrial total. I believe Bylaw 12.052 restrict the area of Mezzanines to 28.5% of the main floor area below, so this floor is not a mezzanine but a floor minus one internal wall.

Assuming no errors on their A001 drawing one could conclude the scheme consists of:

Residential 2914 sq am

Industrial 1186 sq M

Total area = 4100 sq M, which placed on a site area of 1406 sq M gives a FSR of 2.9:1, exceeding the 2.5:1 FSR for Industrial-Residential.

If this interpretation is wrong then the Developer should produce a schedule of area calculations to demonstrate that the scheme complies.

### 2) Height of Development Perceived from Tyee Rd.

At the Zoom CALUC meeting on April 18h'23, the Architect for the Developer stated the height of the building had to be related to the definition of "Grade" as it is defined in the zoning bylaws. However even on this basis it does not comply.

Drawing A301 shows the height of "Roof Bearing" above Tyee Rd as +34.355, but since a parapet is shown above this we could assume the actual height is a least +34.700M. Given Grade as 18.523 this elevation is likely a metre in excess of the 15 M maximum allowed in the zoning bylaw.

It may be that in addition to this apparent factual breach of the bylaw, some might consider that it shows the inadequacy of the current definition of grade in such large developments.

The City of Victoria might look at the way average grade is defined in the City of Vancouver's Bylaws, where an envelope approach may better reflect the massing impact across large sites with major level differences.

To claim that a 24 M high elevation to Tyee Rd complies with a 15 M Zoning Bylaw maximum is stretching the credulity of neighbours and brings the Bylaws into disrepute.

Residents of the properties opposite should be provided with shadow diagrams resulting from the proposed development.

### 3) Parking Provision

I appreciate that a motion was recently approved by Council to direct City of Victoria planners to look at reducing parking provision related to residential development, but I assume that Bylaw 80-159 Schedule C still applies to this scheme. It would appear to require 55 parking spaces for the residential element and a further 8 for the Light Industrial . That total of 63 is a long way from the proposed 19 parking spaces on the enclosed parking storey and the 4 spaces outside the industrial unit on Tyee Rd.

Aspirations for a car-free inner core are one thing, the reality of people trying to find somewhere nearby to park is perhaps the immediate concern of the Railyards residents.

I should appreciate confirmation that you have received this email.

Regards

James White  
#311 90 Regatta Landing.

**From:** [REDACTED]  
**To:** [Development Services email inquiries](#); [REDACTED]  
**Subject:** Fwd: Sakura Developments Project, Vic West  
**Date:** April 19, 2023 7:27:45 PM

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----- Forwarded message -----

**From:** Rohn Heaslip [REDACTED]  
**Date:** Tue, Apr 18, 2023 at 8:09 PM  
**Subject:** Sakura Developments Project, Vic West  
**To:** [REDACTED]

We live in the Railyards. Seems we are not able to connect to the Vic West zoom call about this project. Unfortunate. Would appreciate some other method to provide direct feedback. Briefly, this is our feedback but would appreciate the opportunity to expand on these points further:

1. The residential component is not well connected to the Railyards community. This may be intentional but is really unfortunate for the future residents of the building and a real lost opportunity for the developer as the Railyards is a very desirable neighbourhood. The design should include direct grade access to Tyee Road for pedestrians and cyclists.
2. The emphasis on small units is not what the Railyards needs. We have too many of these units now. We need family sized units to allow the young families in the neighbourhood to stay. More minor but there is probably a need for some affordable co-living units to allow singles to live in a more socially inclusive way.
3. The Railyards is really missing social gathering opportunities as all the existing stratas were planned with no common spaces. Although this is not the developers doing, it may be an opportunity to enhance their project and provide some greater common good for the neighbourhood.
4. There is a need for daycare / after school facilities as the community demographic includes a lot of young families. Perhaps a rooftop daycare facility?
5. What kind of industrial businesses are expected? There are real access issues getting in and out of the Railyards now so there is concern about making the situation worse if there are more and particularly larger vehicles. Why is industrial level ceiling height so large? This looks out of scale with the rest of the street and adjacent buildings.
6. The building height could actually be increased if the design was terraced in such a way as to reduce the shadowing effects.
7. It would be nice to see the exterior architectural design reflect the Railyards design motif (particularly along the Tyee Road elevation) as much as possible as it has been quite successful in helping to define our neighbourhood. It looks like the architect is moving in this direction.

Hope these comments help. They are meant to be constructive as there is no doubt the project will be an overall benefit to the community. Just another comment on the process: it is unfortunate that the plans are so detailed and defined. It certainly gives the impression that the developer has their program all firmed up. It would have been better to provide a rough program and some loose sketch plans to get feedback at this stage.

Rohn Heaslip [REDACTED]

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**From:** Dawn Heiden [REDACTED]  
**Sent:** Thursday, April 20, 2023 3:54 PM  
**To:** permits@victoria.ca  
**Subject:** Re: Proposal for 1055 Alston in vic west

I have several concerns about this proposed development.

1. Part of the area under consideration is a steep, wild, overgrown thicket ( except for a small corner where locals have been doing a bit of gardening.) This thicket is full of wild life activity. I have only lived here for just over 3 months and I wake up to birds singing there. I have witnessed, hummingbirds, red headed house finches, sparrows, wrens, crows gathering food and nesting material. I have also seen squirrels and racoon in this thicket. This wild thicket is very steep so it is relatively undisturbed.

2. This thicket also provides better acoustics by deadening sound. The hard surface of the industrial building next door acts like a megaphone for any noise. Thickets also provide oxygen and a more liveable neighborhood. If this is destroyed, all of the creatures, insects will be displaced. Should we pave paradise and put up a parking lot.

3. There is evidence of dumping here, question is what industries have been here and what may have been dumped. There is a high concentration of families living close to this site. If it is

contaminated might it be best to not disturb it?

4. The scale of the proposal is too big for this small are

5. Vic west already has a high population density while other areas do no

6. Adding housing to this was perhaps a way to get a quick stamp of approva

7. How much blasting and material removal would be require

The whole proposal looks like a nightmare for local residents.

If anything is to be done here, it should be small and none invasive and leave the green space.









**From:** [REDACTED]  
**To:** [Development Services email inquiries](#)  
**Subject:** 1055 Alston Street  
**Date:** April 21, 2023 7:32:36 AM

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Further to my email of 19th April regarding the above application, I note Drw A001 indicates 3 meter setbacks, as required by the M2-S zoning bylaw, but the plans of the industrial unit fronting Tyee Road are not setback according to Drws A201 and A202 which show the side walls on the property line. Similarly Drw A203 show the Parkade floor intruding into the setback on one side.

If these are in contravention of the bylaw, then the proposed finished grade along the long elevations of the scheme which relies on the roof slab within the setback would need to be revisited.

No calculation of the average grade has been provided in the information package online, but if it has relied on this construction within the setback to achieve the value +18.523, which is very much closer to the level of Alston Street on Drw A301 of +21 M than that of Tyee Road at +10.700M, then it should be demonstrated that it is not closer to the expected average grade of something closer to +15.700M.

If that were to be average grade then of course the entire top floor of apartments exceed the 15 M zoning height limit.

Regards

James White  
#311 90 Regatta Landing  
Victoria, B.C.

**From:** [permits@victoria.ca](mailto:permits@victoria.ca)  
**To:** [Development Services email inquiries](#)  
**Subject:** FW: Proposed development at 1055 Alston  
**Date:** April 27, 2023 8:47:36 AM

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**From:** Dawn Heiden <dawnheiden10@gmail.com>  
**Sent:** Wednesday, April 26, 2023 10:17 PM  
**To:** permits@victoria.ca  
**Subject:** Proposed development at 1055 Alston

This proposed development is also on Tyee road and will impact a wild thicket there. A thicket full of wild life activity. These pictures are of Tyee road and are part of the proposed development at 1055 Alston.

To: Victoria City Council

From: Lorna Jamison and Yvan Beaubien

Re: 1055 Alston Street Development Proposal

Date: April 29, 2023

A change in zoning from light industrial to residential seems reasonable as there is so much light industrial on this roadway and everywhere in the immediate and wider community and then also across the Gorge. A residential design of terraced units on the hill would provide further densification, compliment the aesthetic of the Railyards, maintain a pleasant, mixed streetscape, and ensure current owners on Alston and Tyee retain their streetscape and views.

The developer includes a letter to CALUC that makes claims and comments that are unsubstantiated and that he was unable to effectively to at the April 19 meeting.

- “the local community will experience a positive impact from the development”

When asked what these benefits were, the developer could only say “more people”.

The proposed 62 units would certainly house more people but how that is a benefit to the community that already houses thousands of people in a fairly confined area is questionable.

- “neighbouring properties will experience an increase in activity”

An increase of traffic activity is a certainty but it remains unclear what other activity is being referenced.

- claims that ““ brown field” will be remediated.

When asked for the report that analyzed the toxicity, the developer was unable to provide any specifics but alluded to having commissioned an analysis and, to date, despite a second request by email, he has not provided the report.

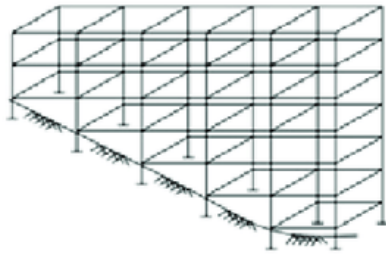
- calls it a “dynamic’ neighbourhood that warrants development “but then later says the development would “revitalize” the area. Contradictory statements like these make the reader question the validity of the statements.
- the development will improve the “streetscape” but will be “essentially invisible from Alston”

So, apparently, the streetscape that’s improved is that of Alston street (residents on Alston completely disagree) and it will not only be ‘visible’ in the Railyard residents, it will be what the ‘promise’ of invisibility implies: an eyesore.

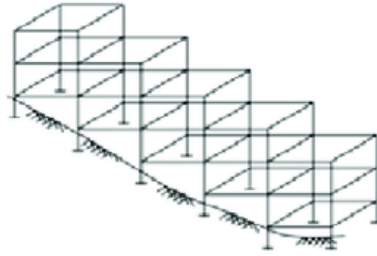
#### Other Comments & Questions:

- Providing very few parking spaces appears to be a sound environmental decision. However, it’s certain that some of the buyers will have cars and, perhaps, e-cars, that need to be parked on the street, thus limiting street parking for people accessing the Gorge waterway for recreation. Page 10 of the Vic West Neighbourhood plan states, “Strengthen connections to the waterfront. “The waterfront is a precious asset and source of neighbourhood identity”. (p.10)
- The trend to no off street parking is commendable and understandable in many contexts such as that of the recently approved 4 story development on Fairfield & Fort Street but it is on a busy thoroughfare surrounded by other 4 story apartment buildings. Its 32 units offers much more reasonable accommodation than the 62 units proposed for Alston Street where 43 units wouldn’t have off street parking.
- “Development adjacent to lower-density residential uses should sensitively transition through massing, design, setbacks and land- scape that minimizes shading and overlook and provides for building separation and privacy.” (P. 53. 6.3.5. of Vic West Neighbourhood plan)
- Several times during the meeting, the architect explained why the development is considered to be only .83 metres higher than the current zoning allows even though it is so massive on the Tyee side that it will tower over the other 4 Story condo buildings in the Railyards - 23.6 metre building rather than 15 metres

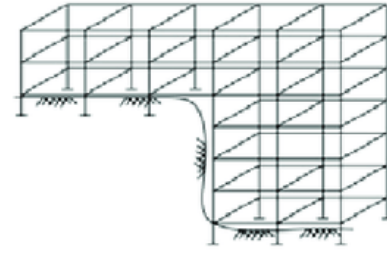
A reasonable residential unit that respects the neighbourhood and the geography, such as the designs below would be a win-win. The developer would still make a profit and the building would complement the community.



(a)



(b)



(c)

A. ALL RESIDENTIAL FROM TYEE UP

B. PUT LIGHT INDUSTRIAL AT TOP

C. BUILD ON HILL AS SHOWN IN A AND B ABOVE

By the way:

When I clicked on **CALUC** or Voice your opinion **here**, the link went directly to the developer.

CLC00407

Application Date: Mar 30, 2023

Pre-Application (CALUC)

Status: **ACTIVE**

Applicants are required to complete Pre-Application Consultation with the neighbourhood Community Association Land Use Committee (CALUC) in advance of submitting a rezoning or OCP amendment application to the City.

Details >

Looking for details?

- View the plans
- Contact the applicant
- Contact the appropriate [CALUC](#)
- Contact City staff

Voice your opinion [here](#). Your comments will be provided to the applicant, CALUC, and City.



Dear Council,

I am writing to express my strong opposition to the proposed rezoning at 1055 Alston Street in Victoria BC. I believe that this development will have a negative impact on our community and I urge you to reconsider.

The proposed multi-family housing and six-story apartment building tower will drastically alter the landscape of our neighborhood. The destruction of the hillside and green spaces will negatively affect our environment and quality of life. The size and density of the proposed development are also inconsistent with the character of our community. The current proposal is excessive and unsuitable for the area.

Traffic and parking problems are already severe in the area, and this development will only worsen the situation and could also lower the property values of the existing community. The proposed development is not in the best interest of the existing community, and it is crucial that the City Council carefully consider the long-term impacts.

In conclusion, I urge you to disapprove the proposed rezoning at 1055 Alston Street. The development will have long standing consequences for our community and the environment. I implore you to take into account the concerns and opinions of the residents in the area and find a solution that is beneficial for everyone involved.

Thank you for your continued service and support of our communities.

Sincerely,

Georgia Murray 797 Tyee Rd, Victoria BC

**From:** [Katherine Moore](#)  
**To:** [Michael Angrove](#)  
**Cc:** [REDACTED]; [Robert Cote](#)  
**Subject:** 1055 Alston street development proposal  
**Date:** April 29, 2023 7:17:48 PM

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Mr. Michael Angrove, I am writing to you regarding this proposal. I have previously expressed my opposition and concerns for this proposal on the portal provided. I also attended the ZOOM meeting with the architect, proposer, and James Aiken with CALUC. It appears to me is that you are my last opportunity to express to the city my concerns and opposition to the requested changes to existing zoning requirements.

First, addressing request for changes to HEIGHT variance:

I express these concerns as a resident of 797 Tyee Road. The FRONT of our building, and all Railyard buildings with addresses on Tyee Road, face this street. The entrances to our residences are on Tyee Road and face the the commercial spaces on the opposite side of the road. At this point, no buildings, on either side of the street exceed the regulated height of four storeys. Having gained a better understanding of the proposed building/blueprints from the ZOOM meeting, I believe the height of the proposed building would far exceed the four storeys of Tyee Road. I also understand that there is some 'equation' used, given the elevation difference between Alston Street and Tyee Road where a 'mid-point' is used to gauge allowable height. Regardless of this, a building that would see four storeys above the approximate two/three storey height of the proposed 'industrial' space makes for a very tall building as viewed from Tyee Road. This would cause full day shadowing for the residences across the street on Tyee Road. As of now, within the four storey limit, blocking or shadowing of sunlight extends only to the sidewalk of the opposite side of the street. Also, one very tall building amid many four storey, or shorter, buildings, would not be aesthetically pleasing. I am definitely opposed to any changes in height allowed.

Addressing requested changes to SETBACKS/PARKING:

Having the back of the building butt right up to the sidewalk with inadequate parking provisions for the TWO proposed commercial/light industrial spaces, makes no sense when taking into consideration the flow of traffic, convenience for patrons, and safety. This also leads to a point of confusion. Are these industrial spaces referred to by the proposer industrial, light industrial, or commercial. Is Tyee Road/Railyards area considered a 'light industrial' (M2 designation) or a 'Residential Commercial District' (CD-5). This distinction requires being made, as building codes, ventilation codes, and required parking differ for different uses. The proposer had no idea what use he intends for these two spaces in his blueprint. To what codes will he intend to build?

This leads me to a question I researched to find an answer to. Although we are designated 'light industrial' (which is what I thought I was told when purchasing my unit three years ago), do we need anymore spaces for this use in the area? Searching online, I found many commercial, industrial, and light industrial spaces for rent in the area. Douglas street, Rock Bay, Saanich, Cook street, Ellice Street, Cloverdale, View Street, Yates, all had spaces suited to varying uses. McCallum Road has several. Therefore, my question is, is it even necessary to build more spaces for undetermined industrial use on Tyee Road? Also, does putting residences on top of industrial space make sense with regard to safety? What of potential noxious fumes, fires, or toxins emitted from some of the allowable types of business in an

industrial setting, especially when one has no idea what type of business may ultimately be working out of those spaces?

We are at a time of much needed housing. I knew when I bought my unit that development across the street was inevitable. I was given the impression, however, that it would be within the four storey height limit. I foresee safety and traffic problems given the size of the great percentage of extremely small units proposed and lack of parking stalls for prospective inhabitants. Perhaps height can be restricted, and the number of units in the proposed building be reduced and the size increased, to provide 'real' homes that people would actually want to buy. As it is, I see investment purchasing and short term rentals taking place, noise infractions, and lots of fuss over street parking...regardless of the fact that we live on the Galloping Goose Trail. Not all people living here, contrary to the comments of the proposer, use bicycles as our main mode of transportation. We are an active community, a vibrant, friendly, happy community, and I wish it to stay so.

Thank you for reading my letter and taking my comments under consideration.

Katherine Moore



Dear Council,

I am writing to express my strong opposition to the proposed rezoning at 1055 Alston Street. The impact of this development will be detrimental to the local community and the environment, and I urge you to disapprove the proposal.

The proposed development includes a massive six-story apartment building that will tower over the entire Vic West/ Railyards area. This will create a significant shadow effect during the mid-afternoon and early evening, negatively affecting the quality of life of residents in the area by reducing their access to natural light and views. The development will also decimate the entire hillside and remove beautiful green spaces with trees that are crucial for maintaining a healthy and sustainable ecosystem.

The proposed development will lead to an increase in traffic congestion and parking problems in the area. Alston Street is already heavily congested, and there is a severe lack of street parking in the area. The addition of new residents from the proposed development will exacerbate this problem. Additionally, the industrial traffic generated by the development will further complicate traffic flow on Tyee Road, creating additional challenges for local businesses, residents, and the environment.

Furthermore, the proposed development is entirely inconsistent with the neighbourhoods developed in the area. The proposed density is overboard and ridiculous, cramming too much into a small lot. The proposal for the land where a small business currently resides is especially concerning.

This development will also potentially lower the property values of the existing community. As a resident who purchased my condo in 2010, I was aware of the future Railyards developments, but this proposal falls way outside of what the zoning permits.

In conclusion, I urge you to disapprove the proposed rezoning at 1055 Alston Street. The impact of this development will be far-reaching and irreversible, affecting not just the immediate community but the environment as a whole. I hope you will take into consideration the concerns and opinions of the residents in the area and work to find a solution that is satisfactory for everyone involved.

Thank you for your continued service and support of our communities.

Best regards,

Tony Day  
201-797 Tyee Rd

**From:**  
**To:** [Land Use VWCA](#); [Michael Angrove](#); [Victoria Mayor and Council](#)  
**Subject:** 1055 Alston St. Application for Development Permit with Variance  
**Date:** April 30, 2023 7:07:36 PM

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We are the owners of 1040 Alston St., a two story single dwelling directly across the street from the proposed new construction.

We do not support the developer's request for site-specific rezoning in order to gain exemptions to the current height restrictions, setback requirements and parking. We oppose the project as proposed for the following reasons:

### Personal concerns

1. It will substantially lead to competition for parking on Alston, which already has limited residential parking. Our guests and service providers will be put at a distinct disadvantage, if residents of 1055 Alston park on the street for days on end.
2. There is potential for the proposed height of 4-plus stories to cast a permanent shadow on our property. We would like to see architectural shadow drawings for each season.
3. Given the incline of the parking ramp that services

the below-ground parking garage, there is potential for exiting cars to project their headlights into our primary bedroom. We would like to have some assurance this will not be the case.

4. We anticipate constant noise from the exterior common area that fronts on Alston, given that it is only one floor up and with a reduced setback from the street. This patio area is likely to see heavy use by the residents, given there is no dedicated interior communal space and no other way to access the outdoors. Would it be possible to put the exterior common area on the roof?
5. There will be constant light spillover from the lobby being lit 24/7. We note that the stairwells and corridors for the building also front on Alston. Even if there are timers and sensors installed in these passageways, they will be constantly blinking on and off. Would it be possible to relocate them to the interior of the building?

## Neighbourhood Concerns

1. The proposed height and profile of the building is not in keeping with the residential area that

surrounds it, which is build to respect the lay of the land to keep rooflines consistent with each other. The description of the project submitted by the developer is misleading, as the steep grade of the land falling away from Alston will actually result in a 7 story wall (not 5 as stated) fronting Tyee. To better conform with the existing neighbourhood, a step-down or terraced design (2 stories on Alston, 5 stories on Tyee) would be a much better fit.

2. The developer is not seeking to change the zoning from light industrial to residential but as the proposal stands, the industrial portion of the project seems rather limited in size, space and function. The building design might appeal for largely commercial enterprises, but industrial uses would seem limited for no other reason than that there is no easy access for delivery vehicles, leading to traffic congestion on Tyee. There does not appear to be any designated parking for customers of any kind, as the building setback is less than 2.5 m on the Tyee side.
3. We question whether the proposal will actually contribute to Victoria's residential housing stock as claimed. The majority of the units are micro apartments (350 sq ft) that the developer intends to pitch to young singles seeking to get a toe-hold

in the real estate market. However, first-time buyers may find it difficult to secure a conventional mortgage as banks are concerned about the resale potential. We also reason that most owner-occupants would find it a challenge to live in such a constrained space for more than a year or two, making turnover high and potentially limiting one's profits. In comparison, investors might actually be drawn to such a building, given the advantage of being able to offer short-term leases (1 month plus) that are attractive to temporary workers or snowbirds. In short, there is a risk that the majority of this building will function as an extended-stay hotel. How this benefits the neighbourhood, addresses housing affordability or even dampens escalation of rental rates in Victoria is not clear to us. Not only do short-term leases for a furnished apt. typically garner a higher rent than the conventional one-year lease, landlords have the option to increase the rent without any constraints between tenants based solely on what the market can bear.

4. Given the developer has local experience designing and building condominium buildings of a similar scope and nature, perhaps they can provide some statistics as to the proportion of owner-occupied units vs. those held by investors,



average length of ownership, average length of rental lease, average rent per square ft., etc. Alternatively, Victoria council could commission a survey of all the existing micro-apartment complexes in the city to see if they truly align with the city's housing policies and priorities.

Paul and Janet Munson

1055 Alston Street

We, Robin and Molly Wakefield, residents of 797 Tyee Road **DO NOT** support the proposed development and rezoning of 1055 Alston Street for several reasons as follows in our description of what life is really like living across from the existing light industrial businesses.

Victoria West has a unique quality to it that is sadly, deteriorating and we feel that this proposed development will further degrade the area. West Tyee Road already has multiple light industrial businesses across from the east side of Tyee Road which is the Railyard development. To the best of our knowledge, there is *no other building in Vic West that has light industrial mixed with residential*. The existing industrial businesses already negatively impact the Quality of Life (QOL) of the Railyards residents. QOL is already at a breaking point in terms of noise, noxious fumes, and lighting issues, particularly for the residents of 797 Tyee Road. Additionally, there are fire safety issues from the current light industrial businesses.

The old Albion building currently houses a book warehouse, a carpet warehouse, and a 24/7 gym. Further to the south, there is an auto paint distribution center with paint coatings and solvents, a plumbing operation, and a cannabis store. To the north, is a stone countertop business.

A recent conversation between one of the residents of 797 Tyee Road and the local fire hall Captain about whether they could put out a *“major engulfed fire”* in the building/area yielded an answer that everyone on City Council should take very seriously: “No, with the high flammability of the materials housed in the warehouses, the most we could do would be to contain the fire while it burns out. This would produce highly toxic fumes and would require evacuation of nearby residents.” The proposed building would be adjacent to this potential fire hazard and would include more potential fire hazards directly below the residents.

The existing noise on Tyee Road consists of a daily barrage of 18-wheel trucks with 54-foot-long trailers making deliveries and blocking the road, trash trucks removing waste, the grinders of the stone countertop business, and Proline Roofing (currently on Alston in proposed building location) throwing metal roofing supplies into piles for removal. Last, but not least, there is the 24/7 HVAC system on the roof of the Truth Gym that was partially remediated for sound disturbance through the bylaw process (File

179579). When the gym moved in, they installed the rooftop HVAC fan directly across from our unit at the very edge of the building. The noise level and the unhealthy C-scale low frequency/vibratory noise issue caused us to have to abandon our home in the final months of winter before it was partially remediated last spring. The remediation that occurred took the sound level to just below the allowed level. We had hoped that the bylaw would require the owner of the building to remediate to the lowest possible level. The vibration noise of the HVAC is worse in the winter because cold air is denser than warm air which makes a more uniform environment for sound waves to travel. One shouldn't have to use a fan, a sound machine and low frequency ear plugs to sleep in a \$570,000 assessed value condo! With the increasing density and buildings in Victoria, the City of Victoria needs to address bylaws that are no longer working to truly protect the health and safety of residents. Vancouver, by contrast has much stricter regulations for HVAC units and light disturbance. To our knowledge, Victoria doesn't even have light bylaws, and as a result, 797 Tyee residents have no recourse to address the light that streams from their windows all night long. Now we would have another building with potentially a 24/7 operation and residents across from us on what is a very narrow street.

During the recent CALUC meeting, when asked about the possibility of HVAC systems and other questions on the light industrial component of the proposal, the developer's representative repeatedly told us that they have no control over that because they don't know what type of industry would come into the building. He said that there would be "a front elevation allowance for installation of air handling, induction, and exhaust air units on the lower level which is the street level of Tyee Road." I'm sure you can understand our concern given the fact that there was no oversight in the quality of the HVAC system they installed in addition to the weak bylaws which allow the bare minimum remediation and do not properly protect the health and safety of residents.

Listed below are other reasons why the proposed design does not accommodate the needs of the light industrial component and how it could be in direct conflict with the residential component.

1. Though the height on Alston Street is set at 4 stories it does require a variance to allow it to be built higher and there are no other buildings in the immediate area that are of the same height.

2. From Tyee Road, the proposed building would be **7 stories in height**. Regardless of what the developer says— that the 3 basement levels “don’t count” in the story or for the building height, they will have a profound effect towering over 797 Tyee. 797 would be in shadow most of the day. *It is beyond our comprehension how the two industrial levels are not considered part of story count, especially as they have direct street level access.*
3. Light industrial uses are incompatible to mix with residential in the same building. To take some examples from the Part 7.16 M2-S Zone, Songhees Light Industrial District, Section 1 Uses:
  - a. Bakeries: These would require equipment such as Commercial Ovens, Mixers, Refrigerators, and Proofing Cabinets.
  - b. Manufacturing, processing assembly, testing, servicing, and repairing; These would require a wide range of heavy equipment such as Lathes, Milling machines, CNC machines, Welding machines, Injection molding machines, Saws, Grinders, Hand tools, Power tools, Lifts, and Diagnostic equipment.
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    - i. Cooking Equipment: This includes ovens, stoves, grills, fryers, microwaves, and other cooking appliances.
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    - iv. Dishwashing Equipment: This includes dishwashers, sinks, and other equipment used for cleaning dishes and utensils.
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    - vi. Serving Equipment: This includes tables, chairs, serving trays, and other equipment used for serving food to customers.

- vii. POS (Point of Sale) Systems: This includes computers, printers, and software used for managing orders, payments, and inventory.
- viii. Beverage Equipment: This includes coffee machines, tea brewers, soda dispensers, and other equipment used for preparing and serving beverages.
- ix. Cleaning Equipment: This includes mops, brooms, cleaning chemicals, and other equipment used for cleaning the kitchen, dining area, and restrooms.

d. Funeral Undertaking.

- i. Mortuary Refrigeration
- ii. Embalming Equipment
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- iv. Hearse:
- v. Limousines or Funeral Cars
- vi. Chapel or Ceremony Room
- vii. Cremation Facility

e. In addition to the Uses listed above, the remaining Uses include Bank, Carpet cleaning, Churches, Clubs, Dry cleaners, mail order business, Printing and publishing, Residence for security guard, Retail, Schools, Warehouses, and Wholesale. *These all require equipment, potentially toxic chemicals, ventilation, parking, and loading.*

1. Road access to light industrial building.

Currently, there is a shortage of parking in the area. In the proposal there is residential parking even though the CALUC letter states "it is our hope that the primary modes of transportation for the future residents of the building will be foot and bike." Then why the need for parking? The current street parking is utilized by delivery drivers, repair persons, residents moving in and out of the building, and even construction workers who are completing the last Railyards building at Bay Street.

The light industrial proposal removes public street parking and gives the industrial bay 4 spaces, one of which is handicap designated. The access to these 4 spaces would compete with the

two loading bays proposed in the development. In reviewing the Uses of light industrial in Section 1, most of the approved businesses would require parking that does not currently exist in the area.

- 2 The proposed road access to the light industrial building area is limited. The distance from the bay doors to the road would allow a 3-ton vehicle or less (average length of 26 feet – 7.5 metres). No larger vehicles could access the loading bays without impeding the sidewalk or Tyee Road. The smaller delivery vehicles would have to load/unload using hydraulic lifts as there are no ramps in the current proposal. The use of hydraulic lifts would further increase the noise load of the neighborhood. There is only one street Commercial Loading Zone on Tyee Road at the south end of the old Albion building.
  
- 3 The developer needs to address environmental concerns around ventilation, sound remediation, and lighting for the light industrial that would ultimately be exposed onto Tyee Road. Architects design spaces based on intended use—it's not an afterthought. This is why they need to address these concerns based on the variability of types of businesses that could potentially go in. This is another main reason why residential and industrial in the same building is not compatible.
  - a. Ventilation requirements: The light industrial uses described above may generate fumes, dust, and other airborne contaminants, which can pose health risks to workers and nearby residents. Therefore, adequate ventilation systems must be installed to remove these contaminants and maintain indoor and outdoor air quality. The specific requirements for ventilation will depend on the type of processes and materials used in the area, as well as the size and layout of the facility. None of these have been addressed by the developer because they say it's not their responsibility because they have no idea what industrial would occupy the space.
  
  - b. Sound remediation requirements: The light industrial uses described above may also generate high levels of noise, which can be a health and safety issue to nearby residents and

businesses. Therefore, sound remediation measures must be installed to reduce the noise levels to well below acceptable levels. Common sound remediation measures include installing sound-absorbing materials, such as acoustic panels or insulation, or implementing noise-reducing technologies, such as sound barriers or mufflers. None of these have been addressed by the developer.

- c. Lighting reduction requirements for residents on Tyee Road. The light industrial uses described above may also generate a high amount of direct and ambient light impacting people living across from the proposed development. Remediation measures must be undertaken to prevent unnecessary light either by using different forms and strength of lighting, reducing the number of hours that light industrial lighting is required or blocking light by shades and other measures.

The net result is that there is no benefit to the existing residents of Vic West, not one. The developer seems to be skirting between the zoning regulations and what is in the Official Community Plan making up a fantasy that light industrial and residential can coexist in a single building and all the existing residents in the area will gleefully jump in joy for their efforts. The building design and the above-mentioned issues make this proposal unrealistic.

Other concerns from the CALUC letter:

*“Enhancing the pedestrian experience?” What are your specifics for this?*

*Building Design paragraph: Shows a clear bias towards Alston Street over Tyee Road.*

*“The building’s mass is composed of two distinct elements: a ground level commercial base (is it Commercial or Industrial or Light Industrial?), **which is essentially invisible from Alston.**”*

*“Behind the Railyards on the west side of Tyee Road are commercial and /or industrial buildings.”*

*This is not accurate. The industrial buildings previously mentioned are actually right across the street from the Railyard development on Tyee Road, not behind.*

The community members who attended the CALUC meeting asked repeatedly for the report that designated the area as an "Environmentally-contaminated site." We were told that the report was commissioned by the developer and would not be made available to the residents of the area. Perhaps the City should make this report publically available or conduct an independent analysis.

This developer should either rezone the property entirely for residential or deliver a plan for light industrial.

This area also abuts to an "environmentally sensitive area" on the Galloping Goose. The increased noise and likely additional HVAC units will most certainly have a negative impact on the many bird species in the area.

Lastly, please don't accuse of us of Nimbyism. These are all valid concerns based on what our daily lives are already like living here for the past twelve years. We feel this is the wrong type of development for this area.

Thank you for your consideration of our concerns,

Robin & Molly Wakefield



**From:** Dawn Heiden <[REDACTED]>  
**Sent:** Thursday, May 11, 2023 10:45 AM  
**To:** permits@victoria.ca  
**Subject:** 1055 Alston street

This is the others ideas of the proposed development at 1055 Alston. My building is 4 stories high and these maples are at least that tall. Besides providing habitat for multiple species, they also provide a cooling element in a world getting hotter. Is this valuable green space to be sacrificed to put in asphalt and concrete? If so, this will be to the detriment of the whole neighborhood. These wild spaces also provide spiritual sustenance, often in short supply these days.



Monday 8 August 2023

1060 Alston St

Victoria BC V9A7P6

Dear Mayor Alto and Council members

I am writing in response to the Development Plan DPV00234 proposed for 1055 Alston St. My husband and I live at 1060 Alston St directly across the street from this proposed development and we are opposed to its current design plan.

We built a new house at this site starting in December 2020. Surprisingly, the plans submitted by the developers of 1055 Alston St do not show the position of our house on their plans which leads me to believe its situation has not been considered by them.

The recently added documents, dated 25 July 2023, only heighten my concern and objection to this proposal as it is currently described. Particularly horrifying are the shadow renderings. Our house has passive solar heating and was designed to take advantage of sunlight to heat the front atrium of windows. The shadow drawings illustrate that the proposed building at 1055 would shade our house for most of the day throughout the winter and especially in midwinter mornings. This is precisely when we would most need sunlight.

Our house meets Passive House Canada Accreditation standards, meets 2030 BC building codes, and was built with a great deal consideration for placement based on the premise that heights of neighbouring buildings would comply with the existing Vic West Official Community Plan 2018 and current zoning. We strongly oppose the introduction of height variances for the 1055 site. We believe the height variance proposed would deprive us of the easterly morning sunlight that is critical to our house's passive heating design and to our enjoyment of our front porch and garden.

I also feel the need to comment on the recently added rendering of the 1055 Alston St project as it would appear from Tyee Rd. The proposed front of this project on Tyee Rd is ugly and brutal and completely unsympathetic to the streetscape. The industrial building fronting on Tyee Rd would require the removal of many mature trees on the slope and replace them with a monolithic, unattractive wall and a truck entrance. This is not an improvement.

The proposed street view on Alston St was discussed extensively at the CALUC meeting and remains especially problematic for us as direct neighbours. A four-storey building directly facing our house will present an unwanted source of light pollution into our house at night and will deprive us of privacy. Furthermore, the proposed 1055 Alston St streetscape is bleak, unimaginative, devoid of garden and public amenity.

I participated at the CALUC meeting for this proposal, and I agree with the many objections to this proposal voiced by the neighbouring residents based its need for variances for height, setbacks, density, and parking. Please respect the existing community of Vic West and require future development follow the well discussed and accepted 2018 Official Community Plan.

Sincerely, Rosemary Mueller and Lars Forss

Hi There,

I was just informed by my neighbour that there is an application going forward to rezone 1055 ALSTON ST in the Railyards area.

I live in the same building at 797 Tyee Rd as a renter, and think there are many other locations in Victoria that would be better than this location.

This area is already very tight with limited parking and narrow streets. If we compact more people in this area our crime will continue to rise bringing in a larger street population and turn this nice little neighbourhood into something that is less than desired.

I do not support the application and have hopes that the developer/city of Victoria thinks this through and prioritizes better locations in and around the city that can accommodate more people to help give everyone a better quality of life.

Cheers!

Dylan Phye

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#### 4. Road access to light industrial building.

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