

Good Day Mayor and Council,

With regards to the above mentioned development, the proposed side lot lines are too close to existing properties. The proposed variance is not a minor change and is not in keeping with the Rithet Street neighbourhood.

Going from 12m to .870m on the west side is way to close and so is the east side at 2.00m.

The development should stay within the current existing zoning requirements, with the variance being refused.

Regards,  
Doris Schulz  
404-525 Rithet Street

Within 100 meters of proposed variance



2023 November 12

Mayor and Council  
City of Victoria

**Re: CALUC Meeting – 515-519 Rithet Street, held 2023 November 08**

Dear Mayor Alto and Members of City Council:

The subject CALUC meeting was held November 8 via video conference, with approximately 65 residents in attendance. CALUC members Linda Carlson, Tim Van Alstine, and Trevor Moat prepared the designers/applicants for this hearing by reviewing plans and providing guidance on the CALUC process in James Bay. This property has been under development consideration since 2017, and the current owner, Casman Properties, has returned with a new design based on alterations to align with current building codes.

The site is located on the south side of Rithet Street, about 30m East of Menzies Street. The entire street was converted to multi-storey apartment complexes through the 1960's and 1970's, apart from a multi-unit house conversion at the corner of Rithet and South Turner, and the two small 2BR houses extant on the subject property, neither of which appear on the City's heritage register. The properties are zoned R3-2, with building heights up to six storeys and FSR of up to 2.0:1. The site offers excellent proximity to local shopping and parks, and good access to transit. Underground parking for ten vehicles is planned.

The proposal is to construct a five-storey condominium complex with 16 strata residences, FSR of 1.72:1, Site Coverage of 41.5%. The building is comprised of:

- 3 One-bedroom units
- 3 One-bedroom plus den units
- 3 Two-bedroom units
- 2 Two-bedroom plus den units
- 4 Three-bedroom units
- 1 Three-bedroom plus den unit

Two immediate neighbours, both owners/operators of older multi-unit house conversions, expressed concerns regarding the development. The primary concern related to massing of the structure, and its overlook to adjoining properties. The proponent was aware of these concerns through review of prior CALUC reports and neighbour consultation, and attempted to address them by reducing building height by one storey, and shifting the nearest building face eastwards (away from the shared property line) by approximately 0.8m. The decking and rear upper floor of the proposal is stepped back further to reduce direct overlook.

James Bay residents expressed a desire to salvage the two small extant houses on the site. The developer stated that they have consulted with Nickel Brothers (a well-established local mover of

houses) and received an opinion that it would be extremely difficult to remove these houses from the site.

Overall, this proposal was favourably received by the James Bay community and CALUC. The proponent has considered prior community feedback in its current proposal, and has mitigated (though not resolved) concerns from two immediate neighbours. In particular, it was noted that this proposal presents a wide range of housing options, including options for established families. The building form and massing is consistent with other buildings along Rithet Street, although it will have an imposing presence on the traditional residential houses to the west, along Menzies Street.

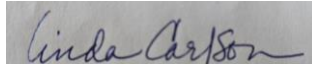
With this letter, we believe the requirements of CALUC engagement for this application have now been completed.

Yours truly

JBNA DRC/CALUC Committee:



Trevor Moat



Linda Carlson



Tim VanAlstine

***JBNA ~ honouring our history, building our future***

JAMES BAY NEIGHBOURHOOD ASSOCIATION  
GENERAL MEETING NOVEMBER 8, 2023 by ZOOM  
7:00 pm – 9:00 pm  
Chair: Trevor Moat

1. Welcome and Announcements (10 min)
2. Liaison Councillor Jeremy Caradonna (15 min)
3. CALUC 515 and 519 Rithet Street (60 min)

Margie Shenduk  
Director of Operations  
Casman

Silvia Bonet  
Architect  
FB Architecture

Scott Murdoch  
Landscape Architect  
MDI Landscape Design

4. Engagement Coordinator (Linda) (15 min)
5. Community Comments (15 min)

## Minutes November 8, 2023 JBNA General Meeting

### **Councillor Jeremy Caradonna**

- Stabbing in James Bay. Councillor has not received more information than available to the public. Victoria Police Dept is not sharing additional detail at this time.

#### Irving Park:

- City has been trying to find shelter as alternative to Parks. Councillor Caradonna introduced a motion to prevent camping in Irving Park and Vic West park but motion was tabled on the advice of legal counsel until camping phased out of 4 parks (Stadacona, Regatta, Topaz, Hollywood). The coordinator hired to work with those who are camping will be working with those in Irving Park and has been successful in getting people out of parks and into shelters.
- The Province has tabled several pieces of legislation recently. One bill relates to sheltering and creates a new definition of what is reasonably available alternative shelter. Once this legislation passes it will address one of the 2 court cases that prevents the City from preventing sheltering in all parks. The ruling created ambiguity and it is hoped this legislation will make it clear.
- BC Housing has been asked to create sufficient beds in shelters for those currently in the parks, which will enable the City to prevent sheltering in parks. This is a priority for Councillor Caradonna.
- Working on an MOU with Pacific Northwest Transportation to provide clarity between the City and cruise ship industry ground transportation. A draft has been submitted and Jeremy has taken feedback from the JBNA to propose amendments. Currently the draft is with the City's legal department.

#### Seedy Saturday:

- Project transferred from JB Market Society to the Urban Food Table and Compost Centre. City hopes to find some funding for February 2024 event.

#### Lewis Street Heritage Conservation Area:

- Coming to COTW tomorrow morning. Councillor Caradonna supportive. HCA is suspended until completion of the OCP.

#### Questions to Councillor Caradonna:

##### Vehicle Emissions:

- Is Councillor aware of recent CRD report of vehicle emissions? Resident poses relationship between increase in emissions and cruise ship transportation. Resident is concerned that James Bay is contributing to emissions.  
Councillor Caradonna says cruise ship transportation is not counted in CRD inventory. The City has limited jurisdiction to control cruise ships. CRD counts ground transportation, buildings, and waste in determining emissions. Councillor Caradonna has asked CRD staff to return with more criteria on how emissions can be reduced. The MoU with PNT will help address this. They are committed to e-vehicles to address some of the emission issues.

Resident says she will hold Councillor to account for this issue.

##### Waste being offloaded from cruise ships:

- CRD has indicated increased waste disposal at Hartland Landfill is a problem. City is trying to work with GVHA to address this.

##### Increased density directive from Province:

- Missing middle is already ahead of the instructions from the Province, but the density increase will likely be most noticeable in Oak Bay and Saanich. Details are still forthcoming, but effect should be more equitable distribution of density.

Province's restriction for public engagement at development hearings:

- City has already moved in that direction for proposals that already align with the OCP. The Province is moving in this direction province-wide. It is hoped that it will remove some barriers to having housing built, while others fear the inability to provide input. When public hearing is held, it is time to make a decision and that is too late to have input into the proposal, which has often been in process for years. Input at the earlier phase is more effective.

Most effective way for residents to convey to Council how residents feel about developments?

- Online engagement tool, CALUC feedback, emails to Councillors, and engagement coming between staff and neighbourhood re OCP.

### **CALUC 515 519 Rithet Street**

Margie Shenduk, Casman Projects, introduced project which is a revision to a previous presentation to James Bay residents for this site. Changes in the construction industry and development community resulted in the need to make changes to the project. Property is already zoned for 6 storey multi-family development, but reduced parking means a rezoning is required. OCP is urban residential.

Project replaces 2 single family homes, neither with heritage designation or registration. Rithet Street is already occupied with multi-family residential. This project is 16 condominiums (fewer than previously) with a mix of 1, 2 and 3 bedrooms. There is EV charging, 10 parking spaces, a car share, and bike parking including space for cargo bikes.

Effort to respect privacy of neighbouring properties (east and west side) has been paramount consideration, orienting building north/south. Smaller roof top amenity.

Shadow studies were provided. March shadow was a concern by properties to the west, but the building is now further from the residential properties than previous plan and that has offers sufficient space which has alleviated shadow issues.

Casman is marketing to families, adding 27 additional bedrooms to the property.

Questions/comments from residents:

Is there any plan to relocate the current houses on site?

Margie Shenduk responds that they have explored moving the houses. The developer saves a significant amount of money by having the houses moved, saving on demolition. Nickel Bros have concluded that one house is more salvageable, but it is not feasible to move them. Given that, the plan is to reuse as much material as possible.

Comparing the previous plans (2021) and current plans (2023) it appears that the current proposal is lower than previous. What is actual building height?

MS says building has been moved further from resident's property line. This building height is 15.46 meters and is lower than the previous version. MS clarified a planning term and the setbacks on the plan which resident suggests caused confusion.

Shadow studies did not include September 21. Is that because March 21 is same shadow as September?

Correct. The March 21 shadow study would be the same as a shadow study in September.

Concern that the proposal includes a MODO parking spot on Menzies Street. Resident has raised concern with the City because parking is challenging and resident does not believe that this is a reasonable place to put a coop parking stall. There will be additional cars as a result of this development. Has Casman done an assessment on the impact of additional parking on the neighbourhood?

The structural requirements due to soil classification for this site affected the amount of underground space available. The City is moving away from previous parking requirements, looking for .5 stalls per unit with more emphasis on bike parking and shared vehicles. .5 would mean 8 stalls and this proposal has 10 stalls.

A resident expressed concern about transition from the height of this building to the 2.5 storey homes adjacent to the west. Feels it is imposing. No visible attempt to transition, will create more shading due to additional floor of living space. Additional height will create wind tunnel effect from Juan de Fuca strait, negatively impacting the neighbours to the west. On the east side of the property, the resident has a glassed area that he believes will be visible from the rooftop patio.

MS responds to note that building has been pushed back to try and address concerns about impact on adjacent houses. There is a rooftop amenity space on the 5<sup>th</sup> floor, as the livable space is only a portion of that floor. The rooftop has been moved away from the west side and there will be plantings/railings to screen the neighbouring homes. The building has been oriented to the front and back to minimize any impact on the properties to the west.

Will there be blasting when this project begins?

No. The soil conditions are such that there will not be blasting, rather it will require shoring up of property. Construction will be mindful of properties close to this site. Ryzak Engineering is managing this.

MS notes that previously, architectural norms put ground floor units partially below ground. Currently ground floor is at street level so that people walking by the building do not look down into someone's home.

Is there a starting date?

MS says do not have starting date. She notes that Casman is property owner, builder and seller of condos and is making every effort to be respectful to nearby residents.

Proponent provides explanation of the effect of sheer-wall requirement.

Both proponent and neighbours acknowledge respectful dialogue regarding this project.

### **Engagement Coordinator**

JBNA Director Linda Carlson announces advertisement to hire an Engagement Coordinator. The advertisement is going to be distributed widely, including universities and other neighbourhood/community associations. The posting has also been posted on the James Bay Neighbourhood Association's new Facebook page, which was created with thanks to a recent volunteer with expertise in digital marketing. Because the JBNA Facebook page does not have the several thousand followers that the James Bay Local Facebook page has, we have shared it for distribution by James Bay Local.

The Board is interested in having agenda items other than CALUCs (if the City would stop sending developers to our neighbourhood). For instance, did you know we have a luthier in our neighbourhood? Recently we had a presentation by the James Bay Community Project, which was excellent, and we heard from Imagine Café. We would like to do more of that. If you know someone who is doing something interesting or if you have ideas for a topic you would like to hear about, please send an email to [jbna@jbna.org](mailto:jbna@jbna.org) with "topic" in subject line. Please also send the advertisement for the Engagement Coordinator to anyone who might be

Increasing our communication strategy is appreciated by a resident.

