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Victoria, B.C., Canada

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October 25th, 2017

Mayor and Council,
City of Victoria

Re: Respecting the OCP and the James Bay Neighbourhood Plan

Dear Mayor and Councilors,

The James Bay Neighbourhood Association is writing to express concern about the potential for a breach of trust between James Bay residents and the City of Victoria.

The Official Community Plan is the document that “provides directions for growth and change” in the City. *“The purpose of the OCP is to provide a framework of objectives and policies to guide decisions on planning and land management within the geographic boundaries of a local government.”*

The plan also states that implementation of the OCP at the local level responds to local context.

Through the acceptance of the current James Bay Neighbourhood Plan (JBNP), the James Bay community understood that the plan would be a guide for decision-making by residents, Council and City staff. *“The plan does not promote any wide spread land use change. Where change is likely to occur, however, it must be well managed and an asset to the neighbourhood.”*

James Bay residents reasonably trust the OCP and the JBNP to guide development in our community. We rely on the trust established between the City and residents that the OCP and JBNP will be respected when development proposals are considered.

We are a densely populated community and we have demonstrated flexibility when proposals that increase density come forward. The community is not opposed to increased densification, but we do take a stand on where increased density is appropriate.

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With this context, the James Bay Neighbourhood Association is concerned with a proposal for spot rezoning for 71 and 75 Montreal Street, and concerned with the precedent that the acceptance of the proposal would have on other proposals anticipated in the near future.

71 and 75 Montreal Street are two individual lots, each approximately 50 x 100'. The current R2 zoning on a sub-sized lot, reverts to R1-B, permitting a single family home with a legal suite. However, we recognize that several such lots have been spot-zoned for duplexes in James Bay.

According to the OCP and the JBNP, James Bay residents could reasonably assume that development of these properties could result in either the zoning being respected or a 4-plex, providing the same density in a more 'urban' structure. OCP Map 26, James Bay Strategic Directions, shows the lots within a Traditional Residential area of James Bay. Neither Montreal St nor Niagara St in this area is an arterial or secondary arterial street. Nearby Urban Residential housing west on Niagara respects the streetscape of Traditional Residential, with large greenspace facing Niagara

The June 2016 rezoning application for these combined lots started with a proposal for 19 units on the site. The proposal has been amended and the current proposal is for 12 units, three times the density that current plans contemplate.

We are not commenting on the merits of a 12-unit development per se. There are other locations in our neighbourhood that would permit and can accommodate the density proposed for 71 – 75 Montreal Street in accordance with the OCP and the JBNP.

We realise that the City is seeking greater density and have acknowledged this drive with several developments which have sought approval over the past few years; however, the removal of single family and duplex housing capacity in James Bay has become a real issue. James Bay already has the density and diversity of housing types being sought. Although increased densification is anticipated closer to commercial Menzies, it is not anticipated over 400 meters away from Menzies in a "house" dominated area.

Development in James Bay should be determined as a result of collaboration between the City and the residents. We do not believe that sound planning results when developers determine the size, height and density of a neighbourhood.

The JBNA operates on the assumption that the City of Victoria is committed to engaging James Bay residents to develop a Local Area Plan (LAP) that can accommodate the inevitable growth of our community and provide for the needs and dreams we hold for the future of our community. When it appears that City staff offer support of spot rezoning applications of this nature, the implicit agreement between residents and the City is at risk, particularly at a time when we have been informed by other City staff that there will not be significant changes during the process of developing our Local Area Plan, the timing of which is entirely controlled by the City.

The LAP process needs to be real.

We expect the City will rely on the principles established by the OCP and JBNP to guide development during the transition to a new LAP and that rezoning applicants will be informed accordingly.

For your consideration,



Marg Gardiner
President, JBNA

Cc: J. Tinney, Director, CoV Planning