

Pamela Martin

From: Stephen Bailey [REDACTED]
Sent: Tuesday, January 17, 2017 8:52 AM
To: Public Hearings
Subject: FW: 353 Tyee Road (Dockside Green) Proposed Changes

To Mayor Helps and Council,

My name is Stephen Bailey. I own and occupy unit 1305 at the Promontory, 83 Saghalie Road. The view from my suite looks directly down on the Dockside Green lands. If they are built as currently designed they will largely block my view of the Mount Baker, the Gorge, and parts of downtown. Nevertheless all I want to say is...CAN WE PLEASE GET THIS HAPPENING! I would gladly sacrifice my stunning view to see the completion of this development. I believe the changes requested are reasonable. Let's remove any further excuses to delay development and provide the public amenities promised at the outset. The completion of this project is crucial to the transformation of this area into Victoria's most dynamic and exciting urban neighbourhood. The current boom in the demand for residential property in the City of Victoria won't last forever. Please let's get this project moving before we miss another window of opportunity and have to wait another 20 years.

Thanks for your time and for the work you and your staff do in helping to shape the future of our fine city.

Sincerely, Stephen Bailey

Pamela Martin

Subject: FW: 353 tyee road - letter to council re 353 tyee road
Importance: High

From: [Tim Boulton](#)
Sent: Wednesday, June 8, 2016 12:29 AM
To: [Mike Wilson](#)
Subject: Re: 353 tyee road

Good Morning Mike,

Please pass on the following to Council regarding the change to the Community Plan in the area around 353 Tyee Road.

Thanks,
Tim

Dear Mayor Helps and Victoria City Council,

I am writing to you regarding my concerns over the proposed change to the Official Community Plan at 353 Tyee Road.

Specifically, I am concerned about an increase in amount of traffic in this area. Since moving into the Tyee Co-op some 12.5 years ago, my family and I have noticed a huge increase in the volume of traffic on Tyee and Esquimalt roads and I am concerned that the development around 353 Tyee would increase the volume of traffic even more. It is my understanding that a traffic impact study was not undertaken. I feel that traffic considerations need to be assessed because I do not think that the development can be seen independently from other developments that have occurred, or are underway or are still being planned for this neighbourhood. Since moving in to the Co-op, we have seen Dockside Phase 1 go up; three developments on Wilson Road by Save-On-Foods; the Bayview and the Promontory buildings with the Encore currently underway; Shuttles and the Railyards. These developments have combined to help increase traffic in this area leading to times where traffic sometimes moves at bumper to bumper speed. Even turning left from Sitkum Road, where we live, onto Esquimalt Road so we can drive thorough town is much more difficult now than it used to be. Furthermore, the amount of traffic that is now moving through our neighbourhood is moving along roads that I don't believe are meant for heavy traffic and I see more cars backed up as they try to funnel their way along Esquimalt, Tyee and Harbour Roads in and out of the city. And too, the amount of traffic such a development could create has to be seen in the larger context of making transportation available so that people will be inclined to keep their cars at home. I don't see the "big picture" of how transit is going to work with such a large development.

I also see the proposed change as a step away from a development that was supposed to be more "community" oriented. The feel I get from looking at the proposal is a big city, cram in style that has little if anything to do with creating spaces where events such as meetings, small concerts, etc. can take place. I also have to question what kinds of stores will be in the development. While I understand that Council cannot regulate that a grocery store be put in, I do have concerns that lacking a community approach, the development leans towards residential spaces meaning that without a community/village model that includes places where people can buy their groceries from a farmer's market, or store that is easily accessible by walking, people will use their cars to go to Save-On (especially in bad weather) which goes back to my concerns about traffic in this area.

Finally, while I do not recall the details of the development at 353 Tyee, I do recall that the proposal was for more community oriented. It bothers me that after making such a pitch, the proposed change to the Official Community Plan has looks as though it is about building even more high rises where the word community merely exists in a dictionary.

I would appreciate any feedback from you and you may certainly contact me if you wish.
Thank-you,
Tim Boulton #61 420 Sitkum Road

Pamela Martin

From: SL [REDACTED]
Sent: Monday, January 16, 2017 6:27 PM
To: Public Hearings
Subject: Strong Support for Updated Dockside Green Neighbourhood Plan

Dear Mayor and Council,

As an owner at Dockside Green since 2009, and Dockside resident until Sept 2016, I **strongly support the Updated Dockside Green Neighbourhood Plan.**

I have been involved with various stages of the Visioning process since 2014, and have appreciated the approach taken by Norm Shearing, Ally Dewji, and their team. I have been impressed with their effort and commitment to Vic West, and our wider Victoria community.

I'm pleased to offer my support for this next stage

Respectfully,

-Stephanie Lepsoe
(Dockside owner since 2009; resident 2009-2016)

Mayor and Council...

I am an owner in Dockside Green and having seen the new revised neighborhood plan, which I STRONGLY SUPPORT would like to take this opportunity to voice my support in this project... I am so eager to see the next phase of the project get under way. With the new Johnson Street Bridge wrapping up in the next year and having the continuation of Dockside Green to the point of this new architectural beauty will greatly compliment our amazing city ... I look forward to my daily commute through the revised plan of Dockside, across the new bridge and into Downtown.

I Hope this project is approved/ supported by the Mayor and Council.

Thank you,

Patrick Dobek

#104 379 Tyee Rd

Victoria, BC

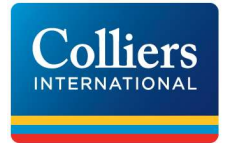
Pamela Martin

From: Melinda Jolley [REDACTED]
Sent: Wednesday, January 18, 2017 8:00 PM
To: Public Hearings
Subject: Support for Dockside Green Public Hearing

As a past resident of Dockside Green and a current resident of Vic West I am writing to show my support for the next phase of development. I attended some of their thoughtful engagement events and am looking forward to seeing this development move forward.

Regards,
Melinda Jolley

Sent from my iPhone



January 20th, 2017

Mayor and Council
City of Victoria,
1 Centennial Square,
Victoria, BC V8W 1P6

Re: Proposed Dockside Green Neighborhood Plan

Honorable Mayor, Councillors and Staff,

Happy New Year.

As a resident and owner at #306-27 Songhees Road, it is with enthusiasm that I write to you in support the proposed updated Neighborhood Plan at Dockside Green.

In my opinion, the plan has the right balance between density and amenities. The greenery, children's play area and dog park will benefit the community as a whole.

The density will bring much needed bodies across the bridge to support our local retailers in Vic West and create opportunities for more businesses and services.

To date, this council has done an excellent job of growing our city in the right way. I believe this plan will meet the high level of scrutiny that the municipality has exercised in the past.

Thank you for your time, Should you wish to discuss further, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "MF", written over a white rectangular background.

Matt Fraleigh



Pamela Martin

From: Joyce Elliott [REDACTED]
Sent: Wednesday, January 18, 2017 8:45 AM
To: Public Hearings
Subject: Dockside Green updated Neighbourhood plan

Hello Mayor and Council,
I have been an owner and resident at Dockside Green for 7 years.

I have appreciated the **great** amount of community participation they have included in this updated neighbourhood plan proposal. In fact, I have never seen this amount of consultation in other community planning endeavors.

I totally support the updated neighbourhood plan that Dockside is proposing. It continues to support the community values and environmental principals that are of extreme important to me which is why I bought at Dockside in the first place.

What is needed now is for Dockside to get on with building out the rest of the Dockside neighbourhood. In my opinion, it will complement all the other work that is being done in this neighbourhood including the building of the new Johnson St bridge.

Thanking you,
Joyce Elliott, owner
#606 379 Tyee Road

"What we have once enjoyed we can never lose. All that we love deeply becomes a part of us." Helen Keller

Pamela Martin

From: John Amon [REDACTED]
Sent: Tuesday, January 17, 2017 5:27 PM
To: Public Hearings
Subject: Dockside Green

I attended a community meeting sponsored by VWCA, at which time the Developer presented his revised plans for Dockside Green.

I support these changes and look forward to the project being completed under these newly proposed changes.

John Amon
118-50 Songhees Road
Victoria BC, V9A7J4
[REDACTED]

Pamela Martin

From: jim ross [REDACTED]
Sent: Thursday, January 19, 2017 4:46 PM
To: Public Hearings
Subject: Support for the Updated Dockside Green Neighbourhood Plan

Mayor and Council

City of Victoria

1 Centennial Square

Victoria, BC

V8W 1P6

January 19, 2017

-

RE: Support for the Updated Dockside Green Neighborhood Plan

We were one of the first owners to move into the second phase (Balance Strata) in April 2009 and originally bought because of what the Dockside Green community represented, namely a diverse, inclusive and vibrant green community.

The wait for continued building has been exasperating. Folks ask us what is wrong with Dockside Green, why aren't they building. The redesigned neighborhood plan makes good sense. It includes updates that fulfill neighborhood needs and encourages developers to buy in, develop and build. The proposed changes will allow Dockside Green to complete its original plan to develop a world Class community in Victoria that over the long haul will sustain its economic, social and environmental obligations.

The proposed new building height changes fit better with the adjoining landscape compared to the original plan. The commercial and green park areas are more visible and accessible. Thank goodness the parking space to residents ratio has not been reduced and there is an improvement in parking for the commercial tenants, which is important for the viability of their business.

We have spent a considerable amount of time to understand the proposed changes and then thought about any ramifications that might evolve from these changes. We are confident in recommending that counsel approve the amendments proposed by Dockside Green development.

There will be a new and exciting vibrancy in Vic West with our new bridge and the completed Dockside Green neighborhood. We can't wait to be proud residents of the completed Dockside community. Please approve the proposed amendments.

Thank you,

Jim and Patti Lee Ross

379 Tyee Road,

Unit GA-4,

Victoria, BC

V9A 0B4

Mayor and Council
City of Victoria, 1 Centennial Square, Victoria, BC, V8W 1P6
c/o mayorandcouncil@victoria.ca
RE: New Neighbourhood Plan for Dockside Green

January 13, 2017

Dear Mayor and Council

Dockside Green's updated Neighbourhood Plan (Harbour and Tyee Roads) will be at public hearing while I am away, and I write today to indicate my support for Council's approval of this long-awaited development.

As a Victoria resident and the owner of several commercial buildings in the City of Victoria - and as developer - it is my strong belief that we need more people living in and adjacent to the downtown core. Housing must be an achievable goal for our citizens. This is one of Council's priorities. While there are some apparent changes to the new plan, I don't see them as detractions. Rather, I see the amendments as strengthening the original plan, and remaining true to the original commitment to build an inclusive neighbourhood - not simply a neighbourhood for the affluent.

Dockside Green's location, along with its transportation planning elements will encourage safe and easy pedestrian and cycling access to downtown adding much needed vibrancy to support the economic sustainability of local businesses. There is a cool factor at Dockside that will add new energy and attract a demographic who like the industrial edge, and want walkable access to a vibrant urban core.

This site has been dormant for too long. They are ready to go. It's a much more realistic plan that will deliver a range of housing options that are relevant and needed.

I see no good reason to halt development for another decade at Dockside Green. I encourage Council to approve the new Neighbourhood Plan.

Sincerely,



Gerald Hartwig
President Hartwig Industries

Pamela Martin

From: Frank Kwan [REDACTED]
Sent: Thursday, January 19, 2017 10:57 AM
To: Public Hearings
Subject: Zoning Regulation Bylaw Amendment Bylaw (No. 1076) No. 17-005

We are located at 100 Saghalie Road and would like to express our views on the changes to Design Requirements for Dockside Green.

1. Our opinion is to maintain the original conditions for development in the area as per the original Master Plan which has been already altered.
2. We believe the heights of buildings should remain low and not increase in height to maintain the character of the area including the inner harbour views. The two buildings beside us (Encore and Promontory) are too high and should have been lower and Promontory had increase in height from the original plan; I am not sure about Encore. These buildings do not have as large of a footprint as does Dockside when all their buildings are completed. We fear the height and larger footprint will make that area look like a bunch of larger buildings hiding the gorge area which does not fit in the character of the area.
3. We do not think this is a place for another brewery. We think the brewery should be located in the area on the east side of the gorge and north of Bay street as there are several breweries already in that area. Having the product delivered and served/sold at Dockside green is okay but not produced there. We think this is predominately a residential area and there are enough breweries present with Spinnakers and possibly the round house area. We think the actual production should be elsewhere.
4. We are not sure what the parking plans are but we should maintain controls on street parking and that any development should have ample off street parking.
5. We assume that the residential units will not be allowed "short term rentals" (like AirBnB) and we think that is a positive and fully support that philosophy.

We cannot attend the meeting but would like to thank the city of Victoria for this opportunity to comment.

Regards,

Frank Kwan

Pamela Martin

From: Christine Collins [REDACTED]
Sent: Wednesday, January 18, 2017 9:15 PM
To: Public Hearings
Cc: [REDACTED]
Subject: Dockside Green

Dear Mayor and Victoria City Council members, I encourage the Mayor and City of Victoria to wholeheartedly support the development at Dockside Green, by approving the new Neighbourhood Plan. I strongly believe that Victoria needs a development like Dockside Green which will be a sustainable neighbourhood which supports the wellbeing of residents and the local economy while protecting the environment. The philosophy underlying this development demonstrates creative, wholistic and proactive thinking. I believe that Victoria City Council should actively support this development.

Yours Sincerely,
Christine Collins

Pamela Martin

From: Chris Lawson [REDACTED]
Sent: Tuesday, January 17, 2017 7:29 AM
To: Public Hearings
Cc: 'Alexa Konopaki'; 'Ally Dewji'
Subject: Public Hearing-Dockside Green: Notice of Support

Mayor and Council City of Victoria,
1 Centennial Square, Victoria, BC, V8W 1P6
c/o publichearings@victoria.ca

RE: Support for the new Master Development Plan for Dockside Green

Hello Victoria Mayor and Councillors

I am writing to express my personal and strong support for the Dockside Green rezoning application which will be the subject of the Public Hearing scheduled for January 26.

As you are well aware, development in this area of Victoria West has been stalled since 2009. It's time to get on with it.

The density and building heights as proposed are very appropriate for the subject site. In fact, the updated neighbourhood plan as proposed by Dockside Green is exactly the sort of development needed in Victoria. We continually hear about the shortage of housing in Victoria, concerns about urban sprawl, the need to re-vitalize the downtown area and the need to support downtown businesses. Densification such as this development is exactly what is needed, both in Victoria West and in other areas of the City.

Please approve this application on January 26.

Chris Lawson
GA6-379 Tyee Rd
Victoria, BC V9A0B4

January 13, 2017

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

Attention: Mayor and Council

Dear Mayor and Council.

Re: Rezoning Application No. 00473 for the Easterly 300 block of Tyee Road and the westerly 300 block of Harbour Road (undeveloped lands at Dockside Green).

The Victoria West Community Association, Land Use Committee, hosted a community meeting December 6, 2016 to consider the above noted rezoning application by Dockside Green Ltd.

The President of Dockside Green, Norman Sheering and Ian Scott, Dockside Green urban planner, were in attendance, as well as Mike Wilson, MCIP, RPP, Senior Planner, Urban Design, representing the City of Victoria.

The meeting was very well attended, with the Vic West Gym filled to capacity. The Dockside Green president and the project planner both provided an extensive review of the modifications to the previous development proposal. The focus was on the current development proposal as compared to the previous development proposal, in an effort to move the development of Dockside Green forward.

Although there was a general acceptance of the proposal, there were a number of issues raised by the Vic West residents that were discussed during the question period after the Dockside Green presentation, including:

Parking: There was a pressing concern with the development not having a sufficient parking ratio or adequate transportation alternatives, which would lead to an increased amount of parking on Tyee Road. Local residents would prefer the parking on Tyee road to be substantially reduced.

As pointed out by Norm Sheering, the parking issue on Tyee Road is due to no limit on parking and the proximity of Tyee Road to downtown Victoria. Dockside Green has enhanced their TDM (Transportation Demand Management) strategy to help reduce on street parking through

transportation alternatives, including car share, new bus stops and bus routes.

Energy Recovery: Residents were skeptical that the onsite energy system was working as required by the existing Dockside Green development “LEED” commitment and questioned when the system would be fully operational.

Dockside Green indicated that the district energy system has not operated at capacity and will only be fully functional when the entire Dockside Green development is built-out.

**Wastewater
Management:**

As well, concern was raised over the environmental impact of the wastewater treatment system on the Gorge waterway. It was unclear if the wastewater treatment system recycled all wastewater without impacting the Gorge waterway.

Dockside Green indicated that any water discharged from the wastewater treatment plant meets the Ministry of environment standards, and is used for landscape irrigation and the naturalized greenway.

**LEED ND
Requirements:**

There was confusion over the new LEED rating system proposed, being “LEED Neighbourhood Development” (LEED ND) and the existing rating system, being “LEED New Construction” (LEED NC), as well as the level of certification (LEED Gold or LEED Platinum).

Dockside Green indicated that the proposed LEED rating system “LEED ND,” was not available when Dockside Green was first initiated. “LEED ND” will require LEED Gold for commercial buildings and will follow “Green Building Guidelines” for residential buildings. “LEED ND” Platinum commitment across Dockside Green will assure a more sustainable neighbourhood.

Design Control:

There was a concern that design control will be lost through the subdivision process. Although the overall design of the development raised few objections, there was doubt that design consistency would be maintained on the individual projects (on the subdivided lands) when brought forward to the City.

Dockside Green indicated that any variation to the proposed subdivision plan configuration will require a Development Permit. All future buildings at Dockside Green will still require a Development Permit for building form and character. Community participation is also mandated by “LEED ND.”

Build-out:

Vic West residents expressed frustration in the lack of development at Dockside Green. Given the proposed length of build-out (10 years plus) there was concern that the LEED rating system proposed (LEED ND) may become outdated or be in conflict with the BC Building Code, over the period of build-out.

Dockside Green was sympathetic to the frustration, but has no control over the economy or market forces that determine the rate of build-out. Dockside Green also indicated that LEED requirements will remain more advanced than the BC or National Building Code.

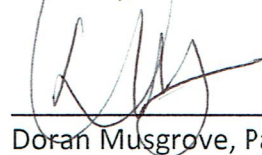
Vic West**Involvement:**

Frustration was also expressed over the limited involvement of Vic West, through the CALUC process, on the build-out of Dockside Green. It appears that if there is no rezoning or variances in the development of the subdivided lots – Vic West Land Use Committee may not review any of the proposed developments on the subdivided lots of Dockside Green.

Dockside Green indicated that Vic West will be engaged in the process of this development, through either initiatives by Dockside Green or requirements of "LEED ND."

The meeting concluded on a positive note and discussion continued with Vic West residents, as well as Dockside Green representatives after the meeting. The community meeting was successful in updating Vic West residents on the proposed amendments to the Master Development Agreement (MDA) as negotiated with the City of Victoria, and the subdivision of the site, as a method of stimulating development on the site. The meeting was also successful in bringing to the developer the concerns of the Vic West residents, which were generally addressed during the meeting.

Sincerely,



Doran Musgrove, Past Chair
Vic West Land Use Committee

Past



Sean Dance, Chair
Vic West Land Use Committee

Pamela Martin

From: Brian & Elizabeth Elliott [REDACTED]
Sent: Monday, January 16, 2017 11:03 AM
To: Public Hearings
Cc: Mike Wilson
Subject: Dockside Green - 2017 Redevelopment

As owners and residents of Dockside Green we strongly support the proposed redevelopment as outlined in the Updated Dockside Green Neighbourhood Plan. Although the planning process has been long in terms of time, the extensive community meetings and opportunities for inputs has not only assured incorporation of neighbourhood ideas/values and it has also shown Dockside's commitment to a strong, well planned, community. Additionally the pledging of additional funding for community amenities confirms the developers intent for a well balanced, quality community. Victoria should be proud of the proposed redevelopment and Council's prompt support/approval should kick start the continued development of this prime land while also adding to the quality residential mix and growth of our City.

Yes a few individuals may express concern as to the height of some of the southerly buildings however these same folks must recognize, and acknowledge, that the updated plan does not deviate significantly from the original approved 2005 Official Community Plan.

In conclusion Council please proceed with approval of the Updated Dockside Green Neighbourhood Plan.

Brian and Elizabeth Elliott - #807 379 Tyee Road, Victoria

2017 01 11

To Mayor and Council

1 Centennial Square
Victoria BC V8W 1P6
Canada

Regarding: Dockside Green Re-Zoning Amendments

The sale of the public land owned by the City of Victoria was conditioned on many environmental protection ideas, time lines, delivery of amenities etc.

The Developer has not delivered on any of the conditions placed on Project. The City has largely ignored all defaults, and is prepared to accept further empty promises from the Developer.

The Developer has based their project on false and misleading information. Dockside will continue to add to the Greenhouse gas emission at a time when cities such as Vancouver are planning to restrict the use of "natural" gas.

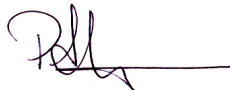
Mayor and Council has an obligation to protect public interests.

I urge Mayor and Council to reject the request for rezoning and exercise the Option to buy back the land.

The value of the land today is nil or near nil.

With a new Development Plan and a qualified Developer (I can think of several) from our community. The City can sell the land at fair market value, and give our greater community our dignity back and perhaps pay for the bridge as a bonus.

Peter Ole Schiønning
735 Front Street
Victoria, BC V9A 3Y3



██████████
██████████

I Live in Victoria West since 2004 and was a member of the VWCA Land Use Committee for 6 years.

Here is my reason for speaking out against the proposed Zoning Amendments requested by Dockside “Green”.

1. VICTORIA WEST GATEWAY

The Victoria West Gateway will be the first thing one sees as they cross over the new Johnson Street Bridge from Downtown Victoria; serving as a threshold and setting the visual and physical connection of Dockside Green and Victoria West.

Source: Dockside Green.com

The City bought the former industrial and contaminated land for a dollar from the BC Government. The City of Victoria offered the 15 acres of land to Windmill Development Group for \$14,500,000. The land has a potential for 1.3 million ft² of development at \$ 450/ft² = a potential sales value close to 600 million dollars. The City reduced the purchase price by \$ 6,000,000 to compensate for the remediation of the contaminated land. Windmill's land investment was \$ 8,500,000 = \$ 6.50/ft² of the developed property at an FSR of 2.0 or \$ 13/ft² of the land with payment over a **9-year** period, to ease the burden. Typically, a developer will pay \$ 25- 30/ft² for land to be rezoned and \$ 40-50/ft² (wholesale) for Rezoned land. Land in Victoria often sells at \$ 80 or more. The City chose Windmill over other proposals for their commitment to a development that would be the first LEED Platinum v 1 project in the world.



Joe Van Bellinghem was on the board of Directors of the Canada Green Building Council (CaGBC), and had a personal interest to see his project become “the first LEED Platinum project on that scale in the world”. LEED Platinum could only be achieved with the Neighborhood District Energy Plant (DPE) operating.

The DEP was designed by NEXTERRA to burn only clean wood, at the time “beetle wood” was a potential source. The system could only operate when the entire project was developed and fuel was never secured.

There was a promise to supply neighboring businesses. A connection to Ralmax Shipyard was never built, the connection to the Delta Hotel was built by Dockside but terminated on the Delta property. Neither Delta nor Ralmax have any interest in the project. I have spoken to both.



The DEP was tested and commissioned by NEXTERRA in 2009. In 2008 Dockside had already claimed all **13** possible LEED points associated with the DEP, even that the plant was just in early construction. **The DEP was only operating for the purpose of testing**, a “natural” gas boiler has supplied Dockside ever since. The Bio-mass gasification system has been “mothballed” and is worthless even if the project was build out 100%. The gas boiler is large enough to heat every home in Victoria West, it was described to me as “shooting a duck with a ground-to-air missile instead of a rifle”. (per FORTIS Alternative Energy Services Inc.)

None of the buildings at Dockside have a stand-alone heating system, and all the new buildings must be connected to the DEP to maintain the **illusion** that the system is working.

This was confirmed by NEXTERRA in a phone conversation with the company's CFO. I was told that the system is “out-of-date” and worthless. It can only be dismantled to be sold for scrap. There is no value in any of the parts and it cannot be moved.

The gas furnace is a large contributor to “green-house” gas emission. There is nothing green or natural about this process.

The DEP is owned by FORTIS Alternative Energy Services, CORIX and Vancity (Vancity is majority shareholder)
CORIX operate the Gas Furnace.

It is fair to say Dockside would not have received LEED Platinum (63 pts.) without the DEP (13pts.).
Dockside would have been left with 50 pts. – 2 pts. Short of LEED Platinum (52pts.).

Question: **Who signed-off on the LEED certification?**
 How could the DEP qualify without being tested and operational?



The photographs show the LEED “trophy” on 2008 July 22 in the hands of the developer while the DEP was still in construction 2008 Aug 08

Dockside received worldwide attention based on this short-lived, and we now know, false qualification.

The Federal Government funded the DEP with \$ 1.5 million from the Technology Early Action Measures (“TEAM”), (Gary Lunn MP, Saanich).

The project has the potential to be an embarrassment for our City as well as the many writing about the project, not knowing that it in fact was a failure as the “greenest neighborhoods in the world”.

Residential and Commercial owners also stand to lose. Units has sold at a premium for its reputation of being carbon Neutral. We now know that this is not the case.

Third public hearing is scheduled for January 26, 2017. The city planners appear to have wholesale accepted and are recommending to Council that all requested amendments that Dockside are asking for be approved.

As the Senior Planner stated at the COTW Meeting 2016 November 10 “the Planning Department have a great relationship with the Developer”.

It should be known that the City of Victoria in their sales contract with Vancity has an option to purchase, registered with Land Title Office BC, dated October 7, 2005.

Vancity has failed to fulfill their obligations on many fronts.

Only 65% of promised amenities have been realized according to City Staff, however Dockside claims 75%. The project was to have been fully developed by 2013, only 25 % has been built.

The Site is still a gaping hole in our community.

The Dockside project has been stalled since 2009. A dozen developers from the USA and Canada have looked at the project for potential investment, all have walked away. (Confirmed by Norman Shearing at the Victoria West Community Association meeting 2016 12 06)

Now Vancity has “rolled out a new Business Model” (source: TC 2015 06 09) . To sell off all the remaining land in 12 subdivided parcels to make it affordable to smaller and less “sophisticated” developers.

Since 2009, there have been several leadership changes at Dockside, leaving them struggling with a vision that can be executed. The current president of Dockside has been with the project for 3 years. To my knowledge, Vancity has never developed anything not even a single branch. Vancity is a Bank with assets of more than \$ 19 billion and an obligation to protect their assets for their Shareholders – Not to act as Land Developers.

As outlined in the 2005 MDA (5.1), subdivision of the dockside lands was contemplated. In connection with any application for subdivision, it was required that the developer obtain a development permit from council.

The developer is now requesting to exempt future subdivision applications from requiring a development permit approved by council. In order for this to be considered as acceptable, the proposed subdivision lines must be in compliance with the proposed conceptual subdivision plan contained in the 2016 Dockside Green Urban Design Guidelines (referenced here)

**** Subdivision will still require approval of approving ** officer and a Development Permit would be required for development on the Subdivided Lands.**

There are still no guarantee that the new “sub”- Developer can carry through – There are many failed projects in the Victoria and Greater Victoria Area as reference.

The current Developer has never been able to make “FREE” land work in their favor.

Shaking a failed plan will not make it better!

At the recent presentation to the Victoria West Community Association, Dockside demonstrated again total disregard of the community. Dockside has over the years made several presentations to VWLUC, each time very controlled with data overload and lots of “Cool-Aid”. It was no different this time; questions from the neighbourhood was never answered. Norman Shearing, was masterful presenting. The meeting was controlled by Dockside and the Community Association’s agenda was for the most part ignored.

Platinum was mentioned multiple times without explaining that LEED ND Platinum (2009) has little or nothing to do with the original LEED Platinum v 1. If one mentions Platinum, enough times it will stick.

Norm Shearing introduced himself as a neighbourhood event planner and admitting not to be a developer, he has no personal investment in the project. This statement became his reason to off-load the development to others. Off cause he never mentioning that, Vancity is hoping to sell the development with profit and the approval of Mayor and Council.

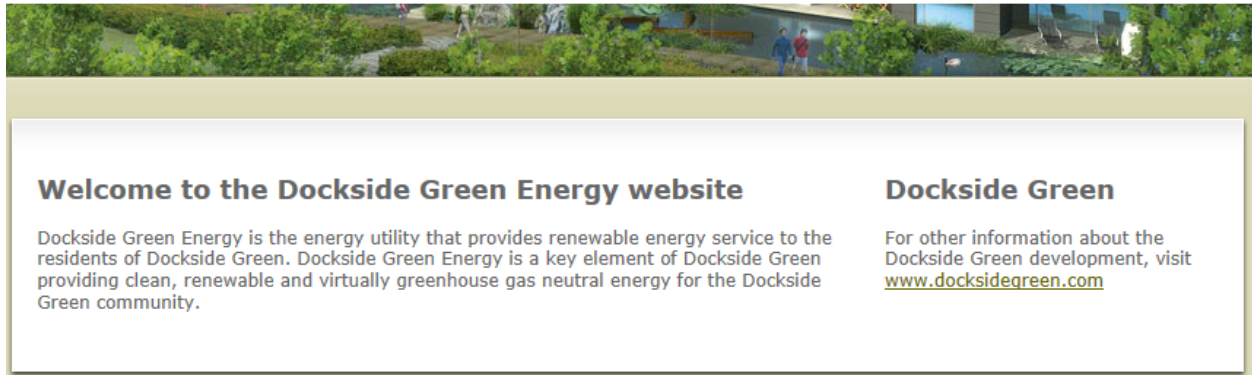
We / I was excited when Joe Van Bellinghem presented his “dream”. He is a masterful speaker, presenter and salesman. Only a few knew that “free” land is not the ticket to success. **It has now been proven beyond reasonable doubt to be true.**

I urge Mayor and Council to face the fact that Dockside’s goals have been very difficult to achieve, and it has **failed**. Joe Van Bellinghem has “disappeared” but is still speaking publicly of his accomplishments in Victoria and elsewhere. Source: CGBC UBC Vancouver 2013 Vimo Video see link.

The project needs a new player and a new vision: With a goal that can be achieved, and not just a “pie-in-the-sky cooked-up” by a dreaming accountant and former Board Member of CGBC with special interest.

It is important to keep in mind that CGBC is a business. CGBC is selling a “Certification” that can be used to promote and sell a Construction Development. Buyers will often pay a premium for to live-in or own a LEED Certified Project.

Dockside has benefited from the LEED NC Platinum designation, owners has paid a premium of up to 15%. The developer has profited by knowingly and **falsely** claiming that their development is **Carbon Neutral** and basking in the glory given from The Clinton Foundation, AIA, Trim Tab, BC Hydro, CRD and ADEC Innovations among numerous other, as well as receiving Grants from The Federal Government, The Canadian Federation of Municipal Governments and City of Victoria.



Source: Dockside Green Energy

CGBC is not mandated to verify if a project has failed. They base their certification on a snap-shot. CGBC relies only on the reporting from LEED Certified Professionals. I see this as a big red flag!

Other “green” building systems will require a performance account to verify after a year of operation, before giving their Certification.

The penalties that Dockside are facing if they are not performing are literally a joke. The bar has been set so low that the project’s energy performance, is only 5% better than today’s Building Code.

The monetary penalty is at the most a \$1 (one)/ft² and will reduce to \$.25 (twenty-five Cent)/ft².

There is no meaningful incentive. It is the “**cost of doing Business**” when condo’s sell for up to \$900/ft².

Businesses that have bought in-to the Carbon neutral / green concept and have based their business model on a false “pretend”, I have been told, are ready to walk-away.

Questions that must be asked:

In 2008, The Dockside property was rezoned to allow for greater density (2.084:1) and increased floor area – summarized in Council Meeting October 23, 2008.

(additional area was noted in the 2008.08.28 COTW Minutes, but not increase in overall site density.

Based on my calculation of a site area of 15 acres (assumed based on references in various articles and descriptions of project) the allowable density at 2.084:1 translates to 126,509m².

The “permitted” floor area for each development area, and the total “permitted” floor area appears to exceed 126,509m².

The total is listed as 134,341m².

Even if the Development Area F is taken out of this (for the small triangle property that used to be Federal land – this parcel is being developed by someone other than Dockside – it is unclear if this site is part of the 15 acres) the resulting site area is 129,571m², which still appears to be more than permitted...

**** There must be something I am missing in the calculation...?? ****

It is hard to imagine the overall density would be blatantly exceeded...

Part of the motion that Council passed on October 15, 2015: was to direct Staff to prepare an amended MDA detailing new requirements for: The sale of individual development parcels. (**why have the City agreed to this?**)

****It should be noted that this issue is no longer identified as a line item in the 2016 proposed amendment, rather it is buried within text of the 2.0 purpose and intent (2.3)****

Wording contained in **2.0 Purpose and Intent (2.3) of Draft MDA Amendment** has been revised to acknowledge that Dockside Green (DG) intends to transfer its interest in one or more parcels to third party developers. Third party developers may be authorized by DG to undertake development of one or more amenities outside development parcels on their behalf.

The Developer has defaulted on their obligation to develop Dockside Green.

Is it reasonable for the Developer to turn a profit and transfer responsibility to a Third Party?

There has been no construction since 2009 until spring of 2016 (7 Years).

With the questionable track-record that the Developer has had, what assurances can be provided, if any, that the development will ever be realized?

LEED obligations as per 2005 MDA:

Building on Dockside Lands to be constructed to LEED Canada NC v 1.0 Platinum.

Applicable LEED standard may be substituted by amendment or replaced LEED standard, with City approval, as long as performance criteria is equal to or more stringent than original standard.

As we now know; Dockside Green obtained its LEED Platinum v 1.0 under very suspect circumstances.

2008 MDA amendment, section 11.0 (LEED Commitments) to include 11.10 stated that Dockside Green has registered under LEED ND Pilot Program.

This Section also states that the Developer intends to apply to substitute applicable LEED NC Platinum standard with LEED ND standard (subject to review and approval by the City).

If Dockside is the “greenest neighborhood in the world” Why has the standard been reduced to LEED ND for future developments?

It should be noted that comparing **LEED Platinum v 1.0** to **LEED ND** is comparing Apples and Oranges. **There is no comparison.**

It should also be noted that Dockside Green was Preregistered for LEED ND before October 31, 2016.

Is it reasonable for future projects to be “Pre-registered” and therefore not have to meet the most relevant standards at the time of construction?

2016 Requested Amendment to substitute applicable LEED Standard (LEED NC v 1.0) with LEED ND v 4 Platinum Standard (as just explained – no comparison).

LEED ND rewards primarily “Green Urban Design” principals as opposed to higher levels of Building-specific-Strategies.

In a LEED ND Project there must be at least one building certified through a LEED Rating System (any rating).

Minimum Level of energy performance (only 5% better than current BC Code).

Minimum level of water conservation (low flush toilets, low flow faucets).

Minimum impact associated with construction activity through erosion and sedimentation control. (normal construction praxis)

I had the opportunity to be briefed on LEED by a Principal, Building Energy Practice Lead of **Morrison Hershfield Engineers**. It is a very complicated field to navigate without expert advice.

On what basis have the City accepted the Staff’s recommendation to change the original LEED goal for all future developments on Dockside Land? Keep in mind that the DEP was only operating for testing and certification. All new buildings will be connected to “dirty” energy.

Amenities.

Sustainability Centre will be located somewhere in development area **e-1** (omit requirement for specific size – The Centre will be sized to suit financial capabilities of group(s)) The developer’s financial contribution remains unchanged. If sustainability Centre not established within **12 months** of an occupancy permit being issued for any building in development area e-1, developer will pay **\$400,000 to city** for an alternative amenity agreed to by developer and the city.

Where does that leave the Community, who was promised a 30m² area available for community use at no cost?

75% of amenities were to be provided between 2007 & 2009. the **balance** by 2013.

**** Negotiated purchase price of lands allowed for payment schedule to be extended over a nine-year period in return for majority of amenities being provided within the first 3 years ****

Staff reported that developer was **currently in default** and had only provided **61.3%** of the amenity package by 2015.

**** What are the penalties for receiving benefit of deferred payment ** and not delivering amenities as scheduled? Who is looking? "The City seems to have taken the back-seat and hoping no one is looking"**

\$ 9,378,490 secured in performance guarantee for amenities, WWTF & DES.

\$5,479,256 has been drawn down.

\$3,629,234 remains to deliver approx. 38% of amenities.

District Energy Plant.

Developer received **\$1.5 million in federal funding** through Technology Early Action Measures (TEAM)

TEAM supports late-stage development projects and first-time demonstration projects **designed to reduce GHG emissions** nationally and internationally while at the same time sustaining economic and social development.

Dockside is subject to the system of measurement and reporting for technologies (SMART) under the TEAM funding requirements.

...TEAM is committed to report the **technical performance** and **GHG mitigation potential** of TEAM funded projects...the purpose of the SMART is to provide the basis to develop and/or **evaluate** the project proponent's processes and documentation to **substantiate** the technology **performance claim(s)** and assess the GHG mitigation potential.

Projected net environmental benefits:

The estimated **GHG emission reductions**, calculated in accordance to the **System of Measurement and Reporting for Technologies (SMART)**, expected to result From this project are **5,727 tons** of GHG emission reduction **per year**.

Has the Developer reported back to TEAM? And why not?

Is TEAM aware that the district energy plant has intensified GHG emissions? I am sure no one told them!

Is TEAM aware that the DEP was never operating and that the BIO-Mass system was replaced with a giant Gas Furnace? I am positive that they have no idea for this failure. Currently DG is promoting, on their website that DG is GHG neutral. (pg3)

Excerpts from Federation of Canadian Municipalities (FCM)

Dockside green: brownfield to sustainable development. Application no. GMF 7259

Design simplicity / low particulate emissions.

Wood fuel gasifiers do not require pollution control equipment.

NEXTERRA gasifiers produce extremely low particulate emissions which may eliminate the requirement for air pollution control equipment.

Is there any pollution control on dockside's district energy plant?

High turn-down ratio - the output of the gasifier can be reduced to less than 20% of its maximum capacity while still maintaining stable operation.

Full development build-out does not seem to be required for system to operate.

Expected environmental benefits of integrated energy system.

Review by TEAM, including representation from Environment Canada, NRCAN, a climate change expert, initiated discussion about the most effective technology to reduce greenhouse gas generation, "confirmed that NEXTERRA system was more efficient".

Have there been any environmental benefits to date? Who is watching? I see no mention from Staff in their report to Mayor and Council?

The GHG emissions associated with "natural" gas are about 9 times higher per unit of energy than the GHG's associated with BC Hydro grid electricity.

The DEP has been running on "Natural" Gas only state since 2009

5,727 Tons added emissions / year

X 7 Years

= 40,089 Tons of GHG emissions have been contributed by Dockside Green

Dockside enjoys an international reputation for being a “carbon neutral” and “greenhouse gas positive” development **based on ideals**.

The reality is that these ideals have **not materialized**, and claims of “carbon neutral” and “greenhouse gas positive” are entirely **false**!

NUMEROUS ARTICLES HAVE BEEN WRITTEN, HERE IS JUST A FEW:

<http://www.terrain.org/unsprawl/25/>

<http://www.timescolonist.com/business/stalled-dockside-green-at-victoria-s-upper-harbour-gets-a-reboot-1.1962017>

<http://www.timescolonist.com/business/dockside-green-resurrection-two-rental-projects-proposed-1.1623660>

<http://www.timescolonist.com/business/building-in-vic-west-to-complement-new-johnson-street-bridge-1.342899>

http://www.solaripedia.com/13/247/2612/dockside_green_water.html

[https://www.thestar.com/life/homes/2012/05/11/savour a coffee beside the sewage plant.html](https://www.thestar.com/life/homes/2012/05/11/savour_a_coffee_beside_the_sewage_plant.html)

<http://www.nytimes.com/2010/07/07/realestate/commercial/07victoria.html>

<http://waterbucket.ca/gi/2009/12/23/dockside-green-in-victoria-has-been-recognized-internationally-for-its-green-initiatives/>

<http://www.vimeoinfo.com/video/80160906/greenbuild-2013-master-speaker-joe-van-belleg>

<http://docksidegreenenergy.com/index.html>

ACCOLADES FOR ENVIRONMENTAL CONSCIOUSNESS:

- 2007 The Future of Green Living** (Reliable Controls)
A self-sufficient, sustainable, net-zero energy use community.
- 2008 Excellence in Urban Sustainability** (Globe Foundation)
- 2008 Green Cities Partnership Award** (Live Smart BC)
For demonstrating leadership and innovation in sustainability.
- 2009 Top Ten Green Projects Worldwide** (AIA)
- 2009 A new shade of sustainability** (Trim Tab)
Aims to be the first carbon-neutral community development.
- 2009 Worlds greenest development** (BC Hydro)
- 2009 Development will be greenhouse gas neutral** (RAIC Awards – Green Building)
net energy provider.
- 2009 Biomass gas fuels Victoria’s Dockside Green:** (international District Energy Association)
Biomass plant played a key role in helping dockside green garner nearly two dozen national and international honors. **“5 minutes only!”**
- 2010 Carbon Neutral** (CORIX Utilities) **“They should know, they operate the Gas Furnace”?**
Dockside green will be entirely greenhouse gas neutral due to district energy system.
- 2013 It’s completely Carbon Neutral** (CRD) **are they asleep?**