

OEZA DEVELOPMENTS

November 4 2025

Mayor Marianne Alto and Members of Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

5 storey +
basement =
5-1/2 storey

grossly
exceeds
setbacks

largest 1-bedroom is 690 sq. ft.
largest 2-bedroom is 821 sq.ft
largest 3-bedrom is 1082 sq.ft

Re: 50 Government Street – Rezoning and Development Permit Applications

Dear Mayor and Council,

overbearing

This proposal represents a carefully balanced, OCP-aligned redevelopment of a small James Bay infill lot. Our five-storey, 17-unit secured-rental building is modest in form yet transformative in impact—delivering four three-bedroom homes (about 15 percent of total units) and a mix of larger one-bedroom and two-bedroom suites designed for families. Two units—one one-bedroom (202) and one three-bedroom (401)—will participate in the City's RTE Program, offered at roughly 95 percent of CMHC's 30 percent-of-median-income rent benchmark. This is roughly \$1275 for unit 202 and \$2350 for unit 401, which as you can imagine is transformative in policy and the make up what our communities could be.

944
sq. ft

It is important to note that a four-storey, 1.6 FSR market condominium—or a four-storey, 2.6 FSR rental building—would have met staff's standard interpretations of the zoning bylaw and likely received administrative support.

meaningless speculation

However, those versions would have either contributed no rental stock or been almost entirely composed of bachelor or micro one-bedroom units, offering little community benefit.

By contrast, the present design modestly exceeds that form to create meaningful, livable family housing while staying well below the 2.6 FSR (2.75 FSR with the 15% 3 bedroom units) ceiling envisioned for secured-rental projects. 5-1/2 storeys do not "modestly exceed" ?

but small

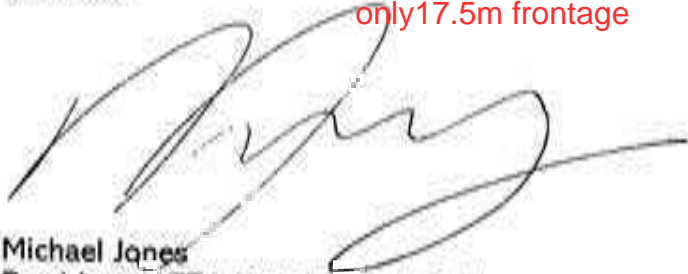
This is precisely the type of development envisioned by the OCP 2050 — gentle density, housing diversity, and affordability delivered on constrained urban lots.

We appreciate Council and staff's continued engagement on this complex but important file and respectfully request support for the current application.

this is NOT gentle

Sincerely,

envisaged for a bylaw required 30m frontage lot but not for this one with only 17.5m frontage



Michael Jones
President, OEZA Developments Ltd.



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

The proposal does NOT address the COTW direction, nor does it address the design issues identified by Council or City staff. Each paragraph of this letter repeats this falsehood but repetition does not make it true

RE: 50 GOVERNMENT ST APPLICATION FOR REZONING AND DEVELOPMENT PERMIT

Dear Mayor Alto and Council,

We are pleased to resubmit our application for rezoning and a development permit for **50 Government Street**.

This revised proposal **diligently addresses** your **Committee of the Whole (COTW) resolution from December 2024** and fully accounts for the objectives of the new **Official Community Plan (OCP)** implemented this year. We have worked intensively with City staff over the winter and spring months, as directed by the COTW, and further enhanced our design in response to the new OCP's densification goals.

"initially"? there has been no indication that staff have changed their view on this

Throughout our working sessions with staff, we consistently discussed the key points of your COTW resolution and the necessary balance between conflicting goals. While staff **initially** favoured a smaller building to meet their interpretation of the design guidelines, the City's critical need for rental housing—and the new OCP's vision for **increased densification** in this neighbourhood—**clearly require more density.**

Agree, but only where the OCP Design Guidelines and Bylaw setbacks permit

The proposal we are submitting **successfully** balances the core needs outlined in your COTW resolution, the planning staff's interpretation of the design guidelines, and the vital demand for further densification in the James Bay neighbourhood.

purely the developer's view; there is no evidence that "staff's interpretation of design guidelines" has been met

add ",but without compliance with,"

We recognize that **fully satisfying every design preference** while meeting the ambitious objectives of the OCP and housing needs may not be possible. However, this proposal offers a **thoughtfully balanced and reasonable solution** for the development and densification envisioned by the OCP, with careful **consideration** of the key issues noted in the COTW resolution.

read to mean "even satisfying the most basic OCP Design Guidelines and Bylaw side setback and frontage requirements ...may not be possible"

This project represents an excellent early step in fulfilling the vision of the **Victoria 2050 Official Community Plan**. It transforms an underdeveloped housing lot with a 4-unit rental building into a new, **low-carbon building** with **17 secure rental units**, including **four three-bedroom suites** specifically designed for families.

no mention of LEED certification





OUR PROPOSAL HELPS FULFILL THE VICTORIA 2050 OFFICIAL COMMUNITY PLAN

This proposal directly supports the objectives of the new OCP, specifically addressing the following priorities for Victoria's Urban Form and Land Use:

- **Complete Communities Anchored by a Downtown Core:** Provides low-carbon residential infill within walking distance of key community nodes and immediate access to the Transit Priority Network.
- **Climate Forward Growth:** Utilizes low-carbon building materials and includes amenities that prioritize the shift to low-carbon mobility modes.
- **Livable Public and Private Spaces:** Offers generously sized units, three distinct outdoor amenity spaces (including two rooftop decks), and comprehensive bicycle accommodations.
- **Diverse Housing Options:** Directly addresses housing diversity with secured rental units, where **35%** offer two or more bedrooms and **24%** offer three bedrooms, making the project exceptionally suitable for families.
- **Lands to Thrive and Prosper:** Maximizes efficient urban land use by replacing and adding rental units on an existing lot, supporting the preservation of working lands elsewhere.

The project also aligns with the new General Residential District 1, Priority Growth Area (GRD-1 PGA) zoning bylaw requirements for:

- **Family Units:** Exceeds requirements with 35% of suites offering two or more bedrooms, including four 3-bedroom suites. = exceed
- **Dwelling Unit Size:** All units are **well over** the minimum size requirements.
- **Height Limit:** The proposal is approximately half a meter below the maximum height for five-story buildings.
- **Lot Coverage:** The proposal provides less than 55%
- **Open Lot Space:** Well over the 30% minimum
- **Landscape area:** Exceeds the 10% minimum

The requested variances are extreme. Per the City Bylaws the street frontage for this size of building requires 30m but only 17.5m is available. A 9m side setback is also required, 1.55m is requested. The bylaw requires 19 parking spots not the 2 proposed

We are **requesting variances** from the new zoning bylaw to successfully deliver 17 new units on this site, specifically related to:

- Side and rear yard setbacks (to match existing property lines and neighbouring buildings).
- Street frontage (to match existing lot dimensions).
- Parking (to suit a car-free lifestyle with provisions for an electric car-share vehicle and cycling-oriented residents).

These **targeted** variances are **necessary** to advance the OCP's key objective of **increased density and housing provision** in this priority growth area.

extreme

For "necessary" read "required to permit an oversized building on an undersized lot by circumventing the requirements of the City Bylaws."





OUR REVISED PROPOSAL: MEETING COUNCIL'S DIRECTIVES

Since December 2024, we have diligently collaborated with City Staff to refine our proposal, holding numerous meetings that concluded in March 2025 before our April submission, and then again after our resubmission in July. Planning Department representatives consistently provided feedback and support throughout this intensive period. Through their commentary, we believe that our design strategies successfully worked toward the objectives set out in the COTW resolution.

Our discussions with City staff were focused on design changes that would meet the following conditions (from the CoTW resolution, Item 2):

- a. Revise the plans to meet the accessible parking requirements in the Zoning Regulation Bylaw, to the satisfaction of the Director of Planning and Development.
- b. Revise replacement tree species and locations on the plans to meet the tree minimum requirements on-site and outside of the public SRW areas per the Tree Protection Bylaw No. 21-035 Schedule "F", to the satisfaction of the Director of Parks, Recreation and Facilities.
- c. Revise the plans to meet the objectives and guidelines associated with Development Permit Area 16, and adjust the parking variances with Development Permit with Variances No. 00251 as necessary, to the satisfaction of the Director of Planning and Development, including:
 - i. Reducing the amount of floor space if needed to meet the design objectives
 - ii. Providing more usable outdoor space for residents
 - iii. Providing more trees and landscaping
 - iv. Improving the relationship to the public SRW
 - v. Improving the massing transition to surrounding residential buildings
 - vi. Reducing impacts on adjacent properties.
 - vii. Ensuring that if external staircases are being considered, that no external staircase face the adjacent properties

Council also outlined the following condition (from the CoTW resolution, Item 7):

For staff to further work with the proponent to address the **core issues raised by the neighbours** as pertains to setbacks, overlook, and other material factors.

During our conversations with staff, the core issues raised by neighbours were not specified, but addressed as general concerns about the height of the building, size of the building, proximity to the rear yard property line and potential overlook into neighbouring yards.

The following sections of this letter outline how our revised proposal has addressed specific requirements of the COTW resolution.

Concerns raised by neighbours are that the plans do not meet either the City Bylaws or the OCP design guidelines. These concerns have not been addressed. Very few nearby neighbours, possibly only two!, have been approached by the developer for comments.

ITEM 2.)

- a. REVISE THE PLANS TO MEET THE ACCESSIBLE PARKING REQUIREMENTS IN THE ZONING REGULATION BYLAW, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT:**

The design team met with staff on several occasions to review the development of the plans. It was determined that the provision of a single, regular parking stall reserved for a car-share vehicle and a dedicated van-accessible stall next to it would **meet the satisfaction of the Planning Department.**

may meet the accessible parking requirement but does not meet the bylaw requirement for 19 parking spaces





Additionally, the group reviewed access to the bike room, which was moved to the rear of the building and the location of the proposed short-term bike parking stalls. We also reviewed the new SRW requirements, the location and configuration of the driveway and the location of the pad-mounted transformer.

ITEM 2.) **This is the back yard where the bylaw requires an 8.6m setback but only 5.6m is provided**

- b. REVISE REPLACEMENT TREE SPECIES AND LOCATIONS ON THE PLANS TO MEET THE TREE MINIMUM REQUIREMENTS ON-SITE AND OUTSIDE OF THE PUBLIC SRW AREAS PER THE TREE PROTECTION BYLAW NO. 21-035 SCHEDULE "F", TO THE SATISFACTION OF THE DIRECTOR OF PARKS, RECREATION AND FACILITIES.

The design team met with staff to review proposed replacement trees, outdoor space, distance from existing protected trees and the city's street tree in the SRW. It was determined that the additional space in the rear yard was sufficient to provide three new medium-sized replacement trees which would meet the project requirements. Additionally, the yard space provided **additional amenity space for the residents**, and the **two garden suites** also offered outdoor space on the south side of the backyard for their personal enjoyment.

Only one suite has direct access to the garden

The team also **reviewed the existing trees of neighbouring properties** to ensure no new foundations would damage existing protected trees.

ITEM 2.) **The plans do not accurately place protected trees on neighbouring properties and do not show adequate mitigation plans**

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:

- i. REDUCING THE AMOUNT OF FLOOR SPACE IF NEEDED TO MEET THE DESIGN OBJECTIVES
- Read "to meet staff satisfaction" as "to meet the City Bylaws and OCP Design Guidelines"**

The design team met with planning staff on several occasions to address the FSR and building size. It was determined that the building could not be reduced sufficiently **to meet staff satisfaction** and still provide rental units; however, **significant gains were made by modifying the design to** meet the new Single Exit Stair provisions of the building code. **Density was subsequently addressed in the new OCP** by providing density bonuses for rental projects like ours up to an FSR of 2.6 in priority growth areas. This project proposes a density of only 2.13 in an effort to reduce density as much as possible.

But the project must still meet the both the OCP Design Guidelines and required Bylaw setbacks for a six storey building. This includes a 30m frontage(not 17.5m), 9m side setback (not 1.55m/2.19m), 8.6m rear setback (not 5.65m)

ITEM 2.)

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:

- ii. PROVIDING MORE USABLE OUTDOOR SPACE FOR RESIDENTS

The design team met with planning staff on several occasions to address the usable outdoor space. This proposal shows an increase in the rear yard setback and a reduction of the lot coverage. **This new area in the rear yard provides outdoor garden space with areas for picnic tables and gathering in the garden.**

See page 9 of the plans. The rear setback is 5.65m, not the 8.6m required by the City Bylaws. Is the developer seriously suggesting that up to 54 people will congregate in this area so close to the rear neighbour?





This has been created on the roof of the left hand portion of the building, and will likely be regarded as exclusive to the 3rd (actually 4th) floor tenants. Any gathering here will create noise and privacy issues both to the two adjacent suites and to the neighbour to the South

Tuesday, November 4, 2025

This, "outdoor" space, enclosed on three sides, will likely be regarded as exclusive to the 5th (actually 6th) floor tenants and overlooks the neighbour to the South

Additionally, common outdoor space is provided on Level 3 and Level 5. Space on level 3 is south-facing for the cultivation of herbs and vegetables, while the patio space on Level 5 is centrally focused adjacent to the elevator lobby. These provisions double the amount of outdoor amenity space available to the tenants. The placement of the patios also corresponds to the location of the neighbouring roof to the south, and with planters as barriers around the perimeter of the patios, sunlight can be felt on these patios without overlooking the neighbour's yard.

ITEM 2.)

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:

iii. PROVIDING MORE TREES AND LANDSCAPING

The design team met with staff on several occasions to address the trees and landscaping. More exterior space for residents has also allowed more space for trees and landscaping. Additionally, the reduced SRW also allowed more space in front of the building to be landscaped. Finally, the single exit design means that only one paved path to the street is required, allowing additional landscaping in the side yard. New replacement trees are now all sized to be medium-size trees with ample soil and growing space.

ITEM 2.)

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:

iv. IMPROVING THE RELATIONSHIP TO THE PUBLIC SRW

The design team met with planning staff on several occasions and the relationship of the proposal to the SRW and to the street in general has improved through several subtle design changes. Importantly, the reduction of the SRW size has allowed more space in front of the building to be landscaped as the building face remains aligned with the neighbours. Additionally, the combination of the driveway and all public access to the building reduces the overall paving to a single location without small islands of greenspace. Finally, the form of the building has incorporated a stepped down massing to the south side, which also breaks up the massing along the front of the building. The new proposed design includes windows from the suites along the front of the building looking out onto the street, similar to adjacent homes.

ITEM 2.) The building is still orientated to the side lot lines and both North and South sides are primary facades with windows and doors facing neighbouring homes and exacerbating privacy and noise problems

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:

v. IMPROVING THE MASSING TRANSITION TO SURROUNDING RESIDENTIAL BUILDINGS

As noted in the point above, the new proposal has a stepped massing on the south side, which provides a transition from the smaller house to the four-story building. Perhaps most significant is the reduction in the overall building height from

Minor transitions have been achieved on the South side but the North side has been made worse with a "wall" more than 16m high just 5ft. from the property line. The claim that the building is lower than the previous submission is false. The claims about massing improvements due to a mansard roof are also false.





19m at the roof peak down to about 16.5m. Additionally, the top floor of the building is set with a mansard roof, bringing the eave height down further to the top of the third floor and utilizing a common residential massing style found in many residential buildings taller than two stories.

It is important to note that this building needs to be larger than its neighbours in order to provide 17 rental units on a block that hasn't begun to densify as envisioned in the OCP. This proposal offers a **new apartment building, unlike the neighbouring two-storey buildings**, as a transition to the anticipated mix of smaller and larger building types together.

"very unlike"! This block is a proposed Heritage Conservation Area and, as such, is intended to maintain its scale and character related to both heritage and tourism values

ITEM 2.)

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:**

vi. REDUCING IMPACTS ON ADJACENT PROPERTIES

The proposal has reduced its impact on neighbouring properties through several design changes. These include removal of exterior exit stairs, the reduction of overall building height, the increased rear yard setback to provide more separation between buildings, and the replacement trees and additional landscaping that provides a screen between the new building and the rear neighbours. Additionally, exterior balcony space is centrally located between the two principal massings, with a buffer to keep residents away from the edges. Private balconies facing the side yards have also been removed. Finally, the windows on the sides of the buildings are placed high enough for sunlight to come deep into the room and for an average person to see out to the neighbourhood beyond, but too high to look down into the neighbouring yard space.

False claim: Building height has not been reduced. It has been increased from previous submissions. Private balconies on the North side have not been removed- they remain Juliet balconies with full length windows that look into neighbouring windows and skylights.

ITEM 2.)

- c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:**

vii. ENSURING THAT IF EXTERNAL STAIRCASES ARE BEING CONSIDERED, THAT NO EXTERNAL STAIRCASE FACE THE ADJACENT PROPERTIES

This revised proposal makes use of the **new single exit stair provision** of the BC Building Code and therefore does not have any exterior exit stairs at all.

The BC Association of Fire Chiefs have serious concerns regarding a single exit from a building higher than 4 storeys. The Victoria Fire Chief opposes a single staircase. The sideways orientation of the building and extreme reduction to the required side setbacks will make it impossible to reach the balconies in the event of a fire.

ITEM 7.)

FOR STAFF TO FURTHER WORK WITH THE PROPONENT TO ADDRESS THE CORE ISSUES RAISED BY THE NEIGHBOURS AS PERTAINS TO SETBACKS, OVERLOOK, AND OTHER MATERIAL FACTORS.

Our team participated in seven working sessions with City Staff between December 2024 and July 2025. Summaries of these meetings can be shared upon request. While we received clear and constructive feedback from several





departments, the Planning review comments following our April resubmission **appeared to contradict directions received** during the working sessions.

Despite these inconsistencies, the collaboration ultimately resulted in an **improved proposal** that advances the City's objectives. The design has been refined to provide much-needed, high-quality, secure rental housing in one of Victoria's most walkable neighbourhoods.

Only in the developer's opinion, this is a larger building than that rejected by the COTW

Nothing in this letter supports this statement.

SUMMARY

This proposal **clearly meets** the core objectives of the new Official Community Plan and significantly improves the housing diversity and availability in the James Bay area. It is a forward-thinking project dedicated to **car-free families** and built with a focus on **low-carbon energy use.**

By respectfully **addressing** the Council's previous directives and embracing the OCP's call for densification, this project represents the very type of sustainable development our city needs to encourage to meet our climate action goals and **gently** increase the density in our existing neighbourhoods.

= "greatly"

"but not complying with"

No mention of LEED certification

It is unrealistic to expect that the majority of the tenants live 'car free'. It is more realistic to note that while many families own and use bicycles, they also often need a car to ensure partners can get to work, daycare, extra-curricular activities etc.

Respectfully,

Will King, Architect AIBC, MRAIC

