

**NOTICE OF MOTION TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF MARCH 14, 2018**

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**SUBJECT**     **Protecting Use and Enjoyment of Gonzales Hill Regional Park**

**ISSUE**

This report provides recommendations relating to a Board of Variance application and referral received by the Capital Regional District in relation to the property at 1980 Fairfield Place in the City of Victoria, adjacent Gonzales Hill Regional Park. The Board of Variance postponed consideration of this application until March 22, 2018, in order to allow time for the Capital Regional District Board to provide comment, as one of two adjacent land owners.

**BACKGROUND**

Gonzales Hill Regional Park is the only regional park located within the City of Victoria and District of Oak Bay, comprised of 1.8 hectares of land straddling the boundary of these two municipalities. While Victoria and Oak Bay residents represent 27% of the regional population, and pay approximately 1/3<sup>rd</sup> of total regional parks operating expenditures and acquisition funds, they are served by a regional parks inventory that represents approximately 0.015% of the total land base of the regional parks system.

As a result, development of property adjacent to Gonzales Hill Regional Park can have a relatively greater impact on the public's use and enjoyment of the park when compared to changes on the border of other regional parks around the Capital Region, where the inventory of regional park land and the size of regional parks is substantially greater.

In light of requests received from Victoria and Oak Bay residents, asking the Capital Regional District to provide comment to the City of Victoria Board of Variance on the application for the property at 1980 Fairfield Place, adjacent to Gonzales Hill Regional Park, it is recommended that the Board provide the following comments on the application, to supplement comments provided by CRD staff.

**RECOMMENDATION**

1. That the Board provide the following comments to the City of Victoria Board of Variance in relation to the application for the property at 1980 Fairfield Place, adjacent to Gonzales Hill Regional Park, to supplement comments provided by CRD staff:
  - a. Gonzales Hill Regional Park is the only regional park located within the boundaries of the City of Victoria and District of Oak Bay, comprised of 1.8 hectares of land serving a population of 103,000 people (27% of the regional population, with 0.015% of the land base of regional parks located within these municipal borders).
  - b. The requested variance to increase the total floor area of each floor in the building will substantially affect the use and enjoyment of the general public accessing Gonzales Hill Regional Park, due to the proximity of the subject parcel to the park boundary, the prominent location of the building site adjacent to the park boundary, and the small size of the park, by permitting a larger building with a larger upper floor, and therefore greater massing adversely affecting the public's use and enjoyment of the regional park.

- c. The requested variance to the rear-yard setback will adversely affect the public's use and enjoyment of Gonzales Hill Regional Park, by permitted the building to be sited substantially further to the east than is permitted under the existing zoning, creating a significant obstruction to the public's views of the surrounding landscape, including the Haro Strait and San Juan Islands, from various points within the park.
- d. The requested variance to the total floor area of the building will adversely affect the natural environment in the immediate vicinity of Gonzales Hill Regional Park, authorizing a building with a larger footprint than is permitted under the existing zoning, and which will have a correspondingly greater encroachment on the biological diversity of this natural area.
- e. As per section 542(1)(c) of the Local Government Act, the Board of Variance may only grant a minor variance if is of the opinion that the variance does not:
  - (ii) adversely affect the natural environment;
  - (iii) substantially affect the use and enjoyment of adjacent land.

Submitted by:	Director Ben Isitt, Victoria
Concurrence:	Alternate Director Jeremy Loveday, Victoria
Concurrence:	Alternate Director Pamela Madoff, Victoria

Attachment:

1. Referral from City of Victoria Board of Variance - 1980 Fairfield Place
2. Plans for 1980 Fairfield Place, dated February 14, 2018
3. Graph showing share of Regional Parks land area and funding, 2018