

## Legislation Text

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**File #:** 18-161, **Version:** 1

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### Motion with Notice: **Protecting Use and Enjoyment of Gonzales Hill Regional Park (Director Isitt)**

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.

(NWA)