

SCHEDULE "C" - Review of UVic's Consultation Process

The residents of Cadboro Bay have expressed their concerns about the inadequacy of UVic's consultation process on many occasions. Most recently, at the CBRA AGM held on May 11, 2011, 96% of respondents stated that they felt that, to date, UVic has not responded adequately to their concerns regarding the rezoning of the Queenswood property.

Listed below are examples of the concerns that have been expressed by residents around the process:

1. Queenswood Advisory Committee

In 2010, UVic established the Queenswood Advisory Committee with the following stated purpose: *"to provide input into the rezoning process for the Queenswood property."* Three members of CBRA were on this committee. A letter sent by CBRA to UVic on Feb. 21, 2011 (attached as Appendix 3) indicates that these members of the committee felt that their concerns had not been heard. No minutes of any of the meetings of the Queenswood Advisory Committee were kept. As well, residents of the community who asked to attend these meetings as observers were refused.

2. Public Meeting held on Feb. 8, 2011, and the Proposal Presented at that Meeting

- a) The open house held by UVic on Feb. 8, 2011 to present its proposal for the property was advertised only one week in advance. This includes all forms of communication including e-mails to individuals who had registered with UVic asking to be kept apprised of meetings, and advertisements in the Saanich News and Times Colonist. This is insufficient notice for a meeting of this importance to the community.
- b) The room at St. George's Anglican Church at which the Feb. 8 meeting was held was inadequate in size. This limited the number of people who could attend the meeting, and many individuals had to stand. As well, no sound system was provided making it impossible for many to hear.
- c) The environmental assessment which had been promised before the meeting was not available; as a result residents were unable to read the report in advance and were therefore unable to raise any questions or issues.
- d) The proposed application that was presented completely disregarded the feedback that had been received from the first open house held on November 30, 2010. A slide in the presentation given by UVic at this open house summarized their general findings:

Open House #1

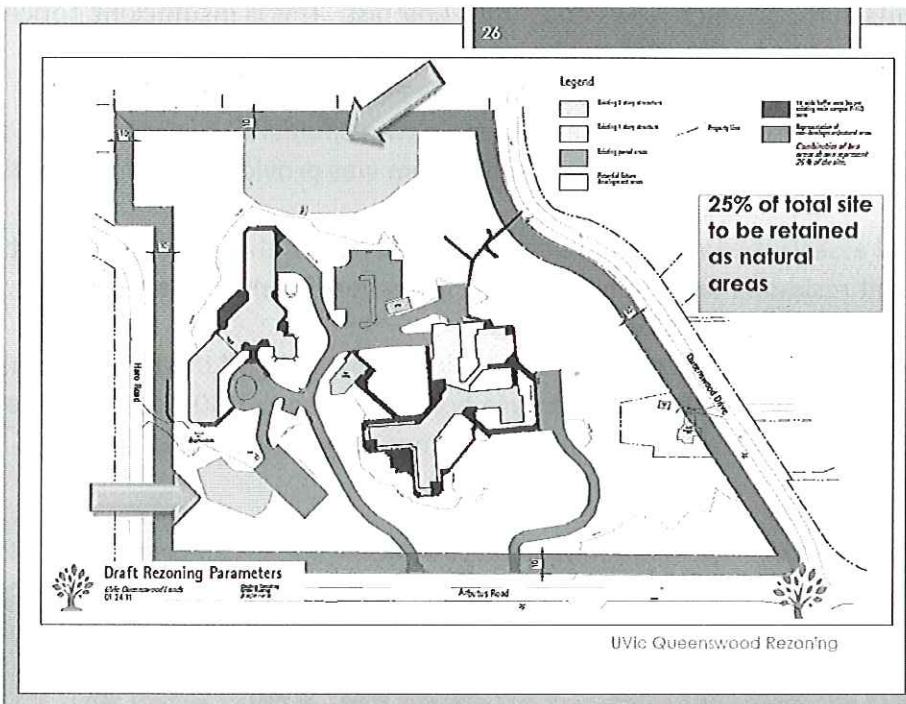


- o Over 100 guests
- o 60+ comment sheets returned
- o General Findings
 - o Retain rural character
 - o Use property as it is currently being used (retreat)
 - o Don't change roads
 - o Keep the forest as is
 - o Develop university uses that are compatible with the property



UVic Queenswood Rezoning

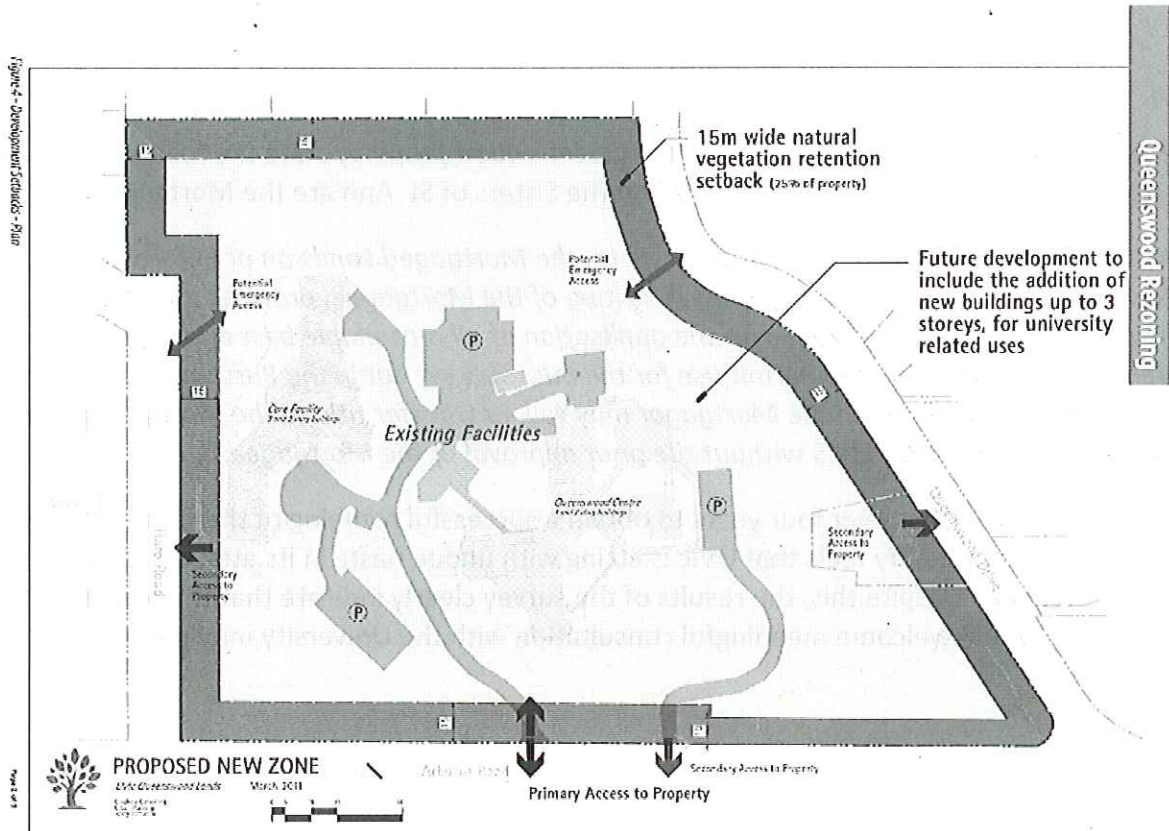
The proposal put forward by UVic then went on to completely ignore the general findings. The rural character was not retained, the forest was not protected, and there was no protection for the existing roads (in fact, several new road accesses were added), as can be seen in this slide from UVic's presentation:



The proposed height for the buildings on the property was 30 meters, which is three times the height permitted on the Saanich portion of the main UVic campus. The total lot coverage was up to 50% of the site

3. Proposal Put Forward by UVic on March 17, 2011

On March 17, 2011, UVic distributed a pamphlet to all households in Cadboro Bay with a revised proposal. The diagram below is taken from this proposal:



In the revised proposal, the building height was reduced from 30 meters to 15 meters. It should be noted, however, that 15 meters is still 50% higher than what is permitted on the main UVic campus.

The new proposal did not include the limitation on lot coverage, which means the potential lot coverage increased from 50% in the Feb. 8 proposal to 75%. In addition, although the new proposal showed an increase in the setback from 10 meters to 15 meters on 3 ½ of the borders, the two green protected areas indicated by yellow arrows in the diagram in section 2 above have disappeared.

In summary, the new proposal did not significantly change the density of the original proposal, as the decrease in height was offset by an increase in lot coverage.

No public meeting was held by UVic to discuss the revised proposal. On March 22, 2011, over 200 people attended a Town Hall meeting organized by a resident on the Queenswood proposal. It was evident from this meeting, attended by two representatives from UVic, that the application as described in the pamphlet distributed to householders did not address any of the community's concerns about traffic, density, protection of the urban forest, intended uses and other issues. Despite the near unanimous and unmistakable lack of support for its application voiced at this meeting, UVic filed the application with the Saanich Planning Department unrevised on March 29, 2011.

4. Timelines

The terms of the mortgage registered on the Queenswood property state the following (NB. In the excerpt below, UVic is the Mortgagor, and the Sisters of St. Ann are the Mortgagee):

*"The Mortgagor shall not sell, or transfer title to, the Mortgaged Lands on or before June 25, 2020 without first obtaining the consent in writing of the Mortgagee, provided that if the Mortgaged Lands are not re-zoned (in the application of all reasonable best efforts and due diligence of the Mortgagor) to permit use for the purposes set out in the Purchase Contract on or before June 25, 2015, then the Mortgagor may sell, or transfer title to the Mortgaged Lands at any time after June 25, 2015 without the prior approval of the Mortgagee."*¹

In other words, UVic has over four years to obtain a successful rezoning of the Queenswood property. The community feels that UVic is acting with undue haste in its attempt to have the property rezoned. Despite this, the results of the survey clearly indicate that the residents of Cadboro Bay would welcome meaningful consultation with the University moving forward.

¹ From a copy of the mortgage document registered against the Queenswood property, obtained from the Victoria Land Title Office.