

Notes from a neighbour -1609 Pembroke Street:



The view from our windows: All trees at the back right will go if Variances are approved.

As adjoining neighbours of this proposed development, we are extremely concerned by the apparent plan to clear-cut most of the trees. In our case, at 1609 Pembroke, we will lose shade and a valuable windbreak, may suffer worse stormwater runoff than we already experience off this property, and will lose some of the birdlife that currently patronizes our six bird feeders.

When we acquired this as our retirement home three years ago, we valued those trees as part of the privacy. The trees, of course, have been there a lot longer than us, and a lot longer than the developers.

But the proposal also runs directly counter to the City of Victoria's tree policy.

The City of Victoria has shown commendable leadership in being the first in Canada to join the United Nations "Trees in Cities Challenge." It has pledged to plant 5,000 trees this year. But clearly the willful destruction of an entire grove of mature trees on Shakespeare Street diametrically contradicts that pledge. [City website, "Trees in Cities Challenge"]

The City website further states that,

"Trees are a critically important community asset providing a wide range of benefits, from positive mental health impacts, to environmental attributes such as regulating temperature, mitigating stormwater runoff, and providing wildlife habitat. The urban forest plays a valuable role in our efforts to adapt to climate change." [City website, "Trees in Cities Challenge"]

The City also has a far-sighted TREE PRESERVATION BYLAW NO. 05-106, which says in part: *"The City of Victoria has committed to the protection and enhancement of the urban forest..."*

The by-law defines "protected tree" as including any of the following: (e) Douglas Fir (*Pseudotsuga menziesii*) over 30cm in trunk diameter, (f) Western Red Cedar (*Thuja plicata*) over 30cm in trunk diameter, (h) a significant tree, (i) any tree over 30cm in trunk diameter. "Significant" trees, it says, include "those of landmark value or as wildlife habitat."

The developers promised in their application letter to council, dated 9 October 2019,

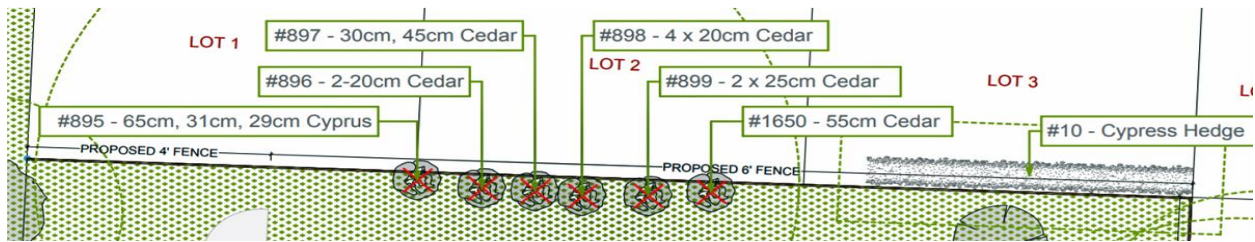
*“Through consultation with the City and an arborist, the landscape design incorporates the best usage of existing shrubbery and **the protection of all existing trees with no tree removal necessary.**” (our emphasis)*

Yet their landscape plan, dated 8 April 2020, specifies the removal of a mature Cypress, a row of mature Cedars and a Dogwood tree. (It’s difficult to count the exact number of trees, as some have multiple trunks, but the developer’s Landscape Plan appears to suggest this includes at least three Cedars exceeding the minimum 30cm protected size, and about eight in the 20-30cm range.)

The report to the Committee of the Whole by the Planning Department, dated 30 April 2020, cites the Urban Forest Master Plan, and reports “17 trees that could be impacted by development activities”:

Six undersized trees proposed for removal: one non-native dogwood and five Sawara cypress, which are in conflict with proposed foundation excavation. Eleven trees in proximity to construction areas are to be retained....

Perhaps the Planning Dept has not seen the proposed Landscape Plan, which proposes demolishing the entire row of handsome trees that dominate our backyard:



If many of these 17 trees are removed, we lose our screen, but it also makes a laughing-stock of the City’s Urban Forest Master Plan, which commits to “*Protect, enhance and expand Victoria’s urban forest.*” [Victoria: Urban Forest Master Plan]

If the proposed house size were reduced, the trees could be retained.

Even if all these trees are replaced with twice as many saplings, as the City requires, it will be decades before the benefits are realized. And, of course, a “cash in lieu” payment only benefits the developer. It certainly won’t do anything for the family of bushtits that nested in these trees last year.

Permeable Surfaces:

Heavy rains –not uncommon in Victoria—currently run off the proposed Lot 2, creating a small stream down our garden and threatening our basement. How will the landscaping of this proposed development impact that? What will be the effect of the loss of hundreds of square feet of permeable lawn and garden?

Fences and Boundaries:

Has the property line been surveyed? No survey pegs are visible on our North boundary, and they are not marked on the applicants’ plans. The proposed landscape plan shows a generic fence being erected down the entire North side of the proposed Lot 2. Will the developers guarantee that this will be done without destroying our existing Leylandii Cypress hedge, which is an important screen for our yard, providing a noise baffle and privacy?

Thank you. Nick & Sharon Russell, 1609 Pembroke St, Victoria, V8R 1W4. 5 August 2020

Pamela Martin

From: Astri Wright [REDACTED]
Sent: August 6, 2020 11:06 AM
To: Public Hearings
Cc: [REDACTED]
Subject: Comment for Public Hearing, Thursday Aug 6, at 6:30 PM

Importance: High

Dear City of Victoria,

Please find, below, my views in response to Development Variance Permit Application No. 00233 regarding 2003 Shakespeare, owned by the Michael Richman family.

I am the neighbour most directly affected by the plans behind this application, at 1605 Pembroke St. The South of my property borders along the North line of 2003 Shakespeare.

THE TREE ISSUE:

One thing that is not clearly outlined in the documents pertaining to this issue is the situation of the row of trees, a small urban forest, that divides our properties.

The absence of clarity and contradictions in documentation is disturbing.

So, off the bat, I want to say: I am fully against any current or future removal of the row of 65-70 foot tall cedar trees.

I was advised a few years back by one of the city's most reputable arborists that it would be dangerous to do, given all the buildings nearby. I was also advised that pruning them significantly would damage and likely kill the trees.

On March 8th, 2020, I signed in agreement letter from Michael Richman (2003 Shakespeare), which I edited so I agreed with its content, agreeing only to the removal of a tree that has branches leaning over on my property, not the rest of the trees.

In an era when hot and dry summers are increasingly the norm, shade trees are of inestimable value.

So is protection against strong winds.

The roots hold soil structures in place and offer shared nurturance to surrounding nature.

Garden space for kids and adults to recreate in is also essential.

Food security is enhanced when one may garden foods in times of need.

Living in these stressful times, we also need the privacy we want. Those trees ensure me privacy and some noise reduction to 1605 Pembroke St.

THE HOUSE ISSUE:

It would seem that building a house of the size and height projected by the Richmans, owners of 2003 Shakespeare, would damage the roots of these trees.

The current plan wants to push closer to neighbouring lots than current building codes allow.

Why does this new lot have to push so close up to the boundaries of surrounding home-plots?

Why not build a smaller house?

One does not have to build a tiny house, but a good and sustainable home for that projected subdivided lot should be smaller than the current plan.

Or why not build a granny/garden suite they can rent out, which the City supports doing?

The City of Victoria has voiced support for environmental issues, which include greenspaces and trees.

While we need more housing in Victoria, over-development is a threat everywhere.

Downtown is being intensively developed.

Let's not let this become a threat in a neighbourhood like Fernwood.

In sum:

a. I do not support the variances sought in this application.

b. I do not support the building of a home of the size and height currently projected.

- c. I support the building of a significantly smaller home than the one projected, for which variance of set-backs from property lines would not be necessary.
- d. I do NOT support the removal of the row of cypresses along the north side of 2003 Shakespeare and the South Side of my property.
- e. I only support the removal of one (1) tree which ostensibly is leaning and could fall, but not of any of the other trees, though I would want it documented clearly that this is indeed a problem of the magnitude that it requires action.

While I cannot be at the meeting tonight, I trust that the City of Victoria will represent my views fully, thank you for the opportunity to weigh in.

Thank you for considering these views about a situation which would significantly lessen the quality of life and cause environmental scarring for 1605 Pembroke St as well as for my neighbours on either side, who are also affected by what goes ahead with 2003 Shakespeare

I am cc-ing this to my separated husband, Kenneth Robert Seidman, who is co-owner of 1605 Pembroke st.

Sincerely,

Astri Wright

1605 Pembroke St
Victoria, BC V8R 1W4
Tel: [REDACTED]
Email: [REDACTED]

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Dr. Astri Wright

Professor of Southeast Asian Art - Modern, Contemporary, Global Conversations

<https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.uvic.ca%2Ffinearts%2Fahvs%2Fpeople%2F>

[REDACTED]

Email: [REDACTED]

[Note: I prefer email to phonecalls; please email]

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Gratitude and honour to the Lekwungen people, ancestors and living, on whose traditional territory the university stands, and to the Wsánek peoples and the Songhees, Esquimalt and WSÁNEĆ peoples, whose historical relationships with the land continue to this day.