

Dear Mayor and Council

I am writing to express my support of the proposed Le Parc development located at 1400 Fairfield Rd and 349/351 Kipling St.

As a long term resident of Victoria I recognise the significant need for more housing to accommodate our growing population. And as a 28 year resident of Fairfield I am also cognisant of the need to preserve the special qualities and character of the neighbourhood that I and many other Victorians call home.

Rather than promoting urban sprawl by building single family dwellings, or forcing radical change within the neighbourhood by proposing large overly dense mid or high rise buildings, this proposal is sensitive to the scale and massing of the existing neighbourhood while providing some much needed gentle density to the community. I believe the proposed Le Parc development is part of the missing middle that has been sadly absent from most new developments within Victoria over the last 10 years, which have instead concentrated too heavily on small studio and one bedroom units in downtown high-rise buildings.

This proposal, will provide 8 new reasonably sized, ground orientated homes, to our neighbourhood where there was previously only 3 homes. Yet it will be well below the maximum anticipated density for a traditional residential designated area allowed for in the official community plan.

As you know many families are being priced out of Victoria and cannot find suitably sized and priced housing in the core municipalities. They are often forced to choose between a small 2 bedroom condo in town with no green space for their children, or long commutes to the West Shore or further. Located directly across the street from a park, children's playground, and Sir James Douglas School, these 8 new townhomes will be ideal for those that don't want to leave Victoria to accommodate their growing families.

Each of the units will include a private garage and the site is located a 5 minute walk in each direction to the Ross Bay Shopping center, as well as the Moss Street Village and Market. Coupled with a new AAA bike route 2 blocks away and a BC transit route directly out front will all help to reduce car dependence for the residents of these new homes.

I see the proposed development as a positive addition to the Fairfield Neighbourhood and encourage you to approve this proposal.

Thank you,

Tim Stemp  
1153 Burdett Ave

Dear Mayor and Council,

As the owner of 1407 Thurlow Road, the immediate and most impacted neighbour by the proposed development at 349/351 Kipling and 1400 Fairfield Road, please review and submit my concerns in regards to this development.

My main points of OBJECTION to the development proposal at 349/351 Kipling and 1400 Fairfield Road are as follows:

1. The current City of Victoria Official Community Plan identifies that the properties at 349/351 Kipling and 1400 Fairfield Road fall within the Traditional Residential urban place designation. 'Gentle Density' is being considered in the new Official Community Plan in Fairfield Traditional Residential Zones, however the current development proposal at 349/351 Kipling and 1400 Fairfield Road does not meet the current zoning requirements or the 'Gentle Density' strategy outlined by the Fairfield Neighbourhood plan.

The Fairfield Neighbourhood plan is currently proposing "gentle density of up to 3 storeys west and east of Cook Street Village (west of Linden Avenue) and along Fairfield Road."<sup>1</sup> An amendment to the current Fairfield OCP will be required to permit 3 storeys in the areas west and east of Cook Street Village and Fairfield Road; current zoning requirements allow ground-oriented buildings up to 2 storeys. To this point, community feedback states 3 storeys should not be allowed in other parts of the neighbourhood, and staff recommend gentle density forms with 3 units east of Linden on standard sized lots (not exceeding maximum building size in the R1-B Zone). On larger and corner laneway lots, consider 4-6 units subject to parking requirements and landscaping provisions.<sup>2</sup> The proposed OCP amendment also states that urban residential properties within 75 metres of the lot line of a traditional residential property shall only be developed or redeveloped as a gently density form.

The current development proposed at 349/351 Kipling and 1400 Fairfield Road is east of Linden Avenue, where staff recommend that gentle density forms not exceed 3 units on standard sized lots, with 4-6 units considered on larger and corner laneway lots, not exceeding the maximum building size in the R1-B Zone. R1-B zone states that a minimum lot size of 460m<sup>2</sup> is permitted a maximum total floor area of 300m<sup>2</sup>. The proposed development has 15,122 square feet or 1,404.87m<sup>2</sup> of proposed floor area over 8 strata-residential townhouse units, as of the revised information package posted on the City of Victoria Development Tracker as of December 13<sup>th</sup>, 2019. 6 out of the 8 strata-residential townhouse units proposed front Kipling Street (not Fairfield Road) and 5 units fall within the current boundaries of the lot identified as 349/351 Kipling. This lot falls within the 'Other Traditional Residential areas' which does not allow 3 storey development.<sup>3</sup> This does not fall within current OCP guidelines which identifies the properties at 349/351 Kipling and 1400 Fairfield Road as

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<sup>1</sup> <https://www.victoria.ca/EN/main/residents/Neighbourhoods/fairfield-gonzales/fairfield-gonzales-neighbourhood-plan/fairfield-neighbourhood-plan/gentle-density.html>

<sup>2</sup>

<https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Fairfield~Gonzales/Fairfield/Attachment%20C%20-%20Sept%2020%20COTW.pdf>

<sup>3</sup>

[https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Fairfield~Gonzales/Fairfield/Map%20of%20Other%20Trad%20Res%20areas\\_compressed.pdf](https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Fairfield~Gonzales/Fairfield/Map%20of%20Other%20Trad%20Res%20areas_compressed.pdf)

Traditional Residential, nor does the proposed development fall within the 'Gentle Density' strategy currently under review.

This development completely removes all privacy from neighbouring properties to the east of this development. The addition of rooftop decks for all units means that there will be 8 units towering over neighbouring properties at 9.43 meters in height. There will be no privacy for neighbours disrupting the ability of neighbours to enjoy their property.

2. The Fairfield Neighbourhood plan is currently proposing "gentle density of up to 3 storeys west and east of Cook Street Village (west of Linden Avenue) and along Fairfield Road, however the proposed development concentrates 6 of the 8 proposed strata-residential townhouse units fronting Kipling Street. The developer is applying the proposed density along thoroughfares to side streets which is not in line with the OCP.
3. The proposed development at 349/351 Kipling and 1400 Fairfield Road is a textbook example of disruptive redevelopment as per the "Design Guidelines for Attached Residential Development" prepared by the City of Victoria and is not a good fit for the neighbourhood.<sup>4</sup> It does not provide "sensitive transitions to adjacent existing development" as it states on page 5 of the above noted guidelines. Most notable is that the proposed height of the 8 strata-residential townhouse units at 349/351 Kipling and 1400 Fairfield Road is 9.34 metres, which far exceeds the zoning maximum allowable height of 7.6 metres.

As per the revised information package posted on the City of Victoria Development Tracker as of December 13<sup>th</sup>, 2019, the proposed development does not consider the "Design Guidelines for Attached Residential Development" prepared by the City of Victoria in the following regards:

1. Site Planning (quotes taken from pages 3-6 of the "Design Guidelines for Attached Residential Development")
  - Building Placement: The proposed development does not provide "both front and rear yards", in fact the developer provides only front yards for the two units fronting Fairfield Road and no front and no rear yard for the 6 units fronting Kipling Street. It also does not ensure "generous, landscaped rear yard and side yard set backs." The setback from the property at 1407 Thurlow Road being touted as generous by the developer is being used as a laneway access to the units which is extremely disruptive to neighbouring properties.
2. Orientation and Interface – A Friendly Face (quotes taken from page 7 of the "Design Guidelines for Attached Residential Development")
  - "For new development adjacent to parks and larger public outdoor open spaces, design should clearly delineating private from public spaces, to avoid 'privatizing' of public space." The proposed development provides only front yards for the two units fronting Fairfield Road and no front and no rear yard for the 6 units fronting Kipling Street which means that the residents will be privatizing the public park space due to the developers' determination to construct as many units as possible.

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4

<https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/OCP/Replaced/Design%20Guidelines%20for%20Attached%20Res%20Dev%20-%20adopted%20May%2010%202018.pdf>

### 3. Building Form, Features and Context

- Building Form and Design (quotes taken from page 8 of the “Design Guidelines for Attached Residential Development”): The proposed development does not align with the main objective “to achieve buildings of high architectural quality and interest with human-scale building proportions that are oriented towards and are compatible with the established streetscape character and pattern.” The proposal does not fit within the established streetscape. The area is overwhelmingly comprised of character homes built pre-1930 and a heritage corridor is being considered along Kipling Street and nearby Durban Street. The modern design elements do not incorporate a range of architectural features and design details into the building facades.
- Neighbourliness/Compatibility (quotes taken from pages 9 and 10 of the “Design Guidelines for Attached Residential Development”): The proposed development makes no effort to meet the objective “to respond to the established form and architectural characteristics of surrounding buildings to achieve new buildings which are compatible with their context and minimize impacts on neighbours.” The design does not complement and respond to the existing architectural context and does not consider building articulation, scale and proportions, similar or complementary roof forms, and materials and colour. Most notably, the proposed townhouse development does not “transition in scale to existing residential buildings” and does not take into account strategies to achieve this such as “a maximum one storey height difference between the end units of new street fronting developments and adjacent existing development.” Site, orient and design buildings to minimize shadowing impacts on adjacent properties was not considered but will be discussed in a later point.

4. The proposed development would result in significant shadowing and loss of light to neighbouring properties and my property 1407 Thurlow Road in particular. The development at 349/351 Kipling and 1400 Fairfield does not “site, orient and design buildings to minimize shadowing impacts on adjacent properties,” as stated on page 10 of the “Design Guidelines for Attached Residential Development” prepared by the City of Victoria. The developer is proposing to construct a 9.34m high wall that extends along my entire lot line. Please see the shadow study in the revised information package posted on the City of Victoria Development Tracker as of December 13<sup>th</sup>, 2019 which shows the significant shadowing on neighbouring properties to the east. The excessive height proposed by the development at 349/351 Kipling and 1400 Fairfield Road of 9.34 metres, which far exceeds the zoning maximum allowable height of 7.6 metres, is to blame.
5. The plans provided by the developer at the May 2<sup>nd</sup>, 2019 Fairfield CALUC meeting illustrated the units as having a basement ‘flex space’. This space has a bathroom and has the potential to be used as a basement studio suite, thereby increasing the potential number of units from 8 to 16. The developer should take steps to ensure that the flex space is not used as a suite, the additional parking and traffic on the street and up the proposed laneway would be extremely disruptive to the neighbourhood.



The concerns listed above detail significant issues with this proposed development. Nothing of this height and density can be seen in the surrounding neighbourhood and the location of this development is completely out of line with the OCP and streetscape. I am not opposed to density, should the developer (Bart Johnson) have proposed a duplex on each lot consistent with the OCP I would not take issue. Bart Johnson does not care what happens to this neighbourhood, he is a developer looking to make as much profit as possible. Please thoughtfully consider the negative impact this development will have on the neighbourhood as a whole.

In addition, as a Real Estate Appraiser I understand the negative impact this will have on my property value and should this development be approved in its current form, I will be seeking monetary compensation and will not hesitate in taking legal action.

Regards,

Alyssa Boky (owner 1407 Thurlow Road)

## Heather McIntyre

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**From:** Lorraine Stockdale [REDACTED]  
**Sent:** February 9, 2020 4:12 PM  
**To:** Victoria Mayor and Council  
**Cc:** Alec Johnston; [REDACTED]  
**Subject:** Development proposal for 1400 Fairfield Road and 349/351 Kipling Street

Mayor and Council Members,

My house is two lots to the east of the proposed development. I have reviewed the revisions to the above proposal and although I appreciate the reduction in height and that the look of the building is less imposing, I still cannot support this project for the following reasons:

- I understand the need for increased density but 8 units are far too many for this site especially along the Kipling Street..
  - the available parking is inadequate and parking will spill over onto adjacent streets.
  - the design of the building does not fit in with the character of the neighbourhood which is unfortunately seeing more and more of these stark rectangular boxes
  - too much loss of green space and trees with their beneficial effects on health and the environment plus concern about stormwater drainage as we are having more heavy rain events
  - concern about the noise and air pollution from cars in the driveway running along the back of the development
  - loss of sunlight on my back garden even with the reduced height
  - these units will be expensive and not add to the supply of affordable housing in the city.
- I urge the city to deny approval for this project.

Sincerely,  
Lorraine Stockdale  
1410 Fairfield Road

## Lucas De Amaral

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**From:** [REDACTED]  
**Sent:** January 29, 2020 6:18 PM  
**To:** Ben Isitt (Councillor); Victoria Mayor and Council  
**Subject:** RE: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

**Categories:** [REDACTED]

I went back to the Development Tracker and see that what description is improved for this application: amendment to the OCP and rezoning. I appreciate this clarification as it was not clear in the developer's information package nor on your site originally.

I formally do not support this amendment to the OCP and do not support the rezoning application for the same reasons in my original note. I believe that the placard that is posted on the site should be clear on this scope as I believe local residents are not aware of this request by the developer. I do not think amendments to the OCP should be done using this process as it is contrary the detailed input process to arrive at an approved OCP.

Sincerely,

Mei-Ching Tsoi

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**From:** Ben Isitt (Councillor) <BIsitt@victoria.ca>  
**Sent:** January 29, 2020 3:08 PM  
**To:** [REDACTED]  
**Subject:** RE: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

Thank you for providing this input, Mei-Ching.

Ben

Ben Isitt  
Victoria City Councillor and CRD Director  
Email. [bisitt@victoria.ca](mailto:bisitt@victoria.ca)  
[REDACTED]

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**From:** Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>  
**Sent:** January 29, 2020 3:05 PM  
**To:** [REDACTED]  
**Subject:** RE: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

Dear Mei-Ching,

Thank you for your email regarding a proposed development application at 1400 Fairfield Road, it has been shared with Mayor and Council.

Your email has also been filed with the correspondence for this address, and will be shared with Mayor and Council again during the opportunity for public comment. Additionally, information on the application is posted to the City's [Development Tracker](#).

Thank you for sharing your thoughts with Mayor, Council and the City of Victoria.

Sincerely,

Heather McIntyre  
Correspondence Coordinator  
Mayor / City Manager's Office  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6



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**From:** [REDACTED]  
**Sent:** January 27, 2020 7:31 AM  
**To:** Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>  
**Subject:** FW: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

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**From:** [REDACTED]  
**Sent:** January 26, 2020 5:40 PM  
**To:** 'ajohnston@victoria.ca' <[ajohnston@victoria.ca](mailto:ajohnston@victoria.ca)>; 'mayorandcouncil@victoria.ca.' <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>  
**Cc:** 'Mei Ching Tsoi' [REDACTED]  
[REDACTED] for 1400 Fairfield Road & 349/351 Kipling Street

Mei-Ching Tsoi (owner)  
1342 Thurlow Road  
Victoria, BC  
V8S 1L6

Re: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

Dear Mayor and Council,

We received a letter regarding re-zoning and development application for 1400 Fairfield Road and 349/351 Kipling.

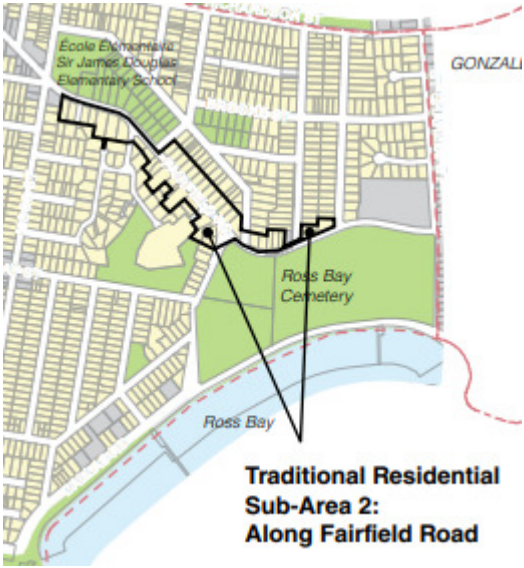
I am the owner of 1342 Thurlow Road which is less than ½ block from the proposed development. The information provided to resident by developer (and for that matter on your website) was not clear on what is being sought under the application. Upon review via the City of Victoria Developer Tracker website Letter to council, I found the information on page 7 “consolidated through re-zoning”. All correspondence discusses re-zoning but does not explicit state that it is consolidation of two R1-B lots (based on VicMap tool) with no details on the what type of rezoning designation requested. While this may be obvious to developer and city planners, it was not clear to me without additional digging or inquiry with the City. The intent must be more clear what is the desired zoning sought.

For the record, I am not in support for the rezoning application as it is not consistent with the approved Fairfield Neighborhood Plan and has vast differences that deviates from the original R1-B characteristic that dominates that block.

1. Extrapolation of intent from Fairfield Neighborhood Plan (Sept 12, 2019) – Kipling property out of scope for increased density use

Proposal submitted to the city (Dec 12, 2019) shows the construction of a duplex on the Fairfield frontage with the 6-unit townhouse along the Kipling frontage. The Fairfield Neighborhood Plan “Sub-Area 2 Traditional Residential Area Use along Fairfield” supports increased density 8.11.13. However, only the 1400 Fairfield R1-B lot sits along Fairfield which may support densification. 349/351 Kipling R1-B lot sits outside of the Sub-Area 2. It appears developer is using the Fairfield property to leverage densification for both properties. Ironically, the Fairfield frontage has duplex while the Kipling side has the larger 6-unit townhouse which does not have the increase density Sub Area 2 Fairfield designation. In short, the site lacked sufficient frontage on Fairfield to support the desired density so developer is shifting building mass around to take advantage of land but ½ does not have the required designation.

Last year, the City held extensive engagement sessions with the community with input based on what is currently described as the approved Fairfield Neighborhood Plan and it does not include the proposed Kipling property for Sub-Area 2 Traditional Use along Fairfield and in fact, looks like it was deliberately excluded. Extending land use beyond what was presented in the consultation and approved is contrary to the public engagement process and is unfair to the residents who reside in the surrounding area. Furthermore, it presents a slippery slope as Plan’s content/intent can be changed and re-interpreted therefore diminishing the OCP and neighborhood engagement process.



2. Differences between R1-B to proposed zoning for Kipling that shows dramatic change for existing residence

The following is a comparison of the proposed 6-unit townhouse unit that fronts along Kipling/Thurlow which is currently zoned as R1-B. All lots in this block along Thurlow Road on the same block are R1-B single residential use. The building’s large massing and multi-unit dwelling will dramatically change the character of the single residential character of the neighborhood. Main concerns relates to large differences in height, storeys, setbacks and roof deck allowance compared what is the existing R1-B zoning. The size, scale and setbacks are dramatically different.

Reference	R1-B (limits)	Building as planned
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R1-B 1.2.4 (a) Residential Building	7.6m height 2 storeys Roof deck – not permitted	8.3 to 10.5m 3 storeys All units have roof decks
1.2.5 Setback	Front yard 7.5	Thurlow Front 5.39m

While I support increases the existing housing stock, I believe that this development is not taking the spirit of the Fairfield Neighbourhood Plan to increase density in the agreed upon locations. I think that the size and scale of the development is too large that will have an negative impact on the residents who live adjacent to the development on the Thurlow-side due to massing and height.

Transition for these new developments must be done with sensitivity to existing land use and the Kipling lot is currently not designated for this type of high density use. These Neighbourhood Plans are the product of extensive planning, consultation and engagement process and guides how we preserve and develop our neighbourhoods. We should respect the principles and not change on an ad-hoc basis, otherwise, it begs the question, what purpose are these documents serve.

If you need more information and information, I may be reached at information is [REDACTED]

Thank you for the opportunity to offer my input.

With regards,

**Mei Ching Tsoi**  
[REDACTED]

## Lucas De Amaral

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**From:** Judi Roger [REDACTED]  
**Sent:** January 29, 2020 3:00 PM  
**To:** mayor@victoria.ca; Marianne Alto (Councillor); lcollins@victoria.ca; bisitt@victoria.ca; Jeremy Loveday (Councillor); spotts@victoria.ca; Charlayne Thornton-Joe (Councillor); gyoung@victoria.ca; Sharmarke Dubow (Councillor)  
**Subject:** Proposed development on 1400 Fairfield Rd. and 349/351 Kipling St.

**Subject:** Proposed development on 1400 Fairfield Rd. and 349/351 Kipling St.

January 29, 2020

To Whom It May Concern,

Please refer to previous e-mail sent on August 27, 2019.

We are against the updated proposal development for 1400 Fairfield Road and 349/351 Kipling Street.

- 1) The design still does not align with the character of our 107 year old house and neighbouring homes or guidelines provided by the city.
- 2) The proposed development does not ask for variances to existing zoning. It requests an entirely new zoning of its own, to permit all of the features of these **8, 4 storey, 2000 square foot homes**.
- 3) There will be parking challenges.
- 4) The height of the units plus the rooftop deck make it four floors of living space all in a row which will block our sightlines to the park and neighbourhood from our back yards and fence us in.

Our neighbourhood is very important to not only us but to all who live in the area. This development would change the character of the neighbourhood and would impact the people who live here in a negative way.

**We request a second CALUC so that we have an opportunity to provide input to the proposed development.**

Yours truly,

Roger & Judi Aitchison  
1411 Thurlow Road,  
Victoria, BC  
V8S 1L8  
[REDACTED]

## Heather McIntyre

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**From:** [REDACTED]  
**Sent:** January 27, 2020 7:31 AM  
**To:** Victoria Mayor and Council  
**Subject:** FW: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

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**Sent:** January 26, 2020 5:40 PM  
**To:** [REDACTED]  
**Subject:** Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

Mei-Ching Tsoi (owner)  
1342 Thurlow Road  
Victoria, BC  
V8S 1L6

Re: Opposition to Proposed re-zoning for 1400 Fairfield Road & 349/351 Kipling Street

Dear Mayor and Council,

We received a letter regarding re-zoning and development application for 1400 Fairfield Road and 349/351 Kipling.

I am the owner of 1342 Thurlow Road which is less than ½ block from the proposed development. The information provided to resident by developer (and for that matter on your website) was not clear on what is being sought under the application. Upon review via the City of Victoria Developer Tracker website Letter to council, I found the information on page 7 “consolidated through re-zoning”. All correspondence discusses re-zoning but does not explicit state that it is consolidation of two R1-B lots (based on VicMap tool) with no details on the what type of rezoning designation requested. While this may be obvious to developer and city planners, it was not clear to me without additional digging or inquiry with the City. The intent must be more clear what is the desired zoning sought.

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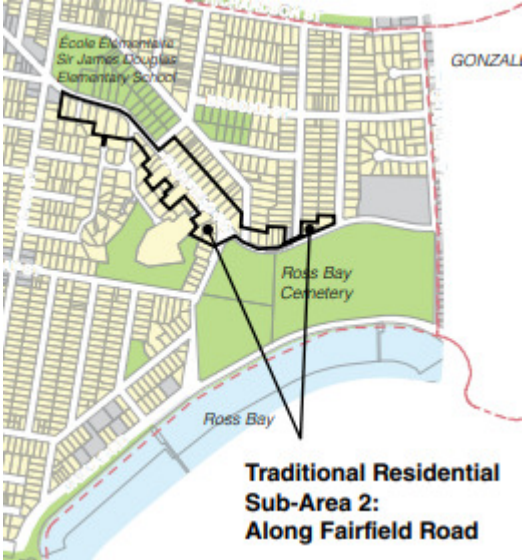
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support the desired density so developer is shifting building mass around to take advantage of land but ½ does not have the required designation.

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Transition for these new developments must be done with sensitivity to existing land use and the Kipling lot is currently not designated for this type of high density use. These Neighbourhood Plans are the product of extensive planning, consultation and engagement process and guides how we preserve and develop our neighbourhoods. We should respect the principles and not change on an ad-hoc basis, otherwise, it begs the question, what purpose are these documents serve.

If you need more information and information, I may be reached at information is [REDACTED]

Thank you for the opportunity to offer my input.

With regards,

**Mei Ching Tsoi**  
[REDACTED]

## Heather McIntyre

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**From:** Simon MacDonald [REDACTED] >  
**Sent:** January 23, 2020 3:54 PM  
**To:** Victoria Mayor and Council  
**Cc:** Councillors  
**Subject:** Re: Objection to Kipling and Fairfield development proposal

Good Afternoon, Mayor and City Councillors;

My name is Simon MacDonald, I am writing on behalf of myself and my family, Jennifer MacDonald, Ben (4) and Oliver (6) MacDonald, and my neighbors in the Fairfield neighborhood. I would like to add my endorsement to the letter written below by Dr. Schachter, our neighbor on Thurlow Road.

I have also written once before on the subject of the "Le Parc" development, and I believe the project, even as amended, is completely out of character with the neighborhood in which it is proposed, and out of touch with the needs for housing stock in Victoria. Three purpose built duplexes, housing 6 families, would be a suitable development for the two lots being taken over in the proposed "Le Parc" project site. Eight luxury condos in an apartment style building that will take away rental stock from established Fairfield families, and will take sun, warmth, and livability, from the neighbors with properties to the east of the proposed development, is a terrible idea, designed only to benefit the developer. If you were living beside the proposed development, I believe you would not let it pass the "*would I accept this?*" test, as pointed out by Dr. Schachter, below.

I hope the Mayor and City Council see fit to reject this proposal, considering the overwhelming objections coming from those who live and work in the neighborhood.

Sincerely,

Simon MacDonald  
Jennifer MacDonald  
Benjamin and Oliver MacDonald

1368 Thurlow Road, Victoria BC, V8S 1L7

On January 19, 2020 at 3:02 p.m., Michael Schachter [REDACTED]

January 19, 2020

Dear Mayor Helps and City Councillors –

I am writing for the second time as a Fairfield home owner regarding the 'Le Parc' development proposed for Kipling street between Fairfield and Thurlow. This proposal was originally submitted to council and reviewed in June, 2019. The proposal was then subject to a number of revisions. The recommended revisions

have now been (inadequately) addressed through a series of superficial adjustments followed by re-submission.

Our family bought a home one block from this site in March 2019. At that time, we chose to settle in Fairfield under the rules and by-laws as they are currently constituted. Mr. Bart Johnson, of Breia Holdings, has requested variances to the rules that govern building in Fairfield. We believe the requested variances are not justified. Neighbourhood bylaws have been meticulously crafted to protect Fairfield from inappropriate development. Presumably Mr. Johnson was aware of the building rules, yet he chose to design a building with dimensions well in excess of the known restrictions. He then revised the proposal and submitted a second proposal, which remains in breach of the bylaws.

Mr. Johnson's proposal seeks to build an 8-unit apartment style townhouse complex at this site. He states that this is in keeping with the Fairfield Neighbourhood Plan, in which Fairfield road has been identified as a suitable location for townhouses. However, he obscures the fact that only 25% of his complex would be on Fairfield road. The remaining 75% would be on Kipling, which is not designated as a suitable location for townhouses in the Fairfield Neighbourhood plan. **Mr. Johnson's justification relies on the premise that his development will be on Fairfield Road. This claim is blatantly untrue.**

Rather, the proposed apartment building complex juts into the middle of residential Fairfield, among single family houses. In fact, the unfortunate home-owners next door to 'Le Parc' would lose sunshine in their backyards after 3 pm in the summer due to the imposing shadow. Whilst Le Parc residents are enjoying their tiled and sparsely planted rooftop 'greenspace', their neighbours formerly fertile backyards will be shivering in shadows. City counsellors, how might you feel if a development company lobbied city council for a variance to build an apartment building next to your house? Please ask yourselves if it passes the, "Would I accept this?" test. I believe it does not.

While some residents might accept the presence of a single obtrusive building in the middle of Fairfield, it is of greatest concern that a precedent will set, which will then be cited to justify construction of similar buildings in the future; and hence, we will witness the erosion of a beautiful residential, family neighbourhood in our city.

Mr. Johnson's proposal goes on to advertise Le Parc as 'missing middle housing'. This suggestion is an insult to the intelligence of anyone who has casually reviewed the architect's renderings. The proposed 2000 sf, 4-bedroom, luxury townhouses with enclosed garages are not 'missing middle housing'. These units will be sold for well over \$1 million or the equivalent to most any detached house for sale near this

location. In no way are these units geared toward first-time home owners or young working families in Victoria. This is luxury housing for the wealthy. Thus, 3 tenanted rental properties will be demolished with the remnants transported to landfill sites, to make room for 8 high-end homes. The new owners will most likely be dually employed couples with grown children or retirees who don't mind having only one parking space and who do not intend to rent out their new home.

A further issue is the parking and traffic issues that will ensue once 35 to 40 individuals have moved into Le Parc. The assumptions made in Mr. Johnson's plan are once again implausible. There will be one parking spot per 4-bedroom unit and 1 visitor spot for all 8 units combined. If these are to be working families with access to substantial resources to buy their new homes, what are the odds that they'll each have one car and no guests? It is obvious that the planned parking for that many new residents will be inadequate.

We do not dispute that Fairfield should be developed over time and housing should be densified. However, the character of the neighborhood should not be sacrificed. Developers who speculate on lots should not be above the law with the ability to change community building rules with nonsensical proposals using magic-word catch phrases. Perhaps Mr Johnson should consider designing a development on Kipling, which adheres to current rules, rather than permanently altering our community to suit his business interests. For example, a taller duplex on Fairfield road and 2 more appropriately sized, 2-storey duplexes on Kipling would be more in keeping with Fairfield's strategic plan. The city does not have a duty to accommodate Mr. Johnson's desire to turn a profit; rather, *he* must determine a way forward which adheres to neighborhood bylaws just like everyone else.

If this development is allowed to proceed it would represent a departure from common sense and fairness. The primary beneficiary of this development will be Mr. Johnson and Fairfield will be worse now and in the future.

My survey of the neighbourhood confirms that residents of Fairfield are universally opposed to this development. Should it go ahead as planned I am confident that many voters will feel disenfranchised.

Thank you for considering our concerns about this proposal.

Sincerely,

Dr. Michael Schachter  
Dr. Vanja Petrovic

Vincent Schachter  
Isak Schachter

## Heather McIntyre

---

**From:** lois atherley [REDACTED]  
**Sent:** January 23, 2020 10:56 AM  
**To:** Victoria Mayor and Council  
**Cc:** Alec Johnston  
**Subject:** Application Review Summary REZ No. 00702 & DP No. 000555

Dear Mayor and Council,

I still cannot support the proposed development at 1400 Fairfield and 349/351 Kipling and agree with the Planning and Zoning Staff's review of the original application whereby they also COULD NOT support the application.

Although the developer has submitted a revised application, there are still far too many issues that are not adequately addressed. Specifically, the lack of setbacks on Kipling, the looming height of 3 stories on Kipling, the incompatible form and design of the building and the use of roof top decks to make up for the lack of green space.

Please deny this application until the developer can come up with a proper design that fits with the form and character of the neighborhood.

Sincerely,

Lois Atherley  
Anthony Giaccio

1400 Fairfield Rd.

## Heather McIntyre

---

**From:** Brett Cooper <[REDACTED]>  
**Sent:** January 23, 2020 5:49 PM  
**To:** Victoria Mayor and Council  
**Subject:** 1400 Fairfield Rd. (Le Parc) Townhouses

Hello,

I am writing in support of the proposed development at 1400 Fairfield Rd (Le Parc Townhouses by Breia Holdings).

I currently live within 2 blocks of the proposed site (1330 Minto st) and would love to see some townhouses providing nice homes for a number of families compared to the two current run down and possibly vacant homes.

Best regards,

--  
**Brett Cooper**  
Real Estate Agent

[REDACTED]  
[REDACTED]  
[REDACTED]



**Sotheby's International Realty Canada**  
752 Douglas Street, Victoria BC V8W 3M6

[REDACTED]  
[REDACTED]  
[REDACTED]

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## Heather McIntyre

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**From:** Harry Keith [REDACTED]  
**Sent:** January 21, 2020 4:18 PM  
**To:** Victoria Mayor and Council  
**Subject:** 1400 Fairfield Rd & 349/351 Kipling St Development

Hello Mayor & Councillors,

I do not support the **1400 Fairfield Rd & 349/351 Kipling St** development.

Regards,

Harry S. Keith  
1476 Thurlow Rd.,  
Victoria, B.C.,  
V8S 1L9  
[REDACTED]

## Lucas De Amaral

---

**From:** Michael Schachter [REDACTED]  
**Sent:** January 19, 2020 3:03 PM  
**To:** Victoria Mayor and Council  
**Cc:** Councillors  
**Subject:** Objection to Kipling and Fairfield development proposal

January 19, 2020

Dear Mayor Helps and City Councillors –

I am writing for the second time as a Fairfield home owner regarding the ‘Le Parc’ development proposed for Kipling street between Fairfield and Thurlow. This proposal was originally submitted to council and reviewed in June, 2019. The proposal was then subject to a number of revisions. The recommended revisions have now been (inadequately) addressed through a series of superficial adjustments followed by re-submission.

Our family bought a home one block from this site in March 2019. At that time, we chose to settle in Fairfield under the rules and by-laws as they are currently constituted. Mr. Bart Johnson, of Breia Holdings, has requested variances to the rules that govern building in Fairfield. We believe the requested variances are not justified. Neighbourhood bylaws have been meticulously crafted to protect Fairfield from inappropriate development. Presumably Mr. Johnson was aware of the building rules, yet he chose to design a building with dimensions well in excess of the known restrictions. He then revised the proposal and submitted a second proposal, which remains in breach of the bylaws.

Mr. Johnson’s proposal seeks to build an 8-unit apartment style townhouse complex at this site. He states that this is in keeping with the Fairfield Neighbourhood Plan, in which Fairfield road has been identified as a suitable location for townhouses. However, he obscures the fact that only 25% of his complex would be on Fairfield road. The remaining 75% would be on Kipling, which is not designated as a suitable location for townhouses in the Fairfield Neighbourhood plan. **Mr. Johnson’s justification relies on the premise that his development will be on Fairfield Road. This claim is blatantly untrue.**

Rather, the proposed apartment building complex juts into the middle of residential Fairfield, among single family houses. In fact, the unfortunate home-owners next door to ‘Le Parc’ would lose sunshine in their backyards after 3 pm in the summer due to the imposing shadow. Whilst Le Parc residents are enjoying their tiled and sparsely planted rooftop ‘greenspace’, their neighbours formerly fertile backyards will be shivering in shadows. City counsellors, how might you feel if a

development company lobbied city council for a variance to build an apartment building next to your house? Please ask yourselves if it passes the, “Would I accept this?” test. I believe it does not.

While some residents might accept the presence of a single obtrusive building in the middle of Fairfield, it is of greatest concern that a precedent will set, which will then be cited to justify construction of similar buildings in the future; and hence, we will witness the erosion of a beautiful residential, family neighbourhood in our city.

Mr. Johnson’s proposal goes on to advertise Le Parc as ‘missing middle housing’. This suggestion is an insult to the intelligence of anyone who has casually reviewed the architect’s renderings. The proposed 2000 sf, 4-bedroom, luxury townhouses with enclosed garages are not ‘missing middle housing’. These units will be sold for well over \$1 million or the equivalent to most any detached house for sale near this location. In no way are these units geared toward first-time home owners or young working families in Victoria. This is luxury housing for the wealthy. Thus, 3 tenanted rental properties will be demolished with the remnants transported to landfill sites, to make room for 8 high-end homes. The new owners will most likely be dually employed couples with grown children or retirees who don’t mind having only one parking space and who do not intend to rent out their new home.

A further issue is the parking and traffic issues that will ensue once 35 to 40 individuals have moved into Le Parc. The assumptions made in Mr. Johnson’s plan are once again implausible. There will be one parking spot per 4-bedroom unit and 1 visitor spot for all 8 units combined. If these are to be working families with access to substantial resources to buy their new homes, what are the odds that they’ll each have one car and no guests? It is obvious that the planned parking for that many new residents will be inadequate.

We do not dispute that Fairfield should be developed over time and housing should be densified. However, the character of the neighborhood should not be sacrificed. Developers who speculate on lots should not be above the law with the ability to change community building rules with nonsensical proposals using magic-word catch phrases. Perhaps Mr Johnson should consider designing a development on Kipling, which adheres to current rules, rather than permanently altering our community to suit his business interests. For example, a taller duplex on Fairfield road and 2 more appropriately sized, 2-storey duplexes on Kipling would be more in keeping with Fairfield’s strategic plan. The city does not have a duty to accommodate Mr. Johnson’s desire to turn a profit; rather, *he* must determine a way forward which adheres to neighborhood bylaws just like everyone else.

If this development is allowed to proceed it would represent a departure from common sense and fairness. The primary beneficiary of this development will be Mr. Johnson and Fairfield will be worse now and in the future.

My survey of the neighbourhood confirms that residents of Fairfield are universally opposed to this development. Should it go ahead as planned I am confident that many voters will feel disenfranchised.

Thank you for considering our concerns about this proposal.

Sincerely,



Dr. Michael Schachter

Dr. Vanja Petrovic

Vincent Schachter

Isak Schachter

## Lucas De Amaral

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**From:** Stephanie Marchal [REDACTED]  
**Sent:** January 16, 2020 3:32 PM  
**To:** Councillors; Victoria Mayor and Council  
**Subject:** Kipling st development

Hello

I am writing to express my disapproval of the large Fairfield/Kipling development planned.

1- We disagree with the variances that Mr. Johnson is asking for. They are far and beyond any variance that any home builder has asked for in this neighbourhood (such as building a few inches closer to the street, or using a bit more of the property space for the building than usually allowed). Mr. Johnson's requests for adjustments are unreasonable. The height and the size of the buildings are different from anything else in the neighbourhood.

We ourselves renovated a house on Durban St, and we made sure to respect the general feel for the neighbourhood, including heights requirements.

2- We agree with other letters that the plan of Mr. Johnson to fill the need for "middle housing" is an advertisement strategy as well as a way to get away from council and neighbours' scrutiny. Middle house means a home under 700,000\$. If Mr. Johnson can commit to this price, then his proposal will make sense. However, his plans seems to build luxury houses that will not increase diversity in the neighbourhood.

3- any development in this neighbourhood needs to include self-contained parking for at least one, but preferably 2 cars per unit for every 4 bedroom units. The properties sit on a school park, where there is a high influx of cars twice a day, plus a weekly market and a community room. There is also a soccer field that is very popular and brings an influx of soccer, baseball and ultimate players at all times of the day. The parking is very challenging at these times, and adding 8 units will probably add about 16 cars to the street. Every house in the neighbourhood has space for at least one car, perhaps two cars of their own, and yet the streets are crowded with car at diverse times of the week. It is expected that any new development should be able to host the cars of their owners, at least a large proportion (1 car parking per luxury property is highly inadequate).

4- Combining 1- and 2- and 3-, we are proposing that Mr. Johnson either build 4 luxury units modeled after what he already proposed, so the building is less high, less space intensive, and so parking can be included on the property itself. Or, Mr. Johnson could build 6 middle housing apartments, each 2-3 bedrooms, 1500 sqf, and again build less high and have enough space for parking. Of course, it is not in Mr. Johnson's interest to build modest or lesser number apartment, but our council and our by-laws are not here to protect developers.

Mr Johnson paid 950,000 for one property on Kipling st, and the second one on Kipling is probably worth a similar price.

To run numbers quickly, if Mr. Johnson built 8 middle housing apartments, with less high ceilings, less high-end material used, without extra rooftop, or with rooftop that have no ceiling, at 1500 square feet each, at a cost of building of 250\$ per square foot, **Mr. Johnson would make  $8 \times 700,000\$ = 5,600,000\$$  while his costs would be  $8 \times 1500 \times 250 + 1,800,000$  (for the property price) =  $4,800,000$ .** This seems to be a **huge income** on such a project, especially that costs of buildings include trades which will benefit from the construction. He would also **save 2000 sqf of property that would be available for parking.**

Thank you for your attention

Dr. Stephanie Marchal  
Dr. Allon Beck  
Eitan Beck  
Maayan Beck

## Heather McIntyre

---

**From:** Ray Murray [REDACTED]  
**Sent:** January 15, 2020 2:08 PM  
**To:** Victoria Mayor and Council  
**Subject:** Le Parc Development

Mayor and Council ,

I would like to share my support for this proposed development at 1400 Fairfield Rd as I feel it is the ideal type and size of development for this area and I know that there is a demand for it.

I live and work in this area and look forward to seeing this come to fruition.

Regards

Ray



## Heather McIntyre

---

**From:** Christine Ryan [REDACTED]  
**Sent:** January 8, 2020 12:20 PM  
**To:** Victoria Mayor and Council  
**Subject:** Breia Holdings & support for 1400 Fairfield Rd. and 349/351 Kipling St.

To Whom It May Concern:

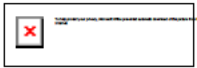
I've reviewed this proposal and I would have no hesitation in supporting this project.

I particularly like the fact that the properties are townhomes meaning there will be much needed affordable options coming online in the Victoria area.

Christine Ryan, c/o 752 Douglas Street, Victoria

Yours truly

Christine



**Christine Ryan**

Realtor®



**Sotheby's International Realty Canada**  
752 Douglas Street, Victoria BC V8W 3M6



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## Heather McIntyre

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**From:** Whittaker, Ty [REDACTED]  
**Sent:** January 7, 2020 10:47 AM  
**To:** Victoria Mayor and Council  
**Cc:** Bart Johnson  
**Subject:** Fairfield-Kipling Development Proposal

Dear Mayor and Council, I have reviewed the proposed plan of the "Le Parc" development on Fairfield and Kipling and feel that it will fit nicely in this community and neighbourhood that has seen several modern single family and duplex projects developed recently.

I live in this neighbourhood and feel this will be a welcome addition on new contemporary construction and design.

Ty

### Ty Whittaker

Executive Vice President | Personal Real Estate Corporation  
[REDACTED]  
[REDACTED]

### Colliers International

1175 Douglas Street, Suite 1110 | Victoria, BC V8W 2E1 | Canada  
[REDACTED]



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**Paul Terstappen**

1464 Begbie Street, Victoria, BC

Phone: [REDACTED]

**City of Victoria Mayor and Council**

1 Centennial Square, Victoria, BC

Phone: [REDACTED]

---

**Mayor and Council,**

Please accept this letter in support of the development permit proposal for 1400 Fairfield Rd and 349/351 Kipling Street. After reviewing the proposal via the information sheet provided, the development tracker and discussing it in person with the applicant it was clear to me that these are the type of projects that need to be happening in our city to allow young families like mine to remain in Victoria. Taking 2 older properties that did not meet the needs of most families and designing/proposing a project that will create 8 new family homes in a great area of the city is what needs to happen in our city. The overall design of the project is very thoughtfully designed and laid out. The driveway going through the property with angled parking is a great design solution as typically some of the townhouse projects we have looked at have issues with parking which this project seems to have addressed.

I hope that both the City of Victoria and fellow neighbours see the positives in a project like this and also support this proposal to help bring more homes into our community and keep younger families here.

If you would like to discuss this any further please feel free to reach out to me anytime to discuss.

Regards,



---

**Paul Terstappen**

Date 1/6/2020

---

January 6<sup>th</sup>, 2020

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

Mayor and Members of Council,

Subject: Redevelopment of 1400 Fairfield Road and 349/351 Kipling St – 'Le Parc'

After having spent almost a year trying to find a townhouse in Victoria, I was fortunate enough to find one off market at 2-1137 Meares Street. And that's why I am in full support of the redevelopment proposed at the above noted address, known as 'Le Parc'. The City of Victoria is in desperate need of all types of multi-unit housing, which includes **townhomes**.

This development will greatly enhance the surrounding streetscape and deliver an increase in the number of homes, which will significantly benefit those wishing to live in that neighbourhood. The buildings enhance the street by providing modern urban architecture highlighting the best of the neighbourhood that surrounds the site.

Please support this project to help enhance our vibrant city.

Sincerely,

Marc Foucher

A handwritten signature in black ink, appearing to be 'MF' with a long horizontal stroke extending to the right.

2-1137 Meares Street  
Victoria, BC  
V8V 3J9

## Heather McIntyre

---

**From:** Wignall, Angela [REDACTED]  
**Sent:** January 6, 2020 9:43 AM  
**To:** Victoria Mayor and Council  
**Subject:** Support for Le Parc: 1400 Fairfield Rd and 349/351 Kipling St

Dear Mayor and Council:

I am writing today in support of a development proposal submitted by Breia Holdings for redevelopment of **1400 Fairfield Rd and 349/351 Kipling St**, also known as the **Le Parc project**. I understand that this project will be coming before the Committee of the Whole in early 2020 and it is my pleasure to express my support of this development.

As a mother in a family of four living in the Fernwood/Fairfield area and as a nurse working at the Royal Jubilee Hospital, I have been looking for family-oriented townhouse in a community environment for the past three years. The existing housing stock in the neighbourhoods I call home (Fernwood, Fairfield, Oaklands, South Jubilee) offers very, very little by way of townhomes and even fewer of sufficient size to accommodate a family of four. The Le Parc proposal is not only well situated in the community context of Fairfield but it also offers just the right type of housing that is missing from our current housing options. When I first heard of this project, I was absolutely delighted that with this new property offering, there might be an opportunity for my family to move out of the co-op housing we currently occupy and into the kind of townhouse we have been searching for. Families like ours who do not need social/co-op housing but who cannot afford the multimillion dollar home prices in the areas we've called home for decades need options like this desperately. Developments like Le Parc would allow us to keep our children connected to their schools and communities, return a desperately needed co-op housing suite to the community, and begin contributing to the land taxation base as the homeowners we want to be.

I sincerely hope that you approve the Le Parc project as part of your municipal approach to providing family-oriented housing stock for families like mine.

Thank you kindly,

Angela Wignall  
#7-1241 Balmoral Rd.  
Victoria, BC V8T 1B2

## Heather McIntyre

---

**From:** Diana Black [REDACTED]  
**Sent:** January 4, 2020 5:04 PM  
**To:** Victoria Mayor and Council  
**Subject:** 1400 Fairfield Road

Dear Mayor and Council

I have spent some time reviewing the proposed 8 town home development at the above address and I am very impressed both with the proposal and architectural plans.

I have known Bart Johnson for about 6 years and find him to be a very honourable and thorough man. He can be relied upon to follow through should a building permit be granted.

He has my full support for this proposal.

Diana Black  
1640 York Place,  
Oak Bay.

Sent from [Mail](#) for Windows 10

## Richard Elliott

---

**From:** DAVID & DORIS [REDACTED]  
**Sent:** July 14, 2020 11:11 AM  
**To:** Victoria Mayor and Council  
**Cc:** Alec Johnston; Housing  
**Subject:** Re: Re-zoning and Development Permit Application: 1400 Fairfield Road and 349/351 Kipling Street  
**Attachments:** Gentle Density in Fairfield.pdf; Neal Letter.pdf

Dear Mayor & Council:

Attached is a PDF with examples of existing “gentle density” housing on Kipling St. with one place at 1440 Hamley on a 2,800 sq. ft. lot. Of special note is 1457, 1459 Kipling, this was an out-of-code duplex on property zoned for single family, the buyers applied for and received a zoning variance, then remodeled the building, we now have two families with children living there, a wonderful addition to our street. The same should be done at 349, 351 Kipling, but the developer is proposing to remove two affordable housing units and build at least four \$1,000,000 units. I fail to see how the council can consider this as an improvement to the Fairfield community or to the city, do we really need more \$1,000,000+ housing. I have also attached a copy of my neighbor’s excellent letter as my full endorsement of his comments.

Sincerely,

David Sanders, Architect  
436 Kipling Street



461 Kipling St

Image capture: Apr 2014 © 2020 Google  
Victoria, British Columbia





457, 459 Kipling St.

Image capture: Apr 2014 © 2020 Google  
Victoria, British Columbia





1440 Hamley St

Image capture: Apr 2014 © 2020 Google  
Victoria, British Columbia





Google





349, 351 Kipling St

Image capture: Apr 2014 © 2020 Google  
Victoria, British Columbia

Dear Mayor and Council:

June 23, 2020

Re: Re-zoning and Development Permit Application: 1400 Fairfield Road and 349/351 Kipling Street

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated May 26, 2020, which is posted on the City's Development Tracker. Breia's covering letter states "*Our primary guidance for this rezoning and development proposal comes from the recently adopted Fairfield Neighbourhood Plan*".

Breia quotes Section 8.11.10 of the Fairfield Neighbourhood Plan (2019 Plan) as saying "*For infill housing along Fairfield Road, consider heights of 2.5 - 3 storeys (up to approx. 8.3 - 10.5 metres in height.)*" This would apply to the 2 units proposed for Fairfield Road.

**Breia chose not to quote the next Section, 8.11.11 from the Plan which states that "for infill housing in other Traditional Residential Areas [i.e. Kipling Street and Thurlow Street], establish a height in zoning that generally accommodates 2 – 2.5 storeys (approx. 7.6 - 8.3 metres in height). Half storeys above the second storey should generally be designed to be wholly or partially contained within a peaked roof".** This would apply to 6 units....the 5 facing Kipling Street and 1 facing Thurlow Road but this is not what is proposed.

They also quote Section 8.13.1 of the Plan as saying for Traditional Residential Areas along Fairfield Road that "*Development up to 1:1 floor space ratio and 2.5 to 3 storeys may be considered,*" **but omit that it should also be "consistent with this chapter's design guidance"**.

In the trade we refer to the above as "cherry picking".

Breia also states "*Maximum heights of the buildings are 8.23M to 9.46M, respectively*". Presumably they want the reader to believe that, with these stated heights, their proposed development complies with all of the requirements of the Fairfield Neighbourhood Plan, reinforced by their only referring to the requirements of Section 8.11.10. However, it does not. Breia's latest revision was apparently submitted after communication with city staff and the public. This is rather surprising as the amended submission still does not comply with the criteria contained within the Fairfield Neighbourhood Plan and other City documents such as the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood, including the question of height.

Review of the submitted plans shows that the north corner of Unit 1 which faces the intersection of Kipling Street and Thurlow Road is actually  $20.98\text{m} - 12.3\text{m} = 8.68\text{m}$  high from the real ground elevation....not the permitted 8.3m. When the opaque frosted glass railing is added, the height increases to 9.31m for this unit. Units 3 and 5 have proposed maximum heights of 9.24m each to the top of the frosted glass facing Kipling Street.

The East Elevation plan of Unit 1 shows the east corner of the development adjacent to the existing house on Thurlow Road to have a height of 10m, not the 8.3m permitted under the Neighbourhood Plan. When combined with that part of the frosted glass railing above that elevation, the maximum height of that side becomes 10.1m....almost 2m higher than the required 8.3m. The "Graphical No. of Storeys" plan of Units 1 to 6 actually labels the side facing the existing adjacent house on Thurlow Road as having 3 storeys..."Storey 1, Storey 2, and Storey 3"...not the 2 to 2.5 storeys which is required by Section 8.11.11 of the Neighbourhood Plan for developments on Kipling Street and on Thurlow Road.



Height requirements are typically meant to ensure aesthetic compatibility with existing development (other than at airports for example). This development proposal will significantly exceed the 8.3m height requirement within the Fairfield Neighbourhood Plan for Kipling Street and Thurlow Road.

On the question of the suitability of a proposed design, the Fairfield Neighbourhood Plan has the following in Section 8.14: Sub-Area 3 General Traditional Residential Areas "*Consider a diversity of housing forms to add choice while fitting with the existing neighbourhood (emphasis added), consistent with this chapter's design guidance*".

The following figure is extracted from the Fairfield Neighbourhood Plan and is intended to guide developers. The Breia proposal does not look like this.



Figure 58: Example of townhouses

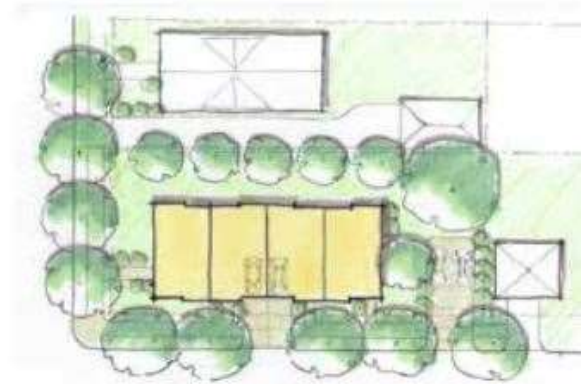


Figure 59. Illustrative example of townhouses on a corner lot, facing to the side, with modest front setbacks and landscaped rear yards.

This is what the Breia proposal looks like:



- Legend
- 1. Ready for solar panels (rough-in)
  - 2. Ready for electric car charging outlets (rough-in)
  - 3. Water efficient plumbing fixtures
  - 4. Low-VOC interior finishes
  - 5. Shading geometry
  - 6. Water efficient landscaping
  - 7. Bike parking
  - 8. Enhanced natural light
  - 9. Energy efficient light fixtures

The Fairfield Neighbourhood Plan also denotes what constitutes disruptive redevelopment as follows, and the Breia proposal obviously falls into the disruptive category.

Ensure new development fits in with existing streetscape character and 'rhythm'



Existing street rhythm



Disruptive redevelopment

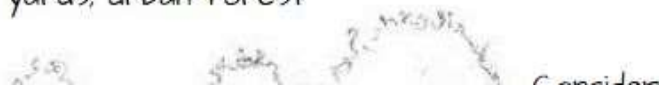


Sensitive redevelopment

New developments should transition in height to existing adjacent residential buildings



Maintain pattern of green front and back yards, urban forest



The proponent also goes to some length to convince readers that 3 storeys are appropriate. They list townhouse developments elsewhere in Victoria that are 3 storeys tall...going as far afield as Shelbourne Street. I acknowledge that on some thoroughfares 3 storeys is generally acceptable, as the Neighbourhood Plan stipulates for Fairfield Road...but not for the other areas where the Plan clearly limits height to 2 to 2.5 storeys for Kipling Street and Thurlow Road. The proponent also says there were few townhouse developments for them to compare to...forgetting that the City recently approved the Abstract Development townhouses at Bellewood Park on Pentrelew Place. Those townhouses are under construction and Abstract says that their *"townhomes encompass traditional architecture true to the neighbourhood's rich history"* and are *"heritage-inspired"*. The following depicts these townhouses and they respect the existing character of the neighbourhood, as is also required by the Fairfield Neighbourhood Plan. **The Bellewood Park townhouses are 2 storeys high and range in height from just 7.3m to 7.6m.**





The proponent has also attempted to convince any reader that the character of the neighbourhood in proximity to their proposal is transitioning to contemporary houses, and presents several examples of cubism. I cruised this area of Fairfield and contrary to Breia's assertion, I easily found many more newer houses that better reflect the historic architecture of the neighbourhood than does cubism, as follows:



More importantly though, is the nature and character of the existing housing which is adjacent to this proposal. The following are photos of the houses which are immediately adjacent to this proposal on Thurlow Road and Fairfield Road respectively. They are indicative of the vast majority of housing in this neighbourhood.



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Thurlow Road



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Fairfield Road

The Fairfield Neighbourhood Plan states “Ensure new development fits in with existing streetscape character and rhythm”. This proposal obviously does not meet that requirement.

As well, the City’s Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for



\$1,000,000 each. Wow!! My wife and I could not afford to buy one. So who are we catering to with this development? Obviously the developer has only one thing in mind and that is to maximize his profit. And I am certain that rich people from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees will be eyeing this proposal. As to our local young families with children...forget it.

The City's Missing Middle Housing Initiative has the following table in it.

Median family household income (2015)		
	Victoria	Capital Region
All families	\$80,200	\$92,500
Couples with children	\$103,000	\$117,500

Benchmark Prices vs Incomes Needed (Prices: VREB, Victoria, 2019 Benchmark)			
Type	Benchmark Price	Income Needed (5% down)	Income Needed (20% down)
Condo	\$468,400	\$121,384	\$101,820
Townhouse	\$632,900	\$158,528	\$133,627
Detached house	\$823,900	\$189,981	\$159,309

The median family household income for couples with children in Victoria in 2015 was \$103,000 and \$117,500 in the Capital Region. The income needed to purchase a dwelling valued at \$824,000 varied from \$190,000 to \$159,000 with down payments of 5% and 20% respectively. Prorating those figures for a \$1,000,000 townhouse with similar % down payments results in a needed family income of \$231,000 and \$193,000 respectively in order to purchase one of these townhouses....which is impossible for most local young families with children.

I do not think that many residents of Victoria thought the City's Missing Middle meant \$1,000,000 townhouses.

My wife and I support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses on the subject properties, if of height, design and density appropriate to those lots; however, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood. These documents were developed through significant time and effort by many people. The documents are intended to provide opportunities to redevelop residential areas while minimizing negative impacts on adjacent pre-existing housing and the general neighbourhood. To do otherwise is simply disrespectful to those efforts and to other members of the community.

In closing, the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood (2019) state under 3) Building Form, Features & Context:

...2. Neighbourliness/compatibility Objectives:

**To respond to the established form and architectural characteristics of surrounding buildings in order to achieve new buildings which are compatible with their context and minimize impacts on neighbours** (emphasis added).

- a. **New development should ensure a good fit with existing development** (emphasis added) by incorporating architectural features, details and building proportions that complement and respond to the existing architectural context, and by referring to distinctive and desirable architectural qualities of existing adjacent buildings in new development...

This is a view of what Breia Holdings is proposing to build from the Thurlow Road side of the project:



The revised proposal of May 26, 2020 by Breia Holdings Ltd. is **not a good fit with existing development**. And, it certainly does not “minimize impacts on neighbours”.

It still does not satisfy height requirements or fit in with the existing streetscape character and rhythm. The proposal should be revised to comply with the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood (2019) in recognition of existing heritage development and residential heights on Fairfield Road, Kipling Street, Thurlow Road and the general neighbourhood. As to the latter, the property facing Kipling Street from Thurlow Road to the busy corner with Fairfield Road is also very narrow so the scale of the proposed development is not at all consistent with the general neighbourhood.

Although our city staff would undoubtedly uncover discrepancies like these when they review development applications and make recommendations to you, I thought it best to point out this now.

Neil G. Banera, P. Eng.  
428 Kipling Street

## Richard Elliott

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**From:** Sue Holloway [REDACTED]  
**Sent:** July 9, 2020 7:52 PM  
**To:** Victoria Mayor and Council; [REDACTED]  
**Subject:** Re: 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020

Dear Mayor and Council

I would like to add my support for the earlier communications shown below from Neil Banera and Alessandra Ringstad. They have put into More professional words my feelings and opinions

I am simply not convinced that the proposal is in the best interest of the current local citizens nor the community at large

Please consider the concerns of those of us impacted by this proposal

Thank you

Sue Holloway  
440 Kipling

On Wed, Jun 24, 2020 at 1:01 PM alessandra ringstad <[alessandra.ringstad@gmail.com](mailto:alessandra.ringstad@gmail.com)> wrote:

Dear Mayor and Council,

Neil has written a very well researched letter concerning this proposal and I would like it known that we absolutely concur with him. I am not opposed to adding more family homes, suites etc in the neighbourhood. However, adding buildings which are not at all in keeping with residential norms wrecks the ambience of this historic neighbourhood, obstructs owners joy of use (shading of property, overshadowing and peering into yards - rooftop decks & height, lack of congruity of building style, and excess cars driving into parking at all hours next to bedrooms). I am very thankful not to live next door but feel for those who do.

As Neil said, we support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses on the subject properties, if of height, design and density appropriate to those lots; however, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood. Please consider the concerns of those of us directly in the neighbourhood and require changes that will make this appropriate in size, design and affordability for those who need middle housing - \$1000000 homes are not what I would classify as middle housing.

Thank you for your time and assistance.

a

alessandra ringstad  
[REDACTED]  
[REDACTED]

[420 Kipling St.](#)

Begin forwarded message:

**From:** Neil Banera [REDACTED]  
**Subject:** Re: City Feedback re: Townhouse development on Kipling  
**Date:** June 23, 2020 at 12:47:15 PDT

**Richard Elliott**

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**From:** Maureen Baranyai [REDACTED]  
**Sent:** July 8, 2020 3:12 PM  
**To:** Victoria Mayor and Council; CALUC chair  
**Cc:** Grania Radcliffe  
**Subject:** Fwd: 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020  
**Attachments:** KiplingStreet May 26 2020 Proposal (Neil Banera)(a).docx

Hello all,

We are the residents of the duplex at 410 and 412 Kipling Street, kitty corner from Bart Johnson's (Breia Holdings) rezoning and development proposal which is currently for review by staff as of May 28th if your Development Tracker is up to date.

While we are not opposed to the addition of family homes being constructed, we do have very strong concerns regarding this proposal. To this end I have included a letter of concern from Alessandra Ringstad of 420 Kipling Street and the well-researched letter and attachments sent to you on June 23rd from Neil Bandera of 428 Kipling Street.

In his missive to you, Mr. Bandera pointed out the many problems with the amended proposal Mr. Johnson submitted to council on May 26th and his concerns which echoed those of the Fairfield residents at previous Community meetings with the development team. As such I will not repeat them here, but will say that we, and our neighbor Grania Radcliffe are in complete agreement with those concerns:

- number of units (now include an additional two bachelor suites)
- height/elevation
- proposed design/not consistent with the Fairfield Neighbourhood Plan
- Cost of units certainly not in keeping with the City's Missing Middle Housing initiative

With Covid 19 upon us, a public hearing is questionable, however I would hope some alternative would be made available for this if we are still under the restrictions of Covid when that stage is reached.

Thank you for your consideration.

Maureen & Tamas Baranyai (412 Kipling Street) and  
Grania Radcliffe (410 Kipling Street)

Sent from my iPhone

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Mayor and Council:

June 23, 2020

Re: Re-zoning and Development Permit Application: 1400 Fairfield Road and 349/351 Kipling Street

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated May 26, 2020, which is posted on the City's Development Tracker. Breia's covering letter states "*Our primary guidance for this rezoning and development proposal comes from the recently adopted Fairfield Neighbourhood Plan*".

Breia quotes Section 8.11.10 of the Fairfield Neighbourhood Plan (2019 Plan) as saying "*For infill housing along Fairfield Road, consider heights of 2.5 - 3 storeys (up to approx. 8.3 - 10.5 metres in height.)*" This would apply to the 2 units proposed for Fairfield Road.

**Breia chose not to quote the next Section, 8.11.11 from the Plan which states that "for infill housing in other Traditional Residential Areas [i.e. Kipling Street and Thurlow Street], establish a height in zoning that generally accommodates 2 – 2.5 storeys (approx. 7.6 - 8.3 metres in height). Half storeys above the second storey should generally be designed to be wholly or partially contained within a peaked roof".** This would apply to 6 units....the 5 facing Kipling Street and 1 facing Thurlow Road but this is not what is proposed.

They also quote Section 8.13.1 of the Plan as saying for Traditional Residential Areas along Fairfield Road that "*Development up to 1:1 floor space ratio and 2.5 to 3 storeys may be considered,*" **but omit that it should also be "consistent with this chapter's design guidance"**.

In the trade we refer to the above as "cherry picking".

Breia also states "*Maximum heights of the buildings are 8.23M to 9.46M, respectively*". Presumably they want the reader to believe that, with these stated heights, their proposed development complies with all of the requirements of the Fairfield Neighbourhood Plan, reinforced by their only referring to the requirements of Section 8.11.10. However, it does not. Breia's latest revision was apparently submitted after communication with city staff and the public. This is rather surprising as the amended submission still does not comply with the criteria contained within the Fairfield Neighbourhood Plan and other City documents such as the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood, including the question of height.

Review of the submitted plans shows that the north corner of Unit 1 which faces the intersection of Kipling Street and Thurlow Road is actually  $20.98\text{m} - 12.3\text{m} = 8.68\text{m}$  high from the real ground elevation....not the permitted 8.3m. When the opaque frosted glass railing is added, the height increases to 9.31m for this unit. Units 3 and 5 have proposed maximum heights of 9.24m each to the top of the frosted glass facing Kipling Street.

The East Elevation plan of Unit 1 shows the east corner of the development adjacent to the existing house on Thurlow Road to have a height of 10m, not the 8.3m permitted under the Neighbourhood Plan. When combined with that part of the frosted glass railing above that elevation, the maximum height of that side becomes 10.1m....almost 2m higher than the required 8.3m. The "Graphical No. of Storeys" plan of Units 1 to 6 actually labels the side facing the existing adjacent house on Thurlow Road as having 3 storeys..."Storey 1, Storey 2, and Storey 3"...not the 2 to 2.5 storeys which is required by Section 8.11.11 of the Neighbourhood Plan for developments on Kipling Street and on Thurlow Road.

Height requirements are typically meant to ensure aesthetic compatibility with existing development (other than at airports for example). This development proposal will significantly exceed the 8.3m height requirement within the Fairfield Neighbourhood Plan for Kipling Street and Thurlow Road.

On the question of the suitability of a proposed design, the Fairfield Neighbourhood Plan has the following in Section 8.14: Sub-Area 3 General Traditional Residential Areas "*Consider a diversity of housing forms to add choice while fitting with the existing neighbourhood (emphasis added), consistent with this chapter's design guidance*".

The following figure is extracted from the Fairfield Neighbourhood Plan and is intended to guide developers. The Breia proposal does not look like this.



Figure 58: Example of townhouses



Figure 59. Illustrative example of townhouses on a corner lot, facing to the side, with modest front setbacks and landscaped rear yards.

This is what the Breia proposal looks like:



- Legend
- 1. Ready for solar panels (rough-in)
  - 2. Ready for electric car charging outlets (rough-in)
  - 3. Water efficient plumbing fixtures
  - 4. Low-VOC interior finishes
  - 5. Roofing greenery
  - 6. Water efficient landscaping
  - 7. Bike parking
  - 8. Enhanced natural light
  - 9. Energy efficient light fixtures



The Fairfield Neighbourhood Plan also denotes what constitutes disruptive redevelopment as follows, and the Breia proposal obviously falls into the disruptive category.

Ensure new development fits in with existing streetscape character and 'rhythm'



Existing street rhythm



Disruptive redevelopment



Sensitive redevelopment

New developments should transition in height to existing adjacent residential buildings



Maintain pattern of green front and back yards, urban forest



The proponent also goes to some length to convince readers that 3 storeys are appropriate. They list townhouse developments elsewhere in Victoria that are 3 storeys tall...going as far afield as Shelbourne Street. I acknowledge that on some thoroughfares 3 storeys is generally acceptable, as the Neighbourhood Plan stipulates for Fairfield Road...but not for the other areas where the Plan clearly limits height to 2 to 2.5 storeys for Kipling Street and Thurlow Road. The proponent also says there were few townhouse developments for them to compare to...forgetting that the City recently approved the Abstract Development townhouses at Bellewood Park on Pentrelew Place. Those townhouses are under construction and Abstract says that their "*townhomes encompass traditional architecture true to the neighbourhood's rich history*" and are "*heritage-inspired*". The following depicts these townhouses and they respect the existing character of the neighbourhood, as is also required by the Fairfield Neighbourhood Plan. **The Bellewood Park townhouses are 2 storeys high and range in height from just 7.3m to 7.6m.**



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More importantly though, is the nature and character of the existing housing which is adjacent to this proposal. The following are photos of the houses which are immediately adjacent to this proposal on Thurlow Road and Fairfield Road respectively. They are indicative of the vast majority of housing in this neighbourhood.



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Thurlow Road



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Fairfield Road

The Fairfield Neighbourhood Plan states “*Ensure new development fits in with existing streetscape character and rhythm*”. This proposal obviously does not meet that requirement.

As well, the City’s Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for

\$1,000,000 each. Wow!! My wife and I could not afford to buy one. So who are we catering to with this development? Obviously the developer has only one thing in mind and that is to maximize his profit. And I am certain that rich people from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees will be eyeing this proposal. As to our local young families with children...forget it.

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This is a view of what Breia Holdings is proposing to build from the Thurlow Road side of the project:



The revised proposal of May 26, 2020 by Breia Holdings Ltd. is **not a good fit with existing development**. And, it certainly does not “minimize impacts on neighbours”.

It still does not satisfy height requirements or fit in with the existing streetscape character and rhythm. The proposal should be revised to comply with the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood (2019) in recognition of existing heritage development and residential heights on Fairfield Road, Kipling Street, Thurlow Road and the general neighbourhood. As to the latter, the property facing Kipling Street from Thurlow Road to the busy corner with Fairfield Road is also very narrow so the scale of the proposed development is not at all consistent with the general neighbourhood.

Although our city staff would undoubtedly uncover discrepancies like these when they review development applications and make recommendations to you, I thought it best to point out this now.

Neil G. Banera, P. Eng.  
428 Kipling Street

## Richard Elliott

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**From:** Jean Crawford [REDACTED]  
**Sent:** July 3, 2020 6:06 PM  
**To:** Victoria Mayor and Council  
**Subject:** Development at 1400 Fairfield/ 349/351 Kipling

Jean and Dennis Crawford  
1408 Fairfield Rd.

We are writing in regard to the proposed development at 1400 Fairfield Rd and 349/351 Kipling. We believe that this proposal is not consistent with the Fairfield Neighbourhood Plan, is harmful to the environment and does not provide housing for the missing middle

Having reviewed the revised proposal we are concerned that the revisions do not reflect the recommendations made by city staff. Recommendations to reduce height were not made. Recommendation to reduce density to better align with the Official Community Plan Was not made. The site plan was considered car dominant with much of the site dedicated to vehicle circulation lacking consistency with the design guidelines. An alternate plan was not made. Minimal adjustments were made to incorporate design features that compliment the form and character of the area.

We are extremely concerned by the loss of green space. Six large bylaw protected trees are to be removed. Five Western Red Cedars and 1 Big leaf Maple. Also a large Monkey tree, a Blue Spruce as well as 20 -25 mature shrubs in the 5 -8 ft range. Not included in the number of trees being removed was 27 mature cedars in a hedge. A note on the landscape plan said removal of existing hedge, Although not in great shape they provide an enormous amount of privacy. The footprint of this development is so large that very little space is left for landscaping.

The Fairfield Neighbourhood Plan says it will consider rooftop decks if it does not negatively impact neighbours. Eight units with decks a story to a story and a half above neighbouring houses can not be seen as anything but disruptive with loss of privacy and addition overshadowing.

Large luxury townhouses do not provide housing for the missing middle. Smaller more affordable units would address this group. We ourselves could not sell our house and afford to buy a unit in this complex. There are many ways to add density to our neighbourhood and to welcome new residents that are consistent with the Fairfield Neighbourhood Plan.

This proposal does not respect the Fairfield Neighbourhood Plan, the city staff recommendations, the environment, the neighbours currently living in the area or those we hope will be incorporated in this neighbourhood.

Thank you for your consideration on this. Regards Jean and Dennis Crawford

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Virus-free. [www.avg.co](http://www.avg.co).

## Richard Elliott

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**From:** lois atherley [REDACTED]  
**Sent:** June 25, 2020 11:44 AM  
**To:** Victoria Mayor and Council  
**Cc:** Alec Johnston; Andrea Hudson; Marc Cittone  
**Subject:** Developer's revisions to 349/351 Kipling and 1400 Fairfield Rd  
**Attachments:** development revisions.pdf

To Whom It May Concern:

I have read the developer's revisions on the city tracker and have many concerns which I have forwarded to you in the PDF. Please forward my letter to any relevant staff. Thank you.



This letter is in response to the revised application (May 26, 2020) for redevelopment of 349/351 Kipling St and 1400 Fairfield Rd that was submitted by Bart Johnson of Breia Holdings whose original application was **not approved** by the Zoning and Planning Department.

Although Breia Holdings cover letter states that their primary guidance for their proposal comes from the Fairfield Neighborhood Plan, it **does not in fact comply** with the Plan.

### **Non-Compliance:**

From the outset at the CALUC meeting with the community, Bart Johnson told the community that his “bottom line” was 8 units. When questioned about complying with the Fairfield Neighborhood Plan and the city’s Design Guidelines for Attached Residential Development, he responded by saying:

1. the units facing Kipling were actually the “side” of the development, so the height requirements for Fairfield Rd were acceptable, and that
2. the Design Guidelines for Attached Residential Developments were merely “suggestions”.

In spite of not receiving approval from the staff at the Zoning Department and in spite of the community response, it appears that the developer’s mindset is still exactly the same.

He quotes from the Fairfield Neighborhood Plan, Section 8.11.10, “For infill housing along Fairfield Rd, consider heights of 2.5 -3 storeys”. This quote he uses to justify his excessive heights for the 6 units not on Fairfield which vary on his revisions from 8.6 m to 10 m with the roof top decks and rails when only 8.3 m in height is allowed on Kipling and Thurlow.

The Neighborhood Plan states that “for infill housing in other traditional residential areas, (which is Kipling and Thurlow) establish a height in zoning that generally accommodates 2-2.5 stories ( which is no more than 8.3 m) Half storeys above the second storey should generally be designed to be wholly or partially contained within a peaked roof”. As these 6 units are not part of the Fairfield corridor and the heights overpower the adjacent houses, this is not consistent with the chapter’s design guidance as required in the Neighborhood Plan. (Section 8.13.1)

The Neighborhood Plan also states in “Form and Character Objectives for Traditional Residential Areas: 8.9.3 - To provide sensitive transitions to adjacent lower scale development, considering massing, access to sunlight, appearance of buildings and landscape and privacy.” This developer’s plan does not provide for this.

Nor does the developer’s plan comply with section "8.9.8 - To encourage site planning which accommodates landscape and tree planting space in the rear yard, and does not result in rear yards whose appearance is dominated by parking.”

### **Disruptive Development:**

The Breia development proposal is the absolute definition of Disruptive Development as illustrated in the city’s own design guidelines. The adjacent homes are bungalow style with



peaked roofs. The Neighborhood Plan was created to ensure suitability and compatibility and neighborliness with the existing neighborhood. The Breia design is totally inconsistent in height, size, shape, design and usable green space and is car centric. It does not “fit in with the existing neighborhood” (Section 8.14:Sub Area 3 General Traditional Residential Areas). It does not transition in height, disrupts the existing street rhythm and lacks sufficient green space which are all qualities that are the city’s very own definition of disruptive development.

Yet on page 3 of the cover letter, he incredibly states under the Design category the following: “we consulted the Design Guidelines for Attached Residential Development: Fairfield Neighborhood to ensure design was consistent with existing guidelines for the neighborhood”. He offers images of various houses and buildings. However those images that Breia presents are not indicative of the predominant neighborhood. Even if they were indicative of the neighborhood, they do for the most part transition smoothly to adjacent homes by having similar roof lines or similar setbacks or are of similar size to adjacent properties. In other words, for the most part, they don’t stick out like a sore thumb and totally cause a visual shock. In fact, the design of the house of one of the images he shows as a sample is located at Durban and Thurlow and that style would fit in nicely if he wasn’t insistent on 8 units.

Instead he insists on having 8 units on a narrow elongated lot and thus can only accommodate that kind of density with a completely visually jarring and towering rectangular box that takes up the majority of the block and that is completely incompatible with the single residential neighboring homes.

He could easily redesign homes that would fit in to that narrow land and be compatible with the existing neighborhood but he obviously wishes to maximize profits with no consideration given for compliance to the Zoning and Planning Departments, the Neighborhood Plan, the city’s Design Guidelines for Attached Residential Developments or to the community. He states on page 2 of his cover letter that the site is “bordered by 1.5 story family single homes” yet incredibly concludes that “we have made significant revisions to this proposal, which we feel, have improved its form, function and design”. In reality, the form, function and design are basically the same as the original application that the city Zoning Staff did not approve!

### **Missing Middle Housing:**

The developer states that these 8 units will meet the criteria for the missing middle housing for families with young children. Ironically, the existing housing on those 2 lots were already affordable rental housing for families with children. Those families will be forced to look for new accommodations while the 1 million dollar townhouses (the price the builder quoted at the CALUC meeting) will supposedly meet the needs of young families with children in support of the city’s missing middle housing.

More likely, these units will be very profitable for the developer, hence his insistence at the CALUC meeting that 8 units are his “bottom line” or they will be lucrative investments or second homes for vacationers or VRBO rentals like we already have in the neighborhood with a new home that hasn’t been able to sell.

Why should a developer's rights supersede the rights of existing homeowners in a traditional residential neighborhood to use and enjoy their properties without shadowing, noise, parking issues and visually jarring structures to ruin the ambiance of the entire park area and neighborhood?

**Impacts:**

The developer makes the assumption that **parking** will not be an issue since there are no houses on the opposite side of Kipling by the park. In fact, the multiple vehicles that the owners of the 2 newer houses on Fairfield and Masters Rd often park their vehicles on Kipling because there are yellow no parking curb lines on a good part of Fairfield and incidentally also in front of 1400 Fairfield that the developer owns. When vehicles are parked on both sides of Kipling, the narrow street becomes a one way causing congestion as vehicles try to turn onto it from Fairfield. When the Moss St Market is running, the street becomes a problem. The addition of 8- 16 more cars with a new development will certainly have a negative impact on that narrow perpendicular to Fairfield and which also is on a corner with a playground, the park and a crosswalk.

The assumption that people will not have **vehicles** and will take mass transit flies in the face of public health concerns as this pandemic continues. People are not choosing to take the bus and feel safer in their own vehicles. Even the concept of increased density in housing may need to be re-thought as contagious diseases make a resurgence and people may wish for more space and distance. It is doubtful that the community park bench that the developer offers or the tiny yard space will be adequate for the families with young kids that these townhouses are supposedly built for.

**Shadowing** of neighboring properties every day for 3 seasons of the year from 3 PM onwards certainly interferes with the enjoyment of the neighboring property. The noise from cars jockeying and parking, starting up at various times, coming and going will all interfere with the enjoyment of the neighboring property since their windows are very close to the proposed laneway. **Noise** from the supposed young families recreating on the rooftop decks will be a nuisance as well as the noise from rooftop heat pumps and air conditioners. With 8 units all running simultaneously it is doubtful that the noise will be comparable to the "sound of birdcalls" as the developer states on page 5 of his cover letter. No doubt the neighbors will miss the sound of birds after all the tall trees are ripped out despite climate change to make room for an incompatible, towering, unneighborly and disruptive development.

I realize that the staff at the Zoning Department already did not approve of this, but please do not be fooled by this developer's claims of compatibility and compliance and concern for the missing middle. Please insist that the developer comply with the city's requirements for the Neighborhood Plan and the Design Guidelines and develop some housing that is harmonious with the neighborhood. Please deny this revised application.

Thank you,

Lois Atherley  
Anthony Giaccio  
1411 Fairfield Rd.

## Richard Elliott

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**From:** Don Mayer [REDACTED]  
**Sent:** June 25, 2020 9:50 AM  
**To:** Victoria Mayor and Council; [REDACTED]  
**Subject:** 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020  
**Attachments:** KiplingStreet May 26 2020 Proposal (Neil Banera)(a).docx

Dear Mayor and Council,

This correspondence has caught me at a busy time, so I will be succinct. I most fervently disapprove of the development proposal for the above location. That disapproval is fundamentally based on density, height, and design. In very short terms, it is a building out of character, out of proportion and unsympathetic to the neighbourhood it seeks to join. I will reference you the letter from Neil Banera, attached below, for particulars of the many points of complaint about this proposal in the hopes that mayor and council will “put themselves in our shoes” when considering this development that we would otherwise be forced to live with into the future. It is a bad idea from so many perspectives.

Thank you,

Don Mayer  
1440 Clifford St.

**NOTE:** Please use my new email address: [REDACTED]

Dear Mayor and Council:

June 23, 2020

Re: Re-zoning and Development Permit Application: 1400 Fairfield Road and 349/351 Kipling Street

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated May 26, 2020, which is posted on the City's Development Tracker. Breia's covering letter states "*Our primary guidance for this rezoning and development proposal comes from the recently adopted Fairfield Neighbourhood Plan*".

Breia quotes Section 8.11.10 of the Fairfield Neighbourhood Plan (2019 Plan) as saying "*For infill housing along Fairfield Road, consider heights of 2.5 - 3 storeys (up to approx. 8.3 - 10.5 metres in height.)*" This would apply to the 2 units proposed for Fairfield Road.

**Breia chose not to quote the next Section, 8.11.11 from the Plan which states that "for infill housing in other Traditional Residential Areas [i.e. Kipling Street and Thurlow Street], establish a height in zoning that generally accommodates 2 – 2.5 storeys (approx. 7.6 - 8.3 metres in height). Half storeys above the second storey should generally be designed to be wholly or partially contained within a peaked roof".** This would apply to 6 units....the 5 facing Kipling Street and 1 facing Thurlow Road but this is not what is proposed.

They also quote Section 8.13.1 of the Plan as saying for Traditional Residential Areas along Fairfield Road that "*Development up to 1:1 floor space ratio and 2.5 to 3 storeys may be considered,*" **but omit that it should also be "consistent with this chapter's design guidance".**

In the trade we refer to the above as "cherry picking".

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Review of the submitted plans shows that the north corner of Unit 1 which faces the intersection of Kipling Street and Thurlow Road is actually  $20.98\text{m} - 12.3\text{m} = 8.68\text{m}$  high from the real ground elevation....not the permitted 8.3m. When the opaque frosted glass railing is added, the height increases to 9.31m for this unit. Units 3 and 5 have proposed maximum heights of 9.24m each to the top of the frosted glass facing Kipling Street.

The East Elevation plan of Unit 1 shows the east corner of the development adjacent to the existing house on Thurlow Road to have a height of 10m, not the 8.3m permitted under the Neighbourhood Plan. When combined with that part of the frosted glass railing above that elevation, the maximum height of that side becomes 10.1m....almost 2m higher than the required 8.3m. The "Graphical No. of Storeys" plan of Units 1 to 6 actually labels the side facing the existing adjacent house on Thurlow Road as having 3 storeys..."Storey 1, Storey 2, and Storey 3"...not the 2 to 2.5 storeys which is required by Section 8.11.11 of the Neighbourhood Plan for developments on Kipling Street and on Thurlow Road.

Height requirements are typically meant to ensure aesthetic compatibility with existing development (other than at airports for example). This development proposal will significantly exceed the 8.3m height requirement within the Fairfield Neighbourhood Plan for Kipling Street and Thurlow Road.

On the question of the suitability of a proposed design, the Fairfield Neighbourhood Plan has the following in Section 8.14: Sub-Area 3 General Traditional Residential Areas "*Consider a diversity of housing forms to add choice while fitting with the existing neighbourhood (emphasis added), consistent with this chapter's design guidance*".

The following figure is extracted from the Fairfield Neighbourhood Plan and is intended to guide developers. The Breia proposal does not look like this.



Figure 58: Example of townhouses



Figure 59. Illustrative example of townhouses on a corner lot, facing to the side, with modest front setbacks and landscaped rear yards.

This is what the Breia proposal looks like:



- Legend
- 1. Ready for solar panels (rough-in)
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  - 3. Water efficient plumbing fixtures
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The Fairfield Neighbourhood Plan also denotes what constitutes disruptive redevelopment as follows, and the Breia proposal obviously falls into the disruptive category.

Ensure new development fits in with existing streetscape character and 'rhythm'



New developments should transition in height to existing adjacent residential buildings



Maintain pattern of green front and back yards, urban forest



The proponent also goes to some length to convince readers that 3 storeys are appropriate. They list townhouse developments elsewhere in Victoria that are 3 storeys tall...going as far afield as Shelbourne Street. I acknowledge that on some thoroughfares 3 storeys is generally acceptable, as the Neighbourhood Plan stipulates for Fairfield Road...but not for the other areas where the Plan clearly limits height to 2 to 2.5 storeys for Kipling Street and Thurlow Road. The proponent also says there were few townhouse developments for them to compare to...forgetting that the City recently approved the Abstract Development townhouses at Bellewood Park on Pentrelew Place. Those townhouses are under construction and Abstract says that their "*townhomes encompass traditional architecture true to the neighbourhood's rich history*" and are "*heritage-inspired*". The following depicts these townhouses and they respect the existing character of the neighbourhood, as is also required by the Fairfield Neighbourhood Plan. **The Bellewood Park townhouses are 2 storeys high and range in height from just 7.3m to 7.6m.**





The proponent has also attempted to convince any reader that the character of the neighbourhood in proximity to their proposal is transitioning to contemporary houses, and presents several examples of cubism. I cruised this area of Fairfield and contrary to Breia's assertion, I easily found many more newer houses that better reflect the historic architecture of the neighbourhood than does cubism, as follows:





More importantly though, is the nature and character of the existing housing which is adjacent to this proposal. The following are photos of the houses which are immediately adjacent to this proposal on Thurlow Road and Fairfield Road respectively. They are indicative of the vast majority of housing in this neighbourhood.



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Thurlow Road



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Fairfield Road

The Fairfield Neighbourhood Plan states “Ensure new development fits in with existing streetscape character and rhythm”. This proposal obviously does not meet that requirement.

As well, the City’s Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for

\$1,000,000 each. Wow!! My wife and I could not afford to buy one. So who are we catering to with this development? Obviously the developer has only one thing in mind and that is to maximize his profit. And I am certain that rich people from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees will be eyeing this proposal. As to our local young families with children...forget it.

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I do not think that many residents of Victoria thought the City's Missing Middle meant \$1,000,000 townhouses.

My wife and I support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses on the subject properties, if of height, design and density appropriate to those lots; however, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood. These documents were developed through significant time and effort by many people. The documents are intended to provide opportunities to redevelop residential areas while minimizing negative impacts on adjacent pre-existing housing and the general neighbourhood. To do otherwise is simply disrespectful to those efforts and to other members of the community.

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Although our city staff would undoubtedly uncover discrepancies like these when they review development applications and make recommendations to you, I thought it best to point out this now.

Neil G. Banera, P. Eng.  
428 Kipling Street

## **Richard Elliott**

---

**From:** Melissa Mohabir [REDACTED]  
**Sent:** June 24, 2020 5:20 PM  
**To:** Victoria Mayor and Council [REDACTED]; Councillors  
**Subject:** 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020  
**Attachments:** KiplingStreet May 26 2020 Proposal (Neil Banera)(a).docx

Dear Mayor and Council,

Our neighbour, Neil Banera, has submitted a detailed and well-articulated response to the recent Breia Holdings Ltd. proposal, and we echo these sentiments entirely and agree with the facts he has presented. Despite our community sending numerous letters, attending public meetings with CALUC and the proponent, and employing various other mechanisms to voice our concerns, it is alarming and obtuse to find the proponent once again trying to circumvent the communities' voice and submit a redacted version of their plan which eliminates the adjustments which would alleviate some of the neighbourhood's issues.

If this proposal is allowed to move forward, our neighbourhoods are lost. They are lost to incongruent development; they are lost to architectural character elimination; they are lost to providing housing to families in need, and supporting local families in transition. The many, many voices who have come together over the course of this proposal to protest what Breia Holdings Ltd. sets out to do need to be heard, as we are the families who build and maintain our neighbourhoods - NOT a developer interested in making a fast and disrespectful multi-million dollars off our backs.

Please note the attached document provided by Neil Banera which references the many aspects of Breia Holding's proposal which are not in alignment with our community nor our formalized Fairfield Neighbourhood Plan.

Kind regards,

**Melissa Mohabir**

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June 23, 2020

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Ensure new development fits in with existing streetscape character and 'rhythm'



Existing street rhythm



Disruptive redevelopment



Sensitive redevelopment

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Neil G. Banera, P. Eng.  
428 Kipling Street

## Richard Elliott

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**From:** Kiran Kshatriya [REDACTED]  
**Sent:** June 24, 2020 3:26 PM  
**To:** alessandra ringstad  
**Cc:** Victoria Mayor and Council; [REDACTED]  
**Subject:** Re: 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020

Hello,

I live on, and have been a homeowner on Kipling St since 1996.

I and my adult children concur with the comments as they are in line with what we feel and what many residents feel; we chose this neighbourhood specifically because of the many unique arts and crafts style homes, natural surroundings, a quiet and peaceful area of Fairfield.

This neighbourhood is known for its unique and original homes, peaceful open spaces, two parks we are blessed to have, and of course the beautiful tree lined streets that surround us. We embrace and welcome additional housing that are not in the one million mark, but more importantly emphasize and stress that the construction and design of the new "complex" to compliment the street, natural beauty and that keep it a quaint quiet neighbourhood.

The two adjacent parks help to create a sense of open welcoming spaces. To have a building that towers over the street and other homes goes against the city's original concept of Kipling and surrounding streets? The open plan designed by the city fosters a community feel. This concept created the community we live and enjoy today. For that we are very thankful. The elementary school also accesses the open green, safe and sunny spaces. As we all now know, open safe spaces are important more today than we recognized before March 2020. Covid has taught us this.

The cars and the many many elementary School children who walk and bike to and fro from school - cross Kipling, cross Brooke than cross onto Thurlow creating a very a busy set of cross streets. I find my leaving home in the morning and turning onto Kipling then Brooke or up towards Fairfield St with my car each work day, I am usually navigating with care the families and children walking or cycling to school. Having a higher density of new housing adds to the number of cars accessing the 2 blocks of an already short street (Kipling) making it easy for more congestion to occur in an unsafe manner. Please, please kindly take this into consideration. We cannot add another slew of cars turning corners and speeding up and down Kipling while navigating children, families, dog walkers, the elderly out for a stroll and many others who are walking or cycling- this happens a hundred times a day. Please do not underestimate this. I also ask that it be recognized that not everyone who has a million dollars or qualify for a million dollar home are cyclists. Most buyers/couples/families today understandably have two cars. More if there is an teenager..

These comments are respectively submitted but with a strong voice that asks all our comments are not only considered but seriously take into account and decisions are made based on respecting our voices. We live and love this neighbourhood.

In these times of CoVID and perhaps other future "COVIDs" that may draw upon us social distancing, being able to walk freely without a more crowded set of streets is also a very important future consideration. May we continue to sit at the park, enjoy our children, grandchildren, the neighbourhood kids play without a sense of over crowding or a building blocking the sun or looming darkly over the street.

Safe neighbourhoods should be the priority for every person, every neighbourhood, every city. It is the city's responsibility in ensuring this and for the people who choose to live in it to do their job and help keep it safe. We want



neighbours who also choose to live in low density housing, who will embrace and appreciate what our much beloved slow paced neighbourhood has to offer.

Thank you,  
Kiran  
424 Kipling

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

## Richard Elliott

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**Sent:** June 24, 2020 1:02 PM  
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**Cc:** [REDACTED]  
**Subject:** 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020  
**Attachments:** KiplingStreet May 26 2020 Proposal (Neil Banera)(a).docx

Dear Mayor and Council,

Neil has written a very well researched letter concerning this proposal and I would like it known that we absolutely concur with him. I am not opposed to adding more family homes, suites etc in the neighbourhood. However, adding buildings which are not at all in keeping with residential norms wrecks the ambience of this historic neighbourhood, obstructs owners joy of use (shading of property, overshadowing and peering into yards - rooftop decks & height, lack of congruity of building style, and excess cars driving into parking at all hours next to bedrooms). I am very thankful not to live next door but feel for those who do.

As Neil said, we support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses on the subject properties, if of height, design and density appropriate to those lots; however, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood. Please consider the concerns of those of us directly in the neighbourhood and require changes that will make this appropriate in size, design and affordability for those who need middle housing - \$1000000 homes are not what I would classify as middle housing.

Thank you for your time and assistance.

a

alessandra ringstad  
[REDACTED]  
[REDACTED]

420 Kipling St.

Begin forwarded message:

**From:** Neil Banera [REDACTED]  
**Subject:** Re: City Feedback re: Townhouse development on Kipling  
**Date:** June 23, 2020 at 12:47:15 PDT

Dear Mayor and Council:

June 23, 2020

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The East Elevation plan of Unit 1 shows the east corner of the development adjacent to the existing house on Thurlow Road to have a height of 10m, not the 8.3m permitted under the Neighbourhood Plan. When combined with that part of the frosted glass railing above that elevation, the maximum height of that side becomes 10.1m....almost 2m higher than the required 8.3m. The "Graphical No. of Storeys" plan of Units 1 to 6 actually labels the side facing the existing adjacent house on Thurlow Road as having 3 storeys..."Storey 1, Storey 2, and Storey 3"...not the 2 to 2.5 storeys which is required by Section 8.11.11 of the Neighbourhood Plan for developments on Kipling Street and on Thurlow Road.

Height requirements are typically meant to ensure aesthetic compatibility with existing development (other than at airports for example). This development proposal will significantly exceed the 8.3m height requirement within the Fairfield Neighbourhood Plan for Kipling Street and Thurlow Road.

On the question of the suitability of a proposed design, the Fairfield Neighbourhood Plan has the following in Section 8.14: Sub-Area 3 General Traditional Residential Areas "*Consider a diversity of housing forms to add choice while fitting with the existing neighbourhood (emphasis added), consistent with this chapter's design guidance*".

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Figure 59. Illustrative example of townhouses on a corner lot, facing to the side, with modest front setbacks and landscaped rear yards.

This is what the Breia proposal looks like:



- Legend
- 1. Ready for solar panels (rough-in)
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  - 3. Water efficient plumbing fixtures
  - 4. Low-VOC interior finishes
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  - 7. Bike parking
  - 8. Enhanced natural light
  - 9. Energy efficient light fixtures

The Fairfield Neighbourhood Plan also denotes what constitutes disruptive redevelopment as follows, and the Breia proposal obviously falls into the disruptive category.

Ensure new development fits in with existing streetscape character and 'rhythm'



New developments should transition in height to existing adjacent residential buildings



Maintain pattern of green front and back yards, urban forest



The proponent also goes to some length to convince readers that 3 storeys are appropriate. They list townhouse developments elsewhere in Victoria that are 3 storeys tall...going as far afield as Shelbourne Street. I acknowledge that on some thoroughfares 3 storeys is generally acceptable, as the Neighbourhood Plan stipulates for Fairfield Road...but not for the other areas where the Plan clearly limits height to 2 to 2.5 storeys for Kipling Street and Thurlow Road. The proponent also says there were few townhouse developments for them to compare to...forgetting that the City recently approved the Abstract Development townhouses at Bellewood Park on Pentrelew Place. Those townhouses are under construction and Abstract says that their "*townhomes encompass traditional architecture true to the neighbourhood's rich history*" and are "*heritage-inspired*". The following depicts these townhouses and they respect the existing character of the neighbourhood, as is also required by the Fairfield Neighbourhood Plan. **The Bellewood Park townhouses are 2 storeys high and range in height from just 7.3m to 7.6m.**





The proponent has also attempted to convince any reader that the character of the neighbourhood in proximity to their proposal is transitioning to contemporary houses, and presents several examples of cubism. I cruised this area of Fairfield and contrary to Breia's assertion, I easily found many more newer houses that better reflect the historic architecture of the neighbourhood than does cubism, as follows:





More importantly though, is the nature and character of the existing housing which is adjacent to this proposal. The following are photos of the houses which are immediately adjacent to this proposal on Thurlow Road and Fairfield Road respectively. They are indicative of the vast majority of housing in this neighbourhood.



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Thurlow Road



Houses Located Immediately Adjacent to Breia Holdings Ltd. Property on Fairfield Road

The Fairfield Neighbourhood Plan states “*Ensure new development fits in with existing streetscape character and rhythm*”. This proposal obviously does not meet that requirement.

As well, the City’s Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for

\$1,000,000 each. Wow!! My wife and I could not afford to buy one. So who are we catering to with this development? Obviously the developer has only one thing in mind and that is to maximize his profit. And I am certain that rich people from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees will be eyeing this proposal. As to our local young families with children...forget it.

The City's Missing Middle Housing Initiative has the following table in it.

Median family household income (2015)		
	Victoria	Capital Region
All families	\$80,200	\$92,500
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Benchmark Prices vs Incomes Needed (Prices: VREB, Victoria, 2019 Benchmark)			
Type	Benchmark Price	Income Needed (5% down)	Income Needed (20% down)
Condo	\$468,400	\$121,384	\$101,820
Townhouse	\$632,900	\$158,528	\$133,627
Detached house	\$823,900	\$189,981	\$159,309

The median family household income for couples with children in Victoria in 2015 was \$103,000 and \$117, 500 in the Capital Region. The income needed to purchase a dwelling valued at \$824,000 varied from \$190,000 to \$159,000 with down payments of 5% and 20% respectively. Prorating those figures for a \$1,000,000 townhouse with similar % down payments results in a needed family income of \$231,000 and \$193,000 respectively in order to purchase one of these townhouses....which is impossible for most local young families with children.

I do not think that many residents of Victoria thought the City's Missing Middle meant \$1,000,000 townhouses.

My wife and I support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses on the subject properties, if of height, design and density appropriate to those lots; however, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood. These documents were developed through significant time and effort by many people. The documents are intended to provide opportunities to redevelop residential areas while minimizing negative impacts on adjacent pre-existing housing and the general neighbourhood. To do otherwise is simply disrespectful to those efforts and to other members of the community.

In closing, the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood (2019) state under 3) Building Form, Features & Context:

...2. Neighbourliness/compatibility Objectives:

**To respond to the established form and architectural characteristics of surrounding buildings in order to achieve new buildings which are compatible with their context and minimize impacts on neighbours** (emphasis added).

- a. **New development should ensure a good fit with existing development** (emphasis added) by incorporating architectural features, details and building proportions that complement and respond to the existing architectural context, and by referring to distinctive and desirable architectural qualities of existing adjacent buildings in new development...

This is a view of what Breia Holdings is proposing to build from the Thurlow Road side of the project:



The revised proposal of May 26, 2020 by Breia Holdings Ltd. is **not a good fit with existing development**. And, it certainly does not “minimize impacts on neighbours”.

It still does not satisfy height requirements or fit in with the existing streetscape character and rhythm. The proposal should be revised to comply with the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood (2019) in recognition of existing heritage development and residential heights on Fairfield Road, Kipling Street, Thurlow Road and the general neighbourhood. As to the latter, the property facing Kipling Street from Thurlow Road to the busy corner with Fairfield Road is also very narrow so the scale of the proposed development is not at all consistent with the general neighbourhood.

Although our city staff would undoubtedly uncover discrepancies like these when they review development applications and make recommendations to you, I thought it best to point out this now.

Neil G. Banera, P. Eng.  
428 Kipling Street

**Richard Elliott**

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**From:** Alyson Culbert [REDACTED]  
**Sent:** June 24, 2020 7:11 PM  
**To:** alessandra ringstad; Victoria Mayor and Council  
**Cc:** [REDACTED]  
**Subject:** Re: 349/51 Kipling Street and 1400 Thurlow Road dated May 26, 2020

To Mayor and Council,

There is very little I can add to what Neil Banera so clearly laid out and what Alessandra Ringstad reiterated.

I would like it put on record that I am in complete agreement with both of them and look forward to the city rejecting the current proposal. I also look forward to the revisions which would see the proposed development comply with the Fairfield Neighbourhood Plan in height and design.

Respectfully,  
Alyson Culbert  
1450 Hamley Street

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Richard Elliott

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**From:** Neil Banera [REDACTED]  
**Sent:** June 23, 2020 12:30 PM  
**To:** Victoria Mayor and Council; Ben Isitt (Councillor); Geoff Young (Councillor); Alec Johnston; Marc Cittone; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Proposed Rezoning and Development Permit Application by Breia Holdings Ltd. on 349/351 Kipling Street and 1400 Fairfield Road  
**Attachments:** KiplingStreet May 26 2020 Proposal (Neil Banera)(a).docx

Dear Mayor and Council:

I am writing to you in response to the amended application by Breia Holdings Ltd. on the above-referenced properties dated May 26, 2020 which was posted on the City's Development Tracker. I have attached a Word document which details my response.

Thank you for the opportunity to comment on this proposal and I look forward to seeing the rationale you use in your deliberations on this proposal.

Yours truly,

Neil G. Banera, P. Eng.  
428 Kipling Street

Sent from [Outlook](#)



Dear Mayor and Council:

June 23, 2020

Re: Re-zoning and Development Permit Application: 1400 Fairfield Road and 349/351 Kipling Street

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated May 26, 2020, which is posted on the City's Development Tracker. Breia's covering letter states "*Our primary guidance for this rezoning and development proposal comes from the recently adopted Fairfield Neighbourhood Plan*".

Breia quotes Section 8.11.10 of the Fairfield Neighbourhood Plan (2019 Plan) as saying "*For infill housing along Fairfield Road, consider heights of 2.5 - 3 storeys (up to approx. 8.3 - 10.5 metres in height.)*" This would apply to the 2 units proposed for Fairfield Road.

**Breia chose not to quote the next Section, 8.11.11 from the Plan which states that "for infill housing in other Traditional Residential Areas [i.e. Kipling Street and Thurlow Street], establish a height in zoning that generally accommodates 2 – 2.5 storeys (approx. 7.6 - 8.3 metres in height). Half storeys above the second storey should generally be designed to be wholly or partially contained within a peaked roof".** This would apply to 6 units....the 5 facing Kipling Street and 1 facing Thurlow Road but this is not what is proposed.

They also quote Section 8.13.1 of the Plan as saying for Traditional Residential Areas along Fairfield Road that "*Development up to 1:1 floor space ratio and 2.5 to 3 storeys may be considered,*" **but omit that it should also be "consistent with this chapter's design guidance".**

In the trade we refer to the above as "cherry picking".

Breia also states "*Maximum heights of the buildings are 8.23M to 9.46M, respectively*". Presumably they want the reader to believe that, with these stated heights, their proposed development complies with all of the requirements of the Fairfield Neighbourhood Plan, reinforced by their only referring to the requirements of Section 8.11.10. However, it does not. Breia's latest revision was apparently submitted after communication with city staff and the public. This is rather surprising as the amended submission still does not comply with the criteria contained within the Fairfield Neighbourhood Plan and other City documents such as the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood, including the question of height.

Review of the submitted plans shows that the north corner of Unit 1 which faces the intersection of Kipling Street and Thurlow Road is actually  $20.98\text{m} - 12.3\text{m} = 8.68\text{m}$  high from the real ground elevation....not the permitted 8.3m. When the opaque frosted glass railing is added, the height increases to 9.31m for this unit. Units 3 and 5 have proposed maximum heights of 9.24m each to the top of the frosted glass facing Kipling Street.

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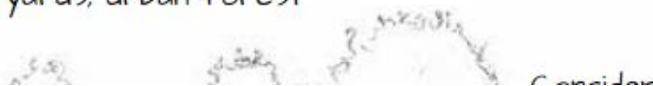
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Although our city staff would undoubtedly uncover discrepancies like these when they review development applications and make recommendations to you, I thought it best to point out this now.

Neil G. Banera, P. Eng.  
428 Kipling Street

## Richard Elliott

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**From:** John Kell [REDACTED]  
**Sent:** April 3, 2020 5:01 PM  
**To:** Development Services email inquiries; Victoria Mayor and Council  
**Subject:** Misleading Signage at 1400 Fairfield Road and 351 Kipling Street ...  
**Attachments:** Misleading-Sign.JPG; Eight-Multi-Story-Townhouses.jpg

Hello,

I was unpleasantly surprised to discover a new meaning for “duplex and attached dwellings” when I discovered the size of the project proposed for 1400 Fairfield Road and 351 Kipling Street on the City’s devtracker website. Surely, something like “Eight Multi-Story Townhouses” would be a better description than “Duplex and attached dwellings”.

I have attached images of the misleading signage and the proposed development to juxtapose their incongruence.

Please add me to the list of those **opposed** to this development.

Thanks.

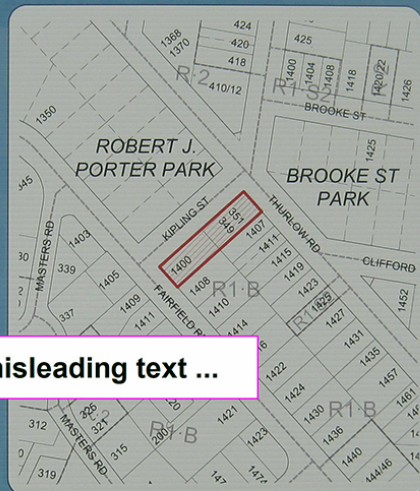
John Kell  
204 Memorial Crescent  
Victoria, BC





A new development is being proposed in your community.

The City is considering an Official Community Plan amendment and Rezoning Application to construct a duplex and attached dwellings.



Get involved, have your say.

Check back here or at [victoria.ca/publicnotices](http://victoria.ca/publicnotices) for date of the public hearing.

The misleading text ...

Address: 1400 Fairfield Road and 349-351 Kipling Street



[victoria.ca/devtracker](http://victoria.ca/devtracker)



[developmentsservices@victoria.ca](mailto:developmentsservices@victoria.ca)



250.361.0382



## Lucas De Amaral

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**From:** Kurt Demmler [REDACTED]  
**Sent:** December 1, 2019 9:31 AM  
**To:** Victoria Mayor and Council  
**Subject:** Old Town hotel project

One can only hope that you give the same deliberation to a proposed development in Fairfield at 349-351 Kipling where the developer wants to raze 3 rental units for 9 townhouses.

The original proposal was rejected by the planning department. Significant changes have been requested to bring it closer to compliance.

A tentative CALUC meeting is scheduled for Dec 12 where the revised proposal will be presented.

Granted, this is not a high profile heritage related project but it is important for what it represents. Rental units will be eliminated for \$2M townhouses.

Where does this fit with the city's priorities and affordable housing?

I guess it would contribute more to the city's coffers (and your salary increase) than the existing houses.



## Heather McIntyre

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**From:** Rebecca Sober [REDACTED]  
**Sent:** November 16, 2019 12:06 PM  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Cc:** [REDACTED]; Victoria Mayor and Council; Rebecca Sober  
**Subject:** Development proposal Fairfield Rd, Kipling & Thurlow Streets.

Dear Mayor and Councillors;

I am writing to advise you of my opposition, and reasoning behind it, to the current rezoning application by Bart Johnson of Breiaholdings.

### Background:

I live at 1449 Brooke Street, a 1/2 duplex which I purchased 12 years ago. I grew up in an apartment block on Fairfield Road across from Hollywood Park. After high-school I left Victoria to attend university. When I decided to return to Victoria, luckily duplexes in Fairfield enabled me to be able to afford to purchase my own home. I am a single parent who bikes to work. I am very devoted to the community of Fairfield and strongly believe that this development proposal will not contribute to the type of housing stock that the community desires as set out in the new Fairfield Community Plan. In addition I feel the height, size and lack of set-back from the sidewalk is not conducive to maintaining the aesthetic which attracts people to this beautiful neighbourhood, making it walkable and friendly.

A note on this developer: I was very disappointed when Mr. Johnson first purchased the property of 349/351 Kipling that he evicted long term tenants with children attending Sir James Douglas. He then proposed to rezone the property for commercial use and proposed a for profit daycare with upwards of 80 children attending. That proposal did not go forward due to community opposition. While all of this was taking place Mr. Johnson allowed both of these properties to deteriorate, and failed to maintain the boulevard and fencing around his properties. I only note this fact because I believe it speaks to whether or not he would be a "good neighbour" while this massive development were to take place. Mr. Johnson's clear aim is to make as much profit in my neighbourhood as possible and has failed to demonstrate his motives are anything other than profit based.

### The Fairfield Community Plan:

I attended a number of open houses and reviewed proposals as this plan was coming together and strongly believe this development proposal is not in keeping with the views of the neighbourhood as reflected in that Plan. The Plan speaks of considering smaller houseplexes, or duplexes with suites similar in size to what is allowed under current zoning. The plan also confirms Fairfield residents concern with maintaining the existing landscape and street parking. In addition, new developments are to fit in with existing streetscape character and "rhythm" which this proposal clearly does not do. The desired types of housing are to make this community accessible and affordable; this proposed development will not achieve either of these goals due to the size, lack of "suitability", and expected cost to purchase. To be blunt, Fairfield does not need more millionaires, there is existing housing stock for them already. If this was a proposed apartment building with market rentals, I would have to seriously consider my opposition as I do believe that having a mix of owners and renters contributes to the vitality of Fairfield.

### Parking and Safety:

I can tell you from experience that people purchasing such large and expensive homes as proposed here, own at least two vehicles. A few years ago a developer built a duplex across the street from my home (1460/1462 Brooke Street) with a shared driveway and two garages. Each side sold for approximately \$600K and each family living there has two cars that they do not park in their garages. I simply cannot imagine that 5 bedroom units as is proposed here would attract buyers with only one car.

The corner of Kipling and Thurlow is a dangerous corner to cross given the curving design of Kipling. Despite this it is a major crossing route as neighbourhood kids walk to Sir James Douglas. I am very concerned that resident of this development would need to utilize street parking on both sides of Kipling therefor decreasing the visibility when crossing



this already dangerous intersection. In addition, this would decrease the parking for those wishing to drive to access the two children's playgrounds at Porter Park, across the street from the proposed development.

There is also a major development about to take place at the corner of Moss and Fairfield Road. My concern is that as traffic attempts to avoid that corner, there will be more traffic on Kipling and Thurlow. Allowing another major development a mere city block away would be ludicrous given there is an elementary school and playgrounds right there. I have seen drivers frustrated with the amount of developments in Victoria and my concern is having two developments take place so close together would place cyclists and pedestrians at risk from frustrated drivers seeking alternate routes.

Height and Design;

This proposed development is over the allowable height for properties on a side street. Because a small portion of the property is on Fairfield Road the developer seeks to leverage this to permit a height variance on Kipling Street. This should not be permitted and is not conducive to how Fairfield residential streets look.

The developer could build a houseplex consisting of 4 suites where the duplex sits and a duplex where the house sits on Fairfield. This would permit 6 (he's proposed 8) homes. Yes, he would not make as much money however he would still make a profit and be within the Fairfield Community Plan. I suggest that Mayor and Council honour the time and commitment of residents who worked on that plan and not permit such a flagrant deviation as what is proposed by Mr. Johnson. This proposed development contains no backyards and limited front yards, thus not contributing to the urban landscape.

Please note that a similar size and style home was built on Fairfield Road, just kitty corner to this. It has been on sale for 1.7 million for the past 2 years. In my opinion, having such a massive home with a lack of frontage on Fairfield Road, and then a block of 8 massive homes in a similar box style with no front yards just to the left of that, is not what people want to see as they enter the community of Fairfield via Fairfield Road.

Thank you for your time and attention. This is the first time I have felt passionate enough about a development in my community to write to Mayor and Council and I hope this letter contributes to a constructive discussion on this proposed development.

Regards,  
Rebecca Sober  
1449 Brooke Street.

**Lucas De Amaral**

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**From:** [REDACTED]  
**Sent:** September 12, 2019 12:46 PM  
**To:** Victoria Mayor and Council  
**Subject:** Kipling Development

To: The Mayor and Council,  
Regarding The Proposed Kipling Development  
September 12, 2019

It should be noted that this developer is the same one who ignored the single-family zoning, for the 349-51 Kipling property by proposing an eighty-child day-care center, clearly this developer has no regard for our zoning codes. He has now acquired the adjacent single-family zoned property and once again ignores our zoning codes by proposing to put eight families on properties zoned for single-family. It should also be noted “gentle density” is a euphemism for crowding, try putting gentle in front of the vilest thing you can imagine it will not sound as bad, maybe “gentle mugging” hay it was a mugging but it was gentle... The property at Durban and Thurlow was zoned for single family, the developer requested and received changes in zoning to recognize how the property was being used, and along with other small changes was allowed to build two homes, whatever we may think of the design, these were reasonable modifications. This developer must be rejected in the strongest possible way, he is not interested in a good profit, he wants to make a killing, if it is allowed, there are similar properties all over our neighborhood just waiting for him to make a killing and our neighborhood will be gone. Below is a link to an article from a planning paper on “gentle density” please read it and pass it on to staff.

<https://www.planetizen.com/node/91658/appreciation-gentle-density>

Sincerely,  
David Sanders  
Architect  
436 Kipling Street

## Heather McIntyre

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**From:** pierre mackenzie [REDACTED]  
**Sent:** September 10, 2019 8:38 AM  
**To:** Victoria Mayor and Council  
**Subject:** Kipling Street development proposal

September 9, 2019  
1346 Thurlow Road  
Victoria, BC V8S 1L6

Dear Mayor and Coucillors

We write to you to register our opposition to the proposed development for the 300 block of Kipling street, in Fairfield. We are homeowners of 1346 Thurlow Road, and feel strongly that this proposition is bad for our neighbourhood.

If this development is realized there will be an irredeemable loss of natural sunlight to the adjoining neighbourhood properties to the East of the site and an unacceptable reduction of the ratio of green space to building footprint of the site. There will also be an increase in daily traffic circulation and pressure of parking across the street from 2 city parks and a continuation of this traffic throughout the neighbourhood. This will impact the parking and drop-off at SJD school, the stop-sign intersections of Thurlow + Moss, of Thurlow + Fairfield, and of Kipling + Richardson, and of Kipling + Fairfield. Neighbours need to stand together and the impact on the adjoining neighbours to this proposal, and on the locality, is too great.

We are opposed to the trend to allow the neighbourhood being turned singularly into high-end/valued residences, and are dismayed at the extremes of development which the city has allowed in our neighbourhood recently: that of the carbuncle at the corner of Fairfield + Arnold, of the residential extravaganza at the corner of Thurlow + Durban where green space and a significant copse of trees were lost, and of the luxury development of 1400 block of Fairfield, south side. Green-space should be balanced with the inevitable development of the neighbourhood. Traffic circulation and speeds should be curtailed by positive initiatives from the city. If traffic is allowed to increase unhindered without initiatives to favour walking and biking, the domination of the car will continue in our neighbourhood.

We would wish that the city take charge of guiding development in the neighbourhood to create a significant diversity of low-cost rental and of co-op and supported housing which integrates into the present reality of the neighbourhood.

Diversity should be promoted with more opportunities for all, and in particular for the disadvantaged in our society.

Yours sincerely and respectfully  
Pierre MacKenzie and Janice McCachen

## Heather McIntyre

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**From:** Patrick Cote [REDACTED]  
**Sent:** September 9, 2019 7:50 PM  
**To:** Victoria Mayor and Council; Councillors  
**Cc:** pat-cote; Laura Ferrarese  
**Subject:** Letter of opposition to proposed townhouse developments at 1712 Fairfield Road and 1440 Fairfield Road / 349 Kipling Street

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Council Members-

We are writing in regards to the proposed townhouse complexes at

1. 1712,1720 Fairfield Road; and
2. 1440 Fairfield Road / 349 Kipling Street

and, more generally, the inappropriateness of such large-scale developments in Fairfield. We are longstanding residents of this neighbourhood and, not surprisingly, value its natural beauty and historic appeal. As proud owners of a heritage house, we have painstakingly restored and maintained our home which we believe contributes in a small way to the character of Fairfield.

However, during the past year, it beginning to feel like this neighbourhood is under siege by developers who have little regard for either the character of this neighbourhood, or its urban environment. These proposed (high-end) developments are entirely out of character with their surroundings, towering above their neighbours who, in some cases, will be forced — literally — to live in their shadows. Their impact on green spaces will be severe, as both would be placed immediately adjacent to parks, effectively using these public spaces are their backyards.

We recognize that changes in density in urban environments are inevitable and, in many cases, essential. Immediately in front of our home, a single house (formerly 1453 Clifford Street) is in the final stages of being converted into two detached homes, instantly doubling the local density. We raised no concerns whatsoever about this development since it respected the essential character of the neighbourhood. Unfortunately, that is not the case for the two, highly aggressive initiatives above. Both developments are completely out of keeping with their surroundings, and would have a devastating impact on green space in this area.

We therefore ask you to: (1) consider a re-vote on the 1712,1720 Fairfield Road plan (a vote cast, we now understand, when several councillors were absent); and (1) vote NO to the 1440 Fairfield Road / 349 Kipling Street development.

Finally, it is rumoured that many of those who speak at council meetings are friends and/or associates of the developers, who participate with the specific intent to support the project, but who do not live in Fairfield and are not affected by the proposed developments. To avoid a biased discussion, we ask you to request that all who speak state explicitly whether they live in the affected neighbourhood, and whether they have specific conflicts of interest and/or associations with the developers.

Sincerely,  
Patrick Côté  
Laura Ferrarese

1456 Clifford Street  
Victoria, BC  
V8S 1M2

September 6, 2019

Dear Mayor Helps and City Councillors –

I am writing as a Fairfield home owner regarding the development proposal for Kipling between Fairfield and Thurlow.

Our family recently bought a home one block from this site in March 2019. In so doing we made the decision to invest in a beautiful neighborhood under the rules and by-laws as they are currently constituted.

Therefore, it is of concern that the character of the neighborhood in which we have just invested will be negatively impacted by the proposed development, should it be allowed by council.

As you're aware, the proposal seeks to build an 8-unit apartment style townhouse complex that is to be 2.5-3 stories tall (see architect's images here):



(image taken from <https://victoria.citified.ca/townhomes-subdivisions/1400-fairfield-road-349-kipling-street/#gallery>)



A visit to the Fairfield and Kipling intersection quickly shows that an apartment building style structure of this magnitude would be drastically out of keeping with the current housing stock. Dwellings on this (north) side of Fairfield Road and on Kipling are exclusively low-rise, single family homes and duplexes. The proposed apartment-style complex would be too tall and at odds with the prevalent aesthetic making it strikingly out of place in this location.

Further, a number of assertions made by the developer's proposal are incorrect.

Mr. Bart Johnson, Principal of Breia Holdings Ltd contends that the location is suitable because the DRAFT Fairfield Neighbourhood Plan suggests that Fairfield Rd has been identified as a suitable location for townhouses. He does not point out that only two of eight units in his proposed development would face onto Fairfield, and the majority are, in fact, on Kipling, which juts into the middle of residential Fairfield. The assertion that this proposal falls under the domain of the 'Fairfield Corridor' is therefore, false as most of it is not on Fairfield.

Second, it is misleading to refer to the proposed 2000 sf, 3-4 bedroom, luxury townhouses as 'missing middle housing', just because it is in the form of a townhouse. This catch phrase insinuates that it would be somehow more accessible to less wealthy buyers. This is clearly not going to be the case with these units. Rather, 3 tenanted rental properties will be sacrificed to make room for high-end homes. More affordable housing, these are not.

Mr. Johnson also points to nearby contemporary residences in his Figure 3, as evidence that his proposed 'contemporary' development is similar to nearby residences:

Figure 3: Contemporary residences relative to proposed development site



First, these residences are on the south side of Fairfield road, which has a different look than the north side, where the proposed development will be located. Second, while it is true that one of these examples is contemporary in design, it is more important to appreciate that both examples adhere to a scale, which is consistent with other structures in the neighborhood. Rather than an apartment style appearance, the examples in Mr. Johnson's Figure 3 look like houses.

Undoubtedly, Fairfield should be developed over time and housing should be densified. However, the character of the neighborhood should not be sacrificed. Perhaps the developers should consider building more appropriately sized, 2-storey duplexes, in a form factor that is more consistent with current housing stock.

If such intrusive developments are allowed to proceed, future home-seekers will take note that the bylaws in place provide little reassurance that it will remain a desirable location. It is worrisome to residents that this precedent would lead to further erosion of Fairfield's core character over time. In addition, current Fairfield residents and voters will be disenfranchised with a city council that will appear to be out of touch with the wishes of our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Schachter". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping tail.

Dr. Michael Schachter  
Dr. Vanja Petrovic  
Vincent Schachter  
Isak Schachter

## Lucas De Amaral

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**From:** Judi Roger [REDACTED]  
[REDACTED] 27, 2019 8:09 PM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Laurel Collins (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Sarah Potts (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Sharmarke Dubow (Councillor)  
**Subject:** proposed development on 349/351 Kipling St. and 1400 Fairfield Rd.

August 27, 2019

To Whom it May Concern,

**We are against the proposed development on 1400 Fairfield Road and 349/351 Kipling Street.**

We have lived at 1411 Thurlow Road, one property away from the above proposal, for 49 years and would be facing **8, 4 storey, 2000 square foot** townhomes from our back yard.

The design of the complex does not align with the character of our 107 year old house and neighbouring homes or guidelines provided by the City.

The non-conforming duplex lot and one regular lot would all be bulldozed and transformed into the **8, 4 storey, 2000 square foot expensive** townhomes. These three homes are now much needed rentals.

The proposed development does not ask for variances to existing zoning. It requests an entirely new zoning of its own, to permit all of the features of these **8, 4 storey, 2000 square foot** homes.

Our neighbourhood is very important to not only us but to all who live in the area. This development would change the character of the neighbourhood and would impact the people who live here.

Yours truly,

Roger and Judi Aitchison  
1411 Thurlow Road,  
Victoria, BC  
V8S 1L8  
[REDACTED]

## Heather McIntyre

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**From:** Jordan Anderson <jordan.anderson@alumni.uvic.ca>  
**Sent:** August 29, 2019 2:21 PM  
**To:** Victoria Mayor and Council; Councillors  
**Subject:** Opposition to fairfield rezoning: Le Parc on Kipling St.

Councillors,

Please reject the rezoning application for the Le Parc development proposal at Kiping (between Fairfield and Thurlow) (REZ00702) and work to stop future rezoning.

I am a Fairfield resident who moved to the area with my young family a couple of years ago. My family and my community love the feel of our neighborhood and want to keep it that way. More people in this area will negatively effect this dynamic. The stream of development is increasing the population, making the streets busier, parking harder, schools more full, hurting the community feel, and changing the fundamental heart of this residential area.

Please respect the local residents and stop the growth!

As many local residents have shared, we like our area the way it is. Keep the density in the downtown area, and please, I implore you, reject this and future developments that serve to increase the number of people living in the south/east side of our Fairfield community.

There is room in Victoria for density, but quiet residential areas such as south east Fairfiled are not it.

Thank you for the work you all do, it is a hard job. I appreciate your consideration of the people who live in this area.

Cheers,  
Jordan Anderson and family  
Arnold Ave resident in Fairfield.

## Heather McIntyre

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**From:** Maureen Baranyai [REDACTED]  
**Sent:** August 28, 2019 11:13 AM  
**To:** Victoria Mayor and Council  
**Subject:** Here I Go Again - 349/351 Kipling and Fairfield Proposed Townhouse Development

Dear Mayor and City Council,

Well here I go again with another email protesting the above development in my neighborhood, that I feel will most likely fall on deaf ears. I might hear back from one councillor thanking me for my email, or if not, from the person who is hired to actually read emails that are sent.

As a homeowner in Fairfield, I find it extremely frustrating that I actually have no say in what happens in my neighborhood. One example of this was the 'small' urban village at the corner of Moss and Fairfield that is now a LARGE urban village that was met with overwhelming support of City Council. To see the pro-development people (mostly churchgoers - none of whom actually live in or pay taxes in Fairfield) show up at the meeting, and expound on what we, the Fairfield residents need, was extremely frustrating at best. However as the developer said, she would fill that meeting with church folk - and she did. And some of the blatant untruths, about the church itself, parking permission etc. weren't addressed and/or just ignored.

Another example is the RHODO Development, currently given the green light despite environmental concerns and incompatibility with the existing neighbourhood.

It seems the residents are not heard and get nothing asked for, unlike the developers. We've tried for years to get at least a speed bump on Kipling as it's used a cut-through with cars constantly speeding by. There've been a few near accidents and with Brook Park and Sir James Douglas school around the corner, it's a disaster waiting to happen. My son and his three children were almost hit getting into their vehicle by a speeder the other day. Even though I have called the Mayor's office, the transportation department, nothing has been done.

One time a motorcycle racer was going so fast up and down Kipling that many of us ran out of our houses to see what was going on. If a child or anyone for that matter had crossed they, and most likely the driver would have been instantly killed as there's no way he could have stopped! The police told us they had received several reports about it and I immediately called City Hall and left a message for Mayor Helps to do something. I received a call back from someone thanking me for my call, but of course nothing was done. At the very least, when there is a sign with children on it mounted on the boulevard, why is 30 miles an hour not posted under it? It is in other areas.

The fact that there is a housing crisis in Victoria seems to be used as a need to pass the rezoning applications. However, houses being built as in the above proposal will sell at a cost of around a million dollars so that will not ameliorate the housing crisis. Most people - especially young couples with families who have regular full-time jobs cannot buy these houses or pay exorbitant 'market' rent. Affordable rental housing is the issue, and one unit to be given to some lucky winner at a cost of \$2000 a month such as the developer of the Large urban Village proposes is absurd.

I've heard there's a perception that Fairfield residents mostly are well-off, entitled snobs. But the people in our neighbourhood are hard working, productive members of society who take pride in their homes and property. My husband and I for example are retired now that I quit work last year at 72 years of age. We bought our duplex in Fairfield 15 years ago because it was in a safe and quiet neighborhood.

It's mind boggling or at the very least curious, why mayor and city council continue to approve the unrealistic development proposals that do not meet with the current neighborhood plan for Fairfield or city guidelines with no concern for the residents of Fairfield: That furthermore don't serve the community, only line the pockets of developers who really don't give a darn about what it does to the tax paying residents here - they only want a money grab and they certainly seem to get it when it comes to their rezoning requests getting approval, regardless of what the greater community wants. It feels that we are 'done to', have no real say and it is unfair. Why ask for, or offer public input when it seems the decisions to approve are already made.



I've been told that any email sent to you that is more than two or three sentences won't be read, so much the same as protesting the above development in person at a public meeting, I've probably wasted my time here. And please don't bother to 'thank' me for my email.

Maureen Baranyai  
- disgruntled and frustrated in Fairfield

Sent from my iPad

## Heather McIntyre

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**From:** Judi Roger [REDACTED]  
**Sent:** August 27, 2019 9:21 PM  
**To:** Victoria Mayor and Council  
**Subject:** Proposed development on 349/351 Kipling St. and 1400 Fairfield Rd.

August 27, 2019

To Whom it May Concern,

**We are against the proposed development on 1400 Fairfield Road and 349/351 Kipling Street.**

We have lived at 1411 Thurlow Road, one property away from the above proposal, for 49 years and would be facing **8, 4 storey, 2000 square foot** townhomes from our back yard.

The design of the complex does not align with the character of our 107 year old house and neighbouring homes or guidelines provided by the City.

The non-conforming duplex lot and one regular lot would all be bulldozed and transformed into the **8, 4 storey, 2000 square foot expensive** townhomes. These three homes are now much needed rentals.

The proposed development does not ask for variances to existing zoning. It requests an entirely new zoning of its own, to permit all of the features of these **8, 4 storey, 2000 square foot** homes.

Our neighbourhood is very important to not only us but to all who live in the area. This development would change the character of the neighbourhood and would impact the people who live here.

Yours truly,

Roger and Judi Aitchison  
1411 Thurlow Road,  
Victoria, BC  
V8S 1L8  
[REDACTED]

## Heather McIntyre

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**From:** Paul Cunnington [REDACTED]  
**Sent:** August 24, 2019 4:01 PM  
**To:** Victoria Mayor and Council; Councillors  
**Subject:** Kipling Townhouse development - Fairfield and Thurlow

Councillors and Mayor

I am writing to register my opposition to the above proposed townhouse development.

This project is radically out of character with the existing housing stock in our neighbourhood and if allowed to proceed will rapidly encourage other similar developments to be completed.

It also does not also appear to conform in any way with the current neighbourhood plan or guidelines provided by the city.

There are two affordable rental units currently on this site that will be lost and replaced with luxury homes only accessible at the price point proposed to the most affluent in our community.

We should always be questioning the need for the demolition of housing stock that with a little effort and creative thought can be improved, modernized and made serviceable for years to come. Adding to the tonnes of debris we send to the landfill should simply not be a responsible option in these times.

The site is bordered by two parks and an elementary school that are well used by the many young people in this area. The increased traffic and parking will threaten their safety and discourage them from outside play so crucial to their well being and healthy development.

I am disappointed that as our representatives you would have allowed this proposal to have proceeded so far. I believe that a healthy neighbourhood is diverse, open to all and proudly recognizes its strengths and character. It should be allowed to organically evolve over time and not be swept away at a pace dictated by the greed of developers.

I appreciate your consideration of my thoughts on this matter.

Sincerely

Paul Cunnington  
431 Durban Street  
Victoria BC

[REDACTED]

1440 Clifford St.  
Victoria, B.C.  
V8S 1M2  
February 7, 2019

Dear Mayor, Council Members and Members of the CALUC,

I have received the letter sent to my home by Bart Johnson of Breia Holdings Ltd. outlining his proposal for development of the properties at 1400 Fairfield Rd and 349/351 Kipling St.

I wish to offer my opinion.

As I stand here in the middle of this neighbourhood community centred about Brooke Street Park, I can turn 360° and see no building that could loosely be termed a “development”. The tone of the area is that of privately owned homes and the traffic patterns and vehicle presence reflect that. This is an area in which neighbours enjoy an environment which they have collectively and individually cultivated and managed for everyone’s mutual benefit. While there may be secondary accommodations, those are not obvious to casual inspection and the net affect on the neighbourhood is minimal if not entirely absent.

The recent pressures of developer interest and the opinions of some elected representatives have largely been toward densification of residential areas as an inevitable response to economic climate and population influx. Dissenters who push back against this are accused of NIMBYism. I do not think that some level of NIMBYism is unreasonable given that homeowners in this area have created assets of ± a million dollars over (in many cases) decades of hard work and investment. The desire to protect those investments and the neighbourhood they create should not be surprising.

Specifically, the proposed development would be the first of its type within eyesight and, as such, would “stick out” from the surrounding community. Eyesight becomes eyesore if one does not ascribe to the aesthetic beauty (tongue in cheek) of such development. The addition of rooftop accesses in this proposal creates more than 3 stories above ground which would tower over surrounding buildings and which would become an unwelcome landmark for the entire area. There would be a significant adverse affect on the ambience and property values of the neighbourhood with no positive upside for those who have already invested themselves in the area.

This proposal is a bad idea. Please do not permit this incursion into a community in which I have long been proud to belong.

Respectfully yours,

A handwritten signature in cursive script that reads "Don Mayer".

Don Mayer

## Heather McIntyre

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**From:** Neil Banera <[REDACTED]>  
**Sent:** July 10, 2019 2:39 PM  
**To:** [REDACTED] Victoria Mayor and Council;  
[REDACTED]; Alec Johnston; Jamie Ross; cmcittone@victoria.ca  
**Cc:** Sandra Smith  
**Subject:** Re: Proposed Rezoning and 8 Townhouse Development at 349 & 351 Kipling Street and 1400 Fairfield Road

Dear Mayor and Council:

I am writing to you in regards to the development application by Bart Johnson of Breia Holdings Ltd for the above-referenced properties in Fairfield, which was received by the City on June 24, 2019. My wife has already written to you so I will try to keep my comments brief.

The April, 2019 draft of the Fairfield Neighbourhood Plan shows Block 1 of the proposed development to be located in Sub-Area 3: General Traditional Residential Areas for which "Development up to 2 – 2.5 storeys may be considered." The development application states that the development will be 2.5 storeys high with a maximum height of 11.45 m. or 37.6 feet. This is 51% higher than the tallest house within 3 adjacent properties on Thurlow Street. I also understand that the proponent has submitted information to the Community Land Use Committee in which they attempt to show how this proposal meets the 2.5 storey criteria.

The development application clearly shows that this block consists of a carport at ground level with another 3 floors/storeys above it....making a total of 4 storeys. 4 does not equal 2 or 2.5 no matter how you try to disguise it. As well, the height of 37.6 feet would be equivalent to  $37.6/10 = 3.76$  storeys in a high rise commercial/residential building and  $37.6/9 = 4.2$  storeys in a residential house. Allowing 5 feet for a 4 in 12 roof pitch in the house example results in this proposal being equivalent to a house 3.6 storeys high, not the 2 - 2.5 storeys contained in the Fairfield Neighbourhood Plan.

Block 2 of the proposal is located along Fairfield Road in Sub-Area 2 for which the neighbourhood plan states that "Development up to 1:1 floor space ratio and 2.5 to 3 storeys may be considered". As such, the proposal does not meet that height criteria either.

Although our city staff would undoubtedly uncover discrepancies like this when they review development applications and make recommendations to you, I thought it best to point out this now.

Finally, at a Communtiy Land Use Committee meeting, the proponent did not respond to a question about how much these townhouses would sell for but the builder did respond. He said they would sell for \$1,000,000 each. Half jokingly, I am sure the rich people in mainland China, money launderers, real estate commodity investors/flippers, down-sizers from the west side of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees will be eyeing this proposal. As to our local young families....forget it. And profitability should never be a consideration in adjudicating a request to amend an OCP or to rezone property.



Thank you for the opportunity to comment on this proposal. I look forward to seeing the rationale you use in your deliberations on this application.

Yours truly,

Neil G. Banera, P. Eng.  
428 Kipling Street

Sent from [Outlook](#)

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**From:** [REDACTED]  
**Sent:** July 1, 2019 7:14 PM  
**To:** [REDACTED]; mayorandcouncil@victoria.ca; [REDACTED];  
c.cmcittone@victoria.ca; ajohnston@victoria.ca; Jamie Ross  
**Cc:** Sandra Smith  
**Subject:** Re: Proposed Rezoning and 8 Townhouse Development at 349 & 351 Kipling Street and 1400 Fairfield Road

Dear Mayor and Council:

Please find attached a letter concerning the above-referenced proposed development which I am sending to you, the proponent, the Community Land Use Committee and to two city planners.

Thank you for the opportunity to provide my input to this regulatory process.

Yours truly,

Livia Meret  
428 Kipling Street

Sent from [Outlook](#)

## Lucas De Amaral

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**From:** Maureen Baranyai [REDACTED]  
**Sent:** June 24, 2019 1:55 PM  
**To:** planandzone@fairfieldcommunity.ca  
**Cc:** Victoria Mayor and Council  
**Subject:** Development a Proposal 349/351 Kipling Street and 1400 Fairfield Road

Dear CALUC Committee,

I am writing with a concern regarding the above proposed development, and also the reporting of the minutes from the May 2 meeting. At the outset I would like to say that my understanding is that CALUC is a non-partisan group. However I found the acting chair that evening was rather hostile to the taxpayers that were there to express their concerns. He cut people off, and frankly I found him rude except when he was addressing the developer, contractor, and architect. Aside from that however, I have some concerns about how the minutes did not really reflect the number of people that overwhelmingly did not support the proposal as it stands.

The Fairfield residents we're not allowed to raise their concerns if a former resident had already spoken. In fact, they were told quite forcefully and I thought rudely, by the acting chair person not to raise a question or concern that had already been brought forward. This of course did not reflect accurately the feeling in the room from pretty much 99% of the people there. The minutes state that opinions were split, with some favouring the increased density, but I took notes of all the comments expressed at the meeting and that does not accurately report the feedback from the floor.

This same developer tried last year to put forward a rezoning to accommodate a 76 child daycare in the same location. This was met with opposition and he has now purchased an adjacent property and changed his request to build what originally was nine townhouses and has been paired down to eight. While I do not necessarily oppose the building of the town houses perse, the variances are unrealistic for the area proposed. A nearby property on Thurlow was recently developed with two side side-by-side duplexes being torn down and two large single family homes built, which fit well into the community. They each sold for close to \$2,000,000, so this developer could put it in two duplexes with basement suites, providing housing for eight families, and still make a huge profit, while not causing the problems the proposed 8 townhouse development presents. However, at the meeting the developer was asked if he would consider paring the number of proposed town houses down, but he refused.

The height, style and density variances and rezoning requested is unreasonable for the proposed site and neighbourhood. A smaller project would still afford the developer a healthy profit while satisfying the residents of Fairfield who pay taxes and actually reside here.

Please amend the MINUTES to correctly reflect the above concerns the Fairfield residents expressed.

Regards,

Maureen Baranyai

Sent from my iPad

**Attention: Mayor and Council**

July 1, 2019

**RE: Re-Zoning / Development Proposal for 1400 Fairfield Road and 349/351 Kipling Street between Fairfield Road & Thurlow Street - June 24, 2019 Submission to City of Victoria for 8 Unit Strata Development**

Dear Mayor and Council,

This letter is to express concerns regarding an 8 unit townhome strata development currently proposed for 1400 Fairfield Road (corner with Kipling Street) and 349/351 Kipling Street (corner with Thurlow Street). The developer has apparently abandoned an earlier idea for a "big box" daycare proposal at this location and is now pursuing a townhome strata development instead. The June 24, 2019 submission to City of Victoria is yet another version of the strata development proposal previously circulated in this neighbourhood (see my letter of March 9, 2019 with respect to the prior proposal), as well as with some differences from the version of the development presented to CALUC. This next version (submitted to the City) has most of the same flaws as prior versions.

The current zoning for that area is single family dwelling district (e.g. general traditional residential). The existing homes to be removed are in an area of historical residences. While not all are designated or registered, a predominant number of homes date from the first part of the 19<sup>th</sup> century. Indeed, Kipling Street (together with Durban Street) were last year's candidates for heritage designation.

On the two lots in question there are presently a non-conforming duplex (on Kipling) and a single family home (on Fairfield), both of which have been rentals for some time. Their removal would signal a loss of rentals from the area. Fairfield Road (in that area) is traditional residential sub-area 2, while Kipling Street is traditional residential sub-area 3.

The new development proposal is to re-develop the 2 lots into two complexes: the complex facing Fairfield Road into 2 strata units, while the other complex facing Kipling Street into a longer rectangular structure of 6 strata units. While claiming 2.5 storeys in height, the strata units as proposed would be 4 storeys in height with 3.5 storeys above ground on account of a basement and a carport. Together the 6-unit complex on Kipling Street would be 11.45 m in height above ground at the front on Kipling Street and higher in the back. The smaller 2-unit complex on Fairfield Road would be 10.82 meters in height. On the other hand, in both cases, the current single family dwelling district would be limited to a maximum of one dwelling of a maximum of 2 storeys @ maximum height of 7.6 meters.

As proposed, the so called “Le Parc” development would not be consistent with the latest draft of the Fairfield Neighbourhood Plan for several reasons.

The Fairfield Neighbourhood Plan (p.81) indicates that proposed development for this area should fit within the existing neighbourhood. This is absolutely not the case with this proposal even though all three streets: Kipling Street, Thurlow Street and that side of Fairfield Road are characterized by traditional and historical dwellings. Why else would heritage designation have been proposed for these streets? However, what is proposed is not at all consistent with the traditional residential area, particularly the many homes that date from the 1910s with later infilling to 1940s post-war.

Secondly, paragraph 8.16.2 of the latest draft of the Fairfield Neighbourhood Plan (p.81) states that for Kipling Street and Thurlow Street development up to 2-2.5 storeys may be considered, while in the case of Fairfield Road 2.5 to 3 storeys may be considered. However, this development proposal is proposing 4 storeys in the back and 3.5 storeys in the front, including a partially above ground basement (and carport at back) with steps to access the front door. At 11.45 meters in height for the larger complex along Kipling Street the proposed development would greatly over-shadow the surrounding neighbouring properties, as would 10.82 meters on Fairfield Road.

Following review of the strata development proposal (as currently conceived), we oppose any departure from Official Community Plan (OCP), zoning and land use requirements currently in place for that site, including any request for relaxation of setbacks for the development. OCP’s should not be given “lip service” as something to be worked around. They are intended to guide development not by exception but by application. Also, we are opposed based on the proposed modernistic design which is totally out of keeping with the traditional neighbourhood and contrary to the policies described in the Fairfield Neighbourhood Plan.

To summarize, the main concerns remain the following:

- Last year Kipling Street and Durban Street were proposed for heritage designation. While that initiative did not proceed, we do note that these streets are at the heart of the historical Fairfield neighbourhood with many historical buildings (Arts & Crafts bungalows, etc.). However, in this case, rather than presenting a design that accords with the historic esthetic of the neighbourhood, what is proposed is a modernistic 3.5-4 storey set of “Lego like” boxes on the pretense that the last house built nearby on the other side of Fairfield Road had a modern esthetic, while totaling ignoring the rest of the surrounding houses on Thurlow, Kipling and Fairfield Streets.
- As configured, the proposed development would extend virtually to the street with only minimal setbacks, particularly on Kipling Street:
  - 1.5 m on Kipling Street (compared to current policy: greater of 3.5 m or 10% of lot);
  - 5.70 m on Fairfield Road (compared to current policy: 7.5 m);
  - 6.5 m on Thurlow Street (compared to current policy 7.5 m); and

- Sideyard Interior of 5.0 m (compared to current policy: greater of 1.5 m or 10% of lot).
- As massed along Kipling Street with its back to homes on Thurlow Street, the larger complex would be entirely too invasive. It would consist of a solid block wall of 3.5-4 storeys in height (11.45 meters) looming over the immediately adjacent neighboring homes and the adjacent streets. We suggest that you have a look at how a similar wall (at the back side of the apartment building located on Fairfield Road at Stannard Street) which looms over the original historic farmhouse on Fairfield Road. It is truly an eyesore. In this case, with 3.5-4 storeys proposed for the strata development, the effect would be similar. A rectangular structure of 6 strata units @ 3.5-4 stories in height, including with a solid wall facing on its neighbours and these streets, it is truly too high and too dense for the proposed location.
- And, despite requests for relaxation of requirements, we do not see how this proposal would advance affordable housing. It has been suggested that these strata units would be priced at approximately \$1 million each or perhaps more. Also, there's the associated loss of rentals if the existing homes are removed.
- The proposed development will also block sunlight from reaching adjoining houses. In that regard, the accompanying shadow study is not very illustrative. While 6 pm has been added since an earlier version of the study, the depictions do not really demonstrate the shadow effect over neighbouring houses. Obviously, shadows don't stop at property boundaries. A building of 11.45 meters in height will cast extensive shadows over those properties. We remain concerned that in later afternoon and early evening, the neighbouring homes would be entirely in shadow.
- Also, not stopping there, the proposal includes a lane way at the back of the 6 strata unit Kipling Street complex, immediately adjacent to neighbouring homes, to provide very limited parking for the townhouse development. As the lot for the current duplexes on Kipling Street is not that wide (indeed even the duplexes were non-conforming for that reason), the lane way would definitely affect the neighbours, making the overall effect truly painful.
- While the lane way is no longer proposed to extend to Fairfield Road (on the back side of the development), it would exit on Kipling Street close to the corner with Fairfield Road and across from the playground. This is the wrong place to add additional traffic.
- The corner of Kipling Street and Fairfield Road is truly busy and currently hazardous to cross, particularly as vehicles generally do not respect the 30 km zone or even the 40 km zone in that stretch. I often take the bus from the stop at the corner of Kipling Street and Fairfield Road to downtown so have ample opportunity for observation. Also to note there is another bus stop on the other side of the street, as well as a crosswalk from the playground at that same corner to the other side of Fairfield Road. With the elementary school and other buildings located nearby, extending along Fairfield Road to the next intersection with Moss Street, there's already considerable traffic movement along Fairfield Road, as well as on Thurlow Street. The addition of a laneway exit at that location, even if onto Kipling Street, would be very close to the corner and would only make that corner even more dangerous, while further adding to increasing traffic on



Fairfield Road both at that location, as well as in either direction, whether in the blocks towards Moss Street or in the blocks towards St. Charles Street. This on top of additional traffic which will result from Victoria Council's recent approval of the United Church re-development at the corner of Fairfield Road and Moss Street, not to mention other anticipated development on that stretch of Fairfield Road.

- Further, the other corner (at the intersection of Thurlow Street and Kipling Street) is not currently a 4 way stop. However, it should be even now. Many parents use Brooke Street or Thurlow Street for travel when dropping off children at the elementary school. While Kipling Street is the through street, this is not always well understood due to the street layout at the corner of Thurlow Street and Kipling Street. Certainly, that corner would warrant attention if this development were to proceed.
- Another issue that would warrant consideration is that the proposal would provide inadequate parking. Consequently, the strata development will likely use up available spaces next to the playground and adjacent field, at the expense of families trying to use those play areas.
- Finally, and most importantly, we would certainly be concerned if this proposal, should it be approved, opens the door for further large scale developments in the area. We have heard rumours of land assembly going on in nearby streets in Fairfield. We are very concerned that, at this rate, there won't be much of historic Fairfield remaining. The loss of history is particularly concerning. Why is it that other cities and towns on the West Coast (on both sides of the border) have managed to protect their architectural heritage, while Victoria Council decisions demonstrate apparent indifference to that history.

In conclusion, we urge Council to give serious consideration to these concerns. We do not want to see this historic neighbourhood unduly impacted by inadvisable development.

Sincerely,

Livia Meret

c.c. Breia Holdings Ltd., Attn: Bart Johnson

c.c. Community Association Land Use Committee (CALUC): [planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)

c.c. Marc Cittone, City of Victoria Policy Planner: [c.cmcittone@victoria.ca](mailto:c.cmcittone@victoria.ca)

c.c. Alex Johnston, City of Victoria Planner: [ajohnston@victoria.ca](mailto:ajohnston@victoria.ca)



## Devon Cownden

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**Subject:** Development at Kipling and Thurlow - CALUC meeting minutes are misrepresented

Hello,

On May 2/19 a CALUC meeting was held at the Fairfield Community Centre to discuss a proposed development in our neighborhood. A large group attended (there weren't enough seats or space to host the meeting comfortably) to express a general opposition to the development.

The minutes captured at the meeting do not accurately reflect the attendees concerns, as many people were asked to not express their opinions since it was considered a 'repeat' of topics already brought up. These are the common themes that have been discussed in our community since the CALUC meeting:

- the minutes describe the numbers of people who raised objections to different aspects of the development, suggesting that those that didn't object did not have concerns. In fact, participants were asked not to raise concerns that had been stated by others, so these numbers are not an accurate representation of the fact that most in attendance were in agreement regarding those concerns.
- The minutes state that opinions were split, with some favoring increased density. While some did suggest being open to increased density no one spoke in favour of the proposed development (most who favoured increased density specifically stated they did not support this development)
- Apart from the CALUC process, no one in the community was engaged to get their input regarding the development
- Fairfield is seeing numerous similar developments (e.g., Moss and Fairfield condos, Fairfield Plaza condos, other proposed townhome developments on Fairfield, etc.). It appears this development is being considered in isolation - the community is concerned about the cumulative impact of all of these developments on the nature and character of the neighbourhood
- Overall, the minutes do not capture the fact that the overwhelming feedback was that the community does not support the development as proposed

**Overall, nearly every attendee at the CALUC meeting, and every neighbour I've encountered in our community OPPOSES this proposed development. Please do not let this move forward.**

Kind regards,



**Melissa Mohabir**

## Monica Dhawan

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**From:** Alessandra Ringstad <a[REDACTED]>  
**Sent:** Wednesday, June 12, 2019 4:56 PM  
**To:** planandzone@fairfieldcommunity.ca; Victoria Mayor and Council  
**Subject:** May 2 CALUC meeting: Development proposal Kipling St.

Greetings,

I am concerned about the proposed development of townhouses on Kipling St and that the minutes of the recent CALUC meeting about this development did not accurately express the lack of support from the neighbourhood. Specifically:

- The minutes describe the numbers of people who raised objections to different aspects of the development, suggesting that those that didn't object did not have concerns. In fact, participants were asked not to raise concerns that had been stated by others, so these numbers are not an accurate representation of the fact that most in attendance were in agreement regarding those concerns.
- The minutes state that opinions were split, with some favouring increased density. While some did suggest being open to increased density no one spoke in favour of the proposed development (most who favoured increased density specifically stated they did not support this development)

It bothers me that apart from the CALUC process, no one in the community was engaged to get their input regarding the development. We have been involved in meetings about the Fairfield plan and last I heard Kipling street was being considered heritage. This design with black cement, steel, no setback etc does not fit the street! I am not totally opposed to townhouses but they should reflect the character of the neighbourhood not the 3 dwellings on Fairfield Road at Kipling.

Overall the development causes three (3) main concerns;

1. The height of the development is out of character for the neighbourhood and will block out light to the immediate neighbours to the east.
2. The style of development is out of character for the neighbourhood. We have predominantly single homes or duplexes that were mostly built in the early first half of the century.
3. The vehicle access to the development will be a noise concern and a traffic volume concern for the neighbourhood and in particular, to the neighbours directly to the east.

The variances requested are way out of character for the neighbourhood and will set a dangerous precedent. If some "density" is required then why not two duplexes, with basement suites, on the property? Whether they were strata or not, they would provide housing for eight (8) families.

I understand that just the suggestion of this development has caused a house sale to fall through and potentially decreased the property value for that owner.

Fairfield is seeing numerous similar developments (e.g., Moss and Fairfield condos, Fairfield Plaza condos, other proposed townhome developments on Fairfield, etc.). It appears this development is



being considered in isolation and our community is concerned about the cumulative impact of all of these developments on the nature and character of the neighbourhood.

Overall, the minutes do not capture the fact that the overwhelming feedback was that the community does not support the development as proposed.

Please amend your minutes to reflect these concerns.

Thanks

A

Alessandra Ringstad



## Devon Cownden

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To: [REDACTED]  
Subject: CALUC Community Meeting May 3, 2019 - 1400 Fairfield, 349/351 Kipling

To Whom it may concern:

I was at this meeting and I do not believe that the meeting minutes accurately reflect what was raised in this meeting. **I am formally asked for the minutes to be revised to incorporate what was discussed:**

The minutes describe the numbers of people who raised objections to different aspects of the development, suggesting that those that didn't object did not have concerns. In fact, participants were asked not to raise concerns that had been stated by others, so these numbers are not an accurate representation of the fact that most in attendance were in agreement regarding those concerns. There was also a 2 minute time limit to for people to speak and the meeting ended with some folks not being heard.

- The minutes state that opinions were split, with some favoring increased density. While some did suggest being open to increased density (not to that size)no one spoke in favour of the proposed development (most who favoured increased density specifically stated they did not support this development)

- Apart from the CALUC process, no one in the community was engaged to get their input regarding the development

- Fairfield is seeing numerous similar developments (e.g., Moss and Fairfield condos, Fairfield Plaza condos, other proposed townhome developments on Fairfield, etc.). It appears this development is being considered in isolation - the community is concerned about the cumulative impact of all of these developments on the nature and character of the neighbourhood.

- This developer and did not want to consider recommendations such as: build within the current zoning versus requesting a full rezone), being open and honest to questions such as anticipated cost and sell value so we can understand what families could afford this housing as it will not be considered affordable housing.

- Some of the details of the report are not accurate and manipulate data such as the Shadowing study they did.

- Overall, the minutes do not capture the fact that the overwhelming feedback was that the community does not support the development as proposed

<https://fairfieldcommunity.ca/wp-content/uploads/2019/05/2019-05-03-1400-Fairfield-349-Kipling-Meeting-Report.pdf>

Regards,  
Ravi Mohabir  
Melissa Mohabir  
432 Kipling Street  
Victoria BC

## Monica Dhawan

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**From:** Elizabeth Pollard <[REDACTED]>  
**Sent:** Sunday, June 09, 2019 12:42 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fwd: feedback from Caluc meeting May 2

I sent this letter to the Caluc committee after the meeting on May 3 re the development at 1400 Fairfield and 349/351 Moss. Here is the reply to my email and I am now sending it on to you.

Elizabeth Pollard  
1440 Fairfield Rd.

Begin forwarded message:

**From:** CALUC chair <[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)>  
**Subject: Re: feedback from Caluc meeting May 2**  
**Date:** June 9, 2019 at 12:12:17 PM PDT

[REDACTED]

Thank you for your email Ms Pollard,

Please do forward your email on to Mayor and Council and the Planning Department at City Hall. They do take into consideration comments from residents.

[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca) and [planning@victoria.ca](mailto:planning@victoria.ca).

Thank you,

Alice J. Albert

**Chair,**

**Fairfield-Gonzales Community Association**

**Land Use Committee**

*A Volunteer committee helping our neighbours engage in community planning by providing opportunities and processes to collect and forward residents' comments to City Council*



FAIRFIELD GONZALES  
COMMUNITY ASSOCIATION  
the place to connect

**Fairfield Gonzales Community Place**

**1330 Fairfield Road**  
**Victoria BC V8S 5J1**  
**near Moss street and Sir James Douglas School**  
**t: 250 382 4604**  
**e: [place@fairfieldcommunity.ca](mailto:place@fairfieldcommunity.ca)**

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**Sent:** Monday, June 3, 2019 9:28 PM  
**To:** CALUC chair  
**Subject:** feedback from Caluc meeting May 2

Hello,

I am a resident of Fairfield and attended the meeting on May 3rd regarding the rezoning and development at 1400 Fairfield and 349/351 Kipling. I thought on the whole, that you basically captured the essence of the meeting but with some exceptions:

1. I understand that the meeting needed to be kept moving and unnecessary repetition of ideas kept to a minimum. However, each person that talked was counted and recorded unknown to me. When the report came out the number of people recorded did not reflect how many others agreed with the sentiment expressed by a few. Therefore this did not reflect the feelings of the group as a whole.

2. Only one person stood up and said that they agreed with the density of the project and approved the project. Everyone else had some problem with it.

3. The tone of the meeting was at times angry and the questions about whether there would be basement suites was not answered. If suites are going to be allowed that would dramatically affect the traffic situation.

I appreciate the job that you do, giving up your time to ensure that standards are maintained in the Fairfield/ Gonzales neighbourhood. Thank you for listening to our concerns.

Elizabeth Pollard  
1440 Fairfield Rd.

## Monica Dhawan

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**From:** Sandra Smith [REDACTED] >  
**Sent:** Wednesday, June 05, 2019 10:56 AM  
**To:** Victoria Mayor and Council; Alec Johnston  
**Subject:** 1400 Fairfield 349 Kipling CALUC meeting report

Dear Mayor and Council and Alex Johnston, Fairfield planner

With our neighbours, we are shocked by the scale and size of the development proposed at the above address. Following a meeting of the Fairfield CALUC, I provided comments and they suggest that I forward them to you.

Dear CALUC members

Thank you for hosting the meeting about the above development and preparing meeting notes. I have discussed these notes with other meeting attendees and I entirely concur with their comment that the notes do not adequately reflect the sentiments of those present.

In addition I submit the following comments for your consideration:

The notes did not capture:

- the fact that considerable new information was presented to meeting attendees in paper format shortly before the meeting started.
- the question of the penultimate speaker as to what consultation had been carried out with the community. The answer was that the CALUC process has been followed as the consultation process.
- the last question as to the meaning of gentle densification, a theme that had occurred throughout the meeting.
- the developer statement that inspiration for design had been the two houses at the end of Kipling fronting on Fairfield and subsequent comments by attendees as to how this does not compliment the traditional neighbourhood.
- developer asked for likely price of units but did not respond; builder subsequently suggested \$1 million likely minimum price in Fairfield.

Thank you,  
Sandra and Peter Smith  
1436 Fairfield



## Monica Dhawan

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**From:** JOHN CLARK [REDACTED]  
**Sent:** Wednesday, May 22, 2019 11:39 AM  
**To:** Victoria Mayor and Council  
**Subject:** Fwd: Fairfield

Sent from my iPhone

Begin forwarded message:

**From:** JOHN CLARK [REDACTED]  
**Date:** April 25, 2019 at 4:21:08 PM PDT  
**To:** [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)  
**Subject:** Fairfield

My husband grew up in Fairfield and he loved the neighbourhood so we have bought a home to retire in on Thurlow. Near our family. The neighbourhood is changing and we don't like it. Thurlow and Fairfield used to be quiet streets but not now. I know Victoria council is encouraging densification but the proposed development is going too far. A wall of housing (condos) of about 40 feet is just too much.

Two houses which were adjacent to a quiet park on Thurlow, are being turned into big time housing. 8 condos. This area of Fairfield does not need more cars and people added to the current population. We moved to a quiet neighbourhood that we loved only to have it destroyed by entrepreneurs that want to make money bringing large houses and more people to the neighbourhood. More people almost brings more crime to the area. The neighbourhood is full! Please do not allow this development to go forward!

We pay taxes and everything that goes with living on this quiet road!

There are houses that allow people to move here when they are for sale.

People can live here when houses become available - not when someone wants to get rich changing a wonderful neighbourhood into a busy overpopulated area!!

We are very much against this development and do not want more people and their cars filling our roads.

Hopefully we do not have to move!

Please help the present owners who love living here and wish to live in a charming neighbourhood!

Making money is not the reason for allowing this development to go ahead. I believe this is same company that wanted to build a daycare operation here. Now they are trying again to ruin our neighbourhood again.

Let them go to Langford to try this 40 foot monstrosity to be built. Pity the poor neighbours that will lose all their sun due to this proposed development!! Is this a revenge plot by the people who did not get their daycare approved?

Do not change our home. We have neighbourhood block parties and help out each other with mowing lawns and keeping an eye on each other's property. Let us keep it this way. Protect what works well for everyone who lives here! PLEASE!!!!

Do not let this development go forward!

I have spoken to several of my neighbours and we are all worried!

On the news today Langford said more people means more crime!

If they say that what do you say about that? When a school is full the powers that be say sorry no more room. You have to wait! Go elsewhere. I say same thing! Go elsewhere!!! If put to a vote the whole neighbourhood would say NO. Do you represent us or are you blinded by your need to fill a quiet neighbourhood with your need to increase numbers which you call densification.

Georgina Clark

1468 Thurlow



Sent from my iPhone

## Katie Lauriston

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**From:** Alec Johnston  
**Sent:** May 16, 2019 12:24 PM  
**To:** 'lois atherley'  
**Cc:** Andrea Hudson; Marc Cittone; Katie Lauriston  
**Subject:** RE: Proposed Development 349/351 Kipling St and 1400 Fairfield Rd.

Hello Lois,

Thank you for your comments regarding a potential development application at Kipling and Fairfield. The owner has not yet made an application to rezone the property; however, if or when they do, would you like staff to add you email to the file so that it can be included with the information package that Council receives at a future Committee of the Whole meeting? Alternatively, you can send your email to [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca) so Council may receive your comments directly. Once an application is made, more information will also be available on the City of Victoria [Development Tracker](#).

Best regards,

**Alec Johnston**

Senior Planner – Development Services  
Sustainable Planning and Community Development  
1 Centennial Square  
Victoria, BC V8W 1P6  
Phone: 250-361-0487  
Fax: 250-361-0386  
Email: [ajohnston@victoria.ca](mailto:ajohnston@victoria.ca)



Thank you for your email regarding a proposed development at 1201 Fort Street and recent Advisory Design Panel meeting. It has been shared with Mayor and Council and also attached to the file for this address so that it can be included with the package that Council receives at a future Committee of the Whole meeting, at a date to be determined. More information on this application is also available on the City of Victoria's Development Tracker App.

-----Original Message-----

From: lois atherley [REDACTED]  
Sent: May 14, 2019 12:25 AM  
To: Andrea Hudson <AHudson@victoria.ca>; Marc Cittone <mcittone@victoria.ca>; Alec Johnston <ajohnston@victoria.ca>  
Subject: Proposed Development 349/351 Kipling St and 1400 Fairfield Rd.

To Whom It May Concern:

I STRONGLY OBJECT to the design of the development proposal at 349/351 Kipling St and 1400 Fairfield Rd.

The nationally and internationally recognized local artist, Barbara Weaver-Bosson in her Neighborhood Series best illustrates the heart, soul and predominate style of our traditional residential neighborhood. Please Google her art to see her depiction of our neighborhood. People come from all over to enjoy our neighbourhood and if the developer had bothered to ask for input or had done a community survey, he might have better understood the anger and outrage that was overwhelmingly the feeling at the recent CALUC meeting.

This massive block design of attached units is a dark and ugly row style with an enormous height difference that towers over the existing roof lines and is completely out of scale and proportion to the adjacent houses and the entire neighborhood.

This design contravenes numerous aspects of the city's Design Guidelines for Attached Residential Development:

- the design is not a "good fit with the existing neighborhood"
- does not maintain "a pattern of landscaped front and back yards"
- "is not a positive contribution to the existing streetscape"
- exhibits no "neighborliness or compatibility"
- there is no "differentiated individual facades on the units for architectural interest and variation"
- "does not "transition sensitively"
- is not sensitive to "appearance, landscape and privacy"
- results in rear yard whose appearance is dominated by parking -has more than the "maximum one story height difference"
- does not "protect the existing trees"
- does not have sufficient "private usable outdoor space"
- does not have a "sensitive transition in scale to adjacent, smaller developments through considerations for massing and other design features."

The developer does not take into consideration the design of the adjacent traditional houses on either side or of the houses directly across the street on Fairfield Rd, which is 1409 Fairfield and 1411 Fairfield. Instead in the PowerPoint slide show, the developer incredibly uses as his reference point the recently built massive box style house at 1403 Fairfield on the corner of Fairfield and Masters. This huge hard looking square box style house is absolutely the one house in the entire area whose style is truly an aberration. In fact, it has been on the market for 8 months and has not been able to sell despite several price reductions and a "feature" article in YAM magazine.

At the recent CALUC meeting, when questioned about the lack of sufficient setbacks on the 6 attached units facing Kipling, the developer explained in Orwellian logic that the "front" of the units on Kipling is really the "side" of the development. This is patently absurd. The front of the majority of his development faces Kipling which is a traditional residential street. The front in my mind is where the front doors are. The front is the front and there needs to be proper setbacks or a design that appropriately fits this narrow lot to avoid cramming.

This massive dark block design with a flat roof absurdly towering over the existing neighborhood roof lines does not transition or synchronize with the established traditional residential area or with the park across the street. If you were to stand in the park and look at this, it would look like you were facing a giant dark imposing wall of housing, very visually offensive without proper setbacks and an in-your-face feel. There is no neighborliness or compatibility in this design.

The back of these 6 units on Kipling is "dominated by parking" instead of any landscaped yard. There is no "private individual outdoor space". The future residents will have to use the park across the way or the nearby ball field for their personal outdoor space. A shared tiny corner of green space with a couple of park benches is not sufficient especially in light of the fact that the developer says these are designed as family homes. The inside layout is also not conducive to family living, with narrow units with people having to run up and down 3 stories. Do you think that 4-5 people per family unit, so perhaps 30 people will be happy sharing a couple of park benches on their shared green corner? Most likely they will have to use the public park and ball field as their yard.

This design is an example of cramming. This whole development of 8 units on this narrow piece of land is not realistic or practical in keeping with the character of a traditional residential neighborhood because a laneway or driveway takes up the space. The cars coming and going right beside the adjacent houses interferes with their right to peace and enjoyment of their residential property and privacy. The noise of 8 air conditioners will further interfere with neighbors right to peace and enjoyment of their own property. Also, because it will be a private laneway, it will require private garbage collection with a big noisy truck driving right next to the adjacent houses.

With climate change it is counterproductive to cut down more than 8 shady trees and put in energy sucking air conditioners and eliminate green space in order to aggressively cram 8 units on to these lots. It is not gentle density but brutal density. I am not opposed to increased density with designs that fit the lot, but cramming 8 units on to a space that has a small duplex and a single family home, ( all of which were affordable rentals for years) is clearly over development.

These units will not be affordable because affordability is an issue all over the world in desirable locations. Changing zoning rules and building more won't solve the affordability crisis. (See "Housing, Urban Growth and Inequalities" in a new forthcoming article in the journal Urban Studies.)

Several houses, some with suites and duplexes, some with suites have been built in the neighborhood over the last few years.

They do not tower over existing roof lines, they have adequate front and back yards, have smooth transitions, have suitable parking and fit the design guidelines for neighbourliness and compatibility.

Would you be interested in taking a walking tour with me around the neighbourhood so that I can point out to you the newer well designed homes and duplexes that blend in beautifully and also so that you can see the lot for yourself?

Sincerely,

Lois Atherley  
1411 Fairfield Rd  
[REDACTED]  
cell [REDACTED]

## Katie Lauriston

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**From:** Alec Johnston  
**Sent:** May 21, 2019 8:52 AM  
**To:** Katie Lauriston  
**Subject:** FW: Pics to illustrate my prior email about proposal for 349/351 Kipling and 1400 Fairfield.

Hi Katie,

Could you please add this email and images, along with Lois' previous email, to the file for 349/351 Kipling. The owner hasn't applied yet but we do have the CALUC file for the community meeting.

Thanks,  
Alec

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**From:** Lois [REDACTED]  
**Sent:** May 16, 2019 2:18 PM  
**To:** Alec Johnston <ajohnston@victoria.ca>  
**Subject:** Pics to illustrate my prior email about proposal for 349/351 Kipling and 1400 Fairfield.

Hello Alec,  
Thank you for your response to my email regarding proposed development of 349/351 Kipling and 1400 Fairfield.

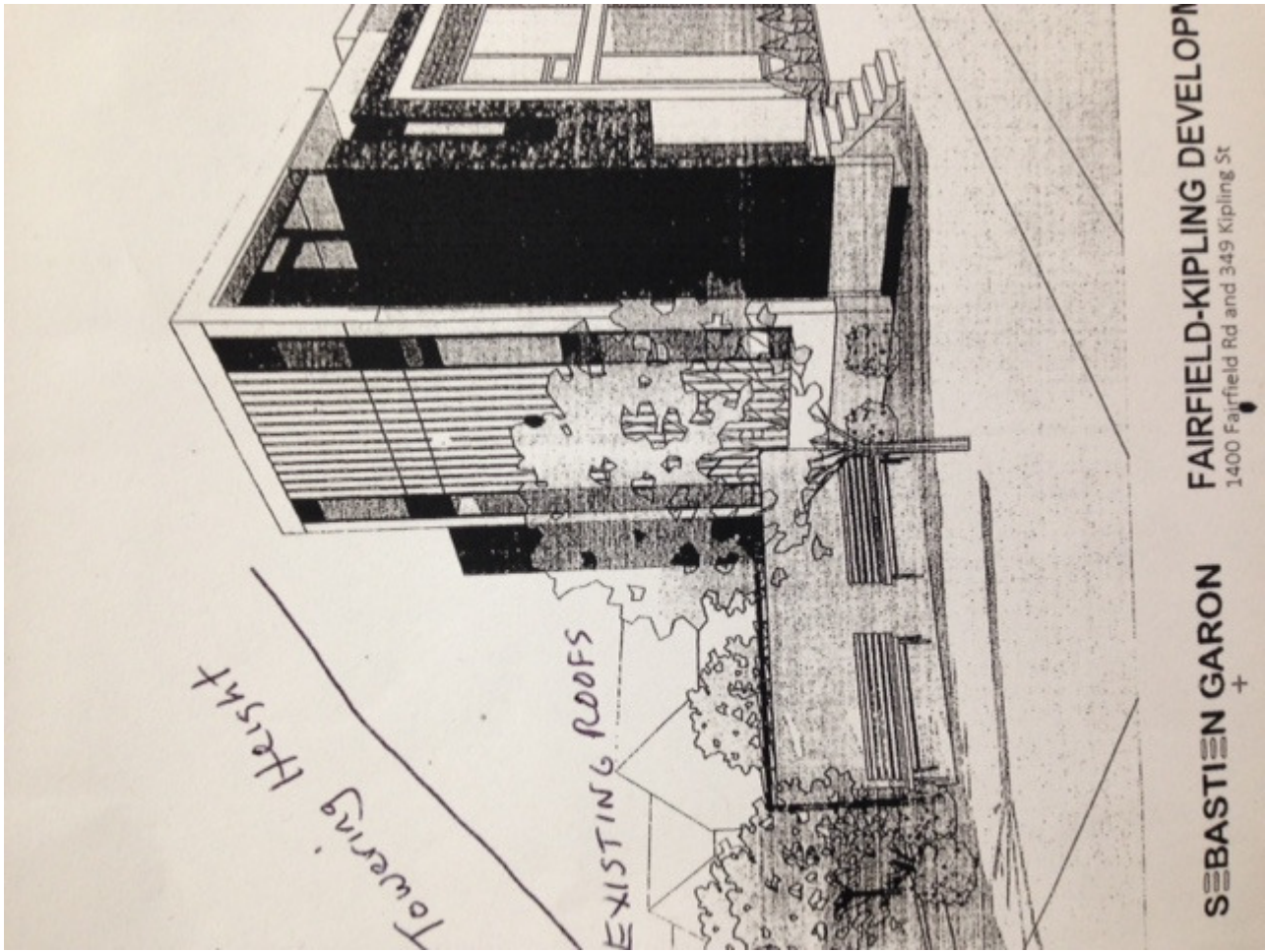
Yes, I would like you to forward my email to be included with the information package that Council receives at a future Committee of the Whole meeting.

Please add these pics as well. They are a pic of the towering height difference of roof lines. The next 2 pics are the houses directly across the street from 1400 Fairfield and the last two pics are the adjacent house on Fairfield and the adjacent house on Thurlow, none of which resemble the still unsold massive block style on the corner of Masters and Fairfield that the developer uses as his reference point.

Thank you.

Sincerely,  
Lois Atherley





Towering Heist

EXISTING ROOFS

SEBASTIEN GARON +

FAIRFIELD-KIPLING DEVELOPMENT  
1400 Fairfield Rd and 349 Kipling St











Sent from my iPhone

**Monica Dhawan**

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**From:** DAVID & DORIS <[REDACTED]>  
**Sent:** Thursday, May 02, 2019 8:10 AM  
**To:** Victoria Mayor and Council  
**Subject:** Proposed Fairfield Development

To Our Neighbors:  
Regarding Proposed Development:

It should be noted that this developer is the same one who ignored the single-family zoning, for the 349-51 Kipling property by proposing an eighty-child day-care center, clearly this developer has no regard for our zoning codes. He has now acquired the adjacent single-family zoned property and once again ignores our zoning codes by proposing to put eight or nine families on property zoned for single-family. It should also be noted “gentle density” is a euphemism for crowding, try putting gentle in front of the vilest thing you can imagine it will not sound as bad, maybe “gentle mugging” hay it was a mugging but it was gentle... The property at Durban and Thurlow was zoned for single family, the developer requested and received changes in zoning to recognize how the property was being used, and along with other small changes was allowed to build two homes, whatever we may think of the design, these were reasonable modifications. This developer must be rejected in the strongest possible way, he is not interested in a good profit, he wants to make a killing, if it is allowed, there are similar properties all over our neighborhood just waiting for him to make a killing and our neighborhood will be gone.

Sincerely,  
David Sanders  
Architect  
436 Kipling Street

cc Mayor & City Council, Alice Albert (CALUC)



## Monica Dhawan

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**From:** Paul Cunnington <[REDACTED]>  
**Sent:** Saturday, April 27, 2019 7:52 PM  
**To:** Victoria Mayor and Council; planandzone@fairfieldcommunity.ca  
**Subject:** 1400 Fairfield Road and 349/351 Kipling Street

I am writing to express my objection to the proposed townhouse development on Kipling Street as I will be unable to attend the meeting on May 02.

I have a number of concerns but feel confident they will all be voiced at the meeting. However my primary concern is the precedent this development will set in our neighbourhood. Currently the zoning allows for a single family unit and a duplex unit both of two stories on the two lots. The proposed development is a dramatic change totally not in keeping with other properties on Kipling street and the immediate area. The proposal calls for 8 units with 9 parking spaces and an increase in height of 3.4 m. There are numerous examples of similar potential lot consolidations on local residential streets which will if approved change our neighbourhood from one of primarily single family homes to one of much greater density.

Thanks for taking my concerns into consideration.

Sincerely

Paul Cunnington  
431 Durban Street  
Victoria BC  
V8S 3K2

[REDACTED]

## Devon Cownden

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**Subject:** Proposed Rezoning and 8 Townhouse Development at 349 & 351 Kipling and 1400 Fairfield

**From:** Neil Banera [REDACTED]

**Sent:** Tuesday, April 23, 2019 7:52 PM

**To:** [planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca); Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>; [REDACTED]

**Subject:** Proposed Rezoning and 8 Townhouse Development at 349 & 351 Kipling and 1400 Fairfield

This will acknowledge receipt by mail today of a Community Meeting Notice for the above-referenced proposal. Unfortunately with only 1 week notice, my wife and I will not be able to make alternative arrangements to enable us to attend this meeting.

I would like however to point out what appears to be an error in the information contained within the Notice. The back side of the Notice states that the proposed setbacks are 7.5 m. on the east side of the property and 6.5 m. on the west (Kipling Street) side. These proposed setbacks total 14 m. or 45.9 feet. The BC Assessment website states that the lot size for 349/351 Kipling Street is 57 feet (17.4 m.) in the east-west direction by 120 feet (36.6 m.) in the north-south direction. In other words, that lot is only 17.4 m. wide in the east to west direction. Subtracting the proposed setback of 14 m. would therefore only leave a width of 3.4 m. or 11.2 feet on which to build the proposed townhouses.

This is, of course, impossible and totally in variance with what the proponent is actually proposing. In sending out information for a Community Meeting, may I suggest that you ensure that the information is accurate beforehand. In this case, the proposed setbacks imply that there are significant buffers from the east and west property lines which is categorically false. These inaccuracies may affect how residents view this proposal.

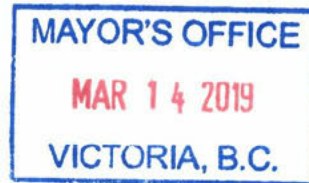
My wife also provided additional comments in her email of March 9, 2019 to all of you.....comments which are still valid.

Yours truly,

Neil Banera  
428 Kipling Street

City of Victoria

Attention: Mayor and Council



428 Kipling Street, Victoria BC, V8S 3J8

March 4, 2019

RE: Re-Zoning / Strata Development Proposal for 349/351 Kipling Street between Fairfield Road & Thurlow Street

Dear Mayor and Council,

This letter is to express concerns about development that is currently proposed for 349/351 Kipling Street, including at 1400 Fairfield Road. The proposal is to re-develop 2 lots (currently a non-conforming duplex and single family home) into a long rectangular structure of 9 strata lots, 3 floors in height, facing on Kipling Street.

We oppose any departure from Official Community Plan (OCP) zoning and land use requirements currently in place for that site, including any request for relaxation of setbacks for the development. OCP's should not be given "lip service" as something to be worked around. They are intended to guide development not by exception but by application.

The main concerns are the following:

- Last year Kipling Street and Durban Street were proposed for heritage designation. While that initiative did not proceed, we do note that these streets are at the heart of the historical Fairfield neighbourhood with many historical buildings (Arts & Crafts bungalows, etc.). However, in this case, rather than presenting a design that accords with the historic esthetic of the neighbourhood, what is proposed is a modernistic 3 story set of "Lego like" boxes on the pretense that the last house built nearby on Fairfield Road had a modern esthetic, while totaling ignoring the rest of the surrounding houses on Thurlow, Kipling and Fairfield Streets.
- As configured, the proposed development would extend right to the street and be entirely too invasive, particularly as it would consist of a solid block wall 3 stories in height looming over the immediately adjacent neighboring homes and the adjacent streets. We suggest that you have a look at how a similar wall (at the back side of the apartment building located on Fairfield Road at Stannard Street) looms over the original historic farmhouse on Fairfield Road. It is truly an eyesore. In this case, with 3 stories proposed for the development at 349/351 Kipling Street, the effect would be similar. A rectangular structure of 9 strata units @ 3 stories in height, including with a solid wall facing on its neighbours and these streets, which is truly too dense for the proposed location. And, despite anticipated requests for relaxation of requirements, we do not see how this proposal would advance affordable housing.
- The development will also block sunlight from reaching adjoining houses. In that regard, the accompanying shadow study should not "cherry pick" the times of day to depict but



rather should also examine the shadow cast by such a building height at other times of day, including in later afternoon and early evening.

- Also, not stopping there, the proposal includes a lane way at the back of the development, immediately adjacent to neighbouring homes, to provide very limited parking for the townhouse development. As the 2 lots in question are not wide, the lane way would definitely affect the neighbours, making the overall effect truly painful.
- There are also other concerns with a lane way extending from Thurlow Street to Fairfield Road (on the back side of the development). That corner of Kipling Street and Fairfield Road is truly busy and currently hazardous to cross, particularly as vehicles generally do not respect the 30 km zone or even the 40 km zone in that stretch. I often take the bus from the stop at the corner of Kipling Street and Fairfield Road to downtown so have ample opportunity for observation. Also to note that there is another bus stop on the other side of the street, as well as a crosswalk from the playground at that same corner to the other side of Fairfield Road. With the elementary school and other buildings located nearby, extending along Fairfield Road to the next intersection with Moss Street, there's already considerable traffic movement along Fairfield Road, as well as on Thurlow Street. The addition of a laneway exit at that location onto Fairfield Road would make that corner even more dangerous, while further adding to traffic on Fairfield Road both at that location, as well as in either direction, whether in the blocks towards Moss Street or in the blocks towards St. Charles Street.
- Further, the corner at the intersection of Thurlow Street and Kipling Street is not currently a 4 way stop. However, it should be even now. Many parents use Brooke Street or Thurlow Street for travel when dropping off children at the elementary school. While Kipling Street is the through street, this is not always well understood due to the street layout at the corner of Thurlow Street and Kipling Street. Certainly, that corner would warrant attention if this development were to proceed.
- Another issue that would warrant consideration is that the proposal would provide inadequate parking. Consequently, the strata development will likely use up available spaces next to the playground and adjacent field, at the expense of families trying to use those play areas.
- Finally, and most importantly, we would certainly be concerned if this proposal, should it be approved, opens the door for other large scale developments in the area.

In conclusion, we urge Council to give serious consideration to these concerns. We do not want to see this historic neighbourhood unduly impacted by inadvisable development.

Sincerely,



Livia Meret

c.c. Breia Holdings Ltd., Attn: Bart Johnson

c.c. Community Association Land Use Committee (CALUC): planand [zone@fairfieldcommunity.ca](mailto:zone@fairfieldcommunity.ca)

## Monica Dhawan

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**From:** Marilyn Robbins <[REDACTED]>  
**Sent:** Saturday, February 16, 2019 2:46 PM  
**To:** BreiaHoldings@yahoo.com; planandzone@fairfieldcommunity.ca; Victoria Mayor and Council  
**Subject:** Fairfield an@fairfieldcommunitd Kipling Street development

This message is in regard to the proposed redevelopment at 1400 Fairfield Rd. and 349/351 Kipling St. I have outlined my concerns regarding Table 1 of the information letter sent by Bart Johnson.

8.15.1 The communal yards seem too small to be called "large."

8.15.3 The building front appears to be too close to the sidewalk and does not appear to have enough space for a landscaped front yard. The boulevard is city property.

8.15.7 Boulevard trees are maintained by the city.

8.15.10 Permeable pavers are fine but will the storm drains need to be upgraded and will it be a taxpayer expense?

Additional concerns:

1. The architecture does not fit in with the character of the neighbourhood.
2. Units appear to be too tall and "shoe-horned" into the site (see cross section perspective).
3. The location is poor, street traffic is already busy with school-related traffic and weekend traffic with the Moss Street Market and sporting events at the park.
4. More parking issues could arise with extra resident vehicles, service vehicles and visitor parking.
5. Street parking has already increased recently probably because of the increased number of rental units in the area.

Marilyn Robbins, 1442 Brooke Street  
Dennis Demarchi 1442 Brooke Street  
Elizabeth Dirks 1438 Brooke Street

To Whom It May Concern:

The proposed development of 9 units onto 2 lots does not appear to be a proposal with gentle density growth in mind. It appears to be a way to shoehorn as many living units that can possibly be squeezed in without regard to practicality, the look of the neighborhood, the congestion and parking issues that it will create or the noise and possible light pollution that will emanate from people recreating on roof top decks that tower way over the existing roofs in the neighborhood.

We live across the street from the 1400 Fairfield lot. We are located at 1411 Fairfield. We are opposed to looking at the side of a modernistic style tall building the design of which does not blend smoothly into the neighborhood and streetscape. From my location I will be looking at the side of a tall building which will obstruct our view. As my house is on an elevated lot, I can see over the rooftop of 1400 Fairfield all the way down to the intersection of Kipling and Thurlow from one of my living room windows. Our view will be blocked by this proposed development.

Backing out of my driveway is already a challenge with blind spots because of the ever increasing cars and SUV's that now park where they did not park in the past at the new house at the corner of Masters and Fairfield. The proposed driveway exiting onto Fairfield near my driveway will further add to the danger of backing out into traffic as well as keeping an eye on cars coming around the corner at Kipling onto Fairfield and the pedestrians on the sidewalk.

9 units could possibly have as many as 18 vehicles if working couples each use a vehicle. The overflow of vehicles will cause further congestion on the street. If people park on both sides of Kipling in front of the proposed development, it is a very tight squeeze for 2 way traffic to go by. It is already a busy intersection at Kipling and Fairfield where there are 2 bus stops, a playground, and a crosswalk that many drivers are increasingly speeding through. This area on Kipling is also very busy with parking on the weekends when the Moss St. Market is operating.

I am not opposed to maybe 3 houses fitting into those 2 lots with their own driveways so as not to add further congestion to the streets. Many new houses in the neighborhood have been built with a design that has modern elements, do not tower over the existing homes and blend into the existing neighborhood and streetscapes.

Please inform us as to any community meetings regarding this proposed development as we would like our voices heard.

Thank you for your consideration,  
Lois Atherley  
Anthony Giaccio

February 8, 2019



1440 Clifford St.  
Victoria, B.C.  
V8S 1M2  
February 7, 2019

Dear Mayor, Council Members and Members of the CALUC,

I have received the letter sent to my home by Bart Johnson of Breia Holdings Ltd. outlining his proposal for development of the properties at 1400 Fairfield Rd and 349/351 Kipling St.

I wish to offer my opinion.

As I stand here in the middle of this neighbourhood community centred about Brooke Street Park, I can turn 360° and see no building that could loosely be termed a “development”. The tone of the area is that of privately owned homes and the traffic patterns and vehicle presence reflect that. This is an area in which neighbours enjoy an environment which they have collectively and individually cultivated and managed for everyone’s mutual benefit. While there may be secondary accommodations, those are not obvious to casual inspection and the net affect on the neighbourhood is minimal if not entirely absent.

The recent pressures of developer interest and the opinions of some elected representatives have largely been toward densification of residential areas as an inevitable response to economic climate and population influx. Dissenters who push back against this are accused of NIMBYism. I do not think that some level of NIMBYism is unreasonable given that homeowners in this area have created assets of ± a million dollars over (in many cases) decades of hard work and investment. The desire to protect those investments and the neighbourhood they create should not be surprising.

Specifically, the proposed development would be the first of its type within eyesight and, as such, would “stick out” from the surrounding community. Eyesight becomes eyesore if one does not ascribe to the aesthetic beauty (tongue in cheek) of such development. The addition of rooftop accesses in this proposal creates more than 3 stories above ground which would tower over surrounding buildings and which would become an unwelcome landmark for the entire area. There would be a significant adverse affect on the ambience and property values of the neighbourhood with no positive upside for those who have already invested themselves in the area.

This proposal is a bad idea. Please do not permit this incursion into a community in which I have long been proud to belong.

Respectfully yours,

A handwritten signature in cursive script that reads "Don Mayer".

Don Mayer

## Monica Dhawan

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**From:** Victoria Mayor and Council  
**Sent:** Thursday, February 14, 2019 10:55 AM  
**To:** Victoria Mayor and Council  
**Subject:** FW: Proposed development for 1400 Fairfield Road and 349/351 Kipling Street, Victoria

-----Original Message-----

From: Leigh Lennick [REDACTED]  
Sent: Monday, February 04, 2019 12:12 PM  
To: [planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca); Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>  
Subject: Proposed development for 1400 Fairfield Road and 349/351 Kipling Street, Victoria

We are writing to voice concern over the proposed development of 9 town houses to be built on the existing lots of 1400 Fairfield Road and 349/351 Kipling Street.

We are not opposed to increased densification in principle - we come from an area in England where row houses are the norm, and currently my husband and I live in a 2 bedroom duplex on Thurlow.

However, examination of the proposed plans delivered to our home by Bart Johnson of Breia Holdings raise numerous serious concerns for us:

1. The homes adjacent to this property will find themselves living next to a lane way that did not exist previously,
2. subjected to the noise and fumes of the vehicles from the townhomes and
3. the clanging of multiple garage doors at all times of the day at night.
4. The laneway will turn into a rat run of vehicles travelling only inches from the side windows of the houses adjacent, and
5. their gardens will lose light and sky as a result of the proposed height of these row blocks - whose proposed height will dwarf the houses adjacent
6. four of the proposed townhomes are 2-3 bedroom and the balance of 5 homes are 3-4 bedrooms. Since most families have at least two vehicles we can anticipate that many more vehicles will be parked on the surrounding streets - which are already fairly congested.

Mr. Johnson previously tried to push through his application for an enormous day care centre on part of this site, that the community neither wanted or needed and in our opinion his subsequent proposal is an over densification of row housing unbecoming to the area.

There is certainly room for more homes than currently exist on the site - perhaps 5 homes of less height with their respective garages opening onto Kipling Street would be more appropriate.

Yours sincerely

Leigh and Martin Lennick  
1482 Thurlow Road.