

[REDACTED]

From: Victoria Mayor and Council
Sent: March 22, 2022 8:44 AM
To: Public Hearings
Subject: FW: Trees on Niagara St

From: Beth Morris [REDACTED]
Sent: March 21, 2022 12:55 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Trees on Niagara St

Thank you for reading my letter.

I ask you to protect the safety of the flowering fruit trees at the proposed development on Niagara Street.

This mixed neighborhood, comprised mainly of older homes, small businesses and older apartment buildings, will be deeply affected by the character of this modern, high density structure.

Mature trees are precious. I see from the drawings that the front will remain partially recessed from Menzies. Surely with the kind of machinery they'll have for digging an underground parking lot, saving and relocating them would not be difficult.

Thank you for including my option in your decision making process.

Margaret Morris
401-20 Olympia Ave.,
Victoria
[REDACTED]

[REDACTED]

From: Victoria Mayor and Council
Sent: March 22, 2022 8:44 AM
To: Public Hearings
Subject: FW: Save the trees on Menzies st

From: Heather Murray [REDACTED]
Sent: March 21, 2022 12:32 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Save the trees on Menzies st

Dear Mayor and city council members ; I am writing this on behalf
of my senior neighbor, Marilyn May, a resident of James Bay for 45 years . Marilyn is unable to access a computer at
this time but wanted an opportunity to express her ardent disapproval of the developers and city planners idea to
remove the trees along Menzies at Niagara..The trees are what make Victoria unique and one of the top places in the
world to visit and reside .We are all hoping that you could seriously reconsider this and save them all for future
generations to enjoy .Especially during the global warming crisis and impending forest fire season, we need these
flowering old growth trees more than ever..Thank you for your consideration ...Marilyn May 207 Ladysmith St. James
Bay

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 10:05 AM
To: Public Hearings
Subject: FW: input on the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street

From: Ocean Inglin [REDACTED]
Sent: March 21, 2022 1:13 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: input on the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street

To whom out may concern,

I am writing in regards to the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street. In particular, I am concerned with the purported removal of the flowering plum trees which grace the boulevard along Menzies St. These beloved trees are a hallmark of our neighbourhood, and their loss would be mourned by the community. As they are not on the actual property to be re-developed, but rather on city property, it would be wonderful if the mayor and council could find it in their hearts to accommodate such treasured assets to the neighborhood. I am sure that some compromise could be reached between developer and city to preserve these neighbourhood icons. I ask you to take the time to visit our neighbourhood and stroll along under the trees now while they are blooming in order to gain some appreciation for the beauty and grace that they represent. I acknowledge that housing is a vital need these days, but surely these seven trees so close to the street can be saved without the loss of a single proposed residential unit.

I implore you to do the right thing and vote for accommodation and preservation.

Ocean Inglin
[REDACTED]



[REDACTED]

From: Victoria Mayor and Council
Sent: Monday, March 21, 2022 2:20 PM
To: Public Hearings
Subject: FW: Cherry Trees in James Bay

[REDACTED] [REDACTED]

From: Patrik Dvoracek [REDACTED]
Sent: March 21, 2022 2:07 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Cherry Trees in James Bay

Dear Mayor and Council,

Please reconsider your plan to cut down the Cherry Trees on Menzies Street. As a lover of all life, I respectfully ask that you find an alternative to removing them. Is there not enough room to expand the sidewalk several feet without having to cut down these precious trees? They are not only an inspiration to James Bay but a mature, healthy, integral part to the area's pollinator ecosystem. To lose them would be an impoverishment of life in our community.

Thank you for considering this email,
Patrik Dvoracek
2832 Dysart Road
Victoria, BC

[REDACTED]

From: Victoria Mayor and Council
Sent: March 22, 2022 8:44 AM
To: Public Hearings
Subject: FW: trees on Menzies

From: Rebecca Reviere [REDACTED]
Sent: March 21, 2022 11:17 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: trees on Menzies

To Respected Mayor and Councilors,

I walked down Menzies Street in James Bay last week, and my spirits were lifted by the beautiful flowering trees. I hope to see those blooms many times in the future.

Please do not destroy the beauty, the health, and the joy those seven trees give the community of James Bay.

Developers are clever enough to find a way to protect them, and the Council is wise enough to insist.

Thank you for your time and consideration,

Rebecca Reviere

620 Toronto Street
Victoria, BC

[REDACTED]

From: Amanda Gaunt [REDACTED]
Sent: March 22, 2022 11:30 AM
To: Victoria Mayor and Council; Public Hearings
Subject: Save the trees on Menzies Street - proposed changes to 111 Croft, 110 Menzies and 450-458 Niagara

To Mayor Helps and Victoria City Councillors,

I am writing because I have heard that the flowering plum trees on city property on Menzies St from Niagara going up towards Simcoe St are slated to be cut down because of the new development going in at Niagara and Menzies. Is this the case?

These beautiful, mature, healthy trees give us colour in the spring and shade in the summer. They are a landmark enjoyed by residents and tourists alike. As mature trees, they also, importantly, absorb carbon giving us cleaner air to breathe. They are very much a part of our urban forest, which the City, with its Urban Forest Master Plan, has committed to protecting and enhancing.

And also, what about the majestic poplar on the property? It too deserves to be left standing for all to enjoy as it continues cleaning our air. Can the Tree Protection Bylaw help to accomplish that?

I hope the City and the developer can come up with a solution that will retain all of these beautiful trees, so that they are here for all of us to enjoy for many years to come.

Sincerely,
Amanda Gaunt
Menzies Street resident



[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 10:01 AM
To: Public Hearings
Subject: FW: 110-122 Menzies / 450-458 Niagara Streets Development Trees

From: L H [REDACTED]
Sent: March 22, 2022 8:36 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 110-122 Menzies / 450-458 Niagara Streets Development Trees

Hello Mayor and Council,

While I am in favour of a new rental development to replace the existing buildings at the corner of Menzies and Niagara Streets in James Bay, I am not in favour of removing the beautiful, mature plum blossom trees at the edge of the property along Menzies Street. These trees are currently in full bloom and for years have been admired by locals and visitors to the area. They are a part of what makes my neighbourhood special. I urge council to not allow them to be removed. In addition to being beautiful, they provide a valuable tree canopy. With a new, taller building proposed next to them, they will also mask some of this higher density, making for a more neighbourly feel.

Please save our beautiful plum trees.

Lara Hurrell
Nearby resident

[REDACTED]

From: Lance Lansing [REDACTED]
Sent: Tuesday, March 22, 2022 1:12 PM
To: Public Hearings
Subject: I support the building of the James Bay rental complex

Hello Council Members,

I am writing in support of the proposed rental complex at 110 Menzies St., 111 Croft St. and 450-458 Niagara St.

Our city desperately needs new housing. Due to high rents and low vacancies, my partner and I would not be able to afford moving out of our current apartment. Now that I've graduated university and started working full-time, we would gladly spend more to live in a different location in the city, which would free up our current apartment for someone with a lower budget for shelter.

If young, working people like me cannot afford to live in this city, we start to look elsewhere for more affordable housing, leaving town and bringing the taxes we pay with us. This is especially true as more people are able to work from home. If we stay here and so much of our income goes towards paying rent and saving so that we may one day own our own housing, we are less able to spend and support the local economy. Do plum trees pay and support the local economy?

Regards,
Lance Lansing, Victoria Resident

[REDACTED]

From: Victoria Mayor and Council
Sent: March 22, 2022 3:34 PM
To: Public Hearings
Subject: FW: Trees on Menzies and Niagara streets

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

From: Lynn Martin [REDACTED]
Sent: March 22, 2022 12:59 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Trees on Menzies and Niagara streets

I feel it is futile to argue against tree removal in the city of Victoria it seems all these projects are already going ahead regardless of people's feelings. Three cedar trees on the grounds of st Anne's academy look as if last year's heat dome has killed them. Another summer like that would threaten even more. My point is we know the importance , the necessity in fact of trees cannot be overstated. Taking down trees that have survived 40 degree temperatures should be allowed to stay. For the health of all the creatures of this earth. The project I speak about on Menzies wants to expand the sidewalk width!! Please leave the trees we pedestrians can walk quite comfortably already on the sidewalks as they are. Please leave those trees. Lynn Martin victoria Sent from my iPad

[REDACTED]

From: Julian J Osika [REDACTED]
Sent: Tuesday, March 22, 2022 10:00 AM
To: Public Hearings
Subject: Variance application no. 00153

Hello,

I reside at 435A Niagara St., and have some concerns about the following items proposed in the above variance:

- Re the proposed setback from Niagara St. being reduced from 7.0m to .50m. This is inconsistent with the rest of Niagara St. where all buildings have a setback to allow for green space on Niagara St. In addition to this building being significantly larger than all other buildings in the area, it will encroach on the sightlines & visual effect of the whole street. This is a residential area, not the downtown core and preservation of the residential appearance is important.
- Reducing the residential parking from 146 to 91 stalls for a development containing 137 units results in a shortfall of 46 parking spaces if we assume residents will have at least one vehicle. It is not clear from what I have read, whether the existing parking spaces on Niagara between Menzies & Croft will all be maintained or whether a number will be lost which could exacerbate the situation. Currently, parking is at a premium in the area and this will make it significantly worse.

Thank you for your attention.

Margaret Osika
[REDACTED]

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 10:03 AM
To: Public Hearings
Subject: FW: Notice of Public Hearing - The City of Victoria is seeking your input on the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street.

From: Noreen Marshall [REDACTED]
Sent: March 22, 2022 4:26 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Notice of Public Hearing - The City of Victoria is seeking your input on the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street.

Re: Notice of Public Hearing

The City of Victoria is seeking your input on the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street.

The heading on the Notice I received from the City said, "It's Your Neighbourhood". I know it is MY neighbourhood. I have lived here for more than 20 years. I would like YOU to remember it is MY neighbourhood!

MY neighbourhood is a RESIDENTIAL neighbourhood. It is not downtown! It should not look like downtown. It should not feel like downtown.

My neighbourhood is a MIXED neighbourhood. There is a mixture of people who live here - low income people, middle income people, higher income people; children, adults, seniors; families, couples, singles; disabled people; people of colour; people of different religion or no religion; employed, unemployed, retired. They ALL contribute to the neighbourhood. They are ALL MY neighbours.

There is a mixture of residential buildings in MY neighbourhood. Single family dwellings, duplexes, apartments, condos, townhouses, old building, heritage buildings and new construction; low income housing, affordable housing and market priced housing. Mixed housing for the needs of the mixed residents.

The Proposal

Where to start? There is just so much wrong with this proposal.

1. Loss of low income housing

Low income housing is disappearing from James Bay. It is not being replaced. Many people I know who currently live in the low cost housing complex in question here have lived there for decades. This is their home. They are our neighbours. They are an important part of our mixed community. Why should they have to leave their homes, their friends, their neighbours, their neighbourhood so that other people can make money from their displacement and newcomers with money can move in. Does anybody really think that a reduction of 10% off starting market rent will be affordable for the low income people who are being displaced. If you do, I have some swamp land in Florida I'd like you to look at.

Even affordable housing is disappearing from James Bay. "Rent control" is all that is keeping many people in their homes. Of course, rent control does not apply to new tenancies so how can people displaced from their rent controlled apartments afford to move and let's not pretend the required compensation will help for long. This will not likely be an option for residents displaced by this proposal.

MY neighbourhood does not need any more gentrification!

2. Height

Six storeys is too high for James Bay and for this corner. Yes, I know we have taller buildings in James Bay but let's not repeat the mistakes of the past. The existing buildings on Menzies and Niagara are 2 to 3 storeys - appropriate for a residential neighbourhood. Every time the City approves a building higher than three storeys in James Bay, it becomes an invitation to developers to go even higher and an excuse for the City to approve even higher. Again, let's not repeat the mistakes of the past - even the recent past. Listen to the people who live here!

MY neighbourhood does not need any more oversized buildings.

3. Reduced set backs

Bad enough the proposed building would be over height but the proposed lack of adequate set backs will only increase the negative impact. Really - 7 metres reduced to 1/2 metre!!

We need more green around our buildings at street level where we can all enjoy it. This is what makes a neighbourhood liveable. The newly constructed building on Parry Street is a travesty that should never have been allowed! Again, let's learn from our mistakes.

MY neighbourhood should not become a concrete jungle.

4. Parking

137 units proposed = 162 parking spaces (City Bylaw) - 91 proposed parking spaces = 71 missing parking spaces DOES NOT COMPUTE!!!

And there are also only nine visitors' parking spaces proposed for the 137 units instead of the 14 required by City bylaw.

City Council's fantasy that the use of vehicles will be significantly reduced by folks walking and taking the bus is just not realistic. Many families and even couples have two cars, let alone one. Almost everyone I know who has a bike and uses it regularly also has a car.

Cars will change and there may be fewer but it will not happen tomorrow or next year and most people will still have cars for the foreseeable future. I have even seen the Mayor get into the driver's seat of a car.

The inadequate number of parking spaces will no doubt be rationed by charging tenants for the spaces. As this is already the case in James Bay, we know that some tenants will choose to park on the street rather than pay. Others will have to park on the street as there are not sufficient spaces.

Parking is already an issue in this area. Densification and actual loss of on-street parking, for example on Dallas Road, means more people looking for fewer spots. The planned changes to Government and Superior Streets will eliminate even more parking spaces. Most of the ground level parking lots in the downtown area have been lost to development so many people working downtown try to park in James Bay.

All of this means that parking is already an issue in James Bay and has been for some time and continues to get worse as the City approves more and more variances to the bylaw. This has sometimes resulted in disputes between neighbours over street parking - I know this because I was threatened by a neighbour for parking my car in front of my own house when I needed my drive way clear to prune trees.

MY neighbourhood does not need neighbours fighting over parking spaces

5. Trees

It seems that every time someone wants to build something in Victoria, we lose more trees. And, oddly enough, this is rarely mentioned when the proposals come to the neighbourhood association.

These trees are removed for the building, often because of the reduced or non-existent set backs or because the planners lack sufficient imagination or incentive to incorporate them in the plans or simply because they are inconvenient for getting large equipment on the site!

When there is opposition, the City suddenly finds the trees are “unhealthy” and need to be cut down. And the trees will be replaced two for one. I have seen the twigs that are planted that will take years to be of benefit to the environment or give pleasure to the residents of James Bay or the tourists that hire carriages or pedicabs to ride up and down the tree lined streets. And worse, those twigs will not be the flowering plum and cherry trees that are synonymous with Victoria and James Bay.

And there we are again! Seven flowering plum trees on Menzies and I can’t even tell from the plans how many more mature trees on the property.

At the recent JBNA meeting, participants wanted to keep these seven flowering trees and the flowering trees that line the streets of James Bay.

No one asked the people of James Bay, or indeed of Victoria, if they wanted to have their beloved flowering trees replaced with native trees. We are fine with using native species to increase the overall number of trees in the city but we do not want to lose our emblematic flowering trees. The beauty of James Bay is the streets like South Turner, Boyd and many others, each lined with their own species of flowering trees. In Spring, these blossoming trees such joy to James Bay after a grey winter.

MY neighbourhood is proud of our flowering trees and wants to retain them and, when necessary, replace them with the same species.

In conclusion, this project should NOT be approved as it does not fit in scale or character in the Neighbourhood of James Bay.

More important, it does not contribute to the kind of neighbourhood that the residents of James Bay want.

James Bay is a NEIGHBOURHOOD!

It is MY neighbourhood!

It is OUR neighbourhood so ask US what WE want and listen to US!

Noreen Marshall
414 Niagara Street
James Bay

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 10:03 AM
To: Public Hearings
Subject: FW: trees at risk on Menzies Street

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

From: Robert Moyes [REDACTED]
Sent: March 22, 2022 2:53 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: trees at risk on Menzies Street

To whom it may concern,

As a proud resident of James Bay (30+ years) and as someone who spent several years working for the B.C. Forest Service, I am very distressed to hear that seven flowering plum trees that grow on Menzies Street are destined to be cut down in order to accommodate some kind of development. These are beautiful, fragrant, mature trees and cutting them down represents a serious loss to the natural charm of James Bay. For a Council that likes to present itself as progressive and "green," this seems ill-considered and regressive. Surely, with a bit more thought, any new development can be accommodated while at the same time sparing those wonderful trees. Thank you for considering taking a second look at this decision.

Robert Moyes
128 Superior Street

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 10:01 AM
To: Public Hearings
Subject: FW: Save Our Blooming Trees

From: Tara Day [REDACTED]
Sent: March 22, 2022 9:46 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Save Our Blooming Trees

Dear Mayor and Council,

I'm concerned about your plan to cut down mature trees. This increase in urbanization and isolation from nature is moving us further away from our communities. With a simple tree we can increase oxygen, connect with nature and have positive impacts on our mental, physical and social well-being. Please consider what you are taking away and what you have to gain.

The further we disconnect from nature the further we connect with each other.

For your children and mine, let's think about all our futures.

Kind regards,
Tara Day and Yumie Kono, Cooper Day

March 22, 2022

Re: Proposal for 110 Menzies St, 111 Croft St, and 450-458 Niagara St.

Dear Mayor and Council,

As 24-year residents of James Bay, my husband and I wish to raise the following concerns about the above-mentioned development proposal:

- This is a very large mass of buildings, much out of keeping with the scale of the surrounding neighbourhood.
- The form and character of the buildings are not in keeping with the surrounding neighbourhood either. To be clear, this is an area of low-rise buildings and early 20th century shops with apartments above and character houses. The proposed materials and construction style of this development are more typical of Langford. James Bay is not Langford.
- The building height at 6 stories will be precedent-setting in the immediate area (and we wonder what height requests will then come with Phase 2?).
- The reduced set-backs (in some cases to zero!) bring the buildings much too close to the sidewalks.
- The notion that many future tenants will not have cars is likely exaggerated and the reduced number of parking stalls will simply push more vehicles onto surrounding streets.
- While the developer takes full advantage of the site, there is no public return. The interior courtyard and greenspaces however inviting and lovely they may become, will be private, not for the public. The proposed concrete public plaza at the corner of Menzies and Niagara is uninspiring.

The City of Victoria's website advises: "Embrace the Future. Build on the Past." The proposed massive development disrespects both the past and the future. Under "Neighbourhoods" on the City's website, James Bay is noted to have the "feeling of being in a 'village', not a city". The proposal does not reflect a 'village' environment! In short, in what way can the appearance of this development be seen as a good fit for its surrounding neighbourhood?

As well, we are utterly appalled that the city plans to destroy seven mature flowering trees on Menzies St in order to widen the sidewalk adjacent to this development. What do you think makes our neighbourhood so beautiful, so envied, so enjoyed by visitors? Wide sidewalks? Hardly. To remove such stunningly gorgeous trees, anticipated, enjoyed, and photographed by locals and others year after year, to widen a sidewalk of all things, is completely unacceptable. Please do not do this.

Yours truly,

Anne and Wes R.D. Wraggett
320 Niagara St

[REDACTED]

From: David Grypma [REDACTED]
Sent: March 23, 2022 1:34 PM
To: Public Hearings
Subject: 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street: Rezoning Application No. 00742 and Development Permit with Variances Application No. 00153

Name: David Grypma
Address: 602, 1034 Johnson Street, Victoria, BC
Stance: Support

Notes: Although it is a difficult issue due to the existing 45 units, it is difficult regardless due to the capital depreciation of the units. I'm in support of this because it triples the current number of units, and is a very walkable part of the city, so people don't need to use their cars as much and will emit less GHG emissions. There is a vast shortage of purpose built rentals in the entire region (remember in September when Uvic students had literally nowhere to live), so more units is very welcome to help find homes for people.

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 11:53 AM
To: Public Hearings
Subject: FW: Flowering plum trees along Menzies from Niagara to Simcoe:

From: Heather Caldwell [REDACTED]
Sent: March 23, 2022 10:53 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Flowering plum trees along Menzies from Niagara to Simcoe:

Please save our flowering plum trees. They are so precious to our sight and our souls.
It took long years of growing to achieve the beauty they give us today. Surely the building can be adjusted for them.
Thank you for reading this.

Heather Caldwell
(a James Bay resident)

Sent from [Mail](#) for Windows

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 11:48 AM
To: Public Hearings
Subject: FW: Developer's VANITY: cutting down beautiful cherry trees on Menzies St. to show off their new development

From: Janet Borlase [REDACTED]
Sent: March 23, 2022 10:37 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Developer's VANITY: cutting down beautiful cherry trees on Menzies St. to show off their new development

Dear Council:

Please don't cater to the need for the developer to have a "clear" view of their architectural design from the street by destroying beautiful cherry trees.

A wider sidewalk is a poor excuse. If allowed, will this not set a precedent for most city trees to be destroyed? What true benefit will we pedestrians have with a sidewalk widened in just one part of the block?

These trees, like The Village Green, are a part of our neighborhood and should continue being so.

Please represent me and other James Bay residents and vote no to destroying these trees.

Yours sincerely,
Janet Borlase
James Bay resident

[REDACTED]

From: Victoria Mayor and Council
Sent: March 23, 2022 11:34 AM
To: Public Hearings
Subject: Fw: Cherry trees

Categories: Grant - In Progress

From: jill kenyon [REDACTED]
Sent: March 23, 2022 10:50 AM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>
Subject: Cherry trees

I would like to register my opposition to the proposed removal of the cherry trees on Menzies st. For a council that claims to be "green" the removal of these beautiful trees seems to be anything but "green". Leave them alone. And while we're at it... for a council that goes on forever about liveable neighborhoods.... the ban on pickle ball once again flies in the face of these goals. To force people to bike, take transit, or god forbid drive, to get exercise beggars belief. Good day to you

Sent from my iPad

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 10:26 AM
To: Public Hearings
Subject: FW: Trees on Menzies

From: rainybeach [REDACTED]
Sent: March 23, 2022 10:11 AM
To: [REDACTED]; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Trees on Menzies

Hello Mayor, Council, City Staff, and Destination Victoria,

I am writing to share my dismay and outrage at the plan to destroy the flowering trees along Menzies Street after so many other trees in the neighborhood have been removed for development (that could've been worked around) and other reasons..

Surely, the City of Victoria could follow the example of Japan and other countries in their efforts to support and protect their trees through braces and fencing if someone has deemed the Menzies trees as too old or potentially unsafe. If they are in the way of new sidewalks, how about dedicating time and creativity to highlight the trees in the centre of the walks?

What about all the work in and for the Urban Forest Master Plan?

For the love of nature and enjoyment of the community, as well as visitors who come here to experience the blossoms in James Bay, I implore you to reconsider destroying this history, natural feature, and ambiance! Replacement trees cannot do justice to the treasure we have now.

Regards,
Kris .

--
Carpe diem

**City Of Victoria Public Hearing
March 24, 2022**

**Written Submission of Mariann Burka,
James Bay Resident and Neighbouring Property Owner**

Re: 11 Croft Street/ 110 Menzies Street/ 450 Niagara Street/ 456-458 Niagara Street

My name is Mariann Burka. I am a resident and co-owner of 414 Niagara Street. I live within 100 metres of the Croft side of the property in question. James Bay has been my home and my community for the last 32 years.

I am providing this submission to City Council at this public hearing to express my deep concerns and alarm about 4 specific elements of this proposal which not only impact me personally but also negatively impact neighbours and James Bay residents overall in the enjoyment and well-being of our community.

The applicant claims that this proposal contributes a "positive experience for Victoria and the neighbourhood with significant community benefits". I submit that, without significant modifications, the liabilities of this proposal to the community far exceed any benefits.

I am not against responsible development in my community. Sadly, this proposal is not such a development. I call upon City Council to reconsider this ill-conceived plan and find reasonable and responsible alternatives that truly benefit our community.

My opposition to the current plans and my recommendations for improvement are as follows.

1. Removal of Whole Street of Flowering Fruit Trees on Menzies

Despite much rhetoric as to the importance of trees, despite the *Urban Forest Master Plan* and despite the City's tree preservation bylaw, it is the developer's and the City's joint intention to cut down the whole street of flowering fruit trees (7 in total!) along the current boulevard. These trees are essential to the character of James Bay and to the City of Victoria. Especially in these dark times, it is unforgivable that we should lose the comfort, solace, natural beauty and environmental benefits that these beautiful mature trees provide in our community. (If you have not personally experienced their magnificence, please see the *Attachment* for a small taste.)

The residents of James Bay, visitors from elsewhere in Victoria and tourists from around the world have been coming to our neighbourhood to experience the beauty and fragrance of these blossoming trees for at least the last three decades (since I have lived here) and probably longer. These and other blossoming fruit trees are not only trademarks of our city but are also invaluable in their contribution to the urban canopy,

air quality and temperature regulation of our neighbourhood as well as the mental health and overall well-being of our residents and visitors.

Neither the City nor the developer have demonstrated a compelling case for the necessity of removing these trees. Specifically:

- **The developer's initial plans explicitly showed that the boulevard trees would be retained.**
 - I attended the first meeting of the James Bay Neighbourhood Association (JBNA) meeting on January 8, 2020 at which residents like myself were relieved to see written assurances that our flowering fruit trees would be retained.
- **Revisions to remove the trees were made as a requirement of the City** approximately one year later. Reasons have varied over time.
 - The developer's letter to the City in Dec.2, 2020 states *"Replacement of the boulevard trees is required for the City's wish to relocate the sidewalk to the area where the existing trees are situated allowing for a boulevard strip between the street curb and the sidewalk."*
 - Even if the reason is for an apparently benign purpose, such as separating the telephone poles from the sidewalk, this reason does not justify the removal of a full street of healthy blossoming fruit trees. To do so is to make the specific solution worse than the presenting problem.
 - If the City wants to find a solution to telephone poles sharing sidewalks with pedestrians, they could accomplish more with less damage by focusing on numerous other streets that do not have existing boulevard trees.
- **The City has provided no information as to alternatives considered.**
 - Cutting down mature trees should always be a last resort and only after a full study of alternatives has proven it is the only option. That has not happened here.
 - At the JBNA (CALUC) meeting on February 2, 2021, in response to questions about the tree removals, the developer said that the City wanted "buried conduits" and "underground parking" and that there was "no alternative" but to remove all the trees. However, no further information was provided as to what alternatives, if any, were studied and why they were determined unworkable.
 - If all new developments with "buried conduits" and "underground parking" require the removal of boulevard trees, this is effectively a death knell for all boulevard trees on all new development properties in Victoria. This is a dangerous precedent. A full study of alternatives to removing trees should be required in every case.
 - The developer also suggested another reason, stating "some" trees were in "poor health". Again, no information was provided.
 - In a report to the Committee of the Whole dated September 9, 2021, there is a reference to "many" of the municipal purple leaf plum trees being infected with

fungal pathogens. However, no information is provided as to how many, the exact condition of each tree, the nature and severity of any pathogens, whether they could be treated successfully and the remaining life expectancy of each individual tree. Significantly, the reason given in the report for the tree removals is **not** the health of the trees but “to facilitate construction of a new sidewalk, patios and walkways as well as the underground parkade excavation.”

- Curiously, nowhere is poor health listed as a reason for the trees’ removal. In fact, earlier reports identify all of these same trees as being in Fair health. (“Construction Impact Assessment and Tree Preservation Plan” dated June 12, 2020)

- **Replacing trees is no mitigation.**

- The City believes that replacing these 7 beautiful mature trees with 14 young saplings will not only make up for this loss to our community, but be an “improvement”. This is incorrect and disingenuous for several reasons.
- There is no equivalence in replacing fully mature trees with young saplings. Mature trees do exponentially more for us than the saplings with which you would be replacing them.
 - Studies have shown that mature trees store 200 to 300 times more carbon, create more oxygen and have greater ability to create shade and cool the air. A replacement ratio of 2 saplings to 1 mature tree comes nowhere near to achieving an equivalence.
 - It will take decades for these saplings to have the same impact environmentally to the trees you intend to cut down, not to mention the immediate loss of physical and mental health benefits on our people in the interim.
- It is also unlikely that replacements will be with flowering purple plum trees. City staff, the Mayor and some Councillors have made it clear on numerous occasions that, regardless of neighbourhood preferences, they are determined to phase out blossoming cherry trees, other fruit trees and indeed any trees that are not indigenous*. I have seen it happen all too often in my neighbourhood. This means we will lose more of the heritage and character of our neighbourhood which can never be replaced.
 - **Note: The rationale for refusing to replace the trees with the same species appears to be on the grounds that native trees manage drought better. However, overall, fruit trees have not done a whole lot worse than native trees during our drought periods. Many of the cherry trees gifted to us by the Japanese in the 1930’s are nearing 100 years old and are maintaining their health. Besides, no one really knows how even natives trees will do with further climate change and increased temperatures.*

- **Proposed landscaping is no mitigation.**

- In addition to cutting down the whole street of flowering fruit trees on Menzies, this proposal is significantly reducing our neighbourhood canopy by also cutting down 17 of 26 on-site trees (65%). The property currently contains 17 by-law protected trees,

13 of which are proposed for removal (over 76%). Only one of these bylaw-protected trees is stated to be in poor health. All the rest are healthy trees. If this is “protection”, our tree preservation bylaw is of little value and provides yet another example of how the law is honoured more in the breach than the observance.

- The developer also proposes to drastically reduce existing setbacks on every side of the property, a sad trend in recent development approvals that has negatively impacted the appearance, walkability and enjoyment of our community.
- Some of the setbacks in this proposal are so extreme that the building is almost at the very edge of the property against the sidewalk (reduced from 7.0 m to .5 m on Niagara Street and from 7.0 m to 1.3 m on Menzies Street). This not only removes all trees but virtually all greenspace that is currently visible to neighbourhood residents and the public.
- As noted, creating a boulevard with saplings of a different species is no mitigation for the loss.
- The creation of “an expansive central courtyard that is designed in the style of a park” is also of no benefit to the broader community. It does not face the street and is neither accessible nor visible to the public.
- This development eliminates the appearance, walkability and enjoyment of streets lined by flowering fruit trees and replaces them with an uninviting, unpleasant dark tunnel overshadowed by a mass of towering buildings.
- It needs to be noted that Phase two of the proposal contemplates a mirror image or comparable design for the building, so a similar loss of trees and greenspace is expected on the Croft/Niagara side of the property when both phases are completed.

Recommendation #1:

Development and the protection of mature trees are not mutually exclusive. Both developers and the City itself, have a duty, both morally and through our bylaws, to preserve and protect mature trees. Please reconsider this ill-conceived plan and find alternatives that do not require the removal of our beautiful trees.

2. Six-storeys is excessive and inconsistent with The *James Bay Neighbourhood Plan*. It a) destroys diversity and harmony of form and scale of current and adjacent residential buildings and b) disrespects the streetscape character.

- The *James Bay Neighbourhood Plan* includes the following objectives:
 - “Encourages a visual harmony of form and scale between new buildings and adjacent residential units”;
 - “Respects existing streetscape character.”
- The buildings that currently exist on this property achieve that objective. They are of a size and scale that maintains a visual harmony with the adjacent buildings on both Niagara Street and Menzies Street and they respect the existing streetscape character. The new development buildings do not.

- There is one 3.5 storey apartment block on the south side of Niagara Street. (The bottom floor is partially below ground level.) All other adjacent buildings on both Niagara and Menzies are one, two or maximum 3 storey single family or multi-family buildings.
- Replacing the scale of the current, mostly 2 storey buildings with a large overbearing 6 storey building that is triple the size, height and density is inappropriate for this lot. It completely overtakes and dominates the streets and adjacent buildings by sheer size and scale and density.
- The Advisory Design Panel concurred that the application did not meet relevant policies of the James Bay Community Plan. A Motion to decline the Development Permit with Variances was narrowly defeated.
- The developer relies on the existing James Bay Square apartment building at Croft & Simcoe Streets as a building of comparable size to the proposed development.
 - However, it is significant that the surrounding buildings complement the apartment's size and scale thereby "maintaining the diversity of land uses, housing types, and character areas" consistent with the *Official Community Plan* objectives for James Bay.
 - In contrast, the proposed development would be occupying the same city block as James Bay Square with virtually no contrast. As well, phase two of this development is intending to build another similar size building right next to James Bay Square on Croft and Menzies. This means that, with Thrifty's in between, the entire city block between Croft, Niagara and Menzies would consist of a side by side mass of 6 and 7 storey buildings which is excessive and a major intrusion on our community.
- The developer claims that the height of the building is mitigated by "a sensitive transition to the existing three and four storey buildings across the streets" and "by varying the materials and stepping back the upper most storey of each portion of the building."
 - With respect, this does not make the scale any less oppressive and any less out of character with the rest of the streetscape. It is not a mitigation that the plan could have been a whole lot worse!
- James Bay is already the most densified residential area in the City. James Bay residents want to maintain the character of our community and not turn it into an extension of downtown Victoria with back to back buildings of ever increasing density and ever increasing heights!

Recommendation #2:

Please reconsider the size, scale and density of this development. Reduce the height and number of storeys by at least 2 storeys and make it more in keeping with what currently exists on the property and the existing streetscape.

3. Provisions for Parking are inadequate and will place greater strain on adjacent residents and the community.

- The current bylaw requires 162 parking stalls for residents and visitors for this number of units. The development proposes only 100. Residents have identified the inadequacy of parking from the very outset of this development planning. Yet, if anything, the number of spaces has been declining through the various phases of this project.
- It is an unduly optimistic and unrealistic view that the use of vehicles will be significantly reduced by the location being walking distance to amenities. The fact remains that most households, even without considering an aging demographic, continue to maintain at least one vehicle to access other parts of Victoria, the island and the province. Some continue to maintain two vehicles per household. Increased use of bicycles and an increasing trend towards electric vehicles is not expected to change this fact.
- Over the years, City Council has been approving a growing number of new developments with higher density and insufficient on-site parking in James Bay. We are also losing significant parking spaces for bike lanes, traffic calming initiatives and other “improvements”. These have already placed an increasing burden on existing residents who must compete with more people for less on-street parking spaces.
- The developer has indicated that parking will not be included in the rent and will be at an additional charge. While this is common practice, it has further contributed to the shortage of on-street parking in James Bay. Faced with rising costs overall, tenants often choose not to pay the additional rent, especially where parking costs are high, and instead park on the streets, reducing the number of already limited parking spaces available for other residents.
- As many residents have pointed out, we do not need additional pressures on on-street parking which is already at a crisis level in James Bay. In the words of a survey responder, *“Having insufficient parking from the outset of a new development that is a significant densification of an already densely populated neighbourhood does not support sensitive infill”*. (Have Your Say, Survey Responses. Mar-Apr. 2021)

Recommendation #3:

Please reconsider this proposal and reduce the on-street parking burden on existing residents by increasing the number of parking spaces proportional to the number of units.

4. This development represents a net loss of affordable housing by 45 units. It also displaces existing tenants from affordable housing in the community. The displacement and loss will be even greater with phase two of the development.

• Net decrease in affordable housing.

- It is not enough that we are losing a whole street of blossoming fruit trees to gain a dense mass of towering buildings and parking congestion in the middle of our neighbourhood. We are also losing affordable housing that is all too rare in our community.

- The developer claims that the 137 units created with this development represents a net increase of more than 92 units and 40% of the 234 net new rental units identified as needed in James Bay according to the City's *Housing Futures Report*.
 - What they fail to mention, and what is far more important, is that this represents a net decrease in affordable housing by 45 units because an equivalent number will no longer be affordable to displaced tenants or future tenants with modest means.
 - The net loss of affordable housing and displaced tenants will be even greater with phase 2.
- **Displacement of tenants from affordable housing.**
 - The human cost of this development, though more difficult to measure, is even greater.
 - Long time residents and friends, and heir families, some of whom have lived here for decades, many of whom work in the area, will be displaced and, in most cases, forced out of the familiar community they love. They are to be torn from their homes and separated from friends and family, because they cannot afford the new rents in this proposed development.
- **Mitigation efforts do not compensate for loss.**
 - It is little consolation to displaced tenants to be offered compensation for a few months rent and a contribution towards moving expenses, if you have to leave your home and your community which has priced you out.
 - Even an offer of 10% below the starting market rent will not render the suites in these new developments affordable for displaced tenants.
 - Relocating some of the tenants to housing on the west side of the property to keep them in their community, even if available, is merely a temporary solution until phase two of development proceeds. At that time, they will simply be displaced again.
 - The developer's "voluntary contribution" to the City's Affordable Housing Reserve Fund of \$75,000 is in no way compensation for the loss they are creating and represents a tiny fraction of the profit they will make on this development.
 - What James Bay needs is not more market rental (i.e. high cost rental) housing. It needs more affordable rental housing. At the very least, when existing affordable housing is demolished, it should be replaced by affordable housing on a one to one ratio. It should definitely not displace and banish lower income tenants from our communities.
 - Diversity is a major attribute of James Bay. Displacing lower income families changes the character of our community and represents a real loss of diversity.

Recommendation #4:

Please reconsider this proposal to ensure that a significant portion of the units are designated for affordable housing to compensate for the loss of existing affordable housing. For this and future developments, when existing affordable

housing is removed, it needs to be replaced by at least an equivalent number of alternate affordable housing.

SUMMARY

The developer is looking to benefit from joining multiple properties into a single large project spanning the block. But aside from obvious profits to be gained, they claim the project will contribute a “sensitive and positive experience for Victoria and the neighbourhood with significant community benefits”.

The developer lists the purported community benefits as an increase in tax base, increased population density, sustainable design and a greater number of market rental housing. However, none of these impacts constitute a direct benefit to existing neighbours, to existing tenants of the buildings to be demolished or to the James Bay community as a whole. In fact, without some significant changes, the negative impacts of this proposal on the community promise to far exceed any community benefits.

Specifically, the project promises very real and tangible damage to our community:

- the loss of mature trees - including a whole street of flowering fruit trees - and loss of green space;
- the loss of 45 units of affordable housing ;
- displacement of existing tenants from affordable homes and their communities;
- a replacement building that is overwhelming in size, scale and density to the surrounding neighbourhood;
- significant reduction of setbacks and landscaping;
- all of which deprives residents of the enjoyment of their streets and their neighbourhood.

These concerns have been voiced by residents from the earliest planning stages of this project and reiterated at each phase. They represent very real concerns that must be addressed and resolved with this project and in future projects if we are to have a healthy and supported community.

As one survey responder so aptly put it,

“Community benefit and integration needs to be at the core of the overall project. James Bay has many examples where project profitability has been prioritized over community planning to its detriment. For better or worse, these are choices that impact neighbourhoods for generations.”
(Have Your Say, Survey Responses. Mar-Apr. 2021)

Conclusion: This is a request to City Council and the developers to please reconsider this proposal and find reasonable and responsible alternatives by addressing the Recommendations above. Both developers and the City have the

imagination and the wisdom to find a better solution that benefits our community and works better for all.

Thank you.

cc: James Bay Community Association

Attachment - *Flowering Fruit Trees on Menzies* (Photos taken March 2022)

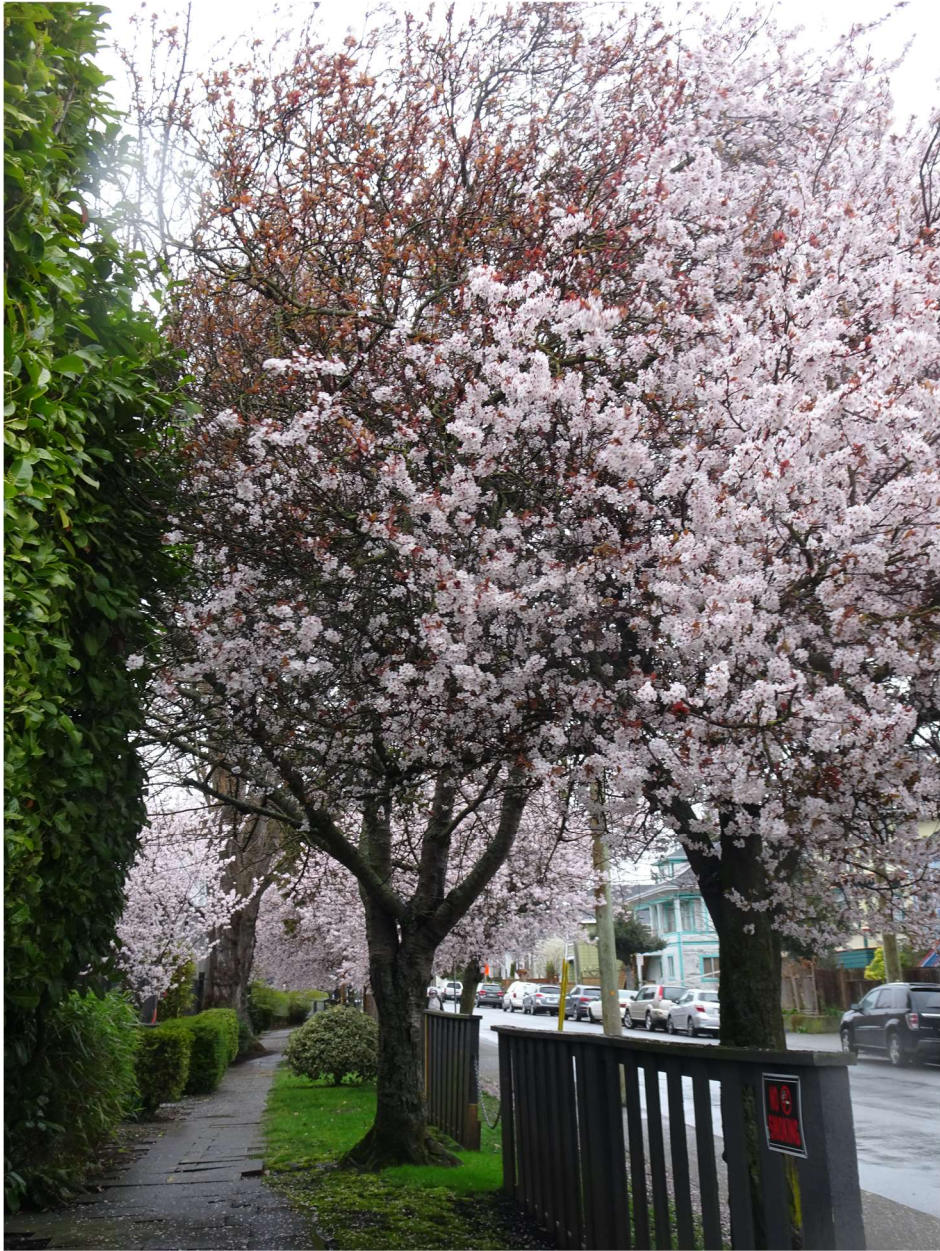
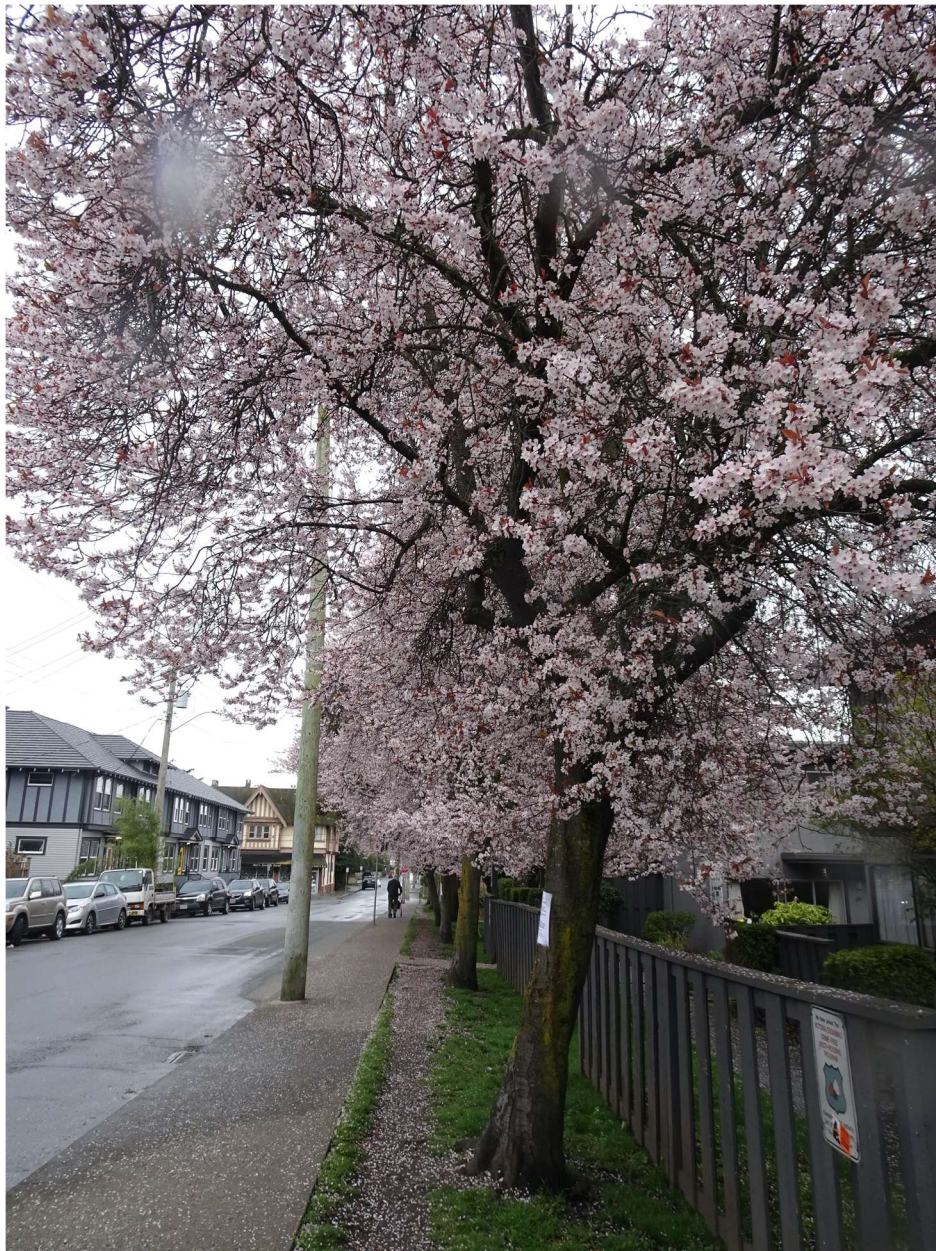


Figure 1.

Figure 2.



Figure 3.



[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, March 23, 2022 11:53 AM
To: Public Hearings
Subject: FW: Purple plum trees on Menzies

From: Norma Hill [REDACTED]
Sent: March 23, 2022 11:52 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Purple plum trees on Menzies

Please do not cut these trees down. They are part of the beauty of. James. Bay.

[REDACTED]

From: Noreen Marshall [REDACTED]
Sent: Wednesday, March 23, 2022 12:27 PM
To: Public Hearings
Subject: Re: Notice of Public Hearing March 24, 2022

Re: Notice of Public Hearing

The City of Victoria is seeking your input on the proposed changes to 111 Croft Street, 110 Menzies Street and 450-458 Niagara Street.

The heading on the Notice I received from the City said, "It's Your Neighbourhood". I know it is MY neighbourhood. I have lived here for more than 20 years. I would like YOU to remember it is MY neighbourhood!

MY neighbourhood is a RESIDENTIAL neighbourhood. It is not downtown! It should not look like downtown. It should not feel like downtown.

My neighbourhood is a MIXED neighbourhood. There is a mixture of people who live here - low income people, middle income people, higher income people; children, adults, seniors; families, couples, singles; disabled people; people of colour; people of different religion or no religion; employed, unemployed, retired. They ALL contribute to the neighbourhood. They are ALL MY neighbours.

There is a mixture of residential buildings in MY neighbourhood. Single family dwellings, duplexes, apartments, condos, townhouses, old building, heritage buildings and new construction; low income housing, affordable housing and market priced housing. Mixed housing for the needs of the mixed residents.

The Proposal

Where to start? There is just so much wrong with this proposal.

1. Loss of low income housing

Low income housing is disappearing from James Bay. It is not being replaced. Many people I know who currently live in the low cost housing complex in question here have lived there for decades. This is their home. They are our neighbours. They are an important part of our mixed community. Why should they have to leave their homes, their friends, their neighbours, their neighbourhood so that other people can make money from their displacement and newcomers with money can move in. Does anybody really think that a reduction of 10% off starting market rent will be affordable for the low income people who are being displaced. If you do, I have some swamp land in Florida I'd like you to look at.

Even affordable housing is disappearing from James Bay. "Rent control" is all that is keeping many people in their homes. Of course, rent control does not apply to new tenancies so how can people displaced from their rent controlled apartments afford to move and let's not pretend the required compensation will help for long. This will not likely be an option for residents displaced by this proposal.

MY neighbourhood does not need any more gentrification!

2. Height

Six storeys is too high for James Bay and for this corner. Yes, I know we have taller buildings in James Bay but let's not repeat the mistakes of the past. The existing buildings on Menzies and Niagara are 2 to 3 storeys - appropriate for a residential neighbourhood. Every time the City approves a building higher than three storeys in James Bay, it becomes an invitation to developers to go even higher and an excuse for the City to approve even higher. Again, let's not repeat the mistakes of the past - even the recent past. Listen to the people who live here!

MY neighbourhood does not need any more oversized buildings.

3. Reduced set backs

Bad enough the proposed building would be over height but the proposed lack of adequate set backs will only increase the negative impact. Really - 7 metres reduced to 1/2 metre!!

We need more green around our buildings at street level where we can all enjoy it. This is what makes a neighbourhood liveable. The newly constructed building on Parry Street is a travesty that should never have been allowed! Again, let's learn from our mistakes.

MY neighbourhood should not become a concrete jungle.

4. Parking

137 units proposed = 162 parking spaces (City Bylaw) - 91 proposed parking spaces = 71 missing parking spaces
DOES NOT COMPUTE!!!

And there are also only nine visitors' parking spaces proposed for the 137 units instead of the 14 required by City bylaw.

City Council's fantasy that the use of vehicles will be significantly reduced by folks walking and taking the bus is just not realistic. Many families and even couples have two cars, let alone one. Almost everyone I know who has a bike and uses it regularly also has a car.

Cars will change and there may be fewer but it will not happen tomorrow or next year and most people will still have cars for the foreseeable future. I have even seen the Mayor get into the driver's seat of a car.

The inadequate number of parking spaces will no doubt be rationed by charging tenants for the spaces. As this is already the case in James Bay, we know that some tenants will choose to park on the street rather than pay. Others will have to park on the street as there are not sufficient spaces.

Parking is already an issue in this area. Densification and actual loss of on-street parking, for example on Dallas Road, means more people looking for fewer spots. The planned changes to Government and Superior Streets will eliminate even more parking spaces. Most of the ground level parking lots in the downtown area have been lost to development so many people working downtown try to park in James Bay.

All of this means that parking is already an issue in James Bay and has been for some time and continues to get worse as the City approves more and more variances to the bylaw. This has sometimes resulted in disputes between neighbours over street parking - I know this because I was threatened by a neighbour for parking my car in front of my own house when I needed my drive way clear to prune trees.

MY neighbourhood does not need neighbours fighting over parking spaces

5. Trees

It seems that every time someone wants to build something in Victoria, we lose more trees. And, oddly enough, this is rarely mentioned when the proposals come to the neighbourhood association.

These trees are removed for the building, often because of the reduced or non-existent set backs or because the planners lack sufficient imagination or incentive to incorporate them in the plans or simply because they are inconvenient for getting large equipment on the site!

When there is opposition, the City suddenly finds the trees are "unhealthy" and need to be cut down. And the trees will be replaced two for one. I have seen the twigs that are planted that will take years to be of benefit to the environment or give

pleasure to the residents of James Bay or the tourists that hire carriages or pedicabs to ride up and down the tree lined streets. And worse, those twigs will not be the flowering plum and cherry trees that are synonymous with Victoria and James Bay.

And there we are again! Seven flowering plum trees on Menzies and I can't even tell from the plans how many more mature trees on the property.

At the recent JBNA meeting, participants wanted to keep these seven flowering trees and the flowering trees that line the streets of James Bay.

No one asked the people of James Bay, or indeed of Victoria, if they wanted to have their beloved flowering trees replaced with native trees. We are fine with using native species to increase the overall number of trees in the city but we do not want to lose our emblematic flowering trees. The beauty of James Bay is the streets like South Turner, Boyd and many others, each lined with their own species of flowering trees. In Spring, these blossoming trees such joy to James Bay after a grey winter.

MY neighbourhood is proud of our flowering trees and wants to retain them and, when necessary, replace them with the same species.

In conclusion, this project should NOT be approved as it does not fit in scale or character in the Neighbourhood of James Bay.

More important, it does not contribute to the kind of neighbourhood that the residents of James Bay want.

James Bay is a NEIGHBOURHOOD!

It is MY neighbourhood.

It is OUR neighbourhood so ask US what WE want and listen to US.

Noreen Marshall

414 Niagara Street (within 100 metres of proposed project)

James Bay

[REDACTED]

From: Sarah Weaver [REDACTED]
Sent: Wednesday, March 23, 2022 9:07 AM
To: Public Hearings
Subject: Public Hearing - Zoning Amendment Bylaw (No 1269) - No 22-007

Dear Mayor and Council -

Thank you for your thoughtful consideration of the difficult decisions you are faced with to balance the need to protect Victoria's environment with the need for increasing rental housing supply.

In the case of the above proposal, I am **OPPOSED** to the proposed development as it has been submitted.

The loss of so many mature trees in James Bay to create this development **does not warrant** its approval. The development **needs to be redesigned** to enable **retention of a much larger proportion of trees**. It is unconscionable that only three mature trees are being retained across this whole site.

Statistics Canada recently released its 2021 report "Human Activity and the Environment" which included a national survey on the loss of tree canopy and green space across Canada.

Like most Canadian cities, **Victoria has LOST green space and tree canopy since 2001**. (Chart 3.3, Human Activity and the Environment)

Please **REJECT** this development as it currently is presented. Your approval would continue the **DEATH BY A THOUSAND CUTS** of Victoria's greenness. It has to be stopped.

Thank you.

Sarah Weaver
Victoria

Address: 407 - 500 Rithet Street, Victoria V8V 1E3

[REDACTED]