

Dear Mayor and Council:

Aryze has made no changes to their proposal, even though the City's Senior Planner has requested them too.

Just about every development that they are involved with, seems to be pushing the boundaries of the City and Neighbourhood plans.

Not only does the project not fit the neighbourhood, the number of trees that will have to come down is appalling.

This is a critical opportunity to deliver a climate action that will help the urgent climate crises we face, a fact that always seems to be ignored.

I am not against an increase in density, the city is in great need, but a balance needs to be met.

Thank you for your consideration.

Janice Kearley

Trees Matter, especially urban trees.

Our understanding is that current plans for 902 Foul Bay Road call for the destruction of **18 bylaw-protected trees**, including two beautiful, 100-year-old, purple Beech trees and 7 Garry Oaks that are primarily on the periphery of the property. Any city can look like Richmond or Surrey. Our precious natural living resources, ie: trees and nature, are what make this capital city and island one of the most highly regarded and beautiful in the world.

Had it not been for community stewardship and early developers working around the trees, we wouldn't have what still remains. Trees are adaptable and vital to the health and wellness of our city and its residents, not to mention one of the hardest working members of our communities. Trees are priceless in contributing to our urban infrastructure, such as storm water runoff.

Please insist that the time has come for developers to work around trees as part of your plan to aggressively address climate change and ensure our city maintains its resilience and livability.

With sincere gratitude for your progressive stance on this subject,  
Frances Litman on behalf of the Creatively United for the Planet Society



**Frances Litman**

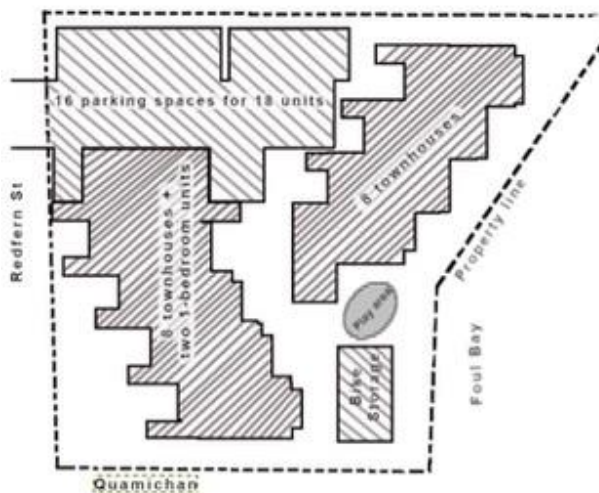
**Community Connector/Coordinator**

2018 City of Victoria Honorary Citizen Award Recipient

2017 Victoria Leadership Award Winner

2012 CRD EcoStar Community Leadership Award Winner

on behalf of the [Creatively United For The Planet Society](http://creativelyunited.org)



From Aryze submission



Google earth view

Dear Mayor and Council:

Aryze is seeking approval to put 18 townhouses on a half acre lot.  
I support development on this site but am opposed to the density of this proposal.

The City's Senior Planner requested Aryze reduce the density and height in order to provide a more respectful transition to neighbouring properties and to retain more of the mature trees. Many in the neighbourhood provided the same feedback.

The trees that surround the perimeter of the site are a valuable asset to the neighbourhood and to the City, and ever more valuable during our climate crisis. A smaller development centred on the lot would ensure more of these trees could be retained. Mature trees are a distinct feature of this neighbourhood and development should be consistent with the typology of the area.

Increased density is desirable and supportable but must be done with due respect for the scale and fit with the neighbourhood, and for the natural environment. Please send the developer back with a request that the impact of this project on the trees be reduced.

Thank you for your consideration.  
Lynne Holt  
2029 Romney Road, Victoria

Hello,

Yes, affordable housing is urgently needed in Victoria. But the townhouses planned for this development are not truly going to be affordable.

In that case, should the city council give its blessing to a development that has marketed itself as affordable, and so far has made no concessions to neighbours' concerns?

With BC already experiencing catastrophic climate change, it is well past time to start valuing what our mature trees do for us. Will 2022 kill another 600 or more people with extreme heat?

It could take 300 or more saplings to replace the carbon sequestration now being performed by EACH of those 18 'protected' trees that Aryze plans to 'replace' with smaller species.

This is the type of property that should have been bought by the city to act as a pocket park / carbon sequestration / flood prevention unit. Not to mention the trees' invaluable work providing oxygen, and cooling and filtering the air.

Failing that, please at least send this project back to the drawing board. Ask them to find a plan that will preserve more of the peripheral trees.

Trees of this size are precious and irreplaceable at this point of planetary emergency.

Sincerely,  
Grace Golightly

Dear Mayor and Council,

I live in close proximity to the proposed development at 902 Foul Bay Road, and I would like to express my strong support for this proposal. Judging from the letters submitted to Council on this matter, it would seem the neighbourhood is in strong opposition to the project. In fact, I know of very few in our circles living in this area opposed to the idea of densification in general, or to the specific plans at 902 Foul Bay Road.

We not only have an affordability crisis in Victoria, we have a housing availability crisis. Families with good incomes cannot find suitable housing, and this is a result of the dire "missing middle" problem our city faces. Our own family of four lives on an 8000SF+ lot in a two-storey house of 2500SF. Our land size could easily accommodate two or more family dwellings, but existing bylaws forbid this kind of development. We find this inequitable, and we are also afraid for the future of coming generations wishing to build lives and raise families in Victoria.

Aryze is a creative and committed builder, and their projects are regarded as some of the best infill densification initiatives in North America (see the last issue of *Dwell Magazine*, which features their Shellbourne development on the front cover). We would love to welcome these builders and the new residents who would follow, upon your approval of their submission.

Best wishes,  
Niobe Thompson  
805 Somenos Street, Victoria  
V8S 4A6

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**Niobe Thompson**  
Producer | Director | Writer

Dear Council,

I am writing to express my **strong support** for the development proposed at 902 Foul Bay Rd, which is being reviewed by Council tonight, Thursday Feb 24.

I have been a resident of Victoria on and off for 15 years and a resident of Oak Bay for the last 4 years, within a stone's throw of the property in question. We are a young family of 4 who, like many of our neighbours around us, value kindness, support, friendship, diversity and inclusion. These are the qualities that form **strong communities and neighbourhoods**, and since moving here we are happy to say our neighbours embody **all these values and more**.

There is no question that Victoria desperately needs housing options to service young families. Communities **need residents** to remain healthy, progressive and vibrant; if the pandemic has shown us anything, it's that **people need people!** Without leadership taken by our Council and Mayor to support densification of single family neighbourhoods including new housing options for the Missing Middle- we risk a lot more than losing Victoria's beautiful "single-family" character homes...

**We risk losing people**- invested residents and communities replaced by empty homes, spec homes held by investors, and the elite few who can afford properties over 2 million. Talk to any resident of Kerrisdale or Point Grey in Vancouver and they will tell you; the neighbourhoods have lost their heart and soul in as little as 15 years due to the inability for locals to stay in their communities.

Aryze's proposal for 902 Foul Bay achieves a number of important goals:

- low rise, "gentle" densification of the site, blending in scale and context with the existing neighbourhood and urban setting
- strategic use of the site and slope, further nesting the buildings into the property, providing considered relationships to both street fronts along Foul Bay Rd and Redfern
- Staggering of buildings, instead of an apartment block- providing an open courtyard to residents and an open corner at Foul Bay/Quamichan further scales the relationships of the buildings to the street and integrates the forms into the neighbourhood
- smart, modern and even "iconic" design that the neighbourhood should be proud of
- a large number of 3 bedroom units; "golden egg" housing almost impossible to find south of a million in Victoria anywhere

Aryze has proven its ability to successfully build this typology in several other neighbourhoods in Victoria, and the neighbourhoods have always turned out more beautiful, stronger, and better for it.

I understand resident's concern over losing tree canopy on the property. The urban forest is indeed an important quality to strong city building. Luckily, Victoria and Oak Bay have strong tree retention strategies in place and an extremely green overstory.

I will be sad to lose the trees, but in the case of this specific property, the value of adding diversity to our community comes first for me. In this case, I believe putting the lives of families before the trees is more important. We need to keep a broad spectrum of people **IN** our communities. It is the people living, walking, working, chatting on the street, shopping in our businesses, and forming meaningful relationships with neighbours that makes communities thrive.

Thank you for your careful consideration of this project and the ongoing housing projects you support throughout our fair city.

Sonnen Sloan  
Victoria Avenue Resident (and homeowner)

Dear Mayor Helps and City Councillors,

I am writing with regards to the development proposal for 902 Foul Bay Rd. We live in the area and are concerned with the proposal as it stands.

While I understand the need to increase densification and housing options, the proposal of 18 townhouses and resulting destruction of existing vegetation and increase in traffic is too extreme.

In a single family neighbourhood, there should be gentle densification. My main concerns:

- This development will increase traffic on a road where there is already no sidewalk (Redfern) and add traffic to Quamichan, which is already much busier after Richardson was closed
- a townhouse complex will create a small village within a village. Such a large complex will not add residents to the neighbourhood, it will create an area removed from the existing feel of the area
- removing 28 mature and replacing them with 42 new trees does not account for the loss of climate benefit (older trees better absorb atmospheric carbon), or loss of habitat for insects and animals living in those trees
- the design does not meet the current aesthetics of the neighbourhood —the height and design of units does not “blend” into its surroundings

Please consider:

- a smaller group of homes centered on the lot with less units and lower height —thereby minimizing traffic impacts, better matching neighbourhood design, lessens the number of trees removed
- a design which looks like single family homes divided into units to have them better blend with existing architecture
- vehicular access only being off of Foul Bay Rd

We look forward to the lot being developed, but ask for a more balanced proposal to be presented.

Thank you,  
Sarah





Dear Mayor and Council,

Please, be mindful of the trees.  
There are other ways to build density on this property.

Thank you for your consideration,  
Virginia Errick  
Foul Bay Rd.



Mayor and Council,

I read in yesterday's (Feb. 25, 2022) article on the proposed development at 902 Foul Bay Rd. in the Times - Colonist newspaper.

It is titled "Density, loss of trees at issue for townhome plan on Oak Bay Border."

I find this article very interesting. I would like to know a little more about this issue. Maybe the writer, Andrew Duffy, didn't have enough space so I find that it was rather incomplete.

It said "The proposal is to remove 28 trees, including 17 trees that are protected under the city's tree preservation bylaw." I am puzzled why the planning department or another higher authority would say "I am sorry that we cannot accept these proposed plans because we have a tree protection bylaw." You have to submit a different plan that does not go against the tree protection bylaw.

Why does it have to go on to another level and maybe be voted upon by the City council? It seems to me it should be a definite no.

Thank you very much for your time and I look forward in your reply,  
Henry Lum

Hi,

My name is Ruth Rogers and I walk my dog in this area. I live on the eastern boundary of Rockland, on Richmond.

I am writing to support the application to (re)develop this property for the construction of townhouses.

I had reviewed that site plans and the number of trees to be removed. I believe this is a much needed addition to this neighbourhood with a minimal impact on the surrounding area.

Thank you,

Ruth Rogers

Hi council,

Please approve 902 Foul Bay townhouses. We desperately need more housing like this. And the laws need to change so that this type of housing is just as easy to build as single family housing.

cheers

Mark (Victoria)

Dear Mayor and Council

The development proposal for 902 Foul Bay Rd proposes maximized density while sacrificing all other neighbourhood values. This has created unfortunate divisions within the neighbourhood. A more moderate form of density would respect the natural heritage of the site and the character of the surrounding neighbourhood.

I urge Council to support and respect the diverse values expressed by the community. A scaled back proposal which makes greater use of the footprint of the former heritage mansion at the site could significantly increase density in the neighbourhood as well as preserve the mature trees for their beauty and profound ecological value.

Respectfully,  
Nancy Barnes  
303-2340 Oak Bay Ave.  
Victoria, BC V8R 1G9

[REDACTED]

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**From:** Lee Ferreira [REDACTED]  
**Sent:** Sunday, September 11, 2022 5:11 PM  
**To:** Public Hearings  
**Subject:** 902 Foul Bay Road

We support the proposed rezoning of 902 Foul Bay Road. This property has sat vacant and unused for far too long. We look forward to welcoming 18 new households to the Gonzales neighborhood, as we were afforded the same courtesy when we moved here 12 years ago.

Lee Ferreira  
1911 Runnymede Ave.  
Victoria

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Lee C. Ferreira

[REDACTED]

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**From:** Jeannie Squarebriggs [REDACTED]  
**Sent:** Monday, September 12, 2022 5:04 PM  
**To:** Public Hearings  
**Subject:** OPPOSED TO 902 FOUL BAY ROAD PROPOSED DEVELOPMENT

Dear Mayor and Councillors,

I am opposed to the proposed development at 902 Foul Bay Road for the following reasons:

- **DENSITY.** From my perspective the proposed number of units is too many for such a small lot bounded by the main artery Foul Bay Road and Redfern and Quamichan Streets. The density is too high (as is the height). Perhaps one-third of the proposed number of units would be more suitable.
- **ECOLOGY.** The ecosystem is directly impacted by the spread and density of the proposed built form. Garry Oaks and Copper Beech critical root zones would be impacted, not to mention their canopy. Air quality, bird and other vertebrate and non-vertebrate habitats would be negatively affected. This flies in the face of climate change mitigation. No amount of young saplings in any way makes up for the loss of mature and protected trees.
- **SAFETY.** The density of the development and ensuing traffic overflow poses safety hazards for children, walkers/runners/scooters, dogs, and bicyclists. This is especially true when considering the nature of Redfern Street.

On September 22, 2022, please send the proposal for the development of 902 Foul Bay Road back to staff with the intention of seeking lower density solutions, and higher ecological and safety values.

Thank you for adding my voice to those opposed.

All the best,

J. Squarebriggs  
Brighton Crescent  
Victoria BC



September 12, 2022

To: Publichearings@victoria.ca

Re: 902 Foul Bay Road Proposal 00737/Zoning Amendment 22-063

I am writing to express my continuing dissatisfaction with the proposal by Aryze Developments for the property at 902 Foul Bay Road.

#### **BUILDING HEIGHT AND DENSITY:**

I remain concerned about density and building height. Between Oak Bay Avenue, Foul Bay Road, Richardson Street and Richmond Avenue there is not one building with three stories. This height is incompatible with the character of the neighborhood. Aryze is not respecting anything about the character of the area. 16 units at 3.5 levels, with only 14 parking stalls and a single access onto a very narrow small street (Redfern), which is heavily used by pedestrians and cyclists, is unsafe and incompatible with the area regardless of proposed calming devices. I note that the number of units is not consistent – **Aryze clearly described the proposal as 16 units on September 6, 2020, at the community meeting, but the documentation provided by the City notes 18 units. Which is it?**

#### **PARKING AND TRAFFIC:**

It is alleged that there are over 800 parking spaces in the area – this is hard to believe as most of the side streets are already fully used by the existing neighborhood. At the September 6, 2022, community meeting I asked Aryze about how this number was derived and from Mr. Mari's answer it was clear it's not based on any sort of robust analysis or data. **How can improper data on an issue like parking be a factor that is considered in a development approval?**

Traffic when Glenlyon-Norfolk is in session remains very heavy and make the street is unsafe as it is, even with speed bumps. Traffic is heavier on Quamichan now because of the changes to Richardson Street as well. The neighborhood has become increasingly vocal and frustrated about the increased traffic, especially heavy trucks – so much so that the City proposed, in a letter to residents on August 31, 2022, that there will be "gateway features" and other installations to slow traffic and make it less desirable for traffic. **Clearly this is an acknowledgement by the city, after the fact, that the changes to Richardson Street have negatively impacted the area and now this is an attempt to address the new problems.** When asked about whether the proposed 902 Foul Bay Road development had considered the proposed changes to Quamichan Street, Mr. Mari said that it was a "separate process" (not his department or responsibility) and that Aryze had no way to factor in any such changes – despite the fact that the proposal will add further cars and traffic to Quamichan Street. **This siloed approach to dealing development is entirely unacceptable and there is no excuse for this lack of coordination.**

#### **AFFORDABILITY:**

The assertion that these units are "affordable" is questionable, unless the definition of affordable is \$1 million. In addition, given that **Council cannot control unit pricing once development proceeds, "affordability" is not guaranteed in any case, nor is it guaranteed that those purchasing the other units will live in them or rent them out at rates that are affordable for people wanting to live in the area.** At the September 6 meeting, I asked why there were only four affordable units, given the pressures on affordability and statements made by Mr. Mari about addressing the same. Mr. Mari's

response was a convoluted answer about bank financing and government policy – both subjects I fully understand from my own professional life. Mr. Mari suggested that neighbors opposed to this development are not in favor of creating affordable housing for others – he said as much in his first communication of August 2020 “We understand that the change proposed can seem scary at first but it’s important to consider who is being housed and less about the housing”, and “we are sorry if we come across as pushy in the pursuit of housing diversity”. Assuming that as a concerned neighbor that I am “afraid” of change is insulting and patronizing, and it is questionable that a successful real estate developer is being “pushy” about housing diversity to solve societal issues.

“Some of accused us of being profit driven; this is a gross misunderstanding of who we are.” If the second statement is entirely truthful, then Aryze as a corporation, having clearly been extremely successful across the area and clearly turning a profit, could probably find a creative way to add more affordable units to the property and be “true to their values”, bank financing and government policy notwithstanding.

#### **NEIGHBOURHOOD COMPATIBILITY.**

There is mention of the fact that the proposal is not compatible with the Gonzales Neighborhood Community Plan, but compatible with broader planning objectives for the city – **so what is the point of a Neighborhood Community Plan if the considerations for that plan are ignored?** It is entirely disrespectful to the taxpaying residents of Gonzales to ignore the considerations of what they want for their neighborhood, identified in a community plan that is within the existing framework.

**The property remains under a covenant, and at present it is not clear where the removal of this covenant for single family homes is in the process.** It is a process that goes before the courts, and it is an important legal matter that requires resolution even though “these types of old covenants exist all over the City of Victoria and we routinely remove them through this same court process” according to Mr. Mari’s August 2020 letter. It would be interesting to know how many applications to the court are successful vs unsuccessful, but I find the rather cavalier response to this matter concerning and frustrating, especially given my comments about the City ignoring the Gonzales Community Plan. There is nothing in the documentation attached to the Notice of Public Hearing that refers to the covenant.

There are other developments in the neighborhood that I did not oppose, the two on the corner of Runnymede and Foul Bay Road, and at Gonzales behind Pemberton Park. In all three cases a single-family home of the vintage of the one lost at 902 Foul Bay Road were replaced by four or five smaller single family homes with a variety of designs. If this proposal were along similar lines, I would have no objection, and presumably Aryze or some other developer could find such a development financially “viable”.

#### **CONSULTATION:**

In his August 2020 letter, Mr. Mari offered to host a site meeting if people were interested. I expressed interest but did not hear from Mr. Mari or anyone at Aryze. The community meeting on September 6, 2022, was well attended, and clearly neighborhood engagement about this property development plan remains very strong. I have lived in the neighborhood since 1989, I value the area and the uniqueness of it, and will advocate to keep it livable. The responses by Mr. Mari to challenging questions from the neighbors attending the September 6, 2022 were disappointing in that he generally either blamed

government policy, “not his department”, or bank financing requirements as reasons for being unable to address the concerns expressed. It feels like this project is being forced upon the neighborhood, and that those who are questioning the density and height are characterized as not concerned about the broader social issues like affordability. In addition, the existing Gonzales Community Plan is being ignored despite all the consultation and engagement that went into that process.

#### CONCLUSION:

The proposal as it stands is not respectful to the existing neighborhood, and the fact that neighbors started legal action at their own cost and remain actively engaged should be sufficient indication of the opposition to the proposal as it stands.

This needs to go back to the drawing board and significantly reduced in height and density at a minimum. Ideally a development like those at Runnymede and Foul Bay, or Gonzales could be possible, but at least the concerns about height and density could be dealt with, along with being honest about “affordability” and not hiding behind that as a justification for increased densification.

Ruth Wittenberg (1925 Quamichan Street).

[REDACTED]

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**From:** Linda Jones [REDACTED]  
**Sent:** Wednesday, September 14, 2022 7:51 PM  
**To:** Public Hearings  
**Subject:** 902 Foul Bay Road, Zoning Regulation Bylaw, Amedment Bylaw (No. 1280) - No. 22-063

Mayor and Council  
City of Victoria

I wish to express my disappointment in the handling of the development of the property at 902 Foul Bay Road. I live across the street from this property, and will be adversely affected by the size the development proposed. The decrease in the setbacks is going to make this unreasonably dense, and detract from the walkability of this neighbourhood. Redfern Street is already dealing with increased traffic because of the closure of Richardson Street to traffic to and from Oak Bay. Richardson is a main street, designed to deal with heavy traffic, which the side streets are not. It was a poor decision on the part of Council. 902 Foul Bay Road has access to any development on this property by Redfern Street only. Regardless of the mode of transportation preferred by the purchasers of units on this property, Redfern Street is going to have to accommodate the comings and goings of 18 families, which is going to negatively impact the residents in the area, as well as the people who walk through this area. The people living in these units will likely have people visiting as well, and most likely delivery vehicles will be coming to this property as well. All this to be handled on Redfern Street is an unrealistic burden on the neighbourhood.

To date this neighbourhood has had a number of garden suites built, and these have been a great addition to the neighbourhood. The development proposed for 902 Foul Bay Road is just too large to accommodate on this lot. This neighbourhood has many mature trees which, as we know, is what makes a neighbourhood healthy, particularly in hot and dry conditions being experienced now, and in the Climate Crisis declared by City Council itself. Saplings planted to replace these century-old trees will have no impact, and may never be able to grow to the size of the trees slated to be cut down. The developer has offered free trees to the neighbours to plant on our properties, which he must think mitigates the logging he plans to do. I find this disrespectful to all of us who must obey the City's own by-laws and restrictions relating to protected species and heritage-designated trees.

It seems that these days a developer has merely to mention the catchphrase "missing middle" to be able to override the provisions of Heritage, protected tree species, and other restrictions on a lot. These protections were put in place in good faith. Developers by their nature, develop and move on. If their focus was to help the housing situations, perhaps they would build rental units and stay involved in the developed lands. All of us in the neighbourhood abide by the tree by-laws, and we value the trees in our neighbourhood. The trees slated for removal are majestic, and their contributions to the air quality are essential and irreplaceable.

The rezoning application states that Heritage designation is to be removed because the heritage house burned down. The last owner doubled his money, literally, when he sold to the present owner. That owner would have known of the restrictions on the lot when it was purchased, and the house was already gone, so to apply to have them removed now as they are in the way of development, should not be a given. No effort has been made to use the footprint of the former house, which is devoid of trees, in developing this lot. A large structure with rental suites, such are located at the corners of McNeill Avenue and Foul Bay Road, would be a great use for this lot, and fill a need for rental suites, and would not put such a great burden on Redfern Street to make room for 18 families.

Linda Jones  
917 Cowichan Street

Victoria, BC V8S 4E6

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** CLIFF BANCROFT [REDACTED]  
**Sent:** Thursday, September 15, 2022 2:14 PM  
**To:** Public Hearings  
**Subject:** Public Hearing comments re. 902 Foul Bay Rd - Sept. 22 2022

As previously presented, the DeMezey Abbeyfield Society, operating a low-cost housing project for low-income seniors at 931 Foul Bay Road is opposed to the proposed development because:

- the additional traffic it will generate will be a further hazard to pedestrians, cyclists and vehicles on winding and narrow Foul Bay Road (900 block)
- narrow McNeill Road is entirely unsuitable for cyclists or increases in traffic.
- varying (easing) existing restrictions demeans the whole point of having these restrictions. Stick with them or permanently change them.
- variances are proposed simply so the developer can squeeze more units into a tiny space, for increased profit and not as a public benefit.
- this development is not in tune with surrounding land use.

*Cliff Bancroft*

President and treasurer  
DeMezey Memorial Abbeyfield Legacy Society  
931 Foul Bay Road.

[REDACTED]

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**From:** Mike Siska [REDACTED]  
**Sent:** Friday, September 16, 2022 10:29 AM  
**To:** Public Hearings  
**Subject:** Rezoning applications etc., for 902 Foul Bay Road

*Mayor and Council.*

*After careful examination of the above development, I do NOT support this development nor all the variances proposed in its present design; comments are listed as follows:*

- increase building height from 10.5 to 11.54...Acceptable*
  - reduce vehicle parking...Acceptable*
  - reduce short term bicycle parking...Acceptable*
  - reduce separation between long term bicycle parking...Acceptable*
  - reduce the front [Quamichan] setback...Unacceptable*
  - reduce the flanking street [Redfern Street] setback...Unacceptable*
  - reduce the flanking street [Foul Bay Road] setback...Unacceptable*
  - reduce the rear yard setback to 3 m...Acceptable.*
  - rezone to R2-63 Zone increasing density from 0.51 floor space ratio BUT LESS THAN 0.72 and allow for ground oriented multiple dwellings as a permitted use...acceptable.*
- I urge Council to reject the present application and request that the Developer and Architect resubmit the application to be more fully compatible to the site and the neighbourhood.*

*Mike Siska,  
1076 Davie Street,  
Victoria, V8S4E3  
Ph [REDACTED]*