

Dear Mayor and Council:

I am writing to you about the proposed rezoning and development referenced above. This application is on the agenda of the Council Meeting scheduled for February 11, 2021.

Nothing substantive has changed to this proposal since June 2020.

Breia Holdings Ltd. (Breia) continues to claim that "Our primary guidance for this rezoning and development proposal comes from the recently adopted Fairfield Neighbourhood Plan (FNP)". As well, Breia states "we consulted the Design Guidelines for Attached Residential Development (Design Guidelines) to ensure design was consistent with existing design guidelines for the neighbourhood".

And yet this proposal is not consistent with either document and Breia continues to cherry-pick and take phrases out of context from the documents in support of their proposal. A cynic would say that Breia is attempting to create positive impressions where none would otherwise exist.

For example, Breia continues to quote Section 8: 8.11.10 of the FNP which states "...along Fairfield Road, consider heights of 2.5 - 3 storeys..." and Section 8: 8.13.1 which states "2.5 - 3 storeys may be considered." Breia does not, however, acknowledge that those statements refer to Fairfield Road only. Instead, they pretend that the 2.5 - 3 storeys apply to the entire site.

The FNP contains maps and text in which the height of developments along Kipling Street and Thurlow Street are clearly articulated. The Plan states in Section 8: 8.11.11 "For infill housing in other Traditional Residential Areas, establish a height in zoning that generally accommodates 2 - 2.5 storeys..." This height restriction would apply to the 6 units proposed to face Kipling and Thurlow. Townhouses of 3 storeys in height would tower above the pre-existing adjacent houses on Thurlow Street, which is also contrary to the Design Guidelines.

I would like to take this opportunity to commend our city staff for their review of this proposal and their feedback to Breia in the past. Staff have pointed out to the proponent that their proposal does not comply with height limitation of 2 - 2.5 storeys on Kipling and Thurlow and that it may benefit from a reduction in density and scale. Breia has chosen to ignore both.

Breia also attempts to justify its response to the City, in part, by referencing a 2016 report by Coriolis Consulting Ltd. Coriolis was retained by the City to conduct a financial analysis of the urban development opportunities in the Fairfield and Gonzales Communities. Breia extracted the following from the Coriolis report "Redevelopment of existing older single family homes to townhouse will only be financially viable if the existing single family lot sizes are relatively large, creating the opportunity for a significant number of new townhouse units (say at least 5) per existing single family lot". Breia uses Coriolis's figure of 5 units per existing lot to suggest that anything less than their proposed 8 townhouses on 2 lots would not be viable.

Again, they cherry-pick by neglecting to quote the paragraph which then follows in the Coriolis report and which states "We estimate that existing single family lot sizes need to be at least 8,000 square feet to 9,000 square feet (or larger) in order for townhouse development to be financially attractive at properties that are currently improved with older single family homes. Smaller single family lots are not financially attractive for townhouse development."

By extension, the report suggests that the 2 lots in the Breia proposal would require a combined area of at least $2 \times 9,000 = 18,000$ square feet (or larger) to be financially attractive. The Breia lots are 6870 sq. ft. and 6855 sq. ft. in area for a total of 13,725 sq. ft. which is only 76% of the minimum combined lot size required. And that is why Breia is attempting to force fit 8 towering million dollar townhouses onto this undersized site.

Finally, I would like to point out again that the development, as proposed, does not respect the historic context of the pre-existing adjacent development on those streets, especially on Kipling and Thurlow. As such it constitutes disruptive development as depicted in the Fairfield Neighbourhood Plan and fails to comply with the Design Guidelines, as further detailed in the attachment.

My arguments here closely follow many of those made by my neighbours and reflect the overwhelming rejection of Breia's proposal as we witnessed in all of the Fairfield Community Association Land Use Committee meetings held on this development proposal.

Thank you once again for the opportunity to provide input to this proposal.

— Cynthia Woodman Kerkham

1419 Thurlow Road
Victoria, BC V8S 1L8

Good afternoon Mayor and Council,

I live at 10-864 Central Spur Road, Victoria and, as an advocate of sustainable urban development, I would like to voice my support for the Le Parc proposal at 1400 Fairfield Road and 349 Kipling Street.

I recognize it's difficult to get excited about a high-end development project in the midst of an housing affordability crisis, which has only accelerated since interest rates dropped last year, but it's important to not consider these kinds of proposals in isolation and look at the housing market as an organic system. [Recent research shows](#) that for every 100 new market-rate units constructed, 58 lower-priced units are freed up in the community - as people (in various stages of their life) move into the units vacated to fill the newly constructed ones, and the musical chairs effect that filters down from there. For a more complete description of this effect, I encourage you to [read this article](#) from Cities for Everyone.

Townhomes such as these are an excellent next increment of density from the existing single family homes. Without question, we need to put an end to urban sprawl and the only way to do that is to allow new homes in established neighbourhoods like Fairfield. Townhomes are a key piece in shifting toward compact, complete, sustainable communities.

As such, I strongly urge you to support this application.

Thank you for your time and consideration.

Julian West | Founder

Good evening,

I am emailing regarding the proposed development on 1400 Fairfield road (known as Le Parc).

I would like to express my support for this development and others like it.

While I am not an expert in development or planning I feel that increasing the amount of townhomes in the Victoria core area creates the ability for young people to live and own property there.

I was able to review the plans for this site and wanted to express my excitement for this particular layout and design.

I want to thank the city for their due diligence, ensuring that developments are safe and maintain the beauty of our fantastic city.

I once again state my full support of this development,

Thank you for your time.

Kind Regards,

Michaela Bianchini

Dear Mayor and Council:

I live at 1560 Oakland Ave in Victoria and am writing to provide my support for the townhouses being proposed for 1400 Fairfield Rd. and 349 Kipling St.

I strongly believe that we need housing of all types in order to maintain some level of affordability in the city. Townhouses like those proposed here serve a purpose. They are not immediately affordable for the majority, but they take some of the increasing pressure from population growth off of the rest of our housing supply by providing additional homes in our community.

When multi-family housing is delayed or turned down, it is not the wealthiest or the upper middle class that are affected. They'll continue to move here, and they'll find homes in single family housing or existing and upgraded multi-family buildings that meet their needs.

Rather, it's the middle classes that are affected, who are forced, because of a scarcity of housing in our core, made worse by zoning laws and long development processes, to move out to the Western Communities and into long, unhealthy, isolating and environmentally damaging commutes. It's the lower-middle classes who are pushed to find homes far from their employment and into disconnected transit trips in order to put food on their tables. And it's those at the bottom of the housing and economic ladder who are eventually pushed out of secure housing all together because they simply cannot afford it.

Victoria is one of the most desirable places to live in Canada. It's one of the most desirable places to live in the world. This is a good thing.

But it means that people will continue to move here, whether housing is built in the municipality of Victoria or not, and this will put pressure on our housing prices and push people out of the core and take up more and more of our forested and agricultural lands. If we are going to continue to house all of our current and future residents, we need to say yes to multi-family housing – of all types. And we need to say yes quickly.

Unrelated to this project, I, too, work as a small developer and am quite passionate about adding more housing in our core – regardless of whether these homes are developed by me or not. And if you have some time, I'd encourage you to read this recently posted piece, as it articulates well some of this discussion in context of some of the broader challenges with adding more housing: <https://www.slowboring.com/p/induced-demand>.

I'd also happily sit down with you via zoom and talk through some of this in more detail.

Thank you for taking the time to read this email in support of the proposed townhouses at 1400 Fairfield and 349 Kipling.

Sincerely,

Ryan Jabs
1560 Oakland Ave.
Victoria, BC

Dear Mayor and Council,

I was pleased that the city staff recognized that this development does not respect the Fairfield Community development plan and was rejected by several members on Council. I noted that few, except Ben Izzard, mentioned the opposition of the neighbours, which is strong and was evident at the Fairfield CALUC meetings.

I have attended all the CALUC meetings on this proposal and have found an underlying attitude from proponents of this development, and others of its kind, that I find disturbing: that the residents of Fairfield are privileged and don't deserve their single-family dwellings with backyards.

This attitude forgets that once Fairfield was considered a lower and middle class neighbourhood and ignores the fact that most, if not all of my neighbours, and myself included, have spent all of our working lives affording and maintaining these homes and this neighbourhood.

In addition, I wonder if anyone comes to Victoria to see the new architecture. I think not. The horse-drawn carriages bring tourists down Thurlow Road in the summer not to view the Soviet Brutalist style architecture that is springing up on Fairfield Road and that many of these new developments propose; instead, they come to view the old trees (4-5 of which will be lost in this development), and the craft bungalows with their front gardens and vegetable plots on the boulevards: in other words, they come to view the neighbourhood we have spent our adult lives grooming and maintaining.

In addition, another attitude prevalent amongst developers seems to be that Fairfield residents are out of touch and need to stop their NIMBY attitudes towards development. On the contrary, at the packed meetings at the CALUC, and the private meetings in homes when this proposal was first brought forward, everyone spoke of the need for densification, for more rental and missing-middle opportunities that used to exist in this neighbourhood before land prices soared; however, we all have clung to the phrase: gentle densification, one that honours the neighbourhoods, their aesthetics and their histories. It seems that many of these proposals have forgotten the word: gentle. I wonder if this proposal could build fewer and lower-height homes on the site, for instance. Around town, I see developments that respect

the look of the neighbourhoods in which they are. If we look internationally, London, England has beautiful row houses that fit their neighbourhoods, why not Victoria?

I ask Council to please respect the elders of their city and the neighbourhoods these elders have worked hard to keep beautiful.

Cynthia Woodman Kerkham

--

1419 Thurlow Road
Victoria, BC V8S 1L8

To City Council and Staff:

I along with many other residents of Fairfield want to fully support the recommendation of Alec Johnston & Karen Hoese to reject Development Permit with Variance Application No. 000555 for property Located at 349 Kipling Street and 1400 Fairfield Road.

David Sanders,

Architect Ret.

436 Kipling Street

Thank you for your upholding of the Fairfield Neighbourhood Plan in your decision not pass the development as submitted for the 1400 Fairfield / 349 Kipling. Living next door the impact would have been enormous on me. I am very grateful.

Sincerely
Jean Crawford
1408 Fairfield Rd

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

From: Leigh Lennick [REDACTED]

Sent: November 2, 2021 2:41 PM

To: Alec Johnston <ajohnston@victoria.ca>

Subject: Re: Objection to a development on Thurlow/Kipling and Fairfield.

Dear Mr. Johnston,

I am advised that our letter of concern may not be included in the city file because I neglected to include our contact details. Please find them attached.

Leigh and Martin Lennick

1482 Thurlow Road,

Victoria V8S 1L9

Email: [REDACTED]

> On Oct 31, 2021, at 4:36 PM, Leigh Lennick [REDACTED] wrote:

>

> For the attention of Alec Johnson - Regarding the proposed development

> on Fairfield/Kipling/Thurlow Application Contact: BART JOHNSON

> Telephone: 250.893.9038

> Email: BREIAHOLDINGS@YAHOO.COM

> Project Type: Rezoning Application

> Folder Number: REZ00702

> Application Date: Jun 24, 2019

> Addresses: 1400 FAIRFIELD RD

> 349 KIPLING ST

> 351 KIPLING ST

> City Contact: ALEC JOHNSTON

> Email: ajohnston@victoria.ca

> Telephone: 250-361-0487

>

> We have strongly objected to this proposal in the past. It's too big, too tall and too much for an area that features small single family homes that are limited in height. Even though some of the height has been reduced there is still a portion of this development (legally on Kipling) that is 10.5 meters high which will dwarf the surrounding homes. This project suggests 9 homes to replace three (a single family home on Fairfield and a nonconforming duplex on Kipling). The community plan calls for gentle densification - this is far too much from a greedy developer who has not been honest in his dealings with the neighbourhood on previous occasions. According to the limited diagrams available the tallest part of the new proposal is actually on Kipling, so this is not in the so called Fairfield Corridor and thus a building of over 34 feet high is not appropriate.

>

> We live in a modern duplex on Thurlow. Our ground floor ceiling height is 8 feet and upper floor 10 feet, and at approximately 23 feet in total our building dwarfs our neighbours who have homes more traditional to the area.

>

> Mr. Johnston - you should come and take a look for yourself to understand just how intrusive and inappropriate a development of 34 feet would be in this situation.

>

> If the proposal consisted of the development of 6 homes at a maximum height of 8.24 meters (27 feet) we feel the community might find this more agreeable.

>

> Leigh and Martin Lennick

>

This letter is in response to the revised plans for 1400 Fairfield and 349/350 Kipling. Although the revised design is a much better fit with the predominant housing of the area, there are several reasons that we still **oppose** this development:

Overdevelopment and it is not suitable for meeting the needs of the “missing middle” families:

There are too many units crammed in for the small size of the lot. If the city is truly concerned with finding homes for growing families, the so-called “missing middle”, then this proposed development does not work. Families need space for kids and perhaps a home office. Nine crammed in units with no green space is over development on this tiny lot. These units would likely be purchased by investors or used as vacation rentals or purchased by people without children.

No green space

This proposal would require the elimination of the tall trees that add so much to the forested look of the area. In light of climate change, it would be a big mistake to remove them. The homes with shady trees were much appreciated after the intense heat waves this past summer. The trees also suck up a lot of the water during the heavy rainfalls that we have started to experience recently.

Other cities are trying to plant more trees. Why would the city of Victoria who prides itself on the “urban forest” give permission to a developer to eliminate all the trees. Obviously it is in the interests of a developer to make maximum profit from every square inch of land without regard to the needs or interests of the neighbourhood. Adequate family oriented housing that fits the actual needs of families is what we would be in favor of. Examples are the 2 newer houses on Thurlow and Durban St. They have small yards, parking and families with kids and pets actually live there!

Wood burning fireplaces

The smoke from wood burning fireplaces in the units would be a pollutant to the area. Burning wood is a significant source of fine particulate matter, which poses risks to people with respiratory and heart issues. Plus, the smell of smoke in the air is also offensive.

Sincerely,

Anthony Giaccio
Lois Atherley
1411 Fairfield Rd

Hello Mr. Andrew et al,

We are writing to express our concern about the above rezoning/development proposal. At the last on-line video fed council meeting, Mr. Andrew suggested the developer could resubmit it (again) but that significant changes would have to be made in order for it to be considered and also to address the concerns of the Fairfield community residents.

Yet, while some changes were made, there are now 9 units (increased from 8), and the height, density and size remain totally unacceptable for the area.

It is very frustrating that we as a community have to again deal with this developer who certainly has little or no regard for the neighborhood and residents.

Please, hear the concerns that have been presented by the Fairfield residents and refuse the rezoning application once and for all, since it is obvious your suggestions and concerns fall on deaf ears where this developer is concerned.

Thank you.

Maureen & Tanas Baranyai

412 Kipling Street

From: Eugene Vesely [REDACTED]
Sent: November 18, 2021 1:13 PM
To: Alec Johnston <ajohnston@victoria.ca>
Subject: Fwd: Townhouse development on Kipling

Begin forwarded message:

From: Eugene Vesely [REDACTED]
Date: November 18, 2021 at 1:09:34 PM PST
To: Neil Banera [REDACTED]
Subject: Re: Townhouse development on Kipling

Hi Neil

We have two dogs and DAILY !

... we are run down on the crosswalk by the speeding cars on fairfield.

I am dumbfolded why this council spent thousands of dollars installing the electronic boards showing the drivers their speed - something they can see on their dashboard.

Absolutely no-one drives 30 and 40 on this stretch of fairfield.

In one tear, the Police car with the radar gun or a photoradar would collect hundreds of thousands of dollars in fines in one year.

Several times while walking the dogs

and passing the speed limit sign, I pointed to the approaching car the 30kmph as it displays 55 !

The driver threw a cigaret butt at me and or spat at me and gave ne a finger.

And at night they go even faster cabs including.

There should be a stoplight at kipling and at memorial instead of useless ekectronic speed boards.

And with richardson street now choked at the kipling, things got only worse.

We must stop this mayor and council ruining our neighbourhood.

Regards

Eugene

On Nov 18, 2021, at 12:47 PM, Neil Banera [REDACTED] wrote:

Thanks Eugene....that is what I call passion!!

Neil

Sent from [Outlook](#)

From: Eugene Vesely [REDACTED]
Sent: November 18, 2021 12:40 PM
To: [REDACTED]
Subject: Townhouse development on Kipling

> Hello Neil,
> In my opinion the REZONING should not be permitted, these two buildings should be renovated as a single family homes!
> I was interested to buy one of these houses myself and build a nice single family home on this site. I am 74 and have two "kids" (46 and 33) and 4 grandchildren and would have liked to have a nice garden and build an inground swimming pool for the grandkids and us.
> We would love to have a house with a decent size garden and this developer scooped the houses before we were made aware that they were on sale.
> Just look at what has happened at Rhodo project on the fairfield road next to the tennis court and holywood park. Absolutely shocking what they did to their neighbours.
> How could this council and mayor allow this? Horrendous !
>
> concentrating on haggling JUST over the design is the wrong approach, in my opinion its absolutely paramount that kipling REMAINS exclusively single family neighbourhood.
>
> BLOCK THE REZONING!
>
> Have the builder gut and renovate the existing homes, or build two brand new upscale homes, or unload the property to someone who keeps this site as single family neighbourhood.
> Regards
Eugene

Justine Wendland

From: Neil Banera <[REDACTED]>
Sent: November 18, 2021 12:03 PM
To: Victoria Mayor and Council; Ben Isitt (Councillor); Geoff Young (Councillor); Alec Johnston; Stephen Andrew (Councillor); Development Services email inquiries
Cc: planandzone@fairfieldcommunity.ca; [REDACTED]
Subject: Re: Proposed Rezoning and Development Permit Application by Breia Holdings Ltd. on 349/351 Kipling Street and 1400 Fairfield Road
Attachments: Kipling Street Townhouses November 17 2021 (c).docx

I am writing to you again about the proposed rezoning and development referenced above. The latest amended submission from Breia Holdings Ltd. (Breia) is dated October 28, 2021 and seeks to increase the number of townhouses and the height of the development on 2 narrow lots along Kipling Street (at corner with Thurlow) and on Fairfield Road (at corner with Kipling) in an area of historic development. Many houses on these streets are more than a century old.

Breia continues to claim that "*Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan*". And, also claims that the proposed development is in alignment with that historic development.

And yet, as detailed in my email of February 8, 2021, as well as in the attachment to this email, this proposal is not consistent with the Fairfield Neighbourhood Plan (FNP). Breia continues to cherry-pick and take phrases out of context from the FNP and related Design Guidelines documents in support of their proposal. A cynic would say that Breia is attempting to create positive impressions where none would otherwise exist.

For example, Breia acknowledges that the FNP states that along Fairfield Road 2.5 - 3 storeys may be considered. However, for other areas, the FNP also states in Section 8: 8.11.11 "*For infill housing in other Traditional Residential Areas, establish a height in zoning that generally accommodates 2 - 2.5 storeys...*." This height restriction (e.g. 2 - 2.5 storeys) would apply to the 7 units proposed to face Kipling and Thurlow Streets. Breia is suggesting however that the 3 storey height along Fairfield should also extend to Units 6 and 7 on Kipling. The actual heights proposed for the townhouses along Thurlow and Kipling, as shown in the plans submitted by Breia, would tower above the pre-existing adjacent houses on Thurlow Street, which is also contrary to the Design Guidelines.

Breia also attempted to justify its previous proposal to the City, in part, by referencing a 2016 report by Coriolis Consulting Ltd. Coriolis was retained by the City to conduct a financial analysis of the urban development opportunities in the Fairfield and Gonzales Communities. Breia extracted the following from the Coriolis report "*Redevelopment of existing older single family homes to townhouse will only be financially viable if the existing single family lot sizes are relatively large, creating the opportunity for a significant number of new townhouse units (say at least 5) per existing single family lot*". Breia used Coriolis's figure of 5 units per existing lot to suggest that anything less than their proposed 8 townhouses on 2 lots would not be viable.

Breia cherry-picked from the text by neglecting to quote the paragraph which then followed in the Coriolis report and which stated "*We estimate that existing single family lot sizes need to be at least 8,000 square feet to 9,000 square feet ((or larger) emphasis added) in order for townhouse development to be financially*

attractive at properties that are currently improved with older single family homes. Smaller single family lots are not financially attractive for townhouse development."

By extension, the Coriolis report would suggest that the 2 lots for the Breia proposal would require a combined area of at least $2 \times 9,000 = 18,000$ square feet (or larger) to be financially attractive. The Breia lots are 6870 sq. ft. and 6855 sq. ft. in area for a total of 13,725 sq. ft. which is only 76% of the minimum combined lot size required for the number of townhouses proposed. And that is precisely why Breia is attempting to force fit 9 towering million dollar plus townhouses onto this undersized site.

This proposal constitutes disruptive development as depicted in the Fairfield Neighbourhood Plan and fails to comply with the Design Guidelines, as further detailed in the attachment.

Thank you once again for the opportunity to provide input to this proposal.

Please read the attachment to my email.

Yours truly,

Neil G. Banera

Neil G. Banera, P. Eng. (Non-Practising)
428 Kipling Street

Dear Mayor and Council:

November 16, 2021

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

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated October 28, 2021, which is posted on the City's Development Tracker.

Development proposals on the subject properties have evolved over time...starting with a proposal for a big box daycare facility on just one of these small lots in 2017 to several iterations of large, towering, expensive townhouses on both small lots. This amendment has increased the number of units and increased the height of the development over the last submission.

Breia states in part in their covering letter:

"The proposed townhouses are configured in two building clusters, one cluster with five units (fronting Fairfield Rd. and Kipling St.), and the other cluster with four units (fronting Kipling St. and Thurlow Rd. facing Robert J. Porter Park and Brooke St. Green). The proposed buildings are 3 stories in height for the Fairfield Rd. cluster (Block 2) and 2.5 stories in height for the Kipling/Thurlow Rd. cluster (Block 1), which is consistent with the Fairfield Neighbourhood Plan.

Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan:

- *Cluster 1 fronting Thurlow Rd. and Kipling St.:*
 - o *Height is 8.24M in height (up to 8.3M and 2.5 stories is to be considered in Fairfield Plan for this area);*
- *Cluster 2 fronting Fairfield Rd.:*
 - o *Height is 10.29M (up to 10.5M and 3 stories is to be considered in Fairfield Plan for the Fairfield Corridor)."*

Sadly, once again these assertions (made by Breia in its letter) are not correct. They are not an accurate reflection of what is actually proposed.

Plan A4.1 Block 01 Elevations

Firstly, Plan A4.1 Block 01 Elevations shows that on Thurlow Rd. the elevation of the roof of Unit 1 from the ground surface is $22.22\text{ m} - 12.09\text{ m} = 10.13\text{ m}$, not 8.24 m (as claimed in the letter). It is only when the elevation is measured from the average surface grade of this entire cluster to the midpoint of the roof, not to the top of the roof, that one obtains 8.24 m . **10.13 m is in fact the height that will be seen and felt by the adjacent property owners on Thurlow Road.**

Secondly, only Units 8 and 9 would front Fairfield Rd. Breia is also suggesting, however, that the height of 10.5 m (which may be accommodated on Fairfield Rd.) should also apply to Units 6 and 7 which front only onto Kipling St. The Neighbourhood Plan limits height on Kipling St. to 8.3 m .

Plan A4.4 Block 02 Elevations

Plan A4.4 Block 02 Elevations shows that the elevation of the top of the roof of Unit 6 from the ground surface to be $25.87\text{ m} - 14.16\text{ m} = 11.71$, not 8.3 m (as claimed in the letter). Even when the average

surface grade of this entire cluster is measured to just the midpoint of the roof, the height of Unit 6 is shown as 10.29 m in Plan A4.4 and not the 8.3 m required by the Fairfield Neighbourhood Plan. Unit 7 is similarly higher than the height permitted in the Fairfield Neighbourhood Plan. As noted above, Units 6 and 7 front onto Kipling St so would be limited to 8.3 m under the Plan.

The Plan also states that up to 2 to 2.5 storeys may be considered for Kipling St. whereas Units 6 and 7 are shown with a basement and 3 storeys above the basements.

In brief, Breia's latest revision still does not comply with the criteria contained within the Fairfield Neighbourhood Plan. Surprisingly, the proposed development is even higher in elevation than the previous version.

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

Disruptive Redevelopment

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

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



Existing street rhythm



Disruptive redevelopment



Sensitive redevelopment

New developments should transition in height to existing adjacent residential buildings



Maintain pattern of green front and back yards, urban forest



Unaffordable to Missing Middle

As well, the City's Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting a few years ago, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for \$1,000,000 each. Wow!! And with the huge increase in housing prices in the last few years, these townhouses will sell for much more than that.

According to the plans submitted by Breia, the areas of the townhouses appear to vary from about 1233 sq. ft. (115 sq. m.) up to 3072 sq. ft. (258 sq. m.). As such, they will be very, very expensive based on today's housing prices in Victoria.

Our son, his wife and their 2 very young children had to buy a house recently in Colwood because they could never afford to buy a more than \$1,000,000 single detached house in Victoria. Similarly, they could never afford to buy one of these proposed townhouses even though Breia suggests that their townhouses will help satisfy the Missing Middle for young families with children.

My wife and I could not even afford to buy one. So who are we catering to with this development? Obviously, the developer is focused on maximizing his profit. And I am certain that rich people from other places (e.g. from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees) will be eyeing this proposal. As to our local young families with children...forget it.

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

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

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

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

I do not think that many residents of Victoria thought the City's Missing Middle meant \$1,000,000 plus townhouses. We thought it meant affordable housing for our children and our grandchildren to live in.

Apply Fairfield Neighbourhood Plan & Design Guidelines to this Development Proposal

My wife and I support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses on the subject properties, if of a height, design and density appropriate to those lots; however, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and the Design Guidelines for Attached Residential Development: Fairfield Neighbourhood. These documents were developed through significant time and effort by many people. The documents are intended to provide opportunities to redevelop residential areas while

minimizing negative impacts on adjacent pre-existing housing and the general neighbourhood. To do otherwise is simply disrespectful to those efforts and to other members of the community.

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

...2. Neighbourliness/compatibility Objectives:

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

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

The revised proposal of October 28, 2021 by Breia Holdings Ltd. is **not a good fit with existing development**. And, it certainly does not “minimize impacts on neighbours”.

It still does not satisfy height requirements or fit in with the existing streetscape character and rhythm.

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

With the closure of through traffic on Richardson Street and the installation of a much-needed 4-way stop at the intersection of Kipling and Thurlow, vehicular traffic and congestion has increased significantly on our little street (Kipling Street). It piles up as Kipling is only one lane wide with the parking on both sides and an elementary school nearby. A development of 9 towering million dollar townhouses stuffed onto undersized property will not improve the existing traffic situation. Further, it will most certainly add to the congestion currently experienced at the corner of Kipling and Fairfield, let alone to the traffic on Fairfield itself (with crosswalks and bus stops at that corner).

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

Yours truly,

Neil G. Banera

Neil G. Banera, P. Eng. (Non-Practising)
428 Kipling Street

Hello,

Please accept this email as formal support to the letters written by Neil Banera to show evidence that the proposal for the corner of Kipling and Thurlow is unacceptable (349-351 Kipling Street). Below are the comments included in Neil's recent correspondence which I fully endorse. This proposal is an assault on our neighbourhood and it's incredibly tiring to have to continually defend it against developers out to make a large sum of money off the backs of tax paying residents.

Kind regards,

Melissa Mohabir

Dear Mayor and Council:

I am writing to you again about the proposed rezoning and development referenced above. The latest amended submission from Breia Holdings Ltd. (Breia) is dated October 28, 2021 and seeks to increase the number of townhouses and the height of the development on 2 narrow lots along Kipling Street (at corner with Thurlow) and on Fairfield Road (at corner with Kipling) in an area of historic development. Many houses on these streets are more than a century old.

Breia continues to claim that "*Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan*". And, also claims that the proposed development is in alignment with that historic development.

And yet, as detailed in my email of February 8, 2021, as well as in the attachment to this email, this proposal is not consistent with the Fairfield Neighbourhood Plan (FNP). Breia continues to cherry-pick and take phrases out of context from the FNP and related Design Guidelines documents in support of their proposal. A cynic would say that Breia is attempting to create positive impressions where none would otherwise exist.

For example, Breia acknowledges that the FNP states that along Fairfield Road 2.5 - 3 storeys may be considered. However, for other areas, the FNP also states in Section 8: 8.11.11 "*For infill housing in other Traditional Residential Areas, establish a height in zoning that generally accommodates 2 - 2.5 storeys...*." This height restriction (e.g. 2 - 2.5 storeys) would apply to the 7 units proposed to face Kipling and Thurlow Streets. Breia is suggesting however that the 3 storey height along Fairfield should also extend to Units 6 and 7 on Kipling. The actual heights proposed for the townhouses along Thurlow and

Kipling, as shown in the plans submitted by Breia, would tower above the pre-existing adjacent houses on Thurlow Street, which is also contrary to the Design Guidelines.

Breia also attempted to justify its previous proposal to the City, in part, by referencing a 2016 report by Coriolis Consulting Ltd. Coriolis was retained by the City to conduct a financial analysis of the urban development opportunities in the Fairfield and Gonzales Communities. Breia extracted the following from the Coriolis report *"Redevelopment of existing older single family homes to townhouse will only be financially viable if the existing single family lot sizes are relatively large, creating the opportunity for a significant number of new townhouse units (say at least 5) per existing single family lot"*. Breia used Coriolis's figure of 5 units per existing lot to suggest that anything less than their proposed 8 townhouses on 2 lots would not be viable.

Breia cherry-picked from the text by neglecting to quote the paragraph which then followed in the Coriolis report and which stated *"We estimate that existing single family lot sizes need to be at least 8,000 square feet to 9,000 square feet ((or larger) emphasis added) in order for townhouse development to be financially attractive at properties that are currently improved with older single family homes. Smaller single family lots are not financially attractive for townhouse development."*

By extension, the Coriolis report would suggest that the 2 lots for the Breia proposal would require a combined area of at least $2 \times 9,000 = 18,000$ square feet (or larger) to be financially attractive. The Breia lots are 6870 sq. ft. and 6855 sq. ft. in area for a total of 13,725 sq. ft. which is only 76% of the minimum combined lot size required for the number of townhouses proposed. And that is precisely why Breia is attempting to force fit 9 towering million dollar plus townhouses onto this undersized site.

This proposal constitutes disruptive development as depicted in the Fairfield Neighbourhood Plan and fails to comply with the Design Guidelines, as further detailed in the attachment.

Thank you once again for the opportunity to provide input to this proposal.

Please read the attachment to my email.

Yours truly,

Neil G. Banera

Kind regards,

Dear Mayor and Council:

November 16, 2021

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

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated October 28, 2021, which is posted on the City's Development Tracker.

Development proposals on the subject properties have evolved over time...starting with a proposal for a big box daycare facility on just one of these small lots in 2017 to several iterations of large, towering, expensive townhouses on both small lots. This amendment has increased the number of units and increased the height of the development over the last submission.

Breia states in part in their covering letter:

"The proposed townhouses are configured in two building clusters, one cluster with five units (fronting Fairfield Rd. and Kipling St.), and the other cluster with four units (fronting Kipling St. and Thurlow Rd. facing Robert J. Porter Park and Brooke St. Green). The proposed buildings are 3 stories in height for the Fairfield Rd. cluster (Block 2) and 2.5 stories in height for the Kipling/Thurlow Rd. cluster (Block 1), which is consistent with the Fairfield Neighbourhood Plan.

Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan:

- *Cluster 1 fronting Thurlow Rd. and Kipling St.:*
 - o *Height is 8.24M in height (up to 8.3M and 2.5 stories is to be considered in Fairfield Plan for this area);*
- *Cluster 2 fronting Fairfield Rd.:*
 - o *Height is 10.29M (up to 10.5M and 3 stories is to be considered in Fairfield Plan for the Fairfield Corridor)."*

Sadly, once again these assertions (made by Breia in its letter) are not correct. They are not an accurate reflection of what is actually proposed.

Plan A4.1 Block 01 Elevations

Firstly, Plan A4.1 Block 01 Elevations shows that on Thurlow Rd. the elevation of the roof of Unit 1 from the ground surface is $22.22\text{ m} - 12.09\text{ m} = 10.13\text{ m}$, not 8.24 m (as claimed in the letter). It is only when the elevation is measured from the average surface grade of this entire cluster to the midpoint of the roof, not to the top of the roof, that one obtains 8.24 m. **10.13 m is in fact the height that will be seen and felt by the adjacent property owners on Thurlow Road.**

Secondly, only Units 8 and 9 would front Fairfield Rd. Breia is also suggesting, however, that the height of 10.5 m (which may be accommodated on Fairfield Rd.) should also apply to Units 6 and 7 which front only onto Kipling St. The Neighbourhood Plan limits height on Kipling St. to 8.3 m.

Plan A4.4 Block 02 Elevations

Plan A4.4 Block 02 Elevations shows that the elevation of the top of the roof of Unit 6 from the ground surface to be $25.87\text{ m} - 14.16\text{ m} = 11.71$, not 8.3 m (as claimed in the letter). Even when the average surface grade of this entire cluster is measured to just the midpoint of the roof, the height of Unit 6 is shown as 10.29 m in Plan A4.4 and not the 8.3 m required by the Fairfield Neighbourhood Plan. Unit 7 is

similarly higher than the height permitted in the Fairfield Neighbourhood Plan. As noted above, Units 6 and 7 front onto Kipling St so would be limited to 8.3 m under the Plan.

The Plan also states that up to 2 to 2.5 storeys may be considered for Kipling St. whereas Units 6 and 7 are shown with a basement and 3 storeys above the basements.

In brief, Breia's latest revision still does not comply with the criteria contained within the Fairfield Neighbourhood Plan. Surprisingly, the proposed development is even higher in elevation than the previous version.

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

Disruptive Redevelopment

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

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



Existing street rhythm



Disruptive redevelopment



Sensitive redevelopment

New developments should transition in height to existing adjacent residential buildings



Maintain pattern of green front and back yards, urban forest



Unaffordable to Missing Middle

As well, the City's Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting a few years ago, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for \$1,000,000 each. Wow!! And with the huge increase in housing prices in the last few years, these townhouses will sell for much more than that.

According to the plans submitted by Breia, the areas of the townhouses appear to vary from about 1233 sq. ft. (115 sq. m.) up to 3072 sq. ft. (258 sq. m.). As such, they will be very, very expensive based on today's housing prices in Victoria.

Our son, his wife and their 2 very young children had to buy a house recently in Colwood because they could never afford to buy a more than \$1,000,000 single detached house in Victoria. Similarly, they

could never afford to buy one of these proposed townhouses even though Breia suggests that their townhouses will help satisfy the Missing Middle for young families with children.

My wife and I could not even afford to buy one. So who are we catering to with this development? Obviously, the developer is focused on maximizing his profit. And I am certain that rich people from other places (e.g. from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees) will be eyeing this proposal. As to our local young families with children...forget it.

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

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

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

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

I do not think that many residents of Victoria thought the City's Missing Middle meant \$1,000,000 plus townhouses. We thought it meant affordable housing for our children and our grandchildren to live in.

Apply Fairfield Neighbourhood Plan & Design Guidelines to this Development Proposal

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

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

...2. Neighbourliness/compatibility Objectives:

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

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

The revised proposal of October 28, 2021 by Breia Holdings Ltd. is **not a good fit with existing development**. And, it certainly does not “minimize impacts on neighbours”.

It still does not satisfy height requirements or fit in with the existing streetscape character and rhythm.

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

With the closure of through traffic on Richardson Street and the installation of a much-needed 4-way stop at the intersection of Kipling and Thurlow, vehicular traffic and congestion has increased significantly on our little street (Kipling Street). It piles up as Kipling is only one lane wide with the parking on both sides and an elementary school nearby. A development of 9 towering million dollar townhouses stuffed onto undersized property will not improve the existing traffic situation. Further, it will most certainly add to the congestion currently experienced at the corner of Kipling and Fairfield, let alone to the traffic on Fairfield itself (with crosswalks and bus stops at that corner).

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

Yours truly,

Neil G. Banera

Neil G. Banera, P. Eng. (Non-Practising)
428 Kipling Street

I would like to echo my concerns on this matter as it is not in alignment with the items in the previous submission and Neil's document. I would also like to state that in previous in-person meetings there were close to a hundred residents that wanted to be heard and having an on-line non-interactive session will not capture the essence of the community's concerns.

I have attached Neil's document for ease of reference.

Regards,
Ravi and Melissa Mohabir
432 Kipling St, Victoria, BC V8S

Dear Mayor and Council:

I am writing to you again about the proposed rezoning and development referenced above. The latest amended submission from Breia Holdings Ltd. (Breia) is dated October 28, 2021 and seeks to increase the number of townhouses and the height of the development on 2 narrow lots along Kipling Street (at corner with Thurlow) and on Fairfield Road (at corner with Kipling) in an area of historic development. Many houses on these streets are more than a century old.

Breia continues to claim that "*Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan*". And, also claims that the proposed development is in alignment with that historic development.

And yet, as detailed in my email of February 8, 2021, as well as in the attachment to this email, this proposal is not consistent with the Fairfield Neighbourhood Plan (FNP). Breia continues to cherry-pick and take phrases out of context from the FNP and related Design Guidelines documents in support of their proposal. A cynic would say that Breia is attempting to create positive impressions where none would otherwise exist.

For example, Breia acknowledges that the FNP states that along Fairfield Road 2.5 - 3 storeys may be considered. However, for other areas, the FNP also states in Section 8: 8.11.11 "*For infill housing in other Traditional Residential Areas, establish a height in zoning that generally accommodates 2 - 2.5 storeys...*." This height restriction (e.g. 2 - 2.5 storeys) would apply to the 7 units proposed to face Kipling and Thurlow Streets. Breia is suggesting however that the 3 storey height along Fairfield should also extend to Units 6 and 7 on Kipling. The actual heights proposed for the townhouses along Thurlow and Kipling, as shown in the plans submitted by Breia, would tower above the pre-existing adjacent houses on Thurlow Street, which is also contrary to the Design Guidelines.

Breia also attempted to justify its previous proposal to the City, in part, by referencing a 2016 report by Coriolis Consulting Ltd. Coriolis was retained by the City to conduct a financial analysis of the urban development opportunities in the Fairfield and Gonzales Communities. Breia extracted the following from the Coriolis report *"Redevelopment of existing older single family homes to townhouse will only be financially viable if the existing single family lot sizes are relatively large, creating the opportunity for a significant number of new townhouse units (say at least 5) per existing single family lot"*. Breia used Coriolis's figure of 5 units per existing lot to suggest that anything less than their proposed 8 townhouses on 2 lots would not be viable.

Breia cherry-picked from the text by neglecting to quote the paragraph which then followed in the Coriolis report and which stated *"We estimate that existing single family lot sizes need to be at least 8,000 square feet to 9,000 square feet ((or larger) emphasis added) in order for townhouse development to be financially attractive at properties that are currently improved with older single family homes. Smaller single family lots are not financially attractive for townhouse development."*

By extension, the Coriolis report would suggest that the 2 lots for the Breia proposal would require a combined area of at least $2 \times 9,000 = 18,000$ square feet (or larger) to be financially attractive. The Breia lots are 6870 sq. ft. and 6855 sq. ft. in area for a total of 13,725 sq. ft. which is only 76% of the minimum combined lot size required for the number of townhouses proposed. And that is precisely why Breia is attempting to force fit 9 towering million dollar plus townhouses onto this undersized site.

This proposal constitutes disruptive development as depicted in the Fairfield Neighbourhood Plan and fails to comply with the Design Guidelines, as further detailed in the attachment.

Thank you once again for the opportunity to provide input to this proposal.

Please read the attachment to my email.

Yours truly,

Neil G. Banera

Kind regards,

Dear Mayor and Council:

November 16, 2021

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

I am writing to you in regards to the amended development application by Bart Johnson of Breia Holdings Ltd. dated October 28, 2021, which is posted on the City's Development Tracker.

Development proposals on the subject properties have evolved over time...starting with a proposal for a big box daycare facility on just one of these small lots in 2017 to several iterations of large, towering, expensive townhouses on both small lots. This amendment has increased the number of units and increased the height of the development over the last submission.

Breia states in part in their covering letter:

"The proposed townhouses are configured in two building clusters, one cluster with five units (fronting Fairfield Rd. and Kipling St.), and the other cluster with four units (fronting Kipling St. and Thurlow Rd. facing Robert J. Porter Park and Brooke St. Green). The proposed buildings are 3 stories in height for the Fairfield Rd. cluster (Block 2) and 2.5 stories in height for the Kipling/Thurlow Rd. cluster (Block 1), which is consistent with the Fairfield Neighbourhood Plan.

Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan:

- *Cluster 1 fronting Thurlow Rd. and Kipling St.:*
 - o *Height is 8.24M in height (up to 8.3M and 2.5 stories is to be considered in Fairfield Plan for this area);*
- *Cluster 2 fronting Fairfield Rd.:*
 - o *Height is 10.29M (up to 10.5M and 3 stories is to be considered in Fairfield Plan for the Fairfield Corridor)."*

Sadly, once again these assertions (made by Breia in its letter) are not correct. They are not an accurate reflection of what is actually proposed.

Plan A4.1 Block 01 Elevations

Firstly, Plan A4.1 Block 01 Elevations shows that on Thurlow Rd. the elevation of the roof of Unit 1 from the ground surface is $22.22\text{ m} - 12.09\text{ m} = 10.13\text{ m}$, not 8.24 m (as claimed in the letter). It is only when the elevation is measured from the average surface grade of this entire cluster to the midpoint of the roof, not to the top of the roof, that one obtains 8.24 m . 10.13 m is in fact the height that will be seen and felt by the adjacent property owners on Thurlow Road.

Secondly, only Units 8 and 9 would front Fairfield Rd. Breia is also suggesting, however, that the height of 10.5 m (which may be accommodated on Fairfield Rd.) should also apply to Units 6 and 7 which front only onto Kipling St. The Neighbourhood Plan limits height on Kipling St. to 8.3 m .

Plan A4.4 Block 02 Elevations

Plan A4.4 Block 02 Elevations shows that the elevation of the top of the roof of Unit 6 from the ground surface to be $25.87\text{ m} - 14.16\text{ m} = 11.71\text{ m}$, not 8.3 m (as claimed in the letter). Even when the average surface grade of this entire cluster is measured to just the midpoint of the roof, the height of Unit 6 is shown as 10.29 m in Plan A4.4 and not the 8.3 m required by the Fairfield Neighbourhood Plan. Unit 7 is similarly higher than the height permitted in the Fairfield Neighbourhood Plan. As noted above, Units 6 and 7 front onto Kipling St so would be limited to 8.3 m under the Plan.

The Plan also states that up to 2 to 2.5 storeys may be considered for Kipling St. whereas Units 6 and 7 are shown with a basement and 3 storeys above the basements.

In brief, Breia's latest revision still does not comply with the criteria contained within the Fairfield Neighbourhood Plan. Surprisingly, the proposed development is even higher in elevation than the previous version.

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

Disruptive Redevelopment

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



Unaffordable to Missing Middle

As well, the City's Missing Middle Housing Initiative is intended to provide more units of affordable housing such as townhouses. At a CALUC meeting a few years ago, the proponent was asked how much the townhouses would sell for. Mr. Johnson did not reply but the builder did and he said that they would sell for \$1,000,000 each. Wow!! And with the huge increase in housing prices in the last few years, these townhouses will sell for much more than that.

According to the plans submitted by Breia, the areas of the townhouses appear to vary from about 1233 sq. ft. (115 sq. m.) up to 3072 sq. ft. (258 sq. m.). As such, they will be very, very expensive based on today's housing prices in Victoria.

Our son, his wife and their 2 very young children had to buy a house recently in Colwood because they could never afford to buy a more than \$1,000,000 single detached house in Victoria. Similarly, they could never afford to buy one of these proposed townhouses even though Breia suggests that their townhouses will help satisfy the Missing Middle for young families with children.

My wife and I could not even afford to buy one. So who are we catering to with this development? Obviously, the developer is focused on maximizing his profit. And I am certain that rich people from other places (e.g. from other countries, high-end Airbnb'ers, money launderers, real estate commodity investors/flippers, downsizers from the west end of Vancouver, well-to-do retirees from Calgary and Toronto, and maybe even a few prairie retirees) will be eyeing this proposal. As to our local young families with children...forget it.

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

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

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

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

I do not think that many residents of Victoria thought the City's Missing Middle meant \$1,000,000 plus townhouses. We thought it meant affordable housing for our children and our grandchildren to live in.

Apply Fairfield Neighbourhood Plan & Design Guidelines to this Development Proposal

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

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

...2. Neighbourliness/compatibility Objectives:

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

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

The revised proposal of October 28, 2021 by Breia Holdings Ltd. is **not a good fit with existing development**. And, it certainly does not “minimize impacts on neighbours”.

It still does not satisfy height requirements or fit in with the existing streetscape character and rhythm.

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

With the closure of through traffic on Richardson Street and the installation of a much-needed 4-way stop at the intersection of Kipling and Thurlow, vehicular traffic and congestion has increased significantly on our little street (Kipling Street). It piles up as Kipling is only one lane wide with the parking on both sides and an elementary school nearby. A development of 9 towering million dollar townhouses stuffed onto undersized property will not improve the existing traffic situation. Further, it will most certainly add to the congestion currently experienced at the corner of Kipling and Fairfield, let alone to the traffic on Fairfield itself (with crosswalks and bus stops at that corner).

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

Yours truly,

Neil G. Banera

Neil G. Banera, P. Eng. (Non-Practising)
428 Kipling Street

I am writing to you again about the proposed rezoning and development referenced above. The latest amended submission from Breia Holdings Ltd. (Breia) is dated October 28, 2021 and seeks to increase the number of townhouses once again to 9 and the height of the development on 2 narrow lots along Kipling Street (at corner with Thurlow) and on Fairfield Road (at corner with Kipling) in an area of historic development. Many houses on these streets are more than a century old.

Breia continues to claim that "*Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan*". And, also claims that the proposed development is in alignment with that historic development. While we appreciate that the design look is more in keeping with the historic residences, the height and size are still far too great for the area and lot size. The proposed height would overshadow the homes next to it and definitely impede the owners from growing food gardens or simply enjoying the evening sun – shadow studies cease at 3pm. There is also no street set back which would be in keeping with the other homes in the area.

Traffic increases are another concern. While I support the development of bike lanes, the recent changes on Richardson have resulted in an alarming increase in traffic on Kipling. While chatting recently at mid-day with a neighbour we counted 45 vehicles in a 20 min period. The traffic now frequenting Kipling is not simply cars, but also large commercial waste management vehicles, buses, & other commercial trucks which shake not only the sidewalks but also the houses. 9 townhouses would likely have a minimum of 9 additional vehicles and possibly as many as 18 additional vehicles as well as visitor traffic which would result in even more traffic and tighter street parking.

While I support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses or multi-duplexes, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and these must be of a height, design, setback and density appropriate to the lot size. The guidelines are intended to provide opportunities to redevelop residential areas while minimizing negative impacts on adjacent pre-existing housing and the general neighbourhood. To do otherwise is simply disrespectful to members of the community.

Existing zoning should not need to be changed to accommodate non-affordable, non-middle housing. It is obvious that these million dollar plus townhomes are not providing middle housing and in fact are displacing current residents who fall into that category. The owner is letting them fall into disrepair likely in the hopes that they will be able to demolish the current buildings displacing the people within to search for another rental in the neighbourhood. We do not need another gaping eyesore of a building site like the large empty church site on Fairfield and Moss. I own a home here and would not be able to afford one of these townhomes!

This proposal constitutes disruptive development as depicted in the Fairfield Neighbourhood Plan and fails to comply with the Design Guidelines.

Thank you for taking the thoughts and comments of people in this neighbourhood into consideration.

Alessandra Ringstad
420 kipling St

My wife and I are concerned that future generations of young parents will not be able to afford this terrific neighbourhood. More density would help. We are fine with the development.

Doug Simpson
443 Kipling Street

Dear Mayor & Council,

This is the type of multi unit development that is required in a growing city and community. Families and affordability must also be taken into consideration.

The Fairfield neighbourhood is privileged to have many large properties with single family homes.

This type of neighbourhood is from a very different era.

Maintaining the status quo does not create vibrant, diverse neighbourhoods. Change must happen.

The CALUC format for community input is valuable, but it too seems to be dated.

Long time, NIMBY residents tend to hijack these meetings, and only fight against change.

As a fairly recent resident to this neighbourhood, I have left these meetings in frustration.

As for this particular development, let's proceed. There are other multi-unit buildings along Fairfield Road.

This corner, and the Fairfield neighbourhood, need to move forward.

Good Luck - and thanks for your time!

regards

Theresa McCarthy

443 Kipling Street

Hello Mayor, Council and Mr, Johnson,

I am writing to you as a neighbour who is opposed to the proposed development along the 300 block of Kipling street for the following reasons:

- Height and density - this proposal has seen many variations over the years, with consistent feedback from the community, from city staff and from council all stating that the buildings are too high and too dense. The latest version of plans is no different. The newest version of plans has actually increased the density. The overall height of the buildings has also seemed to increase (however in the report the developer stated it decreased, but this is because the height is measured to the roof midline), and they have also increased the number of units from 8 to 9. The size and configuration of the lot, and the proximity to the neighbours does not make this property practical for this proposal. They are trying to fit too much on a very slender lot. These heights are not consistent with the Neighbourhood Plan and do not fit in with the street.
- Setback on the Kipling frontage - There seems to be very little setback from the sidewalk to the front steps of the townhouses. However, if the townhouses are set back further and decrease the setback to the back of the buildings it would be too close to the property line for the neighbours. The solution to this is to decrease the overall footprint of these buildings, not by building higher buildings, but decreasing the overall size proposed.
- Heat pumps - The new proposal does not indicate where the heat pumps will be located, and because of the pitched roof design they can no longer be placed on the roofs. I have concerns that 9 heat pumps along the east side of the property will be bothersome to the adjacent neighbours.
- The developer has stated that the townhomes will be tailored to families, however there is little to no yard space for them to use. If they are relying on the playground and park across the street I recommend that the developer contribute to much needed improvements at the playground at the corner of Kipling street and Fairfield road.

Thank you for your attention to this matter,

Emilie Major

Hello Council et al,

Last night (22nd) CALUC held a ZOOM meeting in regard to some proposed Fairfield developments, including the above proposal. Bart Johnson of Breia Holdings submitted the revised plan which has gone from the original 10 units to 8 on their previous revision to now 9. Although the design itself is better, pretty much nothing else has been changed - except to add another unit.

The architect addressed that some reasons suggested changes weren't done is because the site is a very narrow piece of land. Exactly! Why then propose building such a monolith on that site. Instead, 4 up and down duplexes would still provide 8 units while fitting in with the community plan and the neighborhood.

Mr. Johnson claimed the height on one block of units was 8 m, and when asked if that included the peak, it didn't and so increased the height to 10m. Mr. Johnson then said if that was a problem they could look at changing it. Why then, was it not done in the first place since height was one of the concerns.

At the previous on-line council meeting for this development council was very clear that significant changes would have to be made for the proposal to be considered. Yet that has not been done and Mr. Johnson continues to submit this non conforming plan, seemingly ignoring the requests and concerns of city council and the neighborhood residents.

Thank you.

Maureen Baranyai

Dear Mayor and Council:

I am writing to you all about the proposed rezoning and development at Fairfield and Kipling/Thurlow. The latest amended submission from Breia Holdings Ltd. (Breia) is dated October 28, 2021 and seeks to increase the number of townhouses and the height of the development on 2 narrow lots along Kipling Street (at corner with Thurlow) and on Fairfield Road (at corner with Kipling) in an area of historic development. Many houses on these streets are more than a century old.

Breia Holdings Ltd. (Breia) continues to attempt to move this proposal forward, even though it ignores the Fairfield Neighbourhood Plan and fails to comply with city Design Guidelines.

Breia has also completely ignored city staff feedback. Staff have pointed out to the proponent that their proposal does not comply with height limitation of 2 - 2.5 storeys on Kipling and Thurlow and that it may benefit from a reduction in density and scale. Instead of adopting this feedback, Breia has increased the height and number of townhouses.

Breia also ignores the recommendations of the 2016 report by Coriolis which states "We estimate that existing single family lot sizes need to be at least 8,000 square feet to 9,000 square feet (**or larger**) in order for townhouse development to be financially attractive at properties that are currently improved with older single family homes. Smaller single family lots are not financially attractive for townhouse development." The Breia lots are 76% of the minimum combined lot size required according to the Coriolis report. And that is why Breia is attempting to force fit towering million dollar townhouses onto this undersized site.

Please vote against this proposal as submitted.

Thank you for the opportunity to provide input.

Sincerely,

Alison Bowe
1463 Thurlow Road

To All

This development which has been bouncing back and forth has had lots of past comments and is now coming up again.

Very important point, new proposal is even bigger:

A) A version of this proposal was only "turned down" before, when some councillors wanted to "reject" it, This last would mean having to start again.

Neil Banera's detailed presentation proves how the present proposal has actually increased the number of units and the heights over the last submission.

It also is not "affordable". except with higher incomes.

B) This present submission is repeating-again-not working within the Fairfield policy.

Therefore,

1) If the one before was "turned down" by Council as not suitable, then this one has already been proved unsuitable. It deserves to be "rejected" immediately and officially before getting to a hearing;

2) As (again) it clearly does not follow the Fairfield policy, it deserves absolute "rejection," so that any following development has to:

be different or wait for a year, start from the beginning and pay those beginning costs so incurred.

-Why make it easier and reward non compliant proposals continuing not to follow the policy specifications?

IMPORTANT

-The proponent was asked several times about not following Fairfield policy, and where the variances are. He repeated that this is "an individual site" so no variances are needed."So he claims not breaking Fairfield policy.

Then does Fairfield policy not apply to development sites? If his argument succeeds, a whole lot of proposals will say the same.

The neighbours have put up with constant proposals striving to exceed the policies.

Please give us a break.

C) Change on Kipling St. from Richardson construction should cause a requirement for traffic study before any proposal on the street.

-The construction for the bike lanes on Richardson (at Durban) has changed our street from a quiet one with lots of children to a main detour-type road with busy traffic.

-A neighbour and myself recently saw that almost every minute a car came along. I didn't stay long to make a count.

D) Notable Local Loss of Trees

The COP 26 UN Conference, however inadequately finished, did discuss the topic of trees. These help save us against climate change

1. The area on the corner of Fairfield down to Thurlow contains a number of trees, including an impressive "monkey puzzle" (which can grow higher).

2. There are different kinds together and clearing the site of trees means a contribution to climate change, Right now BC is living through the symptoms: drought, fire, heat dome, floods.

3. Every corner counts and this one gives interest as well.

4. Without the trees, area residents' would have added costs for heating and-now-needed air conditioning.

5.The fact that Victoria has been spared so much is due to its location and we must think of the rest of the province and the planet.

6..Developers always talk of planting trees, but these would take 60 +years with no guarantee of survival that long. in a climate-confused world.

Sincerely,
Mary Doody Jones
435 Kipling St



Dear Mayor and Council,

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

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

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

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

The current development proposed at 349/351 Kipling and 1400 Fairfield Road is east of Linden Avenue, where staff recommend that gentle density forms not exceed 3 units on standard sized lots, with 4-6 units considered on larger and corner laneway lots, not exceeding the maximum building size in the R1-B Zone. R1-B zone states that a minimum lot size of 460m² is permitted a maximum total floor area of 300m². The proposed development has 16,657 square feet or 1,547.48m² of proposed floor area over 9 strata-residential townhouse units, as of the revised plans from July 30, 2021 posted on the City of Victoria Development Tracker. 7 out of the 9 strata-residential townhouse units proposed front Kipling Street (not Fairfield Road) and 4 units fall within the current boundaries of the lot identified as 349/351 Kipling. This lot falls within the 'Other Traditional Residential areas' which does not allow 3 storey development.³ This does not fall within current OCP guidelines which identifies the properties at 349/351 Kipling and 1400

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

²

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

³

https://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/Local~Area~Planning/Fairfield~Gonzales/Fairfield/Map%20of%20Other%20Trad%20Res%20areas_compressed.pdf

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

Just because Bart Johnson of Breia Holdings purchased both lots, they lots should not be treated as one developable parcel. The zoning and density allowances granted to properties on Fairfield Road should not be applied to the entirety of this development.

This development completely removes all privacy from neighbouring properties to the east of this development.

2. The Fairfield Neighbourhood plan is currently proposing "gentle density of up to 3 storeys west and east of Cook Street Village (west of Linden Avenue) and along Fairfield Road, however the proposed development concentrates 7 of the 9 proposed strata-residential townhouse units fronting Kipling Street. The developer is applying the proposed density along thoroughfares to side streets which is not in line with the OCP.
3. The proposed development at 349/351 Kipling and 1400 Fairfield Road is a textbook example of disruptive redevelopment as per the "Design Guidelines for Attached Residential Development" prepared by the City of Victoria and is not a good fit for the neighbourhood.⁴ It does not provide "sensitive transitions to adjacent existing development" as it states on page 5 of the above noted guidelines. Most notable is that the proposed height of the 9 strata-residential townhouse units at 349/351 Kipling and 1400 Fairfield Road far exceeds the zoning maximum allowable height of 7.6 metres.

Breia Holdings states in part in their cover letter:

"The proposed townhouses are configured in two building clusters, one cluster with five units (fronting Fairfield Rd. and Kipling St.), and the other cluster with four units (fronting Kipling St. and Thurlow Rd. facing Robert J. Porter Park and Brooke St. Green). The proposed buildings are 3 stories in height for the Fairfield Rd. cluster (Block 2) and 2.5 stories in height for the Kipling/Thurlow Rd. cluster (Block 1), which is consistent with the Fairfield Neighbourhood Plan. Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan:

- *Cluster 1 fronting Thurlow Rd. and Kipling St.:*
 - o *Height is 8.24M in height (up to 8.3M and 2.5 stories is to be considered in Fairfield Plan for this area);*
- *Cluster 2 fronting Fairfield Rd.:*
 - o *Height is 10.29M (up to 10.5M and 3 stories is to be considered in Fairfield Plan for the Fairfield Corridor)."*

These assertions (made by Breia Holdings in its letter) are not correct. They are not an accurate reflection of what is actually proposed.

4

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

Plan A4.1 Block 01 Elevations:

Firstly, Plan A4.1 Block 01 Elevations shows that on Thurlow Rd. the elevation of the roof of Unit 1 from the ground surface is $22.22\text{ m} - 12.09\text{ m} = 10.13\text{ m}$, not 8.24 m (as claimed in the letter). It is only when the elevation is measured from the average surface grade of this entire cluster to the midpoint of the roof, not to the top of the roof, that one obtains 8.24 m . 10.13 m is in fact the height that will be seen and felt by the adjacent property owners on Thurlow Road. Secondly, only Units 8 and 9 would front Fairfield Rd. Breia is also suggesting, however, that the height of 10.5 m (which may be accommodated on Fairfield Rd.) should also apply to Units 6 and 7 which front only onto Kipling St. The R1-B Zoning limits height on Kipling Street to 7.6 m .

Plan A4.4 Block 02 Elevations:

Plan A4.4 Block 02 Elevations shows that the elevation of the top of the roof of Unit 6 from the ground surface to be $25.87\text{ m} - 14.16\text{ m} = 11.71$, not 8.3 m (as claimed in the letter). Even when the average surface grade of this entire cluster is measured to just the midpoint of the roof, the height of Unit 6 is shown as 10.29 m in Plan A4.4 and not the 7.6 m required by the zoning.

4. The proposed development would result in significant shadowing and loss of light to neighbouring properties and my property 1407 Thurlow Road in particular. The development at 349/351 Kipling and 1400 Fairfield does not “site, orient and design buildings to minimize shadowing impacts on adjacent properties,” as stated on page 10 of the “Design Guidelines for Attached Residential Development” prepared by the City of Victoria. The developer is proposing to construct a 10.13m high wall that extends along my entire lot line. The shadow study conducted in the revised information package posted on the City of Victoria Development Tracker on July 30, 2021 does not provide a shadow study after 3pm. Breia Holdings is purposefully withholding that information as it would show the significant shadowing on neighbouring properties to the east after 3pm. The excessive height proposed by the development at 349/351 Kipling and 1400 Fairfield Road of 10.13 metres , which far exceeds the zoning maximum allowable height of 7.6 metres , is to blame.
5. As Breia Holdings is requesting a rezoning they do not feel they need to comply with the current setbacks outlined in the R1-B zoning. I however, as the property adjacent to this development strongly disagree. The development should abide by the setbacks outlined in the R1-B zoning for residential development and conform with the neighbourhood resulting in a gentler transition.

Current zoning (R1-B) identifies setbacks as follows:

- * Front 7.5m
- * Rear 7.5m
- * Side yard interior 1.5m or 10% of lot width whichever is greater.
- * Side yard flanking street 3.5m
- * Max height of 7.6m / 2 storeys.

The concerns listed above detail significant issues with this proposed development. Nothing of this height and density can be seen in the surrounding neighbourhood and the location of this development

is completely out of line with the OCP and streetscape. I am not opposed to density, should the developer (Bart Johnson) have proposed a duplex on each lot consistent with the OCP I would not take issue. Bart Johnson does not care what happens to this neighbourhood, he is a developer looking to make as much profit as possible. Please thoughtfully consider the negative impact this development will have on the neighbourhood as a whole.

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

Regards,

Alyssa Boky (owner 1407 Thurlow Road)

December 3, 2021

I oppose the proposed rezoning on Kipling St between Fairfield and Thurlow. Kipling St consists predominantly of older and heritage and character houses with generous setbacks, low peaked roofs that allow sunlight into our neighbours yards and generous front yards with shrubs and trees. Kipling is a frequent destination of the horse drawn carriages, bringing tourists to see this pretty road. This proposal is so far from local zoning and the community plan that a simple variance or two is not sufficient for this developer.

The latest amended submission from Breia Holdings Ltd. (Breia) is dated October 28, 2021 and seeks to increase the number of townhouses once again to 9 and the height of the development up to 4 floors (they are not counting basements and as you know, a half floor is still a floor - the roof line is continuous between the units) on 2 narrow lots along Kipling Street.

The developer talks of the increased density allowed on the Fairfield corridor but most of this development (75%) frontage is not on Fairfield road but actually on small residential streets.

Breia continues to claim that "*Maximum heights and densities of the buildings on each respective lot align with the Fairfield Neighbourhood Plan*". And, also claims that the proposed development is in alignment with that historic development. While we appreciate that the design look is more in keeping with the historic residences, the height and size are still far too great for the area and lot size. The proposed height would overshadow the homes next to it and definitely impede the owners from growing food gardens or simply enjoying the evening sun – shadow studies cease at 3pm. There is also no street setback which would be in keeping with the other homes in the area and makes the streets feel crowded and the sidewalks not as safe.

While I support the objective of providing more affordable housing in the Fairfield neighbourhood, including townhouses or multi-duplexes, any new townhouse development must satisfy the requirements of the Fairfield Neighbourhood Plan and these must be of a height, design, setback and density appropriate to the lot size. The guidelines are intended to provide opportunities to redevelop residential areas while minimizing negative impacts on adjacent pre-existing housing and the general neighbourhood. To do otherwise is simply disrespectful to members of the community.

Existing zoning should not need to be changed to accommodate non-affordable, non-middle housing. It is obvious that these million dollar plus townhomes are not providing middle housing and in fact are displacing current residents who fall into that category. The owner is letting them fall into disrepair likely in the hopes that they will be able to demolish the current buildings displacing the people within to search for another rental in the neighbourhood. We do not need another gaping eyesore of a building site like the large empty church site on Fairfield and Moss. I own a home here and would not be able to afford one of these townhomes!

Also of concern is the additional surface water load - In heavy winter rains Brook Park is awash and a small creek flows across the sidewalk on Brook St. This area was a marsh and several homes along Kipling flooded in the Fall 2021 rain storms. Covering 2 full lots with cement will not help this area.

This proposal constitutes disruptive development as depicted in the Fairfield Neighbourhood Plan and fails to comply with the Design Guidelines.

Thank you for taking the thoughts and comments of people in this neighbourhood into consideration.

Gerald Morrison
420 Kipling St

Dear Mayor and Council,

I writing regarding the latest plans for the proposed development on this site. While I am pleased that changes were made to remove the driveway at the back of the property and attempts were made to give the project a more traditional look, I am distressed to find that the number of units has actually increased to 9 units and that the height is taller than the previous proposal. This is far too many units for a small property.

The developer states the project meets a need for "missing middle" townhouse units but what the area is missing is affordable housing for middle income families, not expensive townhouses with 3.5 or 4.5 bathrooms. With more projects like this one, I would not be able to afford to buy a home in the neighbourhood that I have called home for many years.

The height of the development is too tall and will have an impact on my property which is 2 lots from the development. The shadow study is incomplete as the only times noted are 9am, noon and 3pm but no later. It is after 3pm that the sun is to the west and shadows are cast on the properties to the east of the project. It is after 3pm when people are home from work and want to spend time in their backyards and when the sun shines on the vegetables growing on my sundeck.

Nine parking spaces for 9 townhouses is inadequate. The Visitor Parking Study submitted with the application is flawed. It was carried out early March 2021 in the middle of the pandemic when social gatherings were discouraged and we were to stay close to home. The observation times did not include the late afternoon/early evening on Friday and the weekend when visitors would come for afternoon visits or for dinner. They also did not include the time when the Moss Street Market is active or when the sports field on Brooke Street is in use. Table 1 shown in the report is for 2:30 on a weekday - a time when people would be away at work or school so parking utilization would be low. Changes to Richardson Street have resulted in increased traffic on Kipling and more parked cars would make the street even more congested and less safe.

I cannot support this oversized and expensive development on this property.

Sincerely,
Lorraine Stockdale
1410 Fairfield Road