



FERNWOOD COMMUNITY ASSOCIATION

August 18, 2023

Attention: developmentservices@victoria.ca

Regarding: 1276/78 Gladstone Avenue Rezoning Official Pre-Application Community Feedback

Dear Mayor and Council;

As you know, Tonny and Ashley Kiptoo have submitted rezoning pre-application for the property at 1276/78 Gladstone Avenue, where they propose to build a 4-storey mixed use building with ground floor commercial and 18 units of market rental.

The Fernwood Community Association Land Use Committee (LUC) held an Official Community Meeting for this pre-application on July 25, 2023, and the City's community forum was closed to comments on August 10, 2023. We are writing this letter to summarize the feedback received.

Details of the feedback received are appended to this letter. Due to the request for site specific zoning, in addition to a summary of comments received through all sources during the community consultation for this proposal, the FCA Land Use Committee has also undertaken a review of various aspects of the proposal compared to the Fernwood Neighbourhood Plan and Urban Residential Multiple Dwelling District Bylaws. This review is incorporated into the summary.

These comments are offered in the spirit of encouraging the developer to be a good neighbour and to proceed with thoughtful consideration as to how their proposed project will fit into the existing neighbourhood, as well as how it may affect those living in proximity.

Should you wish to discuss these comments further, please contact Soma or Jan at fernwoodlanduse@gmail.com.

Yours sincerely,
Soma Morse and Jan Firstbrook
Co-Chairs Fernwood Community Association Land Use Committee

/send to caluc@victoria.ca



Comments on the Proposed Rezoning / Development at 1276/78 Gladstone Avenue

Sources of Information

The themes reported here emerged from:

- The Official CALUC meeting with Tonny and Ashley Kiptoo on July 25, 2023 (approximately 35 attendees)
- Comments provided from Fernwood residents¹ to the City of Victoria through the Engage Victoria online form (36-7=29)
- Letters to Mayor and Council on which LUC was cc'd (2)
- Email directly to the LUC (1)

At the Official CALUC meeting sentiment was evenly split. The LUC's reading of the Engage Victoria Feedback varies from what has been presented by Development Services. First, while it is of interest that respondents from outside a neighbourhood would support a development project, it is the LUCs perspective that community engagement needs to emphasize local neighbourhood responses and for this reason we have not included responses from outside Fernwood in our tallies. Second, the LUC combined 'oppose' responses with 'other' responses as it provides in our opinion, a more accurate gauge of support for the current proposal.

In this context, responses via the Engage Victoria Feedback forms were weighted slightly more in favour, with 59% in support and 41% against. Any duplicated responses were only included once. The LUC also received two emails not in favour and one email with feedback but no indication regarding level of support.

At this juncture the Fernwood LUC would like to point out and recognize that there is considerable community support for this proposal. We also recognize that our summary emphasizes many of the less supportive community perspectives. In our opinion it is by addressing the areas of most contention and effectively managing change that an even greater degree of support for the project can be attained.

¹ A total of 36 responses were received via the Engage Victoria Feedback Form. However, 7 of these responses have not been included in our summary as they are from outside the Fernwood neighbourhood.



Summary of Supportive Comments

The main themes of positive responses were the provision of rental housing including family-friendly, rental housing in an amazing neighbourhood with nearby schools and transportation. For these respondents the lack of parking and focus on bicycles is viewed as a positive attribute and the possible option of having a bakery on the main floor was a welcome addition to Fernwood.

People also wrote and spoke positively about having a local owner/developer who lives in and cares about the neighbourhood and is a responsive landlord. Others wrote about supporting the project despite feeling a sense of construction fatigue with ongoing projects adjacent to Gladstone Avenue. Tenant displacement was not considered an issue as options would be provided for the tenants of the three 2-bedroom units presently occupied on the site.

Summary of Key Concerns

The majority of community feedback shared the perspective that there is a need for greater density and more housing. For those respondents opposing the current proposal, major areas of concern include the following and are subsequently addressed:

1. Impact on neighbouring homes and future residents of 1276/78 Gladstone Ave - Design, Massing & Form, Height & Setbacks and Greenspace;
2. Environmental Considerations - Community, Climate and Structural
3. Lack of affordable rentals
4. Lack of parking and traffic planning; and
5. Concerns regarding Commercial Use

1a. Impact of proposal on Neighbouring Homes & Future Residents of 1276/78

Gladstone Ave.: In general neighbours voiced concerns that the current proposal is by their definition not a great fit for the neighbourhood, for future residents of 1276/78 Gladstone as well as noting impact on the adjacent neighbours and on the 22 units of co-op housing to the north. At both the official PreCALUC and in the Engage Victoria feedback forms, neighbours expressed a preference for a project smaller in scale and density; a form and finish that more sensitively transitions to adjacent buildings and key historic buildings in the Fernwood Square; setbacks, massing and design that considers livability and human scale including air flow and light, environment and sanitation, and



homes with more access to green space as well as parking for emergencies, aging in place and accessibility. At the community meeting, adjacent neighbours noted that a shade study was not provided and would have been a useful tool for examining the impact of the height of the proposed project on neighbouring properties and evaluating potential modifications to setbacks, massing, form and orientation. In addition, it was suggested that this proposal be put on hold until the impact of the CRD's Caledonia project in the neighbourhood has been realized.

1b. Design, massing and form: While some neighbours felt that the design with a brick facade complemented Fernwood's style others communicated that the brick facade was too massive in scale, suggesting a smaller-scale development would not only be a more appropriate fit, but would also provide a more human-scale development and greater livability. Some commentators noted that they would approve of the proposal with modifications, such as including stepping the storeys. Neighbours also pointed out that building heights, densities and design could more sensitively transition to and mitigate impacts on adjacent properties.

1c. Height & Setbacks: The adjacent neighbours remarked that the drawing does not accurately depict the true height being proposed in the project. Due to the slope of the site and surrounding properties, it appears that the height of the proposed building rises to 4/5 stories high on the north side and 3 stories to the south. In addition the roof top patios and vertical roof extensions add extra height. In the current proposal setbacks on the west side are 0 metres at the first level and 2 metres at the second level. On the east side, a 2 metre setback has been proposed. Neighbours are concerned with the impact of these extreme setbacks both visually and environmentally. In examining community response around height and setbacks, the LUC finds that neighbours had three main areas of concern.

1. A lack of privacy resulting from building close to the property line with roof top space overlooking neighbouring yards. The design has 1 to 2 metre setbacks at upper levels with windows and roof top patios looking out on all properties.
2. Increased shade impacting gardens and food security. Neighbours with vegetable gardens were concerned that the height of the proposed building coupled with the small setbacks will reduce their sun exposure and ability to grown food, thus impacting food security.
3. Lack of sensitive transition between proposed building and existing neighbourhood.



1d. Greenspace: Community feedback also emphasized a general lack of green space in the proposal, noting in particular the small amount of communal green space for as many as 40 residents. Others noted the family friendly aspect of the proposal and questioned the sufficiency of play areas for children residing in the proposed building.

Fernwood Neighbourhood Plan Review:

The Fernwood Neighbourhood Plan promotes a “human scale” of development as well as promoting “livability” and “neighbourliness” (p. 64). Housing design includes principles such as visual interest, a sense of being welcoming, amenities to support livability, and sensitive transitions.

Urban Residential Multiple Dwelling District (URDDM) Bylaws Review

The proposal at 1276/78 Gladstone is for site specific zoning, which does not have specific guidelines. As part of this response the LUC reviewed the Urban Residential Multiple Dwelling District (URDDM) Bylaws which sets out a maximum site coverage of 30% for 3-4 storey (FSR 0.9:1 – 1.2:1) and not more than 40% site coverage maximum at greater FSR / increased storeys. The current proposal cites 69% site coverage. Based on URDDM, it appears the site coverage is too great for the lot and open site space insufficient, considering the family-friendly focus of the proposal.

2a. Environmental Considerations – Community: Adjacent neighbours raised a number of environmental considerations, including various forms of undesirable pollution including noise from heat pumps and other services often located on rooftops, early hours and deliveries needed to operate a bakery and external night-time lighting. One commentator suggested soft, downward-facing, night-time lighting. Residential waste management is another environmental issue raised by many of the responses. The garbage bins for 18 units are to be located at the back of the property which is difficult to access with no laneway. Feedback on residential management suggested moving the proposed garbage area to a more easily accessed area closer to the front of the building.

2b. Environmental Considerations - Climate: Another environmental issue raised by adjacent neighbours is heat island effect and stress on local vegetation brought about from site coverage, the amount of impermeable concrete and use of three-storey black corrugated steel finishing just a metre or two from adjacent properties. Community feedback suggested the use of other less heat-conductive materials and finishes on the building envelope, reducing site coverage and increasing soft-scaping.



While trees are often considered landscaping, we include them here as part of the environmental considerations related to climate. Although there are no existing trees on the property site, the property at the western boundary has a lush border of trees and perennials. As noted by community feedback, the northern border of the proposed site is adjacent to the housing co-op which has 2 mature hazelnut trees. Concerns noted include narrow setbacks and concrete walls adversely impacting the neighbouring trees of both properties and disturbing critical root zones. Others commented that the proposed landscape plan could be more robust generally and in particular the section on new tree plantings. Community feedback regarding this area of the proposal suggests:

1. Neighbouring trees adjacent to westerly and northerly lot lines need protection and require an arborist report to determine impact.
2. Review of landscape plan to better support new tree plantings.

Fernwood Neighbourhood Plan Review:

The FNP states on page 58 that “the urban forest is highly valued and Fernwood residents would like to ensure trees and green spaces are a priority when new development occurs” and creating sunny, welcoming, walkable green and leafy public streets is part of the plan (p. 640).

2c. Environmental Considerations - Structural/Civil: Of major concern to adjacent neighbours to the north is that the proposed development is located on a significant slope and the impact on structural integrity and drainage both on and adjacent to the site. The design includes a basement level with the majority of the site being below ground concrete, surrounded by impermeable stamped concrete. Community feedback in this area noted existing storm water issues to the north as well as raising the question of sufficient site servicing for sewer and suggests three points:

1. A geological study is needed to assess impact on the stability of the site and the impact on storm water drainage. This is most pertinent for the 4 units of co-op housing situated up to 8’ below ground and located adjacent to the northeast of the proposed build site and where a 4’ retaining wall is located.
2. The proposal could more fully address the management of storm water drainage per STEP 3 guidelines via the provision of rain gardens and permeable landscaping.
3. Sewer upgrades may be necessary.



3. Affordability: While most respondents appreciated the availability of rental units, much feedback emphasized that the proposal offers market rentals only. Several people noted that given the density proposed affordable rental should be included or unit density decreased.

4. Parking and traffic planning: No provision for any parking is provided in the design for approximately 40 residents. Neighbours expressed the following concerns regarding parking and vehicle traffic:

1. The design does not provide accessibility options for disabled residents or visitors to park at the site.
2. Emergency vehicles will only have one access point to enter Gladstone Ave., with limited turning space.
3. Available parking is already at a premium on Gladstone Ave., with overflow affecting neighbouring streets including Pembroke St., add to that 158 units of CRHC housing being built on Gladstone Ave.

The LUC is in a position to point out that SD 61 has plans to build a daycare as part of the upgrade to Victoria High School on the north side of that property close to the Belfry Theatre. Traffic planning is needed for this proposal but also between it, and other concurrent projects, including Vic High and Caledonia Project (CRHC Housing).

5. Commercial Use: A number of Fernwood neighbours were very supportive of a bakery being established in their neighbourhood. However, a number of adjacent residents identified concerns with a commercial enterprise located in an area with restricted parking for truck deliveries and without any laneway access. In addition, community feedback raised concerns regarding large vehicle access required for waste and recycling services. This suggests:

1. The need for practical services planning and communication of that plan to residents.