
From: Tony Sprckett, Spring Ridge Co-op Housing Assn.
Sent: November 15, 2024 1:11 PM
To: Legislative Services email
Subject: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071
Attachments: 1276GladstoneAvePublicFeedback.pdf

Importance: High

Please forgive the High Priority designation. I am using it because I was informed by Councillor Dave Thompson that our previous efforts to highlight the issues with this proposed development were NOT received, via the mayorandcouncil@victoria.ca email. That in itself is very disappointing, as we had one particularly impacted household that did significant work on highlighting the blatant flaws and contraventions of the proposal.

I will resend to each elected member individually accordingly this time, as this issue is too important and impacting to our housing co-operative to let it slide.

*Tony Sprckett
Spring Ridge Co-operative Housing Association
1263A Pembroke ST., Victoria, BC V8T 1J6*

Added in this version:

I must stress that the developers, who made ZERO effort to consult with our co-op, are being given “the keys to the city” with this and offering ZERO affordable housing in return.

We all understand the housing crisis, and we would be 100% supportive of a reasonable development. This proposal is anything but that.

From: Tony Sprckett, Spring Ridge Co-op Housing Assn.
Sent: Wednesday, August 9, 2023 7:56 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Concerns re Development: 1276 Gladstone

Dear Mayor & Council,

Members of Spring Ridge Co-operative Housing Association are very concerned about the scope of the proposed development.

The height and setback proposed would seriously diminish the quality of life for several of our units by shading gardens and greenspace and looking down into our existing outdoor spaces.

Spring Ridge member Kim Shortreed has done a thorough analysis that details our concerns very well.

I am attaching that for your reference.

Please do not approve the rezoning for this development as currently proposed.

Thanks for your consideration.

Tony Sprackett
Spring Ridge Co-operative Housing Association

To ►

- Development Services
- City of Victoria
- The developers
- CALUC

Re: rezoning and development proposal for 1276 Gladstone Avenue

Folder #: CLC00414

Development tracker link:

<https://tender.victoria.ca/WebApps/OurCity/Prospero/Details.aspx?folderNumber=CLC00414>

Feedback submission date: August 8, 2023

PDF of this document available here.

PDF of **petition attached below**, or can be found [here](#).

Introduction

This is an appeal to reject zoning changes and the development proposal at 1276 & 1278 Gladstone Avenue (1276 Gladstone, hereafter). This appeal details why this proposal is not appropriate for a number of reasons, which include scale, housing equity, neighbourhood-planning compliance, and other considerations.

From the outset, I have to acknowledge that this is a long document; however, we are discussing a proposal that will affect dramatically the surrounding neighbourhood properties and many existing, longtime residents. So, it is my hope that this document is read as intended, which is to do the feedback process justice, an opportunity that one hopes has the capacity to provide a sober second thought during a critical development period in ləkʷəŋən Territory and Fernwood's history.

I will use examples from The City of Victoria's "Fernwood Village Design Guidelines" (FVDG), the "Fernwood Community Plan" (FCP), and other related documents to show the many ways in which the developers' (Tonny Kiptoo and Ashley Kiptoo) proposal fails to meet

many key criteria for maintaining “the character that led to the Village’s designation in the first place” (FDGV, 5).

The FVDG calls for “well designed new construction that is sensitive to the historic character, form and scale of the Village and its surroundings,” and understandably calls for any new developments “to *enhance* [my emphasis] what makes this place special” (5). For those living immediately around 1276 Gladstone, the developers’ proposal detracts from and diminishes the living and neighbourhood experiences of those around it.

Foremost among the proposal’s shortcomings is its failure to recognize the intrinsic connections between the appropriate design for the appropriate place. While the frontage of the proposal “is for a three-storey (plus roof deck)” (Colin Harper Architect, Letter to Mayor and Council, 1), the proposal has not accounted for the consequences for the adjacent properties to the northwest, north, northeast, and east. This design will in relative terms be in some cases closer to 5 storeys. This last point is particularly important because a salient reason this proposal has so many people against it (**see attached petition**) is its scale.

Impositions of scale and proximity

Simply put, this development is too big for the neighbouring buildings and surrounding properties. What the images in the development plans fail to show is that 1276 Gladstone is on a rise, especially relative to the properties immediately to the north and east of the lot. The “Rear Yard Elevation” rendering on page 27 of the “2023-07-25 - Plans_Revisions” document presents a distorted and disproportionate mockup of the space.

Here is the plan’s rendering of the rearward property’s view:

REAR YARD ELEVATION



This view is neither proportionally correct nor visually accurate. Granted, this is a mockup, but it goes without saying that these mockups are critical to non-experts being able to visualize as accurately as possible how a architects intend a design to blend into the surrounding area—to distort the visual is to distort the capacity for fulsome decision making, and therefore distort the capacity for fairness in the proposal-discussion process.

What is presented, next, is a height-adjusted mockup that uses the proposal's own images to show something closer to accuracy for what the development would look like for the properties to the northwest, north, and east. Note that the roofline caused by the vertical roof extensions, required for doorways to the roof, creates what is in effect, in terms of shading and sightlines, an additional storey.



Note that the image above also shows that 1276 Gladstone property is toward the top of a rise. Our co-op housing unit (which sits directly to the east, or left, in the above image) has a backyard that sits roughly 2-2.5m (6-8') below average grade on the 1276 Gladstone lot. The units to our east are also built into a depression, such that the last unit in our fourplex is another 2m down.



As proud as we are of our small gardens and food growing spaces, we already often joke that it's like trying to farm at the bottom of a well. A four storey building would look to us more like a 5 storey building, and the addition of the vertical extensions of the roof make this build visually closer to 6 storeys.

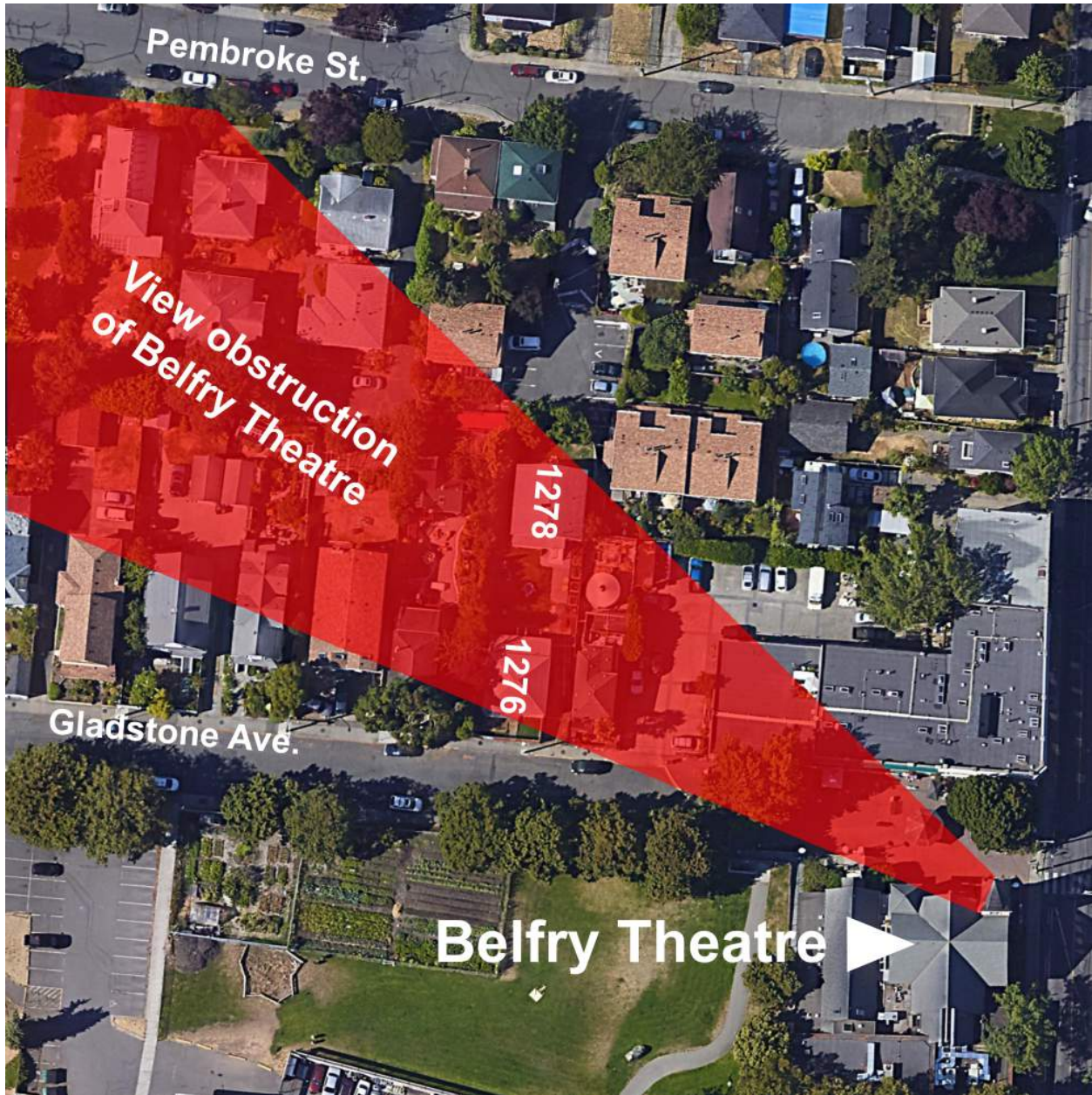


All of this loss of afternoon light would affect our capacity to continue to grow our own food, maintain carbon-capturing garden spaces, and transition to power independence through solar power, something our co-op has intended to do in the years ahead, with our fourplex as the intended test-case, as we have south-facing roofs.

The current design, for us and the surrounding neighbours, ignores a fundamental intent and objective of the FNP, which is to “Ensure homes of all types have sufficient access to sunlight, fresh air, privacy, open spaces, and other amenities that support livability” (64).

The development would also block for many neighbours a cherished and valuable siteline to the Belfry Theatre. The FDGV notes, in section “2.2 Character Defining Elements,” that one of the core “character-defining elements” governing the design guidelines is to acknowledge the importance for views of the Belfry, noting that “Views of the Belfry Theatre’s spire [serve] as a landmark, focal point and visual terminus” for the surrounding neighbourhood (FDGV, 7).

The development as proposed would terminate the Belfry view for a significant number of surrounding properties, as shown in the following diagram.

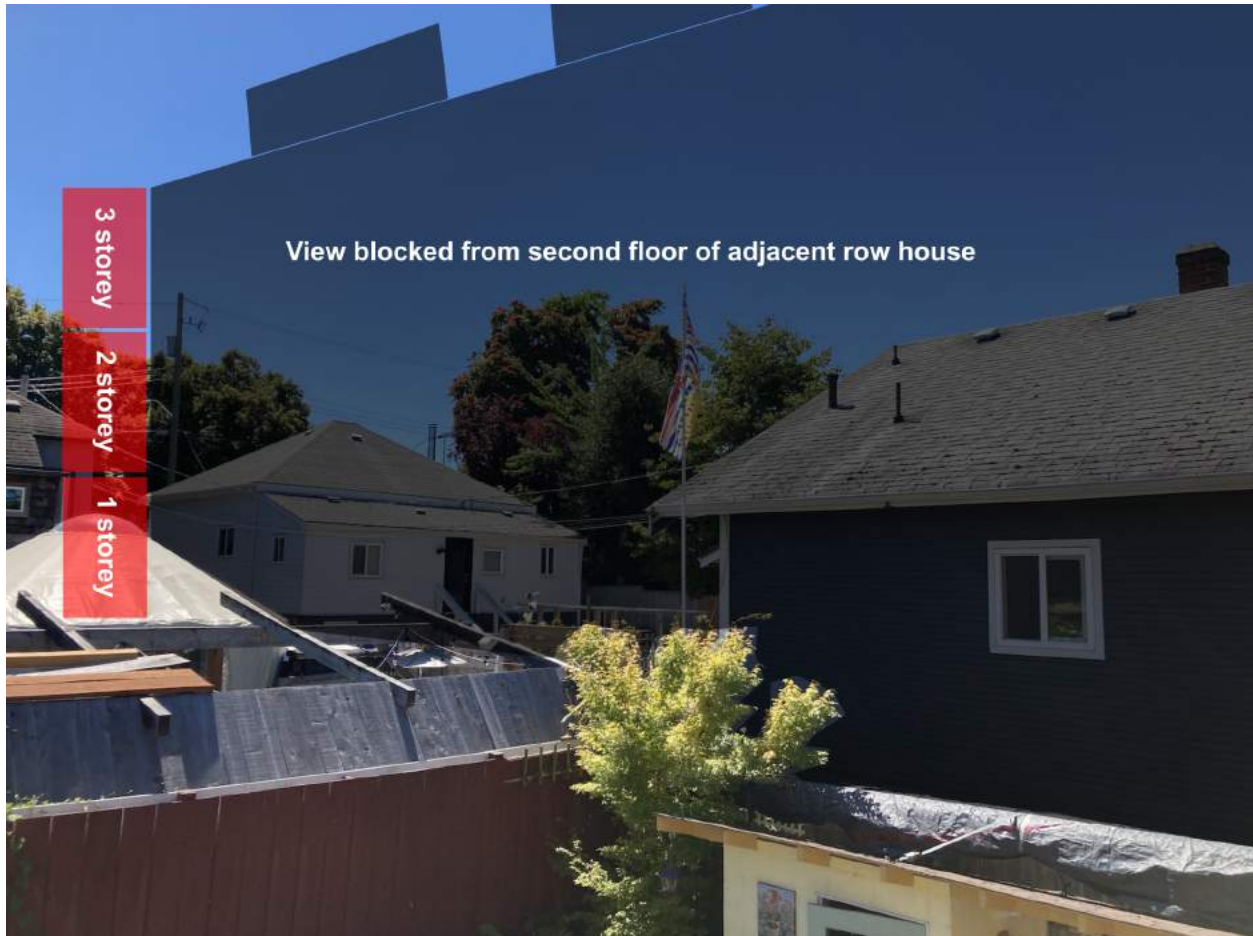


The close proximity of the development will have a dramatic effect on the immediate properties and people, altering fundamentally the look and feel of these existing spaces. These changes are particularly acute for all the nearby properties.

Our fourplex's western wall, for example, sits 2m from the lot line. The developers' plan, which proposes 1m side-lot setbacks narrows this already small gap to the adjacent building even further. Furthermore, these setbacks will be decreased toward the rear of the property line.



We already feel the lighting loss and presence of the current building, and an additional height, like that of the proposed development, will loom over us and our neighbour's properties.



Note, again, that the natural slope of the land is such that toward the rear of the property, the height increases significantly, relative to the surrounding properties, effectively blocking the view to the west entirely for many existing residents.



The developers state that the “building is designed with sensitivity to context, and builds upon, without replication or mimicry the character of Fernwood village, through a contemporary application of brick and storefront glazing;” however, the side-cladding of the building is shown as what one assumes is painted black corrugated steel, which is not in keeping with the designs called for in the FDGV. Moreover, the thermal collection from this material will increase the temperature of the surrounding area, which will affect growing conditions and comfort for the nearby residents.

Indeed, the Colin Harper Architech’s “Letter to Mayor and Council” includes a note about installing “Canopies to reduce solar gain in summer months,” presumably because this is a significant design concern. Put another way, the frontage gestures towards design compliance, but the majority of the building does not.

What is perhaps the most perplexing aspect of the plan’s scale is that the “2023-07-25 - Plans_Revisions.pdf” document contains guidelines intended specifically to manage appropriate scale.

OCP SMALL URBAN VILLAGE - URBAN PLACE GUIDELINES

Designation	Built Form	Place Character Features	Uses	Density
Small Urban Village	<p>Single and attached buildings up to two storeys.</p> <p>Low-rise multi-unit buildings up to approximately three storeys including rowhouses and apartments, freestanding commercial and mixed-use buildings.</p> <p>Mixed-use buildings up to approximately four storeys on arterial and secondary arterial roads.</p> <p>Buildings of four and five storeys may be considered at Fairfield Plaza Village and other Small Urban Villages as indicated in local area plans for the advancement of plan objectives, depending on site conditions and context.</p> <p>Buildings of up to four storeys may be considered at sites that front onto Fairfield Road within Five Points Village.</p>	<p>Ground-oriented commercial and community services reinforce the sidewalk.</p> <p>One to three storey building facades define the street wall.</p> <p>Variable landscaping, boulevard and street tree planting.</p> <p>Rear yard off-street parking.</p> <p>Public green space or square.</p> <p>For Fairfield Plaza Village, refer to place character features identified in the Fairfield Neighbourhood Plan.</p>	<p>Low-rise multi-unit residential and mixed-use.</p> <p>Commercial.</p> <p>Home occupations.</p> <p>Live/work.</p>	<p>Total floor space ratios ranging up to approximately 1.5:1.</p> <p>Total floor space ratios up to approximately 2:1 along arterial and secondary arterial roads.</p> <p>Total floor space ratio up to approximately 2:1 may be considered in Fairfield Plaza Village for advancement of plan objectives.</p> <p>Total floor space ratio up to 2:1 may be considered within Five Points Village, at sites that front onto Fairfield Road.</p>

Note that in the second column, the Guidelines specify “low-rise” buildings of “up to approximately three storeys.” This same column notes that “Buildings of four and five storeys may be considered [...] depending on site conditions and context,” and it is clear that the context for the developer’s plans need to be reconsidered in light of the fact that the majority of the building’s scale is dramatically disproportionate and overwhelming to the surrounding buildings and properties.

To underscore the necessity for developments to attend to matters of scale, page 19 of the FCP literally highlights that any new developments “provide diverse living options **at neighbourly scales, including through** the retention of character homes through conversion.”

This final quote also opens a window of opportunity, one which I will discuss more below, that the developers ignored either by intention or oversight: they could have proposed a lift the 1276 Gladstone house in order to add another storey, and to add infill housing in the form of a garden suite/carriage home, thus increasing housing density, retaining local character and sitelines, retaining green spaces, and keeping within an appropriate and reasonable neighbourly scale. However, what we are presented with is a design that appears to maximize rental density over liveable scale considerations.

Page 50 of the FNP encourages “housing that is designed to be livable and complement its surroundings,” and the developers’ design does not appropriately complement its surroundings, which are a mix of small scale and cluster homes, with green spaces between and around each residence.

As the following overlay image shows, the developers’ design is disproportionate to the surrounding properties. Its setbacks and height dominate the lot and its surroundings.



Moreover, its use of “stamped concrete” paths as a perimeter and its side and rear walls of black, corrugated steel do little to humanize its design, which appears in contrast to the property’s current character of unique homes as overtly industrial, something more in keeping with storing objects than housing people.

Environmental considerations

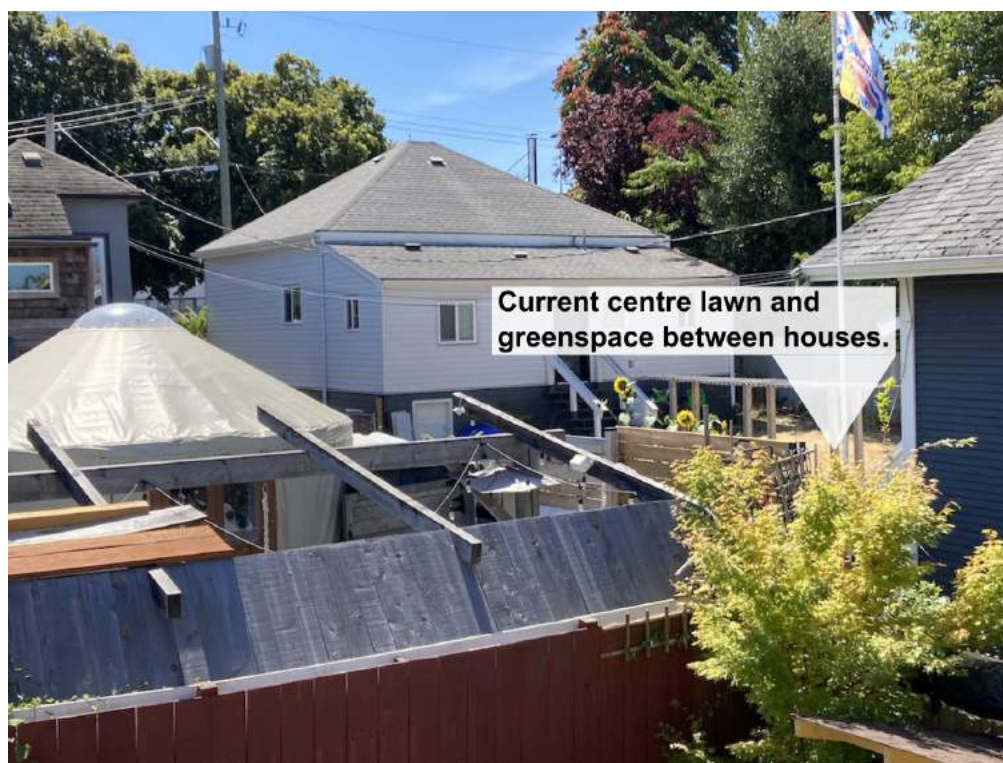
Dog feces and garbage

Another proximity concern arises with the design’s placement of the dog wash station and the garbage collection areas. As to the former, we have to consider a scenario in which 18 dogs (one per unit) are using a dogwash station multiple times per day, and dumping dog-feces bags into nearby garbage containers. This presents both noise (barking) and smell problems for the surrounding neighbours.

The same is true of garbage containers, which could (the “2023-07-25 - Plans_Revisions” does not define this) contain both residential garbage (roughly 25-40 people, depending on renter density) and commercial garbage (garbage from the proposed bakery). Consider, too, that both the dog wash station and the garbage area would sit directly across from a neighbouring unit’s bedroom windows. Further, longtime residents of this neighbourhood know that Fernwood has struggled with a rat problem for many years, and all three of the aforementioned features present vermin risks in their own right.

Carbon-capture loss

The Lawn Institute (yes, this organization actually exists), reports that “grasses can accumulate and deposit carbon into the soil by approximately one-half ton of carbon per acre year for 30 to 40 years,” and that even urban lawns can sequester “between 200 and 1,800 lbs of carbon per acre per year” (see <https://www.thelawninstitute.org/environmental-benefits/carbon-sequestration>). 1276 Gladstone would lose this sequestration capacity (and removing the lawn would release the captured carbon), as it has both a back lawn and lawn and garden spaces between the existing houses.

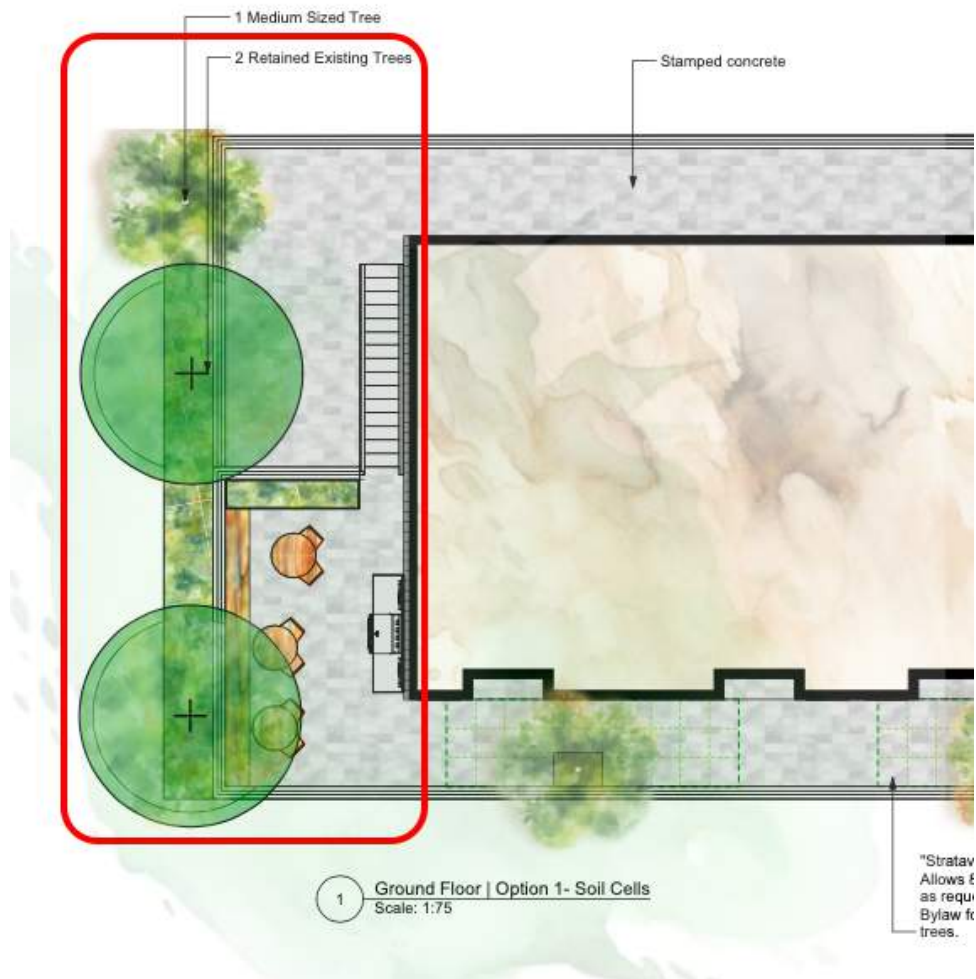




The design submitted by the developers does not list the tonnage of concrete required for the apartment building's foundation. Even popular media is beginning to understand more fully the environmental costs of concrete—a 2019 *Guardian* article went so far as to call it “the most destructive material on Earth” (see <https://www.theguardian.com/cities/2019/feb/25/concrete-the-most-destructive-material-on-earth>).

Page 31 of the design plan notes the inclusion of “4-Proposed Vine Maple trees,” and the term *proposed* should be emphasized, as the property to the west already has established tall trees, and so any new trees would not grow in the location suggested due to both shade and root competition.

Page 31 of the design plan also indicates the retention of existing trees, suggesting that these trees are part of the development property, as seen in the following image:



This aspect of the plan is very troubling as it suggests that the retained trees would remain, at the developer's behest, as part of the overall design consideration. In other words, the developers are leveraging this aspect of the current space to create a narrative of green-space concern. However, this is a misrepresentation on two fronts.

First, the trees in the design are not on the 1276 Gladstone property: they are on the other side of the 1276 Gladstone property line (and fence) and are maintained and owned by Spring Ridge Coop (see image below). Second, the notion of "retaining" these trees fails to account for their gradual demise due to loss of light and the root disturbances caused by digging a foundation only 1m back from the lot line, as proposed.



Finally, and in a broader environmental context, the “Summary Letter” mentions “Only native and adapted vegetation,” and “Drought tolerant vegetation,” but given the scale of the building, relative to the lot line, these additions can hardly make up for the carbon-sequestration maintained by the existing greenspaces on the 1276 Gladstone lot.

It is laudable that the developers are considering the addition of vegetation, but what they present could be considered Wonder Bread logic because it expunges existing ecological nutrition already in place, adds a paucity of additives, and suggests this reduction has some kind of equivalency with the original.

At a time when the mantra of “reduce, reuse, recycle” is front of mind for many, it is more important than ever to marry design and sustainability. Consider that the developers will be removing two well-maintained and recently fully renovated homes, which is itself an environmental cost because these houses will have to either be demolished or shipped elsewhere.

Light pollution

A World Economic Forum report from 2022 relates that light pollution is a serious health concern for people and wildlife. The report cites studies that point to the negative health effects of artificial light, which include increased risks for “obesity, sleep disorders, depression, diabetes, breast cancer, and more” (see <https://www.weforum.org/agenda/2022/06/light-pollution-health-climate>). In the case of

the adjacent properties, the lightscape, including lights from residential windows, spot and path lighting, and other lights, would increase dramatically, especially since the building's height is more than double the height of the surrounding houses.

Lighting from this development, especially at night, will alter fundamentally the environment, comfort, and health of the people in the surrounding houses. Many buildings are using LED lights, for understandable reasons to do with power conservation and cost; however, these LED lights are often blue-spectrum lights, "which are thought to be the most disruptive" (weforum.org).

Woodsmoke and monoxide risk for new residents

In the 22 co-op units near 1276 Gladstone, the vast majority burn wood as their primary heat source. All the co-op wood stoves are professionally cleaned annually and well maintained, but they still produce smoke during the burning season, which generally begins in September and ends in early June, depending on seasonal variability.

Generally, the smoke is not a problem because the houses surrounding the co-op are all approximately the same height. I point this out as a concern because any windows above two storeys, especially given the proposed development's close proximity to nearby buildings, will inevitably experience consistent smoke pollution. It goes without saying that this is far from ideal for the health and well being of the building's residents.

We had planned to transition to solar assist heating, with the co-op row house to the east of the 1276 Gladstone property as a proof of concept, but the shade resulting from the proposed design would mean that peak sunlight in the summer would cease at roughly 3:00 PM and shoulder-season light would end at roughly 1:00 PM, making the installation both cost- and power-ineffective.

Design alternatives

The Summary Letter notes that the developers intend to supply "Victoria's Missing Middle housing stock," which the Housing Strategy Annual Review 2022 defines as those earning over \$85,000 annually. This same review defines Missing Middle Housing as follows in a footnote on page 7:

homes that are somewhere between a higher-density apartment and a single-family home, often missing from residential communities. Townhouses and houseplexes (duplexes, triplexes, etc.) are common forms of missing middle housing. House conversions and smaller apartment buildings can also be considered part of the missing middle, as well as secondary suites and garden suites when accessory to other missing middle housing forms.

It would appear that the developers focused on the “smaller apartment buildings” aspect of these examples and, arguably, at the cost of viable alternative solutions. The developers can supply the Missing Middle Stock, build a neighbour-considerate design in terms of scale and proximity, minimize their environmental footprint, and still make for-profit housing if they lift the house at 1276 Gladstone and build a carriage home between the two existing buildings.

Page 64 of the FNP, under the heading of “Neighbourliness,” states that designers should “Ensure new buildings are good neighbours within streets and public spaces, and transition sensitively to existing and future buildings next door.”

Take the following, recent build, which is on the corner lot of Ridge Road and Pembroke Street. This lot is significantly smaller than the 1276 Gladstone property and yet the designers and builders found an innovative way to increase housing density, maintain look and feel, and minimize the skyline disruption by lifting the main house (fronting Pembroke St.) and building a carriage home toward the back of the lot.

Prior to this refresh, the building appeared to be in need of care, and neighbours observed over the course of months as the builders raised and renovated this existing home. This is an example of good development in that it sees existing housing as an *asset*, not landfill.



I entreat the developers to consider alternative approaches to working with what is already in place. This approach saves tremendous costs, environmentally and financially, and would encourage a unique design, something Fernwood has the fortune of encouraging by virtue of its quirky design and architectural history, and the City's expressed celebration of this aspect of Fernwood's character: "Its unique and human scaled heritage buildings and eclectic mix of restaurant patios, shops, arts and culture venues and organizations" (FVDG, 4)

In closing of this section, I would ask the City and the developers to consider this important passage in the FNP: "To encourage a variety of housing options throughout the community and consider small scale commercial on a case-by-case basis in appropriate locations." I

have shown some ways of many in which the developers' proposal is neither small scale nor appropriate in this particular case.

Please reject the developers' proposal. In overall terms, it is not in keeping with "Well designed new construction that is sensitive to the historic character, form and scale of the Village and its surroundings," and it does little to "enhance what makes this place special" (FVDG, 5).

Additional considerations

Thus far, this appeal has emphasized what I see as the salient reasons to reject the developers' plan, at least in its current form. I have also proposed alternative design options that could make for a better fit in a number of ways.

What follows is a list of concerns and considerations for the developers and the city to address. Each could produce its own fulsome analysis, but for the sake of brevity in an already long piece, I will provide them as a brief list.

Lack of parking and ableism?

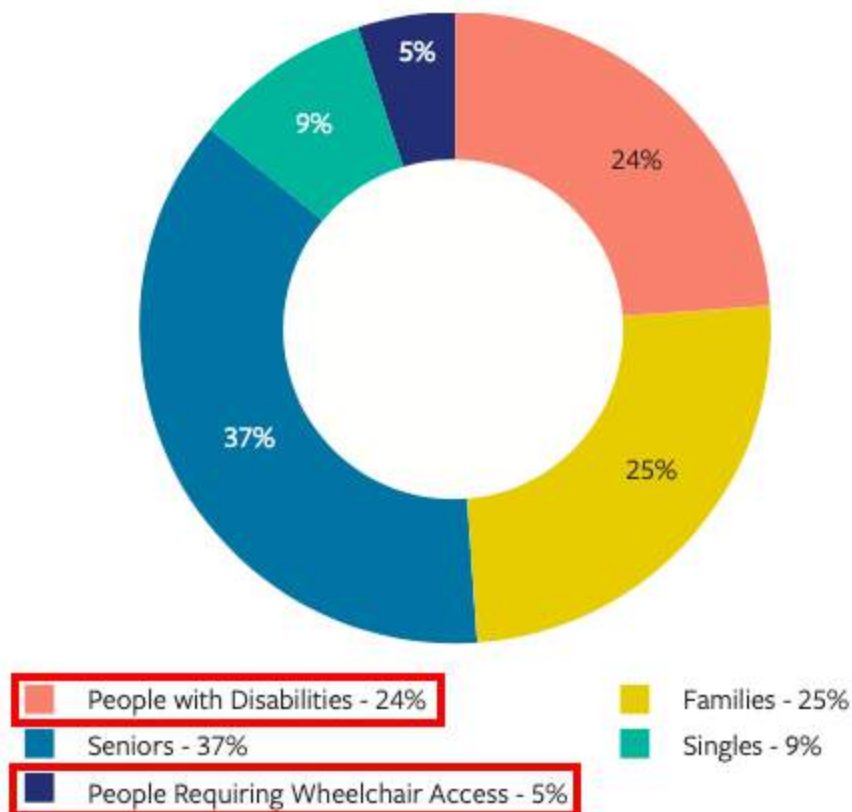
Parking is already an infamous problem in Fernwood. None of the developers' documents mention that Fernwood Square and the surrounding blocks are subject to regular and overwhelming parking pressure due to Belfry Theatre attendees and during the school year, when students, teachers, and staff at Vic High increase traffic and parking needs dramatically on Gladstone Avenue.

As a lifelong cyclist, I would appreciate the bike parking spaces in the design, but I have friends and family with disabilities and mobility issues, and they in turn have educated me on the need for timely emergency vehicle access, as well as the benefit of having close-proximity access to their residences. By removing underground and nearby parking for residents, this design could be seen as ableist.

I was pleased to see the acknowledgement of accessibility in the Summary Letter, which states that "ground floor units are designed as adaptable dwelling units to provide inclusive housing options to those with disabilities," but the design speaks only to the interiors of the units. The deep setbacks at the front of the property and the absence of parking diminish significantly the accessibility friendliness of this design.

I flag this ableism-in-design concern because page 25 of the City's own "Housing Strategy Annual Review 2022" notes numbers from BC Housing to indicate that, by proportion, the combination of people with disabilities and those who require wheelchair access in need of housing actually *outnumber* families.

FIGURE 11: Households on BC Housing Waitlist for Non-Market Housing in Victoria, December 2022



The developers' Summary Letter states that the current design is for a "residential unit-mix," comprising "6 studio units, 4 one-bedroom units, 2 two-bedroom units and 6 three-bedroom units." At the recent development proposal meeting, the developers noted the critical need for family housing, and while this is certainly true, and perhaps always has been for every growing city, there is arguably a more pressing need for *accessible* housing.

Please consider these accessibility needs in light of the alternative presented here, that is, for a garden suite, or similar solution. The City already acknowledges some advantages provided by garden suites, with respect to accessibility, noting that "These types of dwellings provide housing with a front door to easily access the street, access to green space and offer additional rental units that are not available in the primary rental market" (Housing Strategy Annual Review 2022, 48).

Finally, page 10 of the FNP places the following desire at the top of the list of its "Guiding Principles and Objectives:" "1. Advancing equity, diversity, and inclusion." The developers' design appears to miss the mark on this critical consideration.

Undue population burden?

The CRD's "Caledonia" development is well underway, and is roughly 200m away from 1276 Gladstone property.



The Caledonia development is for 158 units, which will increase Fernwood's population dramatically. It will also increase foot, bike, vehicle, commercial and other traffic in the area. We cannot know exactly what effects will result in this population increase in an already dense neighbourhood.

It seems reasonable, in light of imminent increase to population, to suggest that the city consider a temporary (5-10 years) construction moratorium on medium to large scale developments until the outcomes of this population increase can be absorbed and better understood. I acknowledge the need for housing, but housing stock is only one part of a longterm, healthy-neighbourhood housing strategy.

The FNP reports, under the "Community Make-up" heading, that Fernwood is currently "home to close to 10,000 residents in over 5,000 households," and that this "neighbourhood has the highest total number of family households, household types and age of residents is quite diverse – with a mix of families, seniors, youth, couples, and singles" (13). In light of this existing housing diversity, the mixed residency design proposed by the developers could be interpreted as the least needed type of housing Fernwood requires at this time.

Conversely, the City's Housing Strategy Annual Review 2022 notes that "unit affordability targets" are lagging behind at 31 percent for those earning \$55,000 median income (33). The proposed development is intended for incomes of \$85,000, which is arguably missing the mark for City's broader housing objectives.

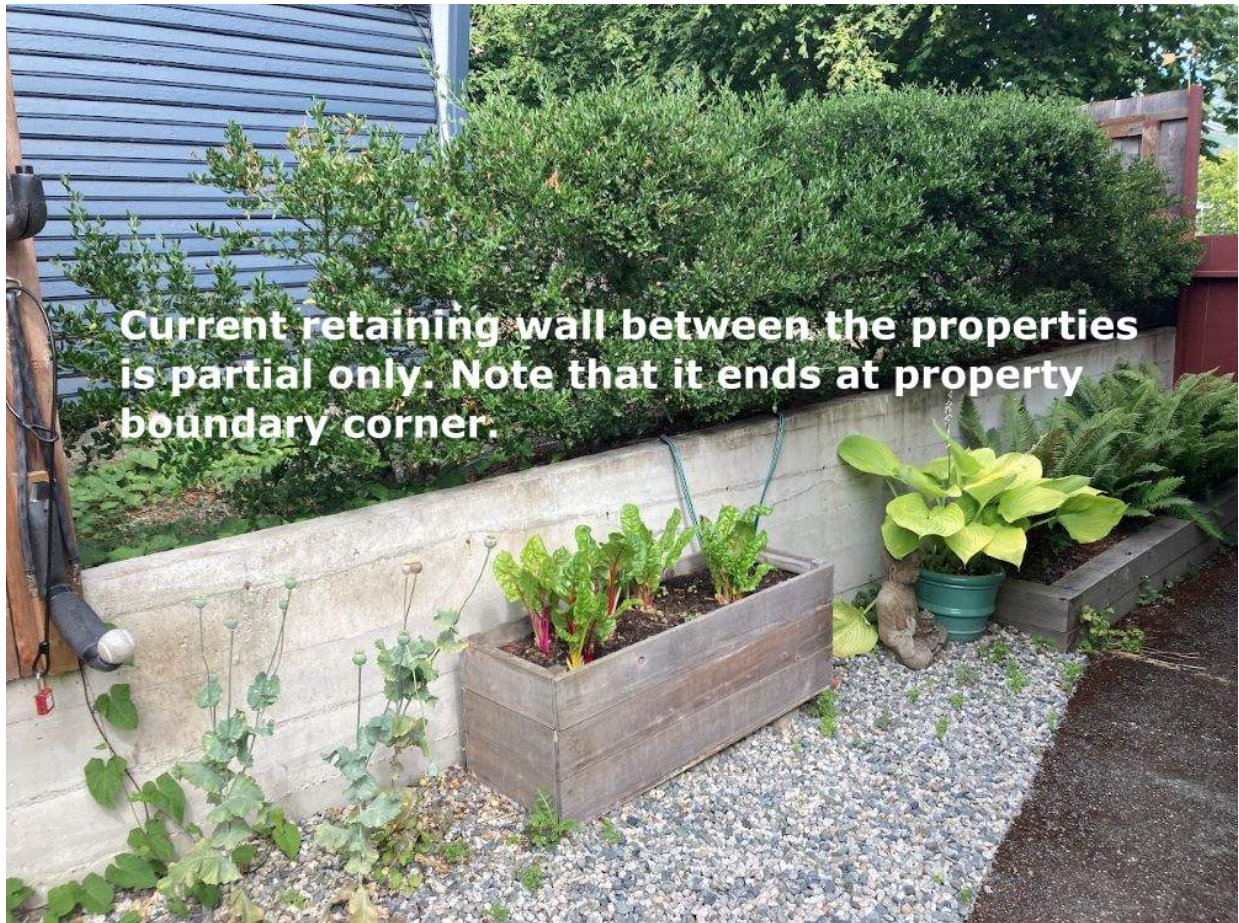
Is this Missing Middle design missing something?

The FNP reports, under a heading of "Housing Choice," that a key objective for new housing is to "Create opportunities to add a mix of housing in and near the village that supports people of different incomes, lifestyles, and household types" (26). As it stands, this "rental housing" (Summary Letter) development would contribute to a housing target that is already exceeding expectations. The Housing Strategy Annual Review 2022 places market housing rental progress at 68 percent, while affordable rental housing targets lag "slower than we'd like" at 48 percent. Certainly, Missing Middle housing has a place in broader housing discussions, but affordable housing is simply a more pressing concern at this time in Fernwood.

People with the financial means (85K+/year) and mobility have the option to purchase and rent in multiple housing markets, which low-income people do not. The developers have an opportunity to make a mixed income building a reality, or to make a housing co-op (a well proven approach to housing and financial security for a broad range of incomes). Instead, the market rent housing they propose merely continues the rental category of the property's existing rental model.

Drainage and compaction?

To reiterate, 1276 Gladstone sits toward the top of a rise. Currently, the lawn and green spaces absorb a significant volume of rain run-off, minimizing downstream effects on soil erosion, soil compaction, and sewer run-off. The developers plan to install a concrete perimeter and will presumably have to dig to hardpan to lay the building's foundation. How will the extra weight of this building affect surrounding stability? Where will the increase in water run-off be directed? Is the current retaining wall between 1276 Gladstone and 1275 Pembroke capable of withstanding increased compaction loads?





These geostability issues are crucial to consider in a seismically active region.

Concluding considerations

Wholistic development takes into account sustainability and is guided by more than financial and housing trends: it accounts for equitable access to shade during a clearly changing climate; it accounts for sunlight for solar power potential and growing cycles for urban food production, and the greenhouse gas emissions in its construction. Wholistic design considers the health effects not just of a building's tenants but also the surrounding properties and existing people. Wholistic "development patterns are the key to sustainability" ([Steffen Lehmann and Gaëll Mainguy](#), 34).

This appeal is intended to encourage the developers to look more deeply into the nuances associated with their design and the dramatic outcomes it could have for the livability of the surrounding neighbours. Consider, first and foremost, the lived experience of an apartment building built right next to your current house, one that would significantly reduce light to gardens, increase noise and light pollution, and introduce barking dogs and garbage containers next to everyday living spaces. It is not nimbyism to want to see appropriate, considered, human-scale design, nor to protect a long-worked-for harmony in

one's permanent home and favourite neighbourhood. Nor is it nimbyism to have serious concerns about the geostabilization consequences of a development of this scale.

To the City, I encourage you to continue to examine narratives of inevitability around the housing question, to pause when needed to use approaches already codified in your development principles that "new development is dependent upon site size, orientation, and context," and notably that "Achievable densities may be limited by the ability to adhere to good urban design principles" (FNP, 27). I believe that the 1276 Gladstone rezoning and development is wanting in enough areas to be inappropriate urban design.

Please see the attached petition of signatures in support of rejecting the 1276 Gladstone proposal and development.

Thank you.

Kim Shortreed
Spring Ridge Co-op Housing Association

To the City of Victoria Council

We, the undersigned, declare our support for this petition:

To reject the proposal put forward by Ashley Kiptoo and Tonny Kiptoo to change the zoning of the subject property, 1276 & 1278 Gladstone Ave., for new mixed-use building with commercial retail and 18 new rental homes.

Dated 23rd day of July, 2023.

Petition prepared by Kim Shortreed [redacted] and Jillian Player, Spring Ridge Coop, 1275 Pembroke St, Victoria, V8T1J7

Date	First & last name	Address	Signature
July 23'23	Jillian Player	4-1275 Pembroke St	[redacted]
July 23/2023	Kim Shortreed	4-1275 Pembroke St.	[redacted]
July 23/2023	Leia Mango	5-1275 Pembroke	[redacted]
July 23/2023	Rob Carmichael	9/1275 Pembroke	[redacted]
July 23/2023	Shane Johnson	#8-1275 Pembroke St	[redacted]
July 23/2023	Angela Moran	#1-1275 Pembroke St	[redacted]
July 23/2023	Avleen Dhaliwal	#1278 Gladstone	[redacted]
July 23/2023	Shannon Craig	1270 Gladstone	[redacted]
July 24/23	Rana Miller	6-1275 Pembroke St	[redacted]

Date	First & last name	Address	Signature
July 25/23	Carolyn Boyce	#3 1275 Pembroke St Vie BC	
July 25/23	TONY SPRACKETT	1263A PEMBROKE	
July 25/23	Megaa tate	1263 Pembroke St	
July 25/23	Jesse McNelly	1255A Pembroke St.	
July 25/23	CORINNE MAH	1281 Pembroke St	
July 25/23	Arnie Lade	1275 Pembroke St Victoria BC	
July 25/23	Larissa Stendie	1275 Pembroke Victoria	
July 25/23	Gerrit Gosker	1269 Pembroke	
July 25/23	Diane Lade	1275 Pembroke	
Aug 2/23	CRISTINA WOODS	1265 Pembroke St	
Aug 8/23	SHARON MAN	1253A Pembroke St	
Aug 8/23	TAMARA LAWSON	1261A Pembroke St	

From: Larissa Stendie
Sent: November 18, 2024 2:44 PM
To: Public Hearings;
Subject: Fwd: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071 - 1276 Gladstone

Dear Mayor and Councillors,

Please do not approve the rezoning for this development as currently proposed.

I am deeply disappointed that many of us who participated in this process and stand to be directly affected by the proposal 1276 Gladstone have not had our concerns considered, or from the sound of it, even reviewed. Rather than make a single change as suggested by concerned neighbours, the proponents have expanded and extended their project perimeters, well beyond the guidelines. We would like to see this design amended to be more reasonable scale and with affordable units.

I resubmit my earlier submission for your serious and careful consideration - main points include no affordable units, zero parking when parking is already a neighborhood issue, intense overshadowing of neighbours, too high and dense (40+ ppl) in a single lot, not cohesive in the neighbourhood aesthetic, poor choices for cladding, garbage/smell/noise interference in our enjoyment of our properties, and more.

As part of Spring Ridge Co-op, I reiterate that we cannot abide our quality of life being impacted to line the pockets of developers building more luxury rentals that keep people in precarity.

This is not the right size, right place, nor right time for this development as proposed.

We have not seen any of the suggested re-designs, which could include:

- A smaller, tiered/staggered design that is not a maximizing modern box designed to push to the furthest extent allowable.
- A creative design that considers what is reasonable, aesthetically appropriate to the neighbourhood, and reduces impacts to the neighbours.
- Rather than "solar-ready", actually having solar or other high-performance efficiency and natural building aspects to off-set the expanded footprint and climate impacts while reducing operational costs.

- Green space, gardens, and other human centred design elements that foster community and quality of life (i.e. european co-housing), rather than maxing out the available square footage.

Thank you for your time and consideration. We look forward to seeing revised designs.
Larissa Stendie

Originally submitted Aug 9, 2023.

In medical interventions, a rule of thumb is ensuring the right dose of the right medicine at the right time. While arguably we are in desperate need of housing interventions in Victoria, a similar logic ought to apply - the right size development in the right location at the right time. The 18-Unit, 4-5 storey proposal for 1276 Gladstone meets none of those rationales in its present form, creating problems rather than solving them for the neighbourhood. Fernwood is not a high-density, modern urban area, but a historic residential neighbourhood where this development would stick out like a sore thumb for the block and village, and is a blatantly opportunistic effort to stretch the limits of the The Fernwood Development Guidelines, which clearly states “low-scale buildings ranging from one- to three-storeys in height”. Furthermore, while we welcome the large new affordable housing project beside the high school, it is about to bring an estimated 140 new residents to the area - perhaps we should see how that influx is integrated into the community before adding an additional 40+ residents. The proposal is inappropriately sized, designed, and timed.

As a person who has worked with numerous communities in urban, rural, and on reserve settings to develop efficient, affordable, high performance multi-unit residential buildings, often with a co-housing, community-oriented ethos, I am extremely disappointed to see the lack of imagination nor a basic respect for human dignity in this development - both for potential residents and existing neighbours.

As one of those neighbours (I am part of the Spring Ridge Co-op), I find it problematic and anti-social that the proponents brought character witnesses to the initial community conversation and lauded their own “engagement” done with the wider neighbours, but pointedly neglected to talk with those households beside and behind them who would be most impacted by their design. The claim to not know what the future rental costs will be is also disingenuous, as rental income is key to factoring loans and pro forma costs. Furthermore, the presentation’s complete erasure of our building and the errors in the depiction of the proposed building’s height relative to our property was a calculating miscalculation intended to minimize the sense of impact to us. Thus far, the lack of transparency and manipulations are troubling and do not engender trust.

The proponents have the right to build on their properties, but not to totally impede the neighbour's enjoyment of their own homes in order to make private gains. No consideration to our quality of life was given in the siting of garbage, set backs, green space, cladding, and challenges created by the volume of renters (+40 people in the site of a single family home).

In more detail, spillover effects of this project would include:

- Size - the proposed design is pushing to the extremity of the allowable set-backs of 1m to the property line for width and length, and proposed height of 3 storeys in front and 4-5 in back (+rooftop patios?) exceeds the Fernwood Development Guidelines by 2 storeys. The engineering required to make this development’s foundation both seismically stable and weight bearing are a concern with the pre-existing challenges of slope and rise hovering over our co-op properties. Furthermore, 40+ new renters in the space of 2 moderately sized family homes is excessive.

- Parking- Not reasonable to have zero parking planned for 18 units + business. The current parking spill-over effect onto Pembroke St (in front of our co-op) from the existing businesses and theatre on Gladstone will be exacerbated by the lack of parking in this proposal.

- Design - No apparent effort to conform to the clearly articulated Fernwood Development elements beyond a partial brick facade. Nor does brick cladding stand up to some seismic or emergency conditions, sloughing-off onto our very nearby homes and property in the event of an earthquake or fire. The use of black cladding on the sides will radiate heat to the neighbours - not climate friendly.

- Noise - from the ventilation/HVAC/heat pumps/restaurant operations and venting, as well as from renters and patrons.

-Light - for security there would inevitably be bright lights in the common spaces that would be on at all hours, as well as simply intrusive lights from the numerous units themselves.

-Re: natural light, the proposed build would completely cut off sunlight to our unit and our neighbour until almost noon, and for our other co-op neighbours most close to this project, from noon onward. We all have thriving gardens that include well established fruit and hazelnut trees, grape vines, food garden pots, and rare native plants - many of these would not survive this light restriction, nor the impacts on roots.

- Smell - the choice to site garbage collection from 40+ people plus a restaurant less than 2 m from an existing residence is deeply inconsiderate and inappropriate. The siting of this smacks of the piling on effect of environmental justice concerns, given there are already garbage bins backed onto the co-op's fence from the existing restaurants and apartments in the square. We also have several co-op members with allergies and sensitivities and so we restrict the use of fragrance for our laundry - 18 additional units doing laundry has the potential to create health concerns for our members.

- Privacy - beyond the general imposition of having multiple units looking down into our home and yards at close range, it is not unreasonable to expect there would be de facto encroachment from the accoutrements off of renter's balconies given the maximized footprint.

- That this would be a pet-friendly development for 18 units is absurd given the lack of green space in the design. Already there is an abundance of pets in the neighbourhood taxing the nearby parks, and this would exponentially aggravate noise, smell and conflict impacts.

The design is also concerning in terms of the quality of life for the rental tenants:

-the proposed basement suites are not designed with well-being of the residents in mind, with one small window

-small roof-top playpen areas would not suffice as reasonable outdoor space for 2 and 3 bedroom family-oriented units

-It is not realistic that there would be zero parking for this development. Even if renters were to conform to this (which is doubtful), is there to be no parking for guests, emergencies, people with disabilities, nor for patrons of the business?

-negligible green space

Having our co-op's real quality of life concerns dismissed out of hand by being characterised as NIMBY is as inaccurate as it is uncharitable - Spring Ridge co-operative has been part of the fabric of this community since the 1980s, and are collectively in favour of more affordable housing being built, as demonstrated by our support of the much larger project beside the high school. At present, despite being a fairly dense co-op (22 units across approx 6-7 lots), we maintain vibrant shared gardens and private spaces, while providing affordable and subsidized housing to many of our neighbours, many of whom are on fixed incomes or assistance. We had explored developing more density in our own property, and may still, with the aim of creating more housing security for others. But we cannot abide our quality of life being impacted to line the pockets of developers building more luxury rentals that keep people in precarity.

This is not the right size, right place, nor right time for this development as proposed.

Some re-designs could include:

- A smaller, tiered/staggered design that is not a maximizing modern box designed to push to the furthest extent allowable.
- A creative design that considers what is reasonable, aesthetically appropriate to the neighbourhood, and reduces impacts to the neighbours.
- Rather than "solar-ready", actually having solar or other high-performance efficiency and natural building aspects to off-set the expanded footprint and climate impacts while reducing operational costs.
- Green space, gardens, and other human centred design elements that foster community and quality of life (i.e. european co-housing), rather than maxing out the available square footage.

Thank you for your time and consideration. We look forward to seeing revised designs.

Larissa Stendie

Political Ecologist, Sustainability Researcher (M.Culture, Environment & Sustainability, U.Oslo) and Community Engagement (IAP2)

I acknowledge that I am a settler on the unceded territories of the Straits and Coast Salish Peoples (including WSÁNEĆ, Lkwungen, Wyomilth, and T'Sou-ke), and honour their history and strengths. My intent in acknowledging the territory is to recognize the myriad ways that our larger colonial communities are implicated in the ongoing impacts on First Nations and to work towards a more intersectional approach to challenging power and privilege.

Begin forwarded message:

From: "Tony Sprackett, Spring Ridge Co-op Housing Assn."

Subject: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071

Date: November 15, 2024 at 1:15:01 PM PST

Please forgive the High Priority designation. I am using it because I was informed by Councillor Dave Thompson that our previous efforts to highlight the issues with this proposed development were NOT received, via the mayorandcouncil@victoria.ca email. That in itself is very disappointing, as we had one particularly impacted household that did significant work on highlighting the blatant flaws and contraventions of the proposal.

I will resend to each elected member individually accordingly this time, as this issue is too important and impacting to our housing co-operative to let it slide.

Tony Sprackett

Spring Ridge Co-operative Housing Association

1263A Pembroke ST., Victoria, BC V8T 1J6

Added in this version:

I must stress that the developers, who made ZERO effort to consult with our co-op, are being given “the keys to the city” with this and offering ZERO affordable housing in return.

We all understand the housing crisis, and we would be 100% supportive of a reasonable development. This proposal is anything but that.

--
Larissa Stendie
Political Ecologist, Sustainability Researcher (M.Culture, Environment & Sustainability, U.Oslo) and Community Engagement (IAP2)

I acknowledge that I am a settler on the unceded territories of the Straits and Coast Salish Peoples (including WSÁNEĆ, Lkwungen, Wyomilth, and T'Sou-ke), and honour their history and strengths. My intent in acknowledging the territory is to recognize the myriad ways that our larger colonial communities are implicated in the ongoing impacts on First Nations and to work towards a more intersectional approach to challenging power and privilege.

From: MEGAN HALE
Sent: November 19, 2024 8:24 AM
To: Legislative Services email
Cc: c
Subject: Concerns and Comments RE: Development Permit with Variances Application No. 00216

Dear Council of the City of Victoria,

This email is sent in anticipation of the Development Permit with Variances Application No. 00216 you will be considering on Thursday, November 21, 2024, after the conclusion of the Committee of the Whole meeting beginning at 9:00 a.m. at Council Chambers, Victoria City Hall, 1 Centennial Square, Victoria, BC.

I am writing on behalf of my husband, Clayton Hale, and myself, who live at 1263 Pembroke Street in Spring Ridge Co-Operative Housing Association which is a direct neighbour of 1276/1278 Gladstone. While we do not speak for the co-op as a whole, we do feel that our sentiments are in line with the majority of the members of our co-op. A point of note, is that we are not opposed to densification. In fact, we believe quite the opposite; densification is an important humanitarian goal in this time of insufficient affordable housing. Currently, in our section of the co-op, we have eight units on the equivalent of three residential lots the size of the parcel being considered with the above-noted application. This has the potential to house at least 18 people with an occupancy of 1 person per bedroom. Our co-op has explored and will continue to explore the possibility of adding modest, affordable housing where possible.

We do, however, have issue with the variances that are being considered with the application to rezone 1276/1278 Gladstone from the R-2-T Zone, Two Single Family Dwelling District to the CR-FG Zone, Fernwood Commercial Residential (Gladstone) District. Approving a rezoning of this nature will cause undue stress to the neighbourhood and community.

The three main issues per the Public Notice are reducing setbacks, reducing parking spaces to zero and increased building height.

With regard to reduced setbacks, it is unfathomable why reducing easterly, westerly and rear setbacks would even be considered given the direct impact minimal setbacks will have on the immediate neighbours at this time. Reasonable setbacks provide better accessibility for services, better air flow, healthy access to natural light, reduced noise pollution between neighbours and maintains green space, all of which are important for the health and welfare of the residents.

We hope that an appeal to logic will factor into your consideration regarding reducing residential, commercial, accessible parking spaces AND van accessible parking spaces all to zero. While we understand that supporting cycling routes and walkability is important for the future, we still live in the present. It has become difficult in the last five years for people to come to visit who have to drive to see us. The developers cannot guarantee that any number of their tenants, paying full market value in rent, will not own a car (or two), will not have friends come to visit, will be healthy for the entire time they live there and never needing any sort of home care assistance or accessibility vehicles. It seems like madness to build that factor into our community and put further accessibility stress on the neighbourhood. Adding a commercial space with zero parking will also tax the limited parking availability that currently exists. Plus, a CR-FG zone also has off-street parking requirements, which is definitely more than zero spaces.

As for the height of the building, an increase of 2 metres in height will certainly block more light out from more gardens in which we grow food to feed our families. Over and above the important light-blocking factor is the fact that a building of the proposed height and density will tower over its neighbours like the green-space-swallowing behemoth it is. Regardless of the material used in the cladding, the proposed building will absolutely not enhance the village aesthetic. 1276/1278 Gladstone is not an appropriate place for a building of this nature.

We are disappointed to learn that our voices, concerns and comments about this development proposal have not been considered up until this point. As a part of the community who currently enjoy the benefits of existing bylaws, our concerns are relevant. Please see the correspondence submitted by Kim Shortreed regarding this development proposal for a detailed report of our concerns, which are over and above the setbacks, parking and building height.

We hope that you will make decisions regarding the above-noted variance application that support the well-being of the immediate and surrounding neighbours and community. To approve the variances set out on the Public Notice and the proposed development would only benefit the for-profit developer at the expense of the neighbours' quality of life.

As stated earlier in this letter of concern, we support densification; however, we support reasonable densification that does not stress the neighbours. What about a scale-appropriate building with neighbour-friendly setbacks, green space and appropriate off-street parking?

Thank you for your time.

Kind regards,
Megan Hale

From: Victoria Mayor and Council
Sent: November 19, 2024 2:50 PM
To: Legislative Services email
Subject: FW: URGENT FEEDBACK for 1276/78 Gladstone proposal
Attachments: 1276-78GladstoneProposalFeedback2024-01-10.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From:
Sent: November 18, 2024 9:09 PM
To: Councillors <Councillors@victoria.ca>; Stephen Hammond (Councillor) <shammond@victoria.ca>; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: URGENT FEEDBACK for 1276/78 Gladstone proposal

Hello.

This is one last attempt to get Council to reject outright, or at least amend, the scale of the 1276/78 Gladstone proposal. As detailed in the attached report and petition, which has been sent in twice before, this for-profit apartment complex violates the City's own Fernwood Community Plan in terms of height, by two stories.

Our co-op, as a whole, has felt disempowered and disenfranchised by the feedback process, which appears to already fall in the favour of the developers—how is this feedback process fair or even useful when councillors are quoted as praising this development prior to making final decisions about it (<https://www.timescolonist.com/local-news/victoria-advances-fernwood-mixed-use-project-despite-concerns-about-parking-and-size-9116022>) ? I have also learned though Councillors kind enough to share that our feedback did not even reach Council, previously, and when it did, it was last-minute, and in summary form. This feels a lot less like actual community engagement and more like its performance.

The developers could have proposed creative infill housing, keeping the recently renovated buildings (which will be landfill) and augmenting the site. Instead, they propose a maxed-lotline apartment building to maximize profit for developers who are literally millionaires already. The City has already surpassed its targets by "More than twice the number of homes needed to meet British Columbia's housing target" (<https://www.victoria.ca/city-government/news/victoria-well-its-way-meeting-provincial-housing-target#:~:text=The%20City%20exceeded%20B.C.'s,1%2C713%20new%20homes%20for%20rezoning.>), according to its own reports.

The housing crisis is real for the unhoused and for those who cannot afford any housing in Victoria, but this apartment building is not for those in a "crisis," it is for those deterred from the privilege of getting a rung on the profitable property ladder. Somehow, the rhetoric around the need for housing has conflated these distinctly different needs and is confusing rights with privileges.

Please put a pause on this plan until it can at least be scaled according to the City's own guidelines for the Fernwood neighbourhood.

Kim Shortreed

To Development Services, City of Victoria Mayor and Council, and Advisory Design Panel members

Re: rezoning and development proposal for 1276 Gladstone Avenue

Folder #: CLC00414

Development tracker link:

<https://tender.victoria.ca/WebApps/OurCity/Prospero/Details.aspx?folderNumber=R EZ00860>

Feedback submission date: January 10, 2024

PDF of **petition against this proposal** can be found [here](#).

Introduction

This is a second appeal (first appeal attached below) **to reject zoning changes and the development proposal at 1276 & 1278 Gladstone Avenue** (1276 Gladstone, hereafter).

This appeal is written following the [developers' revised plans](#), posted to the City of Victoria's Development Tracker website on 2023-12-13.

As with the first appeal, this document details why this proposal continues to be inappropriate for a number of reasons, some of which the revised plans address in language and minor design tweaks but fails ultimately to make substantive changes in keeping with The City of Victoria's "Fernwood Village Design Guidelines" (FVDG) for "well designed new construction that is sensitive to the historic character, form and scale of the Village and its surroundings" (5).

For those living immediately around 1276 Gladstone, the developers' proposal continues to detract from and diminish the living and neighbourhood experiences of those around it.

Continued impositions of scale and proximity

This development remains too big for the neighbouring buildings and surrounding properties. The City's own Urban Place Guidelines specify "low-rise" buildings of "*up to* approximately three storeys" [my emphasis]. Moreover, given the ways in which both development plans strategically employ mockups, it is difficult to gauge the in situ sense of

the development's scale relative to the adjacent properties and buildings. The mockups in both the first and second plans are distorted in different ways.

The reason accurate mockups are critical to examine as part of this process, as noted in the first appeal, is that mockups are critical for non-experts to be able to visualize as accurately as possible how developers intend a design to blend into the surrounding area—to distort the visual is to distort the capacity for fulsome and decision making, and therefore to distort the capacity for fairness in the proposal-discussion process.

Because the building is already over height—at 4 storeys plus roof features that push it to 5 storeys—it is to the developers' benefit to present mockups to council and decision makers that minimize the relative scale of the build. Put another way, the mockups the developers choose to provide create a visual fiction serving the developers' narrative of guideline compliance.

To recap, the first appeal includes the following image for consideration. Here is the first-round plan's rendering of the rearward property's view:

REAR YARD ELEVATION



Here is the revised plan's revised mockup, which has clearly attempted to increase the realism of the surrounding buildings, but is nevertheless an inadequate representation of proportions and scale.



4 REAR YARD ELEVATION

As with the first plan, the second mockup creates the illusion of relative decreased scale to the surrounding buildings, which are themselves distorted and misrepresented.

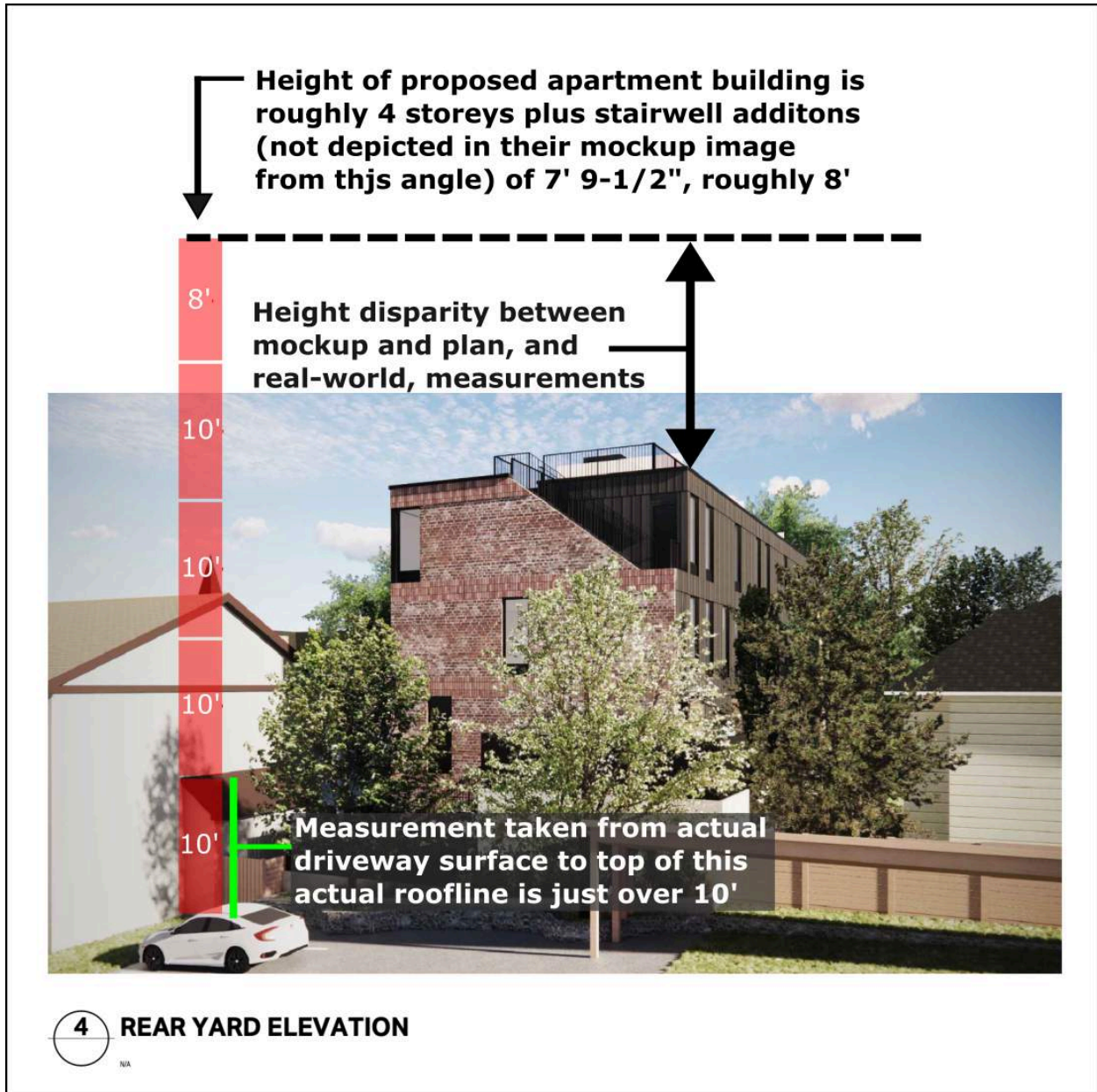
Neither proportionally correct nor visually accurate, this second mockup, as with the first, is either unintentionally inaccurate or intentionally distorted in order to reduce the incongruity of the building's scale within the surrounding landscape and buildings.

The first appeal presents a height-adjusted mockup that uses the proposal's own images to show something closer to accuracy for what the development would look like for the properties to the northwest, north, and east.



Note that the image above also shows that 1276 Gladstone property is toward the top of a rise. Our co-op housing unit (which sits directly to the east, or left, in the above image) has a backyard that sits roughly 2-2.5m (6-8') below average grade on the 1276 Gladstone lot.

Turning to the revised mockup of the same view, the height distortion in the mockup reduces drastically the relative peak of the roof height on the proposed development.



The development proposal's only face-on, north-side mockup image, "South Elevation" (2023-12-13 - Plans_Revisions.pdf, p, 16), is presented without any surrounding buildings, making it impossible to visualize its scale relative to the surrounding properties:

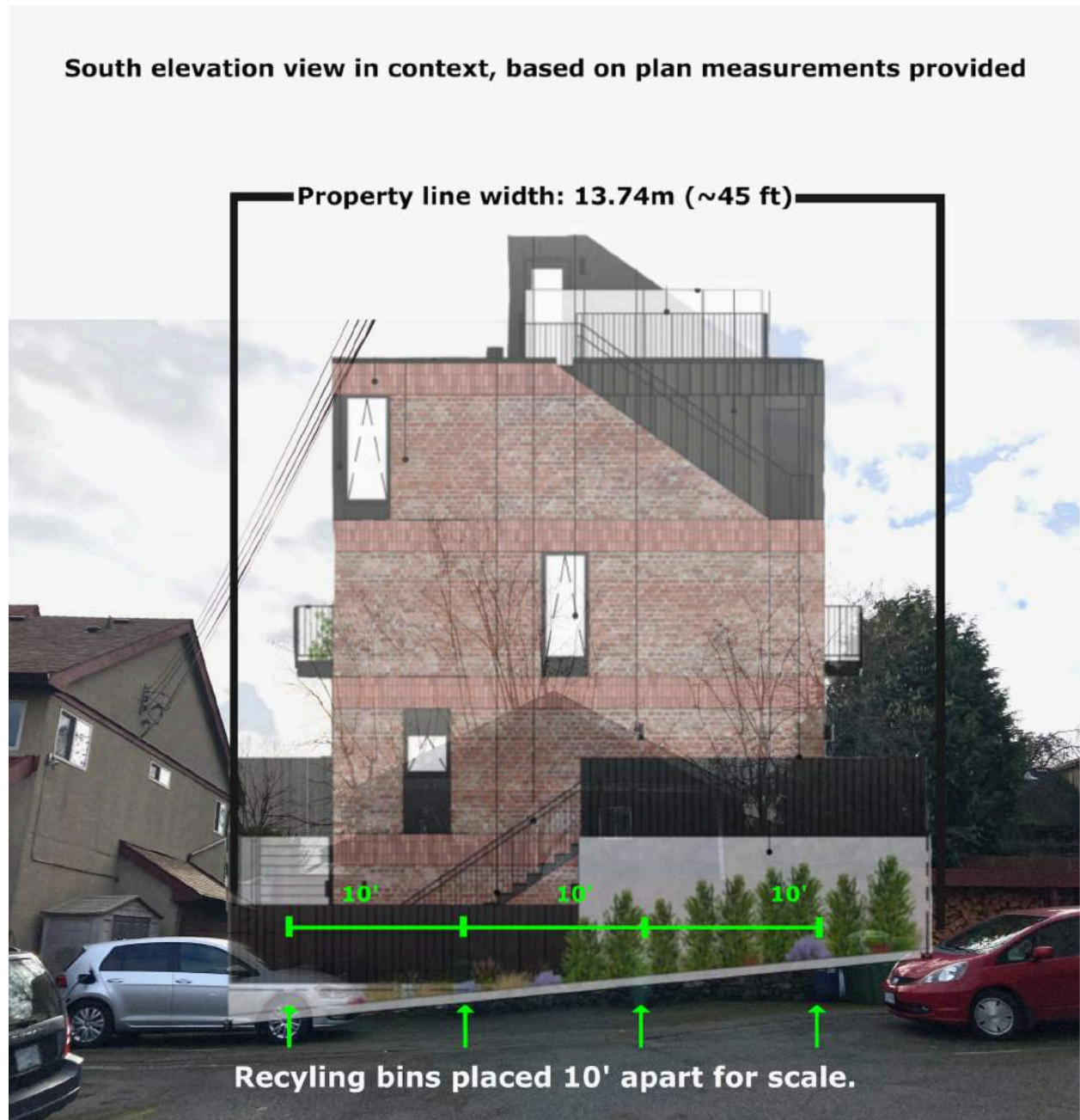


The “Front Elevation,” or south-side mockup (p. 18), however, does depict the building in context with the surrounding buildings. Showing this view in context makes sense from a persuasion perspective; after all, the front face of the building, at 3 storeys, looks relatively smaller than the south elevation image:



2 FRONT ELEVATION

Adjusting for the in-place scale of the northern property line, and using the measurements in the developers' plan, this is a more accurately scaled view of the South Elevation mockup:



Note that the opacity of the south elevation image is adjusted to show the existing house (1278 Gladstone), the roofline of which appears relatively short compared to the house to the east because the 1278 Gladstone sits closer to Gladstone than the proposed building, which pushes to within 1m of the northern property line.

Shown in context, it is clear that the proposed design is too large for the space. The Fernwood Community Plan—the City's own guideline document for this area—calls for any new developments to “provide diverse living options at **neighbourly scales**, including through the retention of character homes through conversion” (19) [my emphasis].

As mentioned in the first feedback document, the scale of the design it is not in keeping with “Well designed new construction that is sensitive to the historic character, **form and scale** of the Village and its surroundings,” and by removing newly renovated homes with unique character, it does little to “enhance what makes this place special” (FVDG, 5) [my emphasis].

Responses to initial feedback-responses

The 2023-12-13 - Letter to Mayor and Council.pdf document, “made in response to feedback received during the CALUC preliminary and pre-application meetings,” attempts to address some of the concerns raised in the initial round of feedback.

By and large, the changes proposed by the developers leave a number of unanswered questions and raise a number of serious concerns.

Environmental bait-and-switch

Page 2 of the Letter to Mayor and Council states the following:

The project proposes to repurpose reclaimed brick from local “unbuilding” companies on the street and rear facades, true to Fernwood’s sustainable recycle culture and environmental consciousness.

In no way can these proposed material choices address the loss of GHG capture in the current lot. And, to suggest that choosing these materials is “sustainable” within the context of demolishing two recently renovated homes is a false equivalency, reflective more of a rhetorical desire to appear environmentally conscious than this development inevitably is.

Furthermore, what commitments are in place to ensure that the builders can find and use reclaimed materials? Will the existing houses be reused or demolished? In relative terms, these latter questions are more pressing environmentally than whether or not the developers choose to buy some reclaimed materials.

Page 4 of the same letter adds that “Omission of parking will reduce Green House gas emissions.” This is a universally applicable statement and does not account for the overall reduction of GHG carbon capture of the current greenspaces on the existing property, nor does this document, or any other submitted, account for the carbon emissions associated with the destruction of the current, renovated buildings, or the carbon emissions of the new build, especially the volume of concrete required in the build, something discussed in more detail in the first appeal.

Responses fail to address the problem of the building's overall scale

Under a heading entitled "Neighbourhood and Impact" (p. 3), the developers state the following:

The proposed building presents as a three-storey building on the Gladstone Avenue frontage with ground oriented commercial space and rental housing above (and behind), which is typical of the adjacent Fernwood square and provide a harmonious and appropriate extension to Fernwood Village.

The proposed building is four storeys, plus roof extensions, and presents as higher for the neighbours to the east, west, and north. From one view, the building might "present as" three stories, but the majority of the building is 4 storeys with roof additions of nearly 8'. The property grade sits higher than the adjacent properties, which only raises the relative height of the building further. Failure to include this in the "Neighbourhood and Impact" is very troubling, given the effects the scale of this building will have on the surrounding properties.

On page 3, the developers seem to be aware that the building, at four storeys, is not in keeping with the scale of the surrounding neighbourhood:

Although the building is four storeys tall, the street-oriented south façade is only three storeys tall and is in keeping with the character of the nearby Fernwood Square.

Another reading of the above quote is that, in fact, it is *only* the "street-oriented south façade" that is "in keeping with the character of the nearby Fernwood Square." Indeed, looking at the "East Elevation" image (p.15) of the revised plan, it is evident that the majority (roughly three quarters) of the building is *not* in "keeping with the character of the nearby Fernwood Square":



Further, Fernwood Square is only part of the surrounding neighbourhood's character—what of the existing homes affected by the majority of the building's footprint to the north, east and west? To privilege Fernwood Square as the touchstone for the design fails by definition to account for the diverse, aggregate influences and spatial character of the surrounding properties, which are also intrinsic to the Fernwood community.

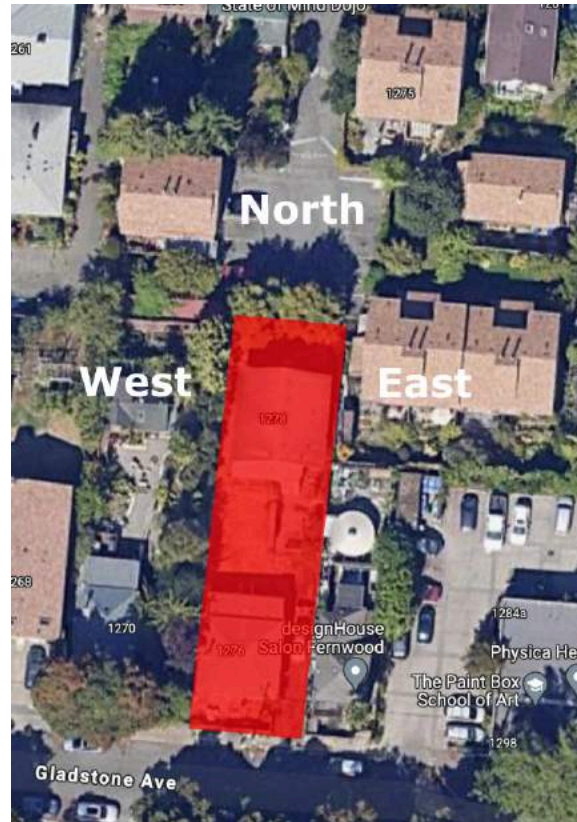
Shaded by omission

On page four of the 2023-12-13 - Letter to Mayor and Council.pdf, the developers acknowledge “concerns over building height and shade impact” and make the following adjustment to the plan:

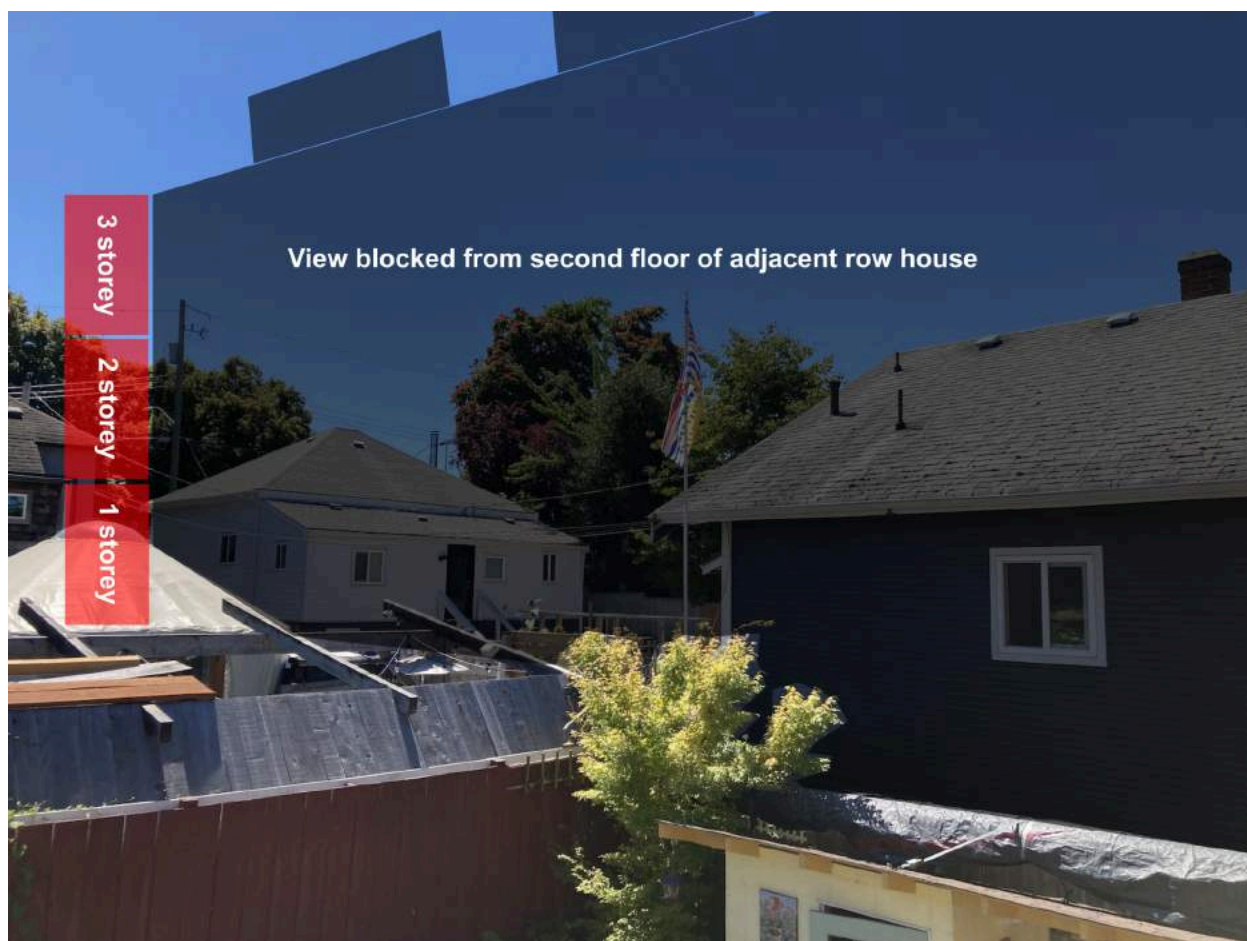
the rooftop access stair closest to the rear yard has been removed and replaced with an exterior stair at L4, resulting in a stepped massing and reduced shade impact on neighbouring properties to the north.

This change is hardly significant, and particularly ineffectual for the buildings to the east and west, those most affected by the shade and privacy impacts of the build. In other words, none of their design changes address the “shade impact” to the east and west.

Moreover, the area directly to the north of the 1276 Gladstone property is a parking lot and therefore has a relatively reduced concern for shade, with the exception of the productive hazelnut trees to the north of the adjacent property (discussed below).



The first appeal includes visualizations of the development's scale, as seen from the yard to the east:





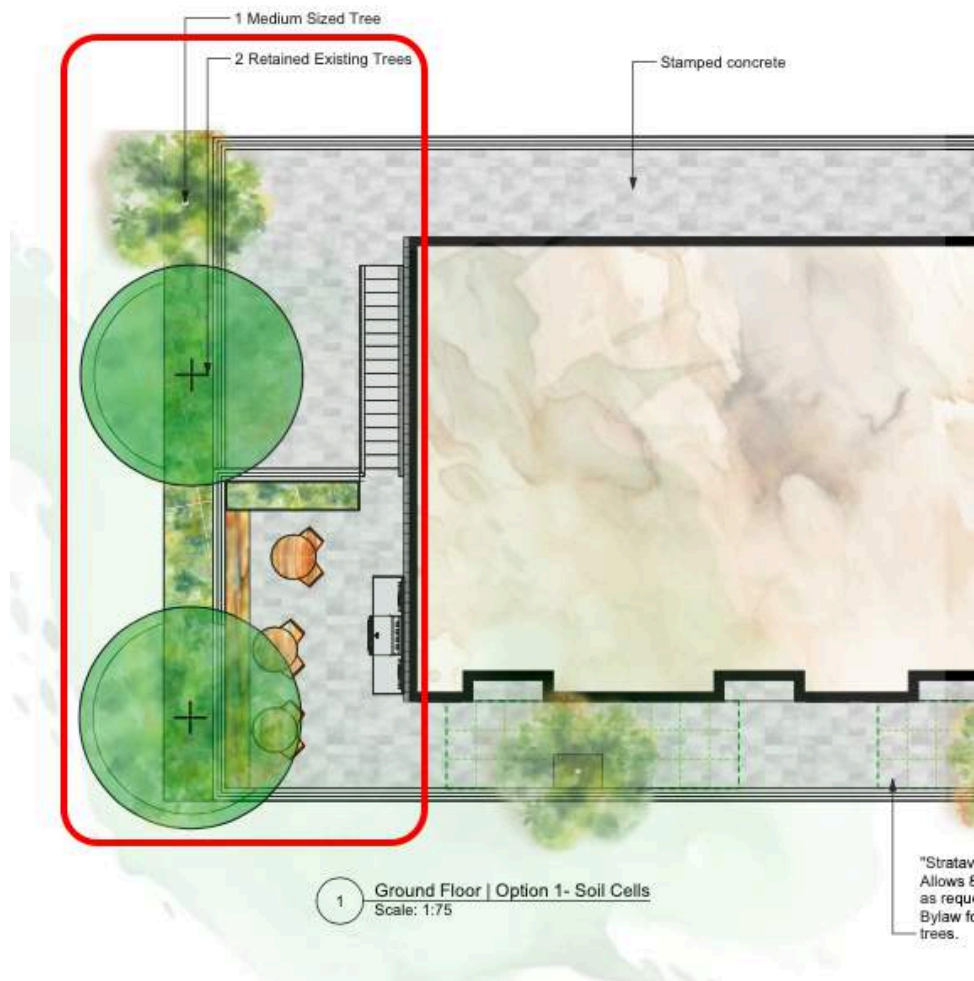
Encouragingly, page four of the 2023-12-13 - Letter to Mayor and Council.pdf attempts to address the imposing scale of the development, but again, only with considerations for the “rear yard”:

To address concerns of a ‘monolithic’ appearance at the rear yard elevation, brick banding has been added to match the street-facing elevation, additional windows have been provided and the façade has been broken up with the introduction of an exterior stair.

The monolithic appearance of the building has more to do with the development’s scale as a whole, not just the building’s aesthetics. And, these proposed changes introduce further concerns for the retention of the existing hazelnut trees on the 175 Pembroke property, as well as structural and engineering challenges.

Misleading hazelnut tree retention

The first appeal noted that page 31 of the first submitted design plan indicates the retention of existing hazelnut trees, suggesting that these trees are part of the development property, as seen in the following image:



As mentioned in the first appeal, these trees shown in the design are not on the 1276 Gladstone property: they are on the other side of the 1275 Pembroke property, as can be seen in the following image:



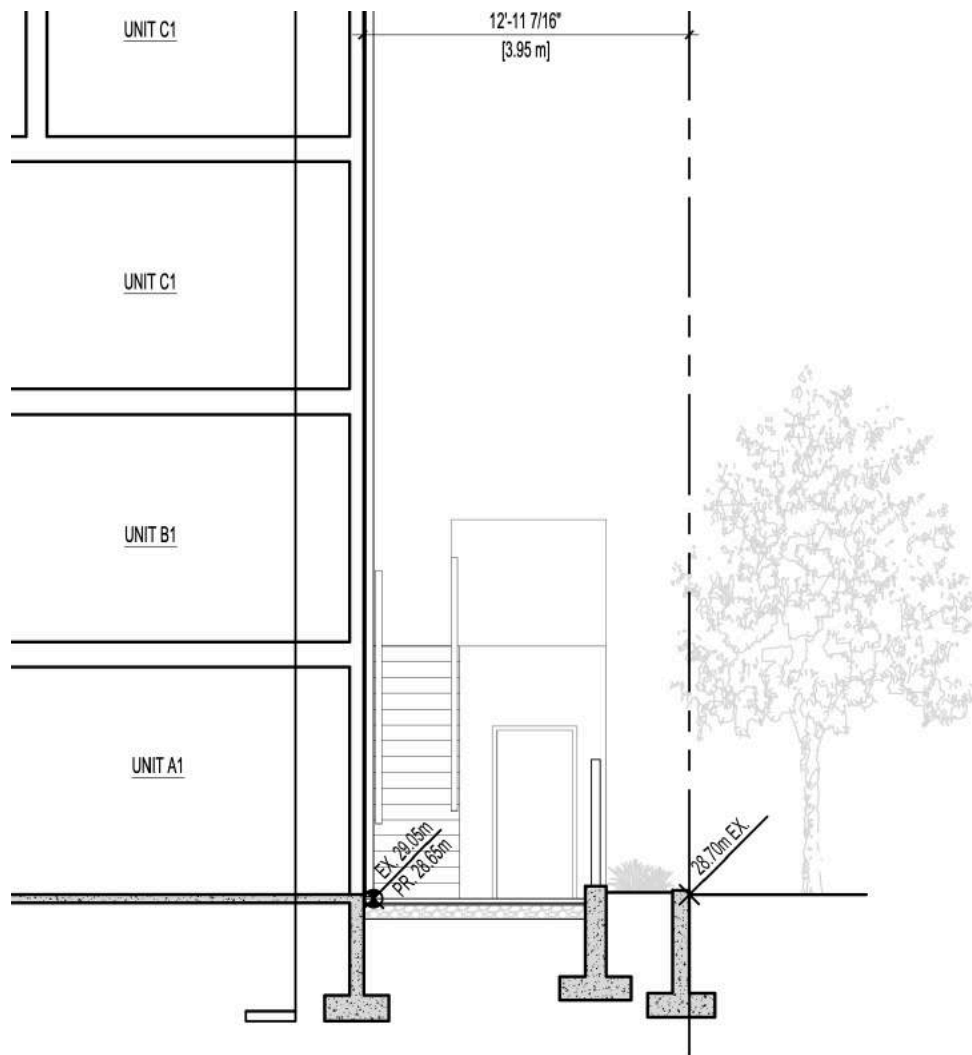
The first appeal noted concerns the building's foundations would affect the roots of these hazelnut trees. The revised design threatens these trees all the more. The concrete walls proposed for the north end of the 1276 Gladstone property will require digging down to hardpan in order to be engineering compliant—as a result of this digging, the roots of the hazelnut trees will be irreparably damaged and the trees will likely die.



4 REAR YARD ELEVATION

Page four of the 2023-12-13 - Letter to Mayor and Council.pdf relates that “An arborist report has been provided as part of the Rezoning/DP application to address concerns over impact to existing trees on the western and northern borders of the site.” But it is unclear as to whether this report occurred prior to the plan’s revisions. Given the changes to the design, a new arborist’s report should be required.

Looking at the architectural drawings, note the proximity of the retaining wall and footings to the symbolic hazelnut tree in the following image:

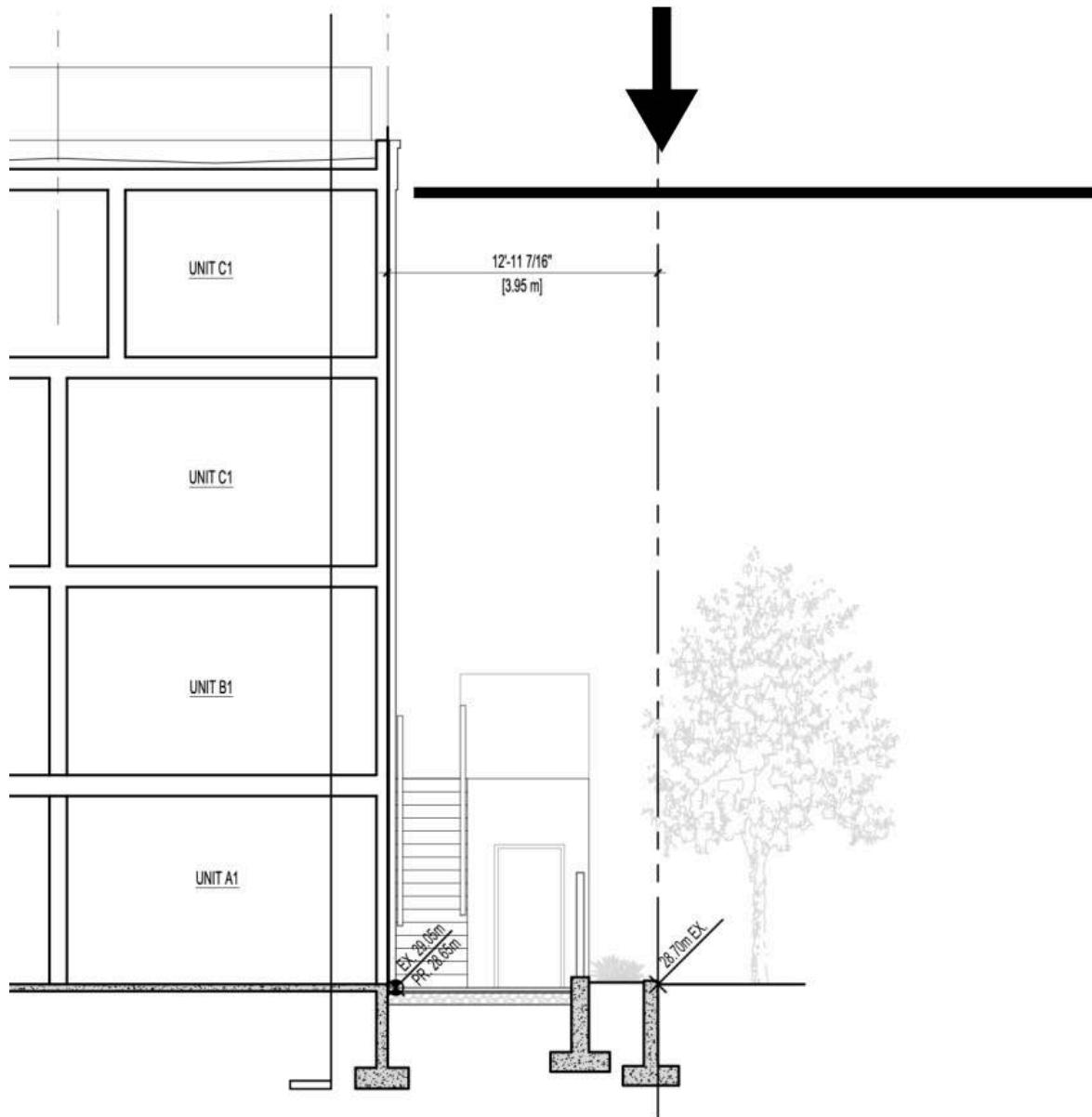


This rendering is concerning, also, because it misrepresents the scale of the trees (there are two, not just one) and their proximity to the northern property line. This is easy enough to correct for with an image of the architectural depiction:



Height-adjusted, the hazelnut tree reaches roughly the fourth floor of the proposed apartment building:

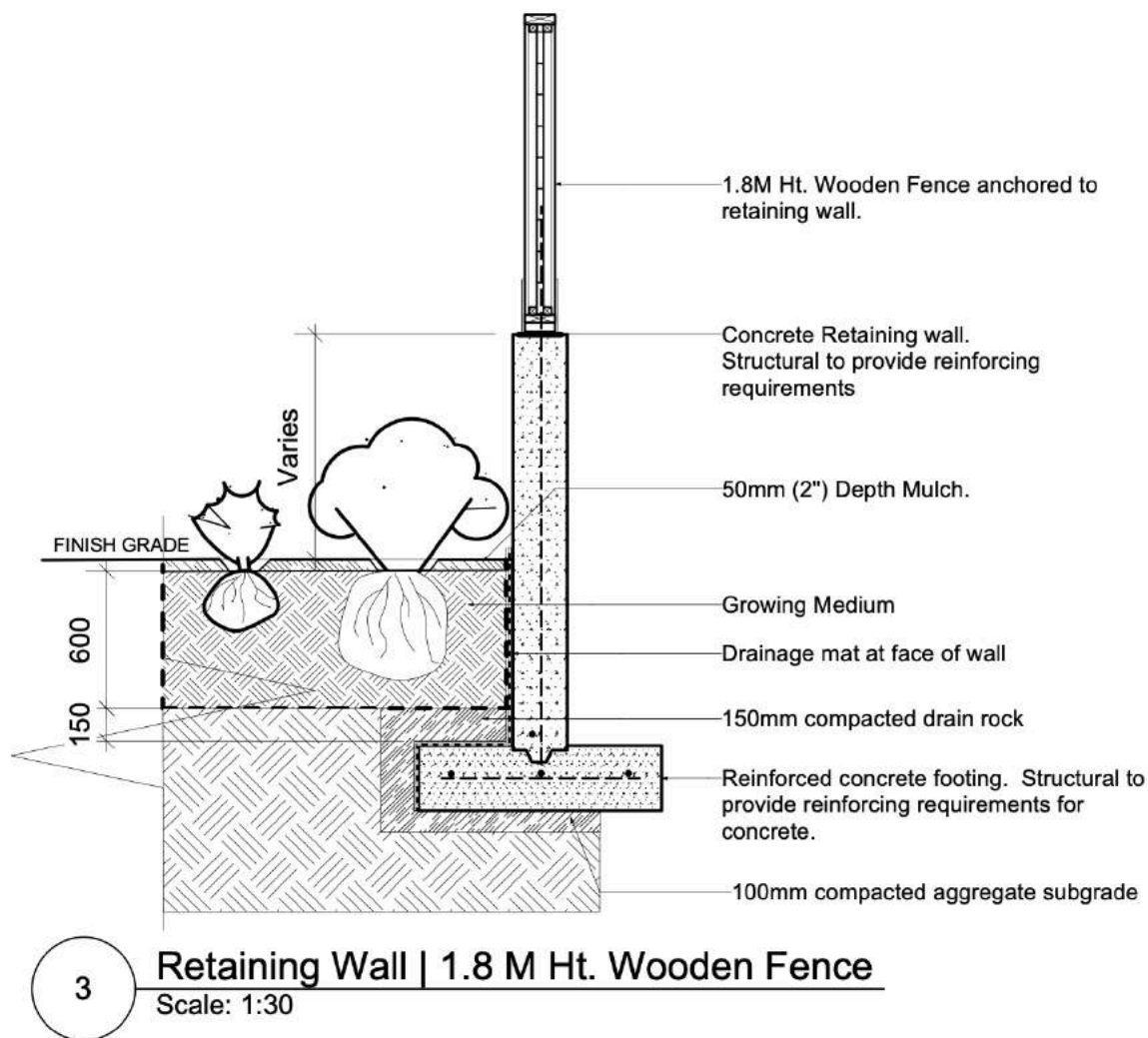
Aproximate tree height line relative to proposed apartment building



From looking more closely at the site, it appears that it is not possible to build the retaining walls without disturbing the tree roots and ultimately destroying these trees. These trees are a living and thriving community asset, and so another arborist's report should be undertaken in light of the design changes.

Dealing with retaining walls

Page 20 of 2023-12-13 - Plans_Revisions.pdf indicates a "1.8 m Ht. Cedar Privacy Fence" along the east edge of the property line. This same page shows a design schematic that includes a retaining wall, to which the cedar fence is affixed.

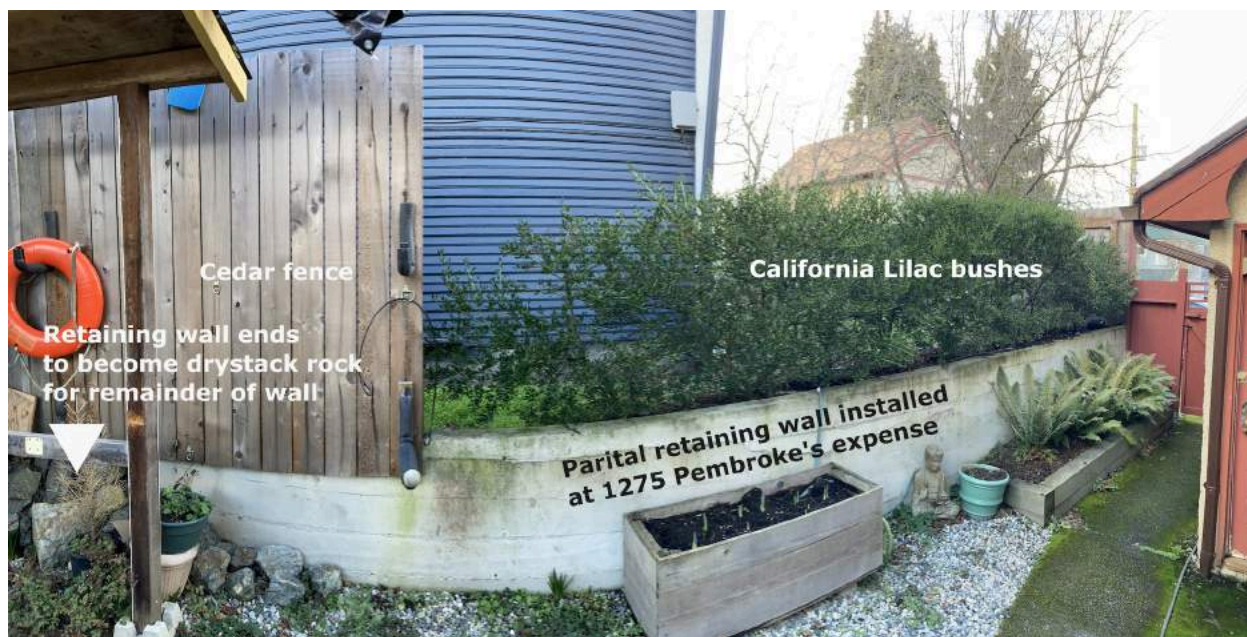


What the plans fail to show is that the eastern run of the property line already has a partial retaining wall and an existing fence, along with California Lilac hedges grown from seedlings over that last four years.

Here is an image of what the eastern run of the property looks like from above:



Here is a closer look at the retaining wall area:



Neither the developers' plans nor the letter to Council indicate what will happen to existing infrastructure. The Spring Ridge Co-op (at unit 4, 1275 Pembroke) paid for this wall to be installed and would need to be consulted were any changes to occur, especially given the destructive nature of the construction required to install a footed retaining wall and fence along the eastern property line of 1276 Gladstone.

Concluding considerations

It is my sincere hope that Council will read the first appeal and this second appeal document closely in their entirety and consider particularly the natures of the persuasive elements of the developers' 2023-12-13 - Plans_Revisions.pdf and 2023-12-13 - Letter to Mayor and Council.pdf documents. These documents convey facts, but I have tried to show some of the ways in which these documents convey a narrative—a narrative that ultimately serves the developers' financial wealth.

As much as I am grateful to have some channel of feedback about the 1276 Gladstone development, there is also a sense of disempowerment to creating these documents. Given the multi-level governmental mandate to produce more housing stock, developers appear to possess a disproportionate socioeconomic sway and benefit. It is a developer's vocation to produce documents, plans, and petitions to have their buildings built for their financial profit and livelihood, whereas citizens questioning and critiquing developments gain neither of these benefits.

Certainly, we all have civic responsibilities, rights, and privileges, but what is particularly unsettling is when developers consider themselves as "community builders." Let's not forget in this conversation that the proposal for the 1276/1278 Gladstone development requires two perfectly good houses to be demolished, the tenants displaced, greenspaces paved over, sitelines blocked, gardens shaded, and trees destroyed—from this perspective, it appears more like community destruction than building.

The developers are not proposing co-op, mixed-income, or alternative housing, nor are they considering creative alternatives that use the existing housing stock in novel and interesting ways, something addressed in the first appeal document. They are proposing an apartment building that maximizes rental profit for the size of the lot(s).

It is my hope that the City will reject this application, or, at the very least, see that reducing the scale of the building to a true 3 storeys will strike a balance between developer profits and community consequences.

As before, I point you to the attached petition of signatures in support of rejecting the 1276 Gladstone proposal and development.

Thank you.

Kim Shortreed
Spring Ridge Co-op Housing Association

[Petition link.](#)

To the City of Victoria Council

We, the undersigned, declare our support for this petition:

To reject the proposal put forward by Ashley Kiptoo and Tonny Kiptoo to change the zoning of the subject property, 1276 & 1278 Gladstone Ave., for new mixed-use building with commercial retail and 18 new rental homes.

Dated 23rd day of July, 2023.

Petition prepared by Kim Shortreed [redacted] and Jillian Player, Spring Ridge Coop, 1275 Pembroke St, Victoria, V8T1J7

Date	First & last name	Address	Signature
July 23'23	Jillian Player	4-1275 Pembroke St	[redacted]
July 23/2023	Kim Shortreed	4-1275 Pembroke St.	
July 23/2023	Leia Mango	5-1275 Pembroke	
July 23/2023	Rob Carmichael	9/1275 Pembroke	
July 23/2023	Shane Johnson	#8-1275 Pembroke St	
July 23/2023	Angela Moran	#1-1275 Pembroke St	
July 23/2023	Avleen Dhaliwal	#1278 Gladstone	
July 23/2023	Shannon Craig	1270 Gladstone	
July 24/23	Rana Miller	6-1275 Pembroke St	

Date	First & last name	Address	Signature
July 25/23	Carolyn Boyce	#3 1275 Pembroke St Vie BC	
July 25/23	TONY SPRACKETT	1263A PEMBROKE	
July 25/23	Megaa tate	1263 Pembroke St	
July 25/23	Jesse McNelly	1255A Pembroke St.	
July 25/23	CORINNE MAH	1281 Pembroke St	
July 25/23	Arnie Lade	1275 Pembroke St Victoria BC	
July 25/23	Larissa Stendie	1275 Pembroke Victoria	
July 25/23	Gerrit Gosker	1269 Pembroke	
July 25/23	Diane Lade	1275 Pembroke	
Aug 2/23	CRISTINA WOODS	1265 Pembroke St	
Aug 8/23	SHARON MAN	1253A Pembroke St	
Aug 8/23	JANNA [REDACTED]	1261A Pembroke St	
	[REDACTED] [REDACTED]		

From: Victoria Mayor and Council
Sent: November 19, 2024 2:50 PM
To: Legislative Services email
Subject: FW: Zoning Regulation Bylaw, Amendment Bylaw (No.1347)

Follow Up Flag: Follow up
Flag Status: Flagged

From: Mona Braschuk
Sent: November 18, 2024 10:50 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No.1347)

City of Victoria,
Mayor and Council
Attn: Chris Coleman (Fernwood liaison); Marg Gardner, Susan Kim, Dave Thompson

Re: 1276 Gladstone Ave., Victoria; redevelopment proposal

I am writing, again, to express my concerns and total opposition to the proposal for redevelopment of the property at 1276 Gladston Ave.

I have lived at 1253 Pembroke St. for 48 years and have seen many positive changes to the neighbourhood over that time.

On many streets, the creation of new units by lifting houses and building ground-level suites has provided additional, and much needed, rental accommodation in our neighbourhood. These properties are examples of appropriate, human-scale and compatible housing for the Fernwood neighbourhood.

However, the current proposal for 1276 Gladstone is totally unacceptable. It is completely out of scale with the rest of the surrounding neighbourhood and would destroy the quality of life of the residents in the adjacent homes. Increasing the number of people residing on a single-family sized lot to 40+ people plus a commercial business is totally inappropriate.

The housing currently being consturcted on the west side of Vic High School will result in a big increase in population and create even more traffic congestion on the small residential streets of Chambers and Gladstone. Adding another project with no parking and more people will only exacerbate this problem.

***A major reduction in the size of the proposed development, the provision of some truly affordable units and the inclusion of parking for residents would be much more appropriate for the size of the lot and a better fit for the small residential street and surrounding neighbourhood.

Thank you for your attention to this urgent matter,
Sincerely,
Mona Braschuk
1253 Pembroke Street.

From: Victoria Mayor and Council
Sent: November 19, 2024 2:51 PM
To: Legislative Services email
Subject: FW: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071

Follow Up Flag: Follow up
Flag Status: Flagged

From: J P
Sent: November 19, 2024 9:07 AM
To: Dave Thompson (Councillor) <dave.thompson@victoria.ca>; Councillors <Councillors@victoria.ca>; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Re: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071

I am hoping I can get this email through as I have just found out about the deadline.

It has been so disappointing trying to deal with this council. As a supposedly "open to opinions" and "we want to hear from you" council, our experience has been quite the opposite.

Our concerns regarding the 1276/1278 Gladstone proposal have unfortunately fallen on deaf ears. We have been made to look like NIMBYs which is opposite from the truth.

The proposal for 18 units will do nothing for the so-called housing crisis, that your own council said you have gone above and beyond the mandatory development.

I agree there is an affordable housing crisis which this development does nothing to address. So why pat yourselves on the back for it?

As of right now there are over 200 rental listings in the Fernwood/Victoria downtown area alone on Facebook marketplace.

Why would you want to ruin so many people's quality of life and ruin the environment for the sake of a few apartments?

Jillian Player
1275 Pembroke St