

Mayor and Council Members City of Victoria
1 Centennial Square Victoria, BC
V8W 1P6

November 17, 2017

Re: Edwin Lane, 515 Foul Bay Road Development Permit Application

Dear Mayor and Council Members,

The above mentioned application was first submitted to the City of Victoria on October 20, 2016, and we are very happy that it will be going to public hearing on November 23, 2017. We strongly feel that this application is not only economically viable, but more importantly socially and environmentally conscious while providing improved safety both for the residence under this application and the neighbouring properties.

The existing home on this property is a Samuel Maclure design and is presently on the heritage registry. Our application calls for heritage designation and therefore permanent protection of this beautiful home. We have also agreed to maintain the existing 5 rental units for a period of 10 years. The present access to the mansion is via a one car wide on a long winding road which is impossible to be accessed by fire trucks. The new road proposed is required to be 7 meters wide and accessible to fire trucks which is essential to the life and safety of the residence under this proposal. The expansion of the road is the cause for removal of 10 trees of which 4 are small Gary Oaks. The upper portion of the road will be build with permeable pavers providing protection for the root systems covered by road. The road terminates with 5 parking stalls for the rental units and turn around road required for fire trucks and is further cause for removal of one more protected tree. The existing proximity of the road to the mansion is unchanged, legally non-conforming and the reason for requesting 3 variances. Since as many as 18 people could be living in this home, fire and safety out ways any other consideration and because construction for fire truck access does not require a development permit, our plan will be to proceed with this work as soon as possible.

The design rational for creation of three additional bare lot strata was primarily protection of the trees and natural habitats. The south portion of the property is what is considered as urban forest and our tree covenant provided to city calls for complete protection of this area. The north portion is covered by evasive non-native plants and trees. The evasive plant have already choked and destroyed several natural trees including two Gary Oaks. These areas will be cleared of evasive plants which will give better breathing room for the trees protected by covenants provided to the City. The trees between lots A and B and a portion north of the property are also being protected by covenant. The extent of the protected areas including rock outcrops is in excess of 51% of total strata lot area and unmatched by any other subdivision proposal in this area. The existing site coverage is 1,045 sq meters which include 4 unsightly and unsafe small structures consisting of two car ports, a storage shed and a green house that will be removed from the property therefore reducing site coverage by 137 sq meters. These structures are not part of the original Samuel Maclure design and must have been added by subsequent owners.

Much thought and consideration was given to the design of the three proposed homes. These designs were consulted and have received the support of City's heritage and planning staff. The existing bylaws allows for one story homes with basement with 25% site coverages. However, because basements would require extensive blasting, destruction of the root system of the trees and disturbance to neighbours, this option was ruled out and contrary to what all neighbours believe, there will be no blasting required for construction of homes. Also a pitched roof over one story would have resulted in homes of just 1 m less than our proposal. Alternatively, a smaller footprint of less than 25%, on two stories with slab on grades above the root system would result in saving numerous trees and will provide greater open areas. The total site coverage including the 3 new proposed homes will increase by 382 sq meters or 7.8% of the property. Each home will require two variances for height and two stories for a total of 6 more variances. The only setback variance required effecting a neighbour is on west of Lot A and is needed in order to save a large Arbutus tree on east of lot A. The remaining 5 setback requirements do not effect any of the neighbours and are with respect to internal lot lines. It's important to note, in order to increase privacy for the north neighbour, two large Gary Oak trees are being removed because house B was moved 3 m south as requested and not needed for meeting zoning bylaws while also resulting in one more variance for internal lot lines.

In addition to the 10 trees removed due to fire road access, 9 more trees are being removed due to construction of the homes. With the exception of three large trees, the remaining 6 trees are small in size and not in good health with 4 on rock outcrops and 1 being invaded by ivy. Most of the Oak trees being removed are growing on rock outcrops, are in very poor health and small enough that you can wrap two fingers around the trunk. Our proposal includes planting of 24 new Gary Oak trees in areas which they would have a much better chance of survival. Upon completion of the project, there will be a total of 42 trees of which 38 will be Gary Oaks.

This development permit application is the result of months of consultation with neighbours, the City staff and professional consultants. Many of our good neighbours continue to misunderstand the nature and the impact of this proposal. There is a great deal of misinformation and lack of knowledge about the nature of the existing conditions vs the benefits of our proposal being circulated around neighbourhood. It is a well thought plan which will bring a modest growth at a time when construction lots and rental units are at scarce and much needed while protecting the urban forest and a heritage home for future generations to enjoy. The location of this property being adjacent to a school, close to bus route and shopping is ideal for families which this proposal will provide.

Sincerely,

Alpha Project Development Ltd.

Lacey Maxwell

From: Gillian Ellis [REDACTED]
Sent: November 19, 2017 2:14 PM
To: Councillors
Subject: 515 Foul Bay

Dear Madam/ Sir,

I am writing to express my concern regarding the development proposal concerning this property. We live close by on Queen Anne Heights and have watched the character of our neighbourhood being steadily destroyed - trees cut down and heritage houses demolished to make way for enormous expensive houses with untold numbers of cars attached. Constant blasting has been our companion over the last two years.

This proposal seems egregious by even these current standards. Why do we have a neighbourhood plan and regulations if they can be bent to suit anyone with deep pockets?

I do not understand what the community stands to gain - certainly no more affordable housing, our trees which are the lungs of our planet are irreplaceable, especially our unique Garry oaks, and we risk losing that uniqueness in our community too.

I do hope you will reject this proposal.

Yours sincerely,
Gill Ellis

Sent from my iPad

Lacey Maxwell

From: JOANNE BOND [REDACTED]
Sent: November 19, 2017 9:49 AM
To: Councillors
Subject: Fwd: Development at 515 Foul Bay

Dear Councillors:

I am writing as a resident of Gonzales to voice my opposition to the housing development being considered for 515 Foul Bay Road.

The developer proposes to cut down a large number of trees, many of which are endangered Garry Oaks, in order to build three modern infill houses. This is one of the few remaining Garry Oak woodlands in Victoria, and the oaks and landscape should be protected and preserved.

The new houses are too large, too tall, and too close to the neighbours. Victoria needs more housing, but does not need more multimillion dollar homes that families and others cannot afford. Allowing the variances being requested will set a precedent for future development in Gonzales. Please vote no on November 23rd.

Sincerely,

Joanne Bond



Virus-free. www.avast.com

Lacey Maxwell

From: Lynne Holt [REDACTED]
Sent: November 19, 2017 9:59 PM
To: Councillors
Subject: Development proposal 515 Foul Bay Road

Hello,

This e-mail is to register our concerns about the development proposal at 515 Foul Bay Road. We live in the Gonzales neighbourhood at 2029 Romney Road, our property is one lot away from this development. This development will result in the loss of significant tree canopy and Garry Oaks. This will significantly impact the neighbourhood. We are property owners with large mature Gary oaks on our lot and we have worked hard to care for and preserve these trees for the betterment of the neighbourhood and the city. Any new development should comply with our neighbourhood plans including the preservation of trees and we do not support the variances being requested.

Lynne Holt
Chris Koide
Emily Koide

2029 Romney Road
Victoria BC
V8S 4J6

Lacey Maxwell

From: Natalie Suzuki [REDACTED]
Sent: November 19, 2017 3:47 PM
To: Councillors
Subject: 515 Foul Bay Rd DVP

Dear Mayor and Councillors,

We are residents of 549 Foul Bay Road, with direct sight lines to 515 Foul Bay Road and proposed House A. We are concerned that the requested setback variances for house A (west setback of 1.22 m compared to bylaw requirement of 7.5 m) in combination with the variances requested for height (2 storey instead of 1 storey) and loss of trees (including Garry oaks) along the western side of the property will result in a significant loss of privacy for ourselves and our immediate neighbours. We are not opposed to development of this site, but would encourage council to direct the developer to provide a design that is consistent with city requirements and the neighbourhood plan, and that does not push development to the edges of a large property at the expense of the privacy of neighbours and potential collateral damage to neighbours' vegetation near property lines.

Thank you for your consideration.

Natalie Suzuki & Roy Hourston

Lacey Maxwell

From: Debbie P [REDACTED]
Sent: November 20, 2017 10:58 AM
To: Councillors
Subject: 515 Foul Bay Rd Development

Dear Mayor and Council:

My husband and I moved to 533 Foul Bay Rd in July of 2015. One of the main reasons we chose this house is because it is in the Fairfield neighbourhood which is where I grew up and we absolutely love the location. The most important reason is because it has a very large private lot with a diverse wild life component which was most important to us, especially since I am retired and spend a great deal of time at home enjoying my yard and garden and the various birds that live in the trees and are always in the yard! On any particular day, I can look out my backyard and see up to 20 birds flitting about, it is a very lovely calming sight. With the development of 515 Foul Bay Rd and the various variances, it seems as if much of our privacy will be lost and I am very concerned about that and what affect it will have on the wild life I have the pleasure of watching everyday.

I have many concerns with the development and hope that the mayor and councilors really read, listen and take into consideration the suggestions of the neighbours that will be affected by these changes and not accept the current design as suggested. My biggest concern is with the number of trees that will be removed and our lack of privacy at the end of the project. I worry that much of the understory and trees that are on our property that border 515 Foul Bay Rd will be removed. I have heard of many instances where property owners "accidentally" remove trees/bushes on another persons' property to improve their view. I am wondering how a home owner can protect their property to ensure this does not happen?

I would like to suggest the height of the houses be reduced and are built within the parameters of their building envelope with main windows and living area facing towards the existing Maclure home on the 515 property so the new houses are not looking directly into my backyard and windows. As these are net new houses, I believe they should be built with consideration to the existing neighbours as the developer has no intention of living in these houses, it is my view that they just want to make a quick profit for themselves and are not concerned with what affect it will have on the existing property owners and their property values.

We are not asking that this development be stopped, although that would be ideal, we are asking that the developer come up with plans more sensitive to the existing homeowners and properties and look at it more from the view of if they were existing homeowners, what would they like to see.

Thank you for your time and consideration of this request.

Yours sincerely,

Debbie Pungente
533 Foul Bay Rd