

Lacey Maxwell

From: Cindy Trytten [REDACTED]
Sent: November 20, 2017 6:36 PM
To: Councillors
Subject: 515 Foul Bay Road - Developer's Proposal - Strong Opposition

Dear Councillors,

I was disheartened to learn that a developer has put forward a proposal to do what can only be described as decimate a natural area in order to once again build overly massive houses (affordable only to the very, very wealthy) on lots that are denuded of trees, in this case, endangered Garry Oaks. The citizens of this area (Fairfield, Gonzales and Rockland) have seen property after property follow a developer-friendly, neighbourhood-unfriendly pattern which is eroding the natural beauty and heritage look and feel of our areas. As the new ones come up it seems that there is little consideration, if any at all, paid by the developers to design concerns or to preservation to the extent possible of the other major feature that makes our areas unique and outstanding - their natural beauty. There are rare exceptions and the exceptions should serve as a model for all developers.

I am strongly against this proposal and request that council send a strong and clear message back to the developer that this is not acceptable. Any proposal seriously entertained here should work towards ensuring that any new houses fit into the neighbourhood and enhance it, rather than diminish it. There should be protection to the extent at all possible (partly made possible by not building massive, oversized houses) of the trees, losing 19 out of 35 is not acceptable. The blasting of the natural rock outcroppings in another devastation to the environment of that property that will diminish its natural beauty.

The West Shore is the location that this developer's proposal is better suited, not Gonzales. One after another they're coming down and characterless "modern" rectangles and squares with a few sprigs of sparse greenery are added around massive cement parking lots that are replacing front yards in these new homes (there are many examples in the area). There are also great examples of the opposite happening (not enough), for example the one on Richardson near Moss that received so much kick back from the Rockland Association. It ended up being an asset to the area, it blends in and it has purposefully incorporated many design features to do so, it's modern and it has become a new part of the natural beauty of Rockland rather than a bland, massive, characterless sore thumb on a moon scape property. This is an example that it can indeed be done, and this and the few others like it should be shown to any developer who wishes to build in these areas so they get it before they submit a proposal.

Thank you for considering my position on this.

Cindy Trytten

Lacey Maxwell

From: Jeff McEown [REDACTED]
Sent: November 20, 2017 5:00 PM
To: Councillors
Cc: gkmuir@shaw.ca
Subject: Fwd: 515 Foul Bay DVP

Sent from my iPhone

Begin forwarded message:

From: Jeff McEown [REDACTED]
Date: November 17, 2017 at 8:32:48 PM GMT+7
To: Karen Ayers [REDACTED]
Cc: Mike Fenger [REDACTED], Val Hignett [REDACTED], [REDACTED],
[REDACTED], Virginia
Errick [REDACTED], [REDACTED], HO Administration [REDACTED], [REDACTED]
[REDACTED], SUSANNE RAUTIO [REDACTED], [REDACTED]
JULIE JONES [REDACTED], Susan Brison [REDACTED], Robin Jones
[REDACTED], Joy Aspell [REDACTED]
Subject: Re: 515 Foul Bay DVP

Dear Mayor and Council Members

My wife and I live at 610 Foul Bay Road, a McClure house on the historical registry.

Shortly after we moved in the Variance Committee granted three significant variances to the adjoining property to allow for construction of a house far too big for the lot

Like the plans at 515 Foul Bay Road they allowed a side yard set back when the backyard set back should have been enforced . We have lost considerable light and privacy and have been put to considerable expense to remedy the loss of privacy as best we can.

The committee that hears property tax appeals from assessed property values has for the last two years concluded that the loss of privacy as a result of the variances granted has reduced the value of our house by over \$100,000.00 and has reduced our taxes accordingly.

At the same time the city wants to designate our portion of the street an historical district specifically because of our house and a couple of others.

On the one hand the city is destroying the beauty of a traditional neighbourhood in a rapacious grasp for tax dollars and at the same time you want to trade on the traditional beauty you are undermining.

You need to end this schizophrenic attitude toward neighbourhood preservation/ development.

Signs are springing up in a number of the beautiful traditional neighbourhoods in Victoria opposing the very type of development you are entertaining here. I suspect if you continue to approve abusive development such as the proposed development at 515 Foul Bay, which shows no respect for those who live next door, there will be political consequences.

Listen carefully to Ms Ayers, she and my effected neighbours have our support. I'm sorry I am out of the country as I would relish the opportunity to address you personally.

Do the right thing this time.

Jeff McEown

Sent from my iPhone

On Nov 17, 2017, at 8:02 AM, Karen Ayers [REDACTED] wrote:

FYI.

From: Karen Ayers [REDACTED]
Sent: November-16-17 3:31 PM
To: 'councillors@victoria.ca'
Cc: Alec Johnston (ajohnston@victoria.ca)
Subject: 515 Foul Bay DVP

Dear Mayor and Council:

We understood that the applicant was going to make changes to the 515 application to respond to concerns raised by neighbours and the CALUC, however as this is now scheduled for a public hearing, it appears that is not the case. Some changes have been

Subject: FW: Proposed Development @ 515 Foul Bay Rd.

From: Gerry and Ray <[REDACTED]>
Date: November 20, 2017 at 3:47:31 PM PST
To: <councillors@victoria.ca>
Subject: Proposed Development @ 515 Foul Bay Rd.

Dear Mayor and Council, City of Victoria,

Our home is at 618 Foul Bay Rd. We built our house in 1960/61. It is situated on our lot size of approximately 16,500 sq. ft.

We understand there is a development proposed for 515 Foul Bay Rd. which would require fourteen variances to the City's regulations. We feel that if fourteen variances are required to proceed with this development there is something radically wrong. It raises the question of "why have bylaws when they can be so easily overturned?" It would be a shame to lose the character of our neighbourhood by allowing so many mature garry oaks to be cut down and further trees endangered to accommodate three closely-situated houses.

As you are aware, there is a current proposal for our area to be designated as a Heritage Conservation Area. The reason for this proposal is to preserve the character of the neighbourhood by banning panhandle lots, preserving the tree canopy, stone fences, etc. All of these factors makes this section of Foul Bay Rd. unique and adds to the environment which makes Victoria.

It seems to us that developers are trying to jam this proposal through and have Council grant permission to do so before the Heritage Conservation Area is designated. It would also seem to us that there should be a moratorium on like developments when Council is considering a change to Heritage Conservation designation for this area.

Currently we support the idea of the Heritage Conservation Area proposal to keep our neighbourhood unique however if the developer is allowed to proceed with the proposed plan it would prompt the "thin edge of the wedge" and our support would be withdrawn. We don't need or want a repeat of the development on the south-east corner of Foul Bay and Runnymede.

Thank you for your consideration,

Raymond and Geraldine Garside
618 Foul Bay Rd.
[REDACTED]
[REDACTED]

Subject: FW: Development Proposal for 515 Foul Bay

From: Sean Cavanagh <[REDACTED]>

Date: November 20, 2017 at 3:47:41 PM PST

To: "[REDACTED]", Debbie Pungente
<[REDACTED]>, <councillors@victoria.ca>, <Mayor@victoria.ca>

Subject: Development Proposal for 515 Foul Bay

Dear Mayor Helps and Councillors

Marianne Alto, Chris Coleman, Ben Isitt, Jeremy Loveday, Margaret Lucas, Pamela Madoff, Charlayne Thornton-Joe, Geoff Young

Thank you for taking the time to read our message below, as we appreciate your commitment to creating a world class city that offers community for families and residents to thrive, and enjoy the magnificent natural setting that Victoria is known for, and we all love!

Today, I am writing to you to voice our concerns and objection to the current proposed Development Permit at 515 Foul Bay Rd.

This development permit request does not meet city bylaws, regulations, recommendations or guidelines for development in the Fairfield Gonzales Community plan, and will destroy the quality of enjoyment of our home, our neighbor's homes, our outdoor space and have a significant impact to our privacy. If approved we will have a looming 35 ft. commercial like building with floor to ceiling windows on two levels staring directly into most of our principle habitable rooms.

- We have a deep concern that if approved as is proposed, this development will set the stage and precedent for redevelopment of many of the larger properties in the community, ultimately resulting in significant loss of the tree canopy, destruction of the sensitive ecosystems and natural setting that makes this community so attractive. More importantly it opens the door to a degree of density that eliminates the ambience and complimentary interplay of nature and residential activity, forever destroying what is truly special about our community. Many of the lots in the area are of ¼ acre size and I would respectfully suggest that all development in the area seek to maintain that target lot size in order to maintain the special qualities that the Gonzales hill offers. On a recent trip coming in from Pt Angeles I sought to see our house, and was amazed at the beauty that this wooded hillside provides to all residents of Victoria and its visitors.
- My wife has written to you describing the impact to the wildlife, flora and fauna of the fragile ecosystems in this area and how this development proposal runs roughshod over this core value, amongst others that the developer has little regard for given his self-described intention of pushing this development permit through so it can be sold to another developer at a profit.
- With the introduction of 8 residences and their associated cars, the driveway to 515 at Foul bay will effectively be that of an intersection with Chandler St and Foul Bay Rd. The proximity of the elementary school and significant traffic already occurring in relationship to parents dropping their children off will be further exacerbated. I see many young kids walking to school and there is presently no cross walk at Chandler. I am concerned that the increased traffic entering this

intersection will increase the risk to pedestrians and most importantly the Kindergarten to Grade 5 children who tend to dash across the road at this cross street presently.

Based on the information below, I request that you deny this development proposal for its primary intent of obtaining short term profit at the expense of neighboring properties, while ignoring many of the core values with which we the residents of the neighborhood strive to maintain and enhance. All of the variances in height and setbacks are artificial hardships, as the property is large and sprawling (1.2 acres) and offers many options for increasing density in a sensitive and complimentary way to the mansion and its natural ecosystems.

I respectfully request that council reject this application as presented and invite the developer to resubmit a proposal that meets community needs, city policies, zoning bylaws and regulations without variances.

- **Loss of Privacy**

- The plan requests variance for all 3 proposed houses for **excessive height** and principle window placements which will result in a **dramatic loss of our privacy**, enjoyment of our yard and natural flora and fauna.
- The enlarged road to the development will bring a **significant increase of traffic into the site**, with potentially **10-25 cars having residence on the property** and their continual passing of our currently private backyard.
- The new sidewalk location on our backyard now introduces an ongoing security and privacy threat from transient populations that will likely be coming to the **AirBNB rentals in the Maclure house** a dedicated rental for the next 10 years.
- In the proposal, the artistic renderings all indicate a removal of the understory and trees that might impact the views of these houses, indicating the intention of the developer to remove any current privacy screening afforded by nature.

- **Looming, overbearing structure**

- Present Bylaws (Schedule H) for a pan handle lot were designed to create sympathetic siting and placement of structures and their interplay with existing structures and neighborhood views and values. The property elevation itself already sits higher than most neighboring properties, and specifically is at least 3 meters above the grade of our home.
- The proposed house A, seeks to add another 2.5 metres past the 5m bylaw set out in Schedule H Bylaw regulations to 7.5 meters in height, this with the site elevation **would effectively place a large block shaped mass of approx. 11 metres (35') looking directly into our yard**, eliminating any chance of privacy in the future for our yard and home.
 - In my opinion the addition of a second story is only for the purpose of obtaining a view and driving up potential profit from the sale of the development permit.
- The variance request to place **house A closer to our house by 6.28 m (20+ ft) will ensure that the views from the principle habitable rooms of House A will look directly into our home** by virtue of proximity, and with the removal of all understory growth and current screening these provide.

- **Loss of enjoyment of our yard and land**

- We looked long and hard to find a SW facing property in Fairfield that would offer us a high degree of privacy and arable land so that we could pursue food security through our garden and feel like we were in a more rural setting. The backyard presently offers this with a large backdrop forest provided by the trees on all of the neighboring properties, with a few on ours.

- With the introduction of **House A only 1.22m (5ft) from the property line**, most of the view of our backyard will be of a large modern commercial like structure with floor to ceiling windows. Essentially the classic fishbowl effect with our lives now on permanent display 24 hours day, which of course is reciprocal with us having to face this new home and its inhabitant's activities at all times.
- **Loss to our property value and economic impact**
- The developer has consistently and in every meeting indicated he is wishing to sell this development permit once approved, so that another developer will buy it and develop it. This is a clear indication that he is not intending to live here, and therefore has no stake in the community or any concern over impacts to existing residents and the neighbors of 515 Foul Bay. **His primary intent and ambition therefore is to maximize his profit, while providing little to no value to the community.**
- Sadly for us and other neighboring properties, he is extracting this profit directly out of our pockets by siting his houses too close to the lot lines in order to give the appearance of larger lots. I can assure you that the difference in our home's value will be negatively impacted as a result of his request to place the house 5ft from the lot line and the placement of a significant over height and overbearing structure destroying any opportunity to provide privacy and enjoyment of our land and home.
- With the introduction of 8 residences and their associated cars, the driveway to 515 at Foul bay will effectively be that of an intersection with Chandler St and Foul Bay Rd. The proximity of the elementary school and significant traffic already occurring in relationship to parents dropping their children off. I see many young kids walking to school and there is presently no cross walk at Chandler. I am concerned that the increased traffic will increase the risk to pedestrians and most importantly the K-Grade5 children who tend to dash across the road at this cross street presently.

I have done a review of the proposal in detail and find it to contain numerous misrepresentation in its renderings, with seemingly a deliberate emphasis on areas of the proposal to downplay the impacts these massive houses will have to the community, neighborhood and our right of privacy, and enjoyment of our property. Again with sincerity and respect I ask **that council reject this application as presented and invite the developer to resubmit a proposal that meets community needs, city policies, zoning bylaws and regulations without variances, and specifically does not approve 2 storey homes, nor siting of houses closer than regulated setbacks.**

I look forward to the meeting this Thursday evening where I will voice these concerns as well as others, to ensure council have a clear view of the sentiment of the neighboring community and our desire to protect our investments, lifestyles and quality of life.

Respectfully,

Sean Cavanagh and Debbie Pungenete
Residents and owners of 533 Foul Bay Rd.

Some observations of the proposal below. I will also point out that the city's own development tracker contains numerous revised entries and seemingly excessive remediation and correction of the proposal required just to meet a minimum of standard with respect to accuracy and provision of factual information that can be assessed by the city planning department, and the owners of the neighboring properties.

Observations on current Development proposal 515 Foul Bay Rd (Alpha Developments)

Page No.	Content	Observations/concerns
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A1.1	Perspective View Looking Up Driveway	Drawing is inaccurately showing the removal of screening shrubbery that is not actually on 515 property, concerns that this misrepresentation is indicating intent of developer to unlawfully remove or alter neighboring properties shrubbery and plantings to improve views of prospective houses.
A1.3	Bare Land Strata Precedents	Precedents conveyed as being “significant differences” of 2-3 stories. Concern, proposal seeks two story and height variances which are exactly the detriments in the current proposal that will substantially affect the use and enjoyment of a neighboring property, and defeat the purpose of the Zoning Regulation Bylaw.
A1.5	Views from Proposed Subdivision Lots	Views of Lot A characterized as toward the Mansion, and do not reflect the reality of views from habitable rooms of Lot A residence directly into Habitable rooms of residence at 533 Foul Bay
A1.6	View from Neighboring Sites	<p>Photo shopped drawings of views of existing homes inaccurately portrayed, with arrows not representing actual views from the home at 533. Proposed construction on Lot A would place a monolithic block with windows looking directly into the house at 533. The arrows are placed in the drawing pointing at the mansion and not at proposed dwelling, which is inaccurate and misleading.</p> <p>Proposal indicates a fence will be built to provide screening for the understory planting intended to be removed, yet no fence appears in the rendering, thus removing privacy and quality of the enjoyment of our back yard. Misleading.</p>
A1.10	Project Data	<p>Proposed setback variance on West facing lot line from 7.5 to 1.22 m represents a loss of 20.6 ft. Causing closer proximity of a substantial new house directly affecting enjoyment of our yard, diminishing morning light, and detracting from our privacy by having habitable rooms facing directly into our kitchen, dining room and bedroom over 20 ft. closer than provided by compliance with the bylaw setback regulation.</p> <p>Proposed 2nd story of house on Lot A will overshadow our back yard, affecting privacy, quality of enjoyment and take our existing natural view and privacy to one of a looming square commercial like building with occupants of Lot A house always looking directly into our private space.</p> <p>The 515 property is substantially large and offers a wide range of opportunity to site houses within bylaw height regulations and setbacks, this proposal seeks variance for non-existing hardships.</p>
A2.0	House A Main Floor Plan	<p>Plan shows 2 key habitable Dining room and Living Room rooms with windows facing directly toward 533 Foul Bay Habitable rooms kitchen, dining room and master bedroom.</p> <p>Main Patio of House A would be directly looking into our home and backyard at all times.</p> <p>Proposed Lot A house main floor plan would significantly impact our privacy and enjoyment of our home with the introduction of people always looking into our home and private yard.</p>
A2.1	House A Second Floor Plan	<p>West facing upper floor Master Bedroom indicates floor to ceiling windows looking directly into 533 Foul Bay principle habitable rooms, kitchen, master bedroom.</p> <p>Second story deck has direct impact to privacy and loss of enjoyment of our back yard by creating a fishbowl effect of an elevated deck overlooking all aspects of our private life.</p>

A3.0	House A Elevations	Floor to Ceiling windows of West view from both floors mean a complete loss of privacy for us in 533 Foul Bay Rd residence kitchen, master bedroom, dining room, main bathroom, and backyard. Essentially removing a forested backdrop of complete privacy and replacing it with a wall of glass where we will be under the microscope of the occupants of house A at all times day or night.
A3.1	House A Perspective Views	South East and South West views show trees and shrubbery removed to lot lines with 533 property and then show trees and shrubbery that do not exist presently on 533 property acting as screening, this is not an accurate representation of what the development would actually look like and does not show the house at 533 therefore indicating to the viewer that House A would not be overlooking the house on 533 Foul Bay at all, this is not factual imagery.
A4.0	Site Elevations	Image in lower right clearly shows the Lot A house having a towering effect overlooking the backyard and windows of house at 533 Foul bay significantly impacting the privacy and enjoyment of our home and yard.
A4.1	Site Sections	Image at top clearly shows the Lot A house having a towering effect overlooking the backyard and windows of house at 533 Foul bay significantly impacting the privacy and enjoyment of our home and yard.

Lacey Maxwell

From: Charles Gorrie [REDACTED]
Sent: November 21, 2017 9:04 AM
To: Councillors
Subject: 515 Foul Bay Road

Dear Mayor and Councillors

I unfortunately cannot attend the public hearing on November 23 re this subdivision.

We have lived at 2026 Romney Road for the past 25 years. We have observed two Gonzales larger lot plans for this sensitive Garry Oak woodland neighbourhood be developed.

However both both plans have been ignored in favour of development variances. This particular development has 14 variances, combined with the removal of 11 mature Garry and 8 other trees.

Please respect the Neighbourhood Plans.

Sincerely

Charles and Jocelyn Gorrie

Sent from my iPhone

Nov 21/17.

Development at 515 Foul Bay Road

Dear Mayor and Councillors. We are dismayed at the proposal of Alpha Developments to cut down 19 trees on this site, including 11 mature Garry Oaks, and moreover possibly endangering nearby trees in the process. We understand that developers want to maximize their profits. However, from the point of view of the citizens of Victoria this proposal is insupportable. Mature trees offer a protective canopy, welcome shade and help retain soil in rocky outcrops. They are especially valuable in the light of predicted warming temperatures and the need to capture CO2 emissions. We know that the population of our lower island will increase in the coming decades. It is imperative to guide development in such a way that it also protects existing mature trees, and particularly the unique Gary Oaks ecosystem that has been largely expunged through lack of foresight. We look to you for leadership.

Yours sincerely, Jan & Janice Drent 1720 Rockland Avenue

Lacey Maxwell

From: SUSANNE RAUTIO [REDACTED]
Sent: November 21, 2017 4:56 PM
To: Victoria Mayor and Council
Subject: presentation to council re: 515 Foul Bay Road

Dear Mayor and Council

Thank you for taking the time to read this submission regarding 515 Foul Bay Road. I admit up till this point I was a passive observer of development in my neighbourhood but when I heard about this proposal it upset me so much that I have now committed my time to making sure it does not happen. The fact that we are even at the point of possibly approving it shows me that there is something wrong with our current planning process. It seems obvious to me that it should not be approved that the developer should of been told this way back at the beginning so he need not of wasted his money and time pursuing it. The following is my rationale for why it should not be approved in it's current state:

The following is from our Official Community Plan:

"In 1800, much of Victoria's land base was covered in Garry Oak ecosystem. Less than 2% of this historic sensitive ecosystem Environment 10 remains, primarily in Beacon Hill Park and Summit Park. Habitat fragmentation and invasive species are key threats to the remaining ecosystem fragments. Overall, the urban forest – both native and introduced – has declined over time, and only 18% of Victoria is currently well or heavily treed.

In an effort to optimize the protection and restoration of the natural environment, the plan takes a comprehensive approach and integrates the environment into land use and other planning initiatives at a variety of scales. A range of approaches, such as regulations, practices, partnerships and other tools, support the protection and restoration of ecologically sensitive areas and other habitat."

I assume that our current tree bylaw would be considered one of the tools to protect these ecosystems. Obviously this isn't the case as 11 Garry oak trees are going to be cut down plus numerous other tree species. And as been stated in city documents work on this property is likely to negatively affect trees on neighbouring properties. The developer will say that they are planting trees to replace the ones that are cut down but this will not adequately replace what is being lost. Lone Garry Oak trees without the plants associated with the understory will not recreate an ecosystem. This property currently has an ecosystem (albeit somewhat damaged) but one nonetheless. You cannot replace this ecosystem by cutting down trees and planting new ones - nature does not work that way.

There are at least 5 federally protected species at risk found on properties near this development. They are found at Government house and the Chinese Cemetary (I will be happy to supply their names should you want them). Under the federal species at risk act there is something called the "Safety Net Mechanism". This clause allows the federal government to step into other jurisdictions where there is no provincial legislation and protect species. I admit this is highly unlikely but not completely unattainable should a community group decide to take the long view on development in Victoria. It is very likely that these species are found on this property and at the very least this should have been considered when reviewing this proposal.

There are other reasons why this proposal should not be approved and have been very clearly summarized in a letter to Council dated June 16 from the Fairfield Gonzales Community Association Land Use Committee:

1. The project does NOT “maintain and enhance neighbourhood character including the heritage character of buildings, landscapes, and streetscapes”, as taken from the OCP
2. Blasting for 2 or 3 houses will destroy rock outcrops, natural features and Garry Oak meadows
3. The Gonzales Plan excludes panhandle and small lot subdivisions in Queen Anne Heights/Foul Bay and Gonzales Hill. The current draft LAP also reflects such policies.
4. Request for 17 variances to increase the number of storeys, building height and setbacks: these residential regulations require building height of a maximum of 5 meters but the develop is requesting 7.9 meters and setbacks as small as .69 meters. We again remind Council that setbacks, height restrictions have been created for a number of reasons: health and safety, fire suppression, aesthetics, privacy etc. by continually significantly permitting much lower standards you call into question the validity of such standards. If you persist in decisions it sets precedents for future applicants. Perhaps it would be better to review all such standards with a view to change them if that is your desire.
5. The designs of the three houses is NOT compatible with the existing heritage house or the statements in the OCVP as referenced in 1,
6. Privacy, light and use on neighbouring properties will be adversely affected
7. The decision to allow (this development) will create a precedent for this area

Lastly, who stands to benefit from this development? Not the residents who live adjacent to it as their privacy will be lost and their house values reduced; certainly not the Garry Oak ecosystem and I would argue not the community at large. Building 3 monsters houses that only a few can afford is not worth the trade-off in permanently losing this very unique part of Victoria.

I will definitely do my part to raise this issue throughout the next year so that voters can decide what kind of Victoria they would like to continue to live in.

Thank you again for your attention. I realize you have a very difficult job to do and I appreciate your consideration.

Susanne Rautio
359 Richmond Ave

Lacey Maxwell

From: Karen Ayers [REDACTED]
Sent: November 22, 2017 8:59 AM
To: [REDACTED]
Cc: Councillors; Alec Johnston; David Biltek
Subject: Letter to Council re 515 Development Proposal

Dear Mr. Rohani:

I am writing in response to your November 17th letter to City Council, which was forwarded to us by the Fairfield Gonzales CALUC. While there are a number of items in your letter where we can "agree to disagree", some of the information in your letter is not consistent with what is in your development permit application.

In your letter you say "...contrary to what all neighbours believe, there will be no blasting required for construction of homes". This conflicts with the information in your application, as well as the accompanying letter of August 10th to City Council.

The August 10th letter says:

"A blasting & rock removal work plan will be developed and submitted to the City for review and approval prior to Building Permit approval. The homes were designed without basements, and House A and B are completely above natural grade, while House C is 30% above natural grade, so not incur massive rock blasting on the site which would have affected the roots of the existing site and neighbours trees as well as the heritage mansion. These measures include the following: • pre-shearing during the drilling phase • establishing a cleared area on the side of the rock away from the trees for the blast wave to move into, • using smaller charges • "decking" the charges to detonate explosives in sequence, rather than all at once; • measuring and maintaining a maximum acceptable peak particle velocity of 25mm/sec at the nearest edge of the protected tree area".

In addition, page AB1.0 of the application itself says "the contractor will work with the arborist to develop a blasting plan". If no blasting is required, why does both the development application and Council letter say otherwise?

In your letter you say "Most of the oak trees being removed are growing in rock outcrops, are in very poor health and small enough that you can wrap two fingers around the trunk". That statement is not consistent with the information in your application.

According to the arborists report submitted as part of your application, 11 Garry oak trees are to be removed, and of those 11 only 2 oaks are listed as being in poor health. The remaining 9 oaks are listed as being in good health (7 trees) or fair health (2 trees). None are small enough that you can wrap two fingers around the trunk. The largest oak being removed has a diameter of 70 cm (28 inches) with an 18 metre Crown radius, with two trees at 42 cm (16.5 inches), and on down to the 10 cm diameter of some of the smaller driveway oaks.

Garry oaks characteristically grow in rock outcrops, and while mature trees that do so can be of a smaller stature, they are still an important part of the Garry Oak ecosystem, as evidenced by Uplands Park where there are many oaks of a similar size and stature, and where considerable work has gone into preserving and restoring the woodland.

Your letter says "in order to increase privacy for the north neighbour, two large Garry Oak trees are being removed 3m south as requested..." According to the information in your first and subsequent applications, the removal of one additional Garry Oak was necessitated by moving house B. I would also clarify this move was requested by you, not by the north neighbour.

As neighbours we have struggled throughout to obtain accurate and consistent information about the proposed development. Factual and consistent information is required in order to assess the benefits and impacts, and for City

Council to make an informed decision. Continued conflicting and/or misinformation about the development does not serve either the community or Council well.

With respect to the information provided to neighbours, we have reviewed it and based on the application currently before Council, believe the information to be factually correct.

Respectfully submitted,
Karen Ayers