

Subject:

FW: 515 Foul Bay Development Proposal

From: Virginia Errick <[REDACTED]>
Subject: 515 Foul Bay Development Proposal
Date: November 10, 2017 at 1:26:36 PM PST
To: "councillors@victoria.ca" <Councillors@victoria.ca>

Dear Mayor and Council,

Right now in the City of Victoria, we have something unique: a hillside covered by a forest of native Garry Oak and other mature trees on Queen Anne Heights.

Saving our trees is a first priority. Almost every time a new house is built in our neighbourhood a mature Garry Oak tree is removed. Cutting down over 20 trees for the 515 Foul Bay Development to build 3 infill houses is too many lost trees.

According to the staff report "the remaining mature trees on the property, and adjacent, may be negatively effected by the property development." Endangering the remaining trees on our hillside is a travesty. This is an urban forest with a huge canopy that is not replaceable in our lifetimes. Our hillside forms a vital green space conduit between Gonzales Hill and Pemberton Parks for birds and other wildlife.

In spite of multiple requests no protective fencing has been provided around the root zone of our Red Cedar tree #22B.

Blasting is not listed in the current development proposal. However, in the developer presentation to CALUC in August, more of the rock outcropping will be blasted from the site as the proposed method of height reduction used to lower the elevation of house C. The blast area is large and deeper than the original proposal to hoe ram a couple of corners of rock.

This blasting will have to extend out from the house foundation into the east 4 meter setback close to our trees and into the rock outcrop protection zone to the south.

In it's introduction to the neighbours,"No blasting" was used as sales point to promote the development.

More blasting stands to harm our trees.

Thank you for your consideration,
Virginia and Jeff Errick
615 Foul Bay Rd.

Lacey Maxwell

From: Deb and Gary Kirk [REDACTED]
Sent: November 22, 2017 7:54 PM
To: Councillors
Subject: Queen Ann Heights - 515 Foul Bay Rd

We are residents of Fairfield and strongly oppose this development. The City and Fairfield neighbourhood do not need 4 more multi million dollar modern homes to be squeezed in on 4 panhandle lots. What is needed, is the protection of a remaining urban forest of native Garry Oaks. It was our understanding that Garry Oaks were protected. So how is it possible, a developer can purchase a property and put forth a development proposal which would necessitate cutting down 11 mature Garry Oaks and putting at risk many others on neighbouring properties. If the Mayor of Oak Bay and Councillors can refuse a development which would have meant sacrificing one mature GO we sincerely hope that our Mayor and Council will not approve this development. You will be saving an urban forest with a huge canopy that is not replaceable in our lifetime. Section 4.11 of the proposed new OCP "maintain and enhance the urban forest and native ecosystems" – this development would be in direct conflict with this vision which we very much support.

Sincerely

Gary and Deborah Kirk

Lacey Maxwell

From: [REDACTED]
Sent: November 22, 2017 8:02 PM
To: Councillors
Subject: 515 Foul Bay Road- Development Proposal

Dear Mayor and Council

I am writing to let you know I am not in favour of the above Development Proposal at 515 Foul Bay Rd.

The houses should be a style that fits in with the Maclure Mansion and neighbours. They should abide by the City regulations of one storey height. The houses also should not impede neighbours privacy and views. This includes the mansion. All variances should be dismissed and the developer should start again.

The loss of the Garry Oak Woodland, rock outcrops due to blasting will be devastating. Also there are two large beautiful arbutus trees (one that is to be cut down and the other will be ruined due to a house built so close). It will take 50 years or more to replace, if possible, these trees.

Thank you.
Jean Hamilton
563 Foul Bay Rd.
Victoria, B. C. V8S4G9

Lacey Maxwell

From: Anna Cal [REDACTED]
Sent: November 23, 2017 11:26 AM
To: Pam Madoff (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Margaret Lucas (Councillor); Marianne Alto (Councillor); Geoff Young (Councillor); Charlayne Thornton-Joe (Councillor); Jeremy Loveday (Councillor); Lisa Helps (Mayor); Victoria Mayor and Council
Subject: 515 Foul Bay

Hello,
I oppose 515 Foul Bay proposal By Alpha Project Development.

My reasons?

I've seen enough of destroying green spaces, throwing away bylaws, changing the face of the neighbourhood for a sake of insensitive densification.

Yes, those trees belong to the owner, but they belong to the humankind as well.

If the developer builds according to the zoning bylaw, then we have no choice, but to accept it; but if amendments are allowed, then the immediate neighbours must not lose the green space or the character of their area.

Immediate neighbours opinion must be respected.

Best

Anna Cal
1059 Pentrelew

Lacey Maxwell

From: [REDACTED]
Sent: November 23, 2017 6:47 AM
To: mayorandcouncil@victoria.ca.
Subject: RE: Gonzales' Queen Anne Height's Gary Oaks
Attachments: RETrees vote.docx

RE: Future development in Queen Anne Height (bordered by Foul Bay, Mountjoy Ave. and Fairfield Road

Dear Mayor and Council*,

Please consider the negative impact of the built environment.

1. Trevor Lewis, who has a Noble Prize for his government work dedicated to the habitability of Canada, has stated in his research that the rising soil temperatures are creating and will create inhabitable areas in our country.
2. Soil temperatures rise from the clearing of our trees off the land.
3. Soil temperatures raise as the Built Environment replaces the natural environment with structural footprint diverting water to storm drains.
4. As the soil temperatures raise the water table drops.

Trevor Lewis currently lives in Deep Cove near Sidney, British Columbia and his work upon Vancouver Island has confirmed that the more we develop the land and remove old growth trees, the more our water table drops and as the water table drops the old and new trees are slowly dying.

Please consider following our area's Environmental Policy by voting to keep our area's Gary Oak Trees.

Kindest Regards,
Barbara Bowman

*Tip: Currently our community is creating a Councillors scorecard to support councillors who have voted to follow laws and policies necessary to create a stable community (habitability policies that were supported by this community and were in place before the Councillors' current term).

The current sizable move of stable taxpayers to areas outside of Fairfield and Gonzales as developers move in high density transient low income/low barrier rental housing, not only impacts habitability but has created dead pockets in other areas within this city. True or not many believe dead areas are quickly coming to them.

Creative financing such as step up mortgage incentives (1% the first year 2% second year etc.) offered by developers in creative amenities packages along with Government funded down payment grants, do work and have created strong long term family oriented tax paying communities in other communities.

Massive Density coupled with a few short-term rentals in developments, only delays the perpetual problem of Renovations, empty inventory and creates a loss of tax paying community members. Knee-jerk solutions put forth by developers are for the profit of their investors.

Lacey Maxwell

From: Charis Burke [REDACTED]
Sent: November 23, 2017 11:28 AM
To: Victoria Mayor and Council
Subject: Opposition to the Proposed Development at 515 Foul Bay Road

Dear Mayor and Councillors,

I am writing to voice my opposition to the proposed development at 515 Foul Bay Road. I understand that the proposal is to subdivide 515 Foul Bay Road and build 3, modern, flat-roofed in-fill houses.

1. Too many mature trees may be negatively affected by the proposal. This urban forest with a huge canopy is not replaceable in our lifetimes and forms a vital green-space conduit for birds and other wildlife.
2. Modern, two-story, flat-roofed structures are not compatible with the neighbouring heritage houses.
3. This plan is in conflict with the old Gonzales neighbourhood plan as well as the new one currently being drafted.
4. This plan will not help affordability in our city.

Sincerely,

Charis Burke
1509 Rockland Avenue

From: Catherine Stone [REDACTED]
Sent: Thursday, November 23, 2017 11:48 AM
To: Public Hearings
Subject: Development Permit with Variances Application No. 00021

To: Mayor and Council, City of Victoria

Re: Proposed development at 515 Foul Bay Road

I think the number of requested variances indicate that they're trying to stuff too many oversized houses onto this property.

The houses are too tall, higher than the McClure Mansion, and an eyesore for the neighbours. Some residents currently enjoying an aesthetically pleasing viewscape of a mature urban forest will have it replaced with a nearly windowless dark wall seven and one-half metres tall. I think it's fair to say the current proposal is incompatible with the existing neighbourhood.

Given increasing demands on Victoria's stormwater system, why would anyone consider approving of a flat roof without requiring a LEEDS green roof? It would help offset the loss of natural ecosystem stormwater services due to buildings, disruption of forest and ground cover, and paving. I strongly suggest that this proposal be required to include this form of stormwater mitigation.

I don't oppose housing but I protest inappropriate and oversized buildings. I wish to emphasize that smaller houses can be heated and cooled more efficiently, and that the carbon savings in constructing, furnishing and living in a small house is significant, and that modest, energy-efficient housing is the only moral choice available relative to the consequences of climate change.

I would support fewer and smaller houses on this property. I'm confident the project can be greatly improved by denying the requested variances and asking the developer to adhere to the bylaws.

Thank you for the opportunity to comment.

Catherine Stone

1936 Ashgrove Street
Victoria, BC V8R 4N7

Please keep my email address confidential.

Mayor and Council
City of Victoria, B.C.
November 23, 2017

Development Proposal for 515 Foul Bay Road

Dear Mayor and Council,

I am opposed to the development proposal for 515 Foul Bay Road because of the following reasons: number of housing units on the property, the increase in the height of the buildings, and the reduction in setbacks.

All of these public amenities should not be taken away from the local community and awarded to the developer. Here are the demands for the increases in profit.

LOT A:

- increase the maximum height from 5.00m to 7.50m
- increase the maximum number of storeys from one to two
- reduce the front setback from 7.50m to 1.22m (west)
- reduce the side setback from 7.50m to 3.74m (south)

LOT B:

- increase the maximum height from 5.00m to 7.40m
- increase the maximum number of storeys from one to two
- reduce the front setback from 7.50m to 6.81m (south)
- reduce the side setback from 7.50m to 2.68 (west)

LOT C:

- increase the maximum height from 5.00m to 7.60m
- increase the maximum number of storeys from one to two
- reduce the front setback, from 7.50m to 0.69m (north)
- reduce the side setback from 7.50m to 1.85m (west)

Lot D (Existing House):

- reduce the front setback from 7.50m to 1.58 (west)
- reduce the rear setback from 7.50m to 1.99m (east)
- reduce the side setback from 7.50m to 0.00m (north).

Externalizing one's costs to internalize one's profits is an old game of beggar-thy-neighbour. "In economics, a **beggar-thy-neighbour** policy is an economic policy through which one country attempts to remedy its economic problems by means that tend to worsen the economic problems of other countries." (Wikipedia)

If you allow this to proceed as proposed, the developer will create an island fortress cut off from the community around it, enriching itself, and harming those neighbours that surround it and look upon it.

Thank you for reading my letter.

Don Cal
1059 Pentrelew Place

Lacey Maxwell

From: Geanine Robey [REDACTED]
Sent: November 23, 2017 1:16 PM
To: Victoria Mayor and Council
Subject: Re: 515 Foul Bay

Dear Mayor and Council,

I oppose the development proposal for 515 Foul Bay for the following reasons:

- With less than 2% of our city's historic Garry Oak ecosystem remaining, it is unconscionable to allow the destruction of 11 mature Garry Oaks and 8 other mature trees at this address. Furthermore, proposed blasting for site preparation has been identified as a danger to additional trees on site as well as to those on neighbouring properties
- The proposed development is too large and too tall for the site and the surrounding neighbourhood
- Reduced setbacks are also unacceptable
- The community adamantly opposes the plans for this site

Yours truly,

Geanine Robey

Geanine Robey
[REDACTED]

Lacey Maxwell

From: Jay Jennings [REDACTED]
Sent: November 23, 2017 9:32 AM
To: Councillors
Subject: 515 Foul Bay Road

Dear Mayor and Councillors

I am writing to voice my opposition to the proposed development at 515 Foul Bay Road on the following grounds.

1. Stately heritage homes in their traditional environment are an important part of what attracts tourists to Victoria. Tourists come here for the ambience. The remaining stately homes and accompanying green space are vital to that ambience that is so much a part of the Victoria experience.
2. IT sends a message to developers that they can replace more affordable rental accommodation with new expensive dwelling units thus aggravating the affordable housing issue.
3. It further degrades the natural Garry Oak ecosystem.

Please don't kill the Golden Goose.

Yours Sincerely

James Jennings
644 St. Charles St.

Sent from [Mail](#) for Windows 10

Jo Wyld

1964 Fairfield Road
Victoria, BC



23 November 2017

Mayor and Council

City of Victoria
Victoria, BC

Dear Mayor and Council,

I am writing to you in regards to the proposed development at 515 Foul Bay Road.

I am the head gardener at Abkhazi Garden, located at 1964 Fairfield Road which adjoins 515 Foul Bay Road.

My concern is the removal of 11 Garry oak trees on this property. This area has a significant grouping of these trees across several properties including Abkhazi Garden.

Removal of these trees will break up this grouping and expose the remaining trees to more wind, erosion and greater risk of loss.

These trees make up a significant part of Abkhazi Garden's biology and structure. It is my job to maintain and ensure that the entire landscape is properly cared for and I am concerned that the limited number of Garry oaks at Abkhazi Garden will be directly threatened by the reduction of the surrounding stand of trees.

Sincerely,

Jo Wyld

Head Gardener

Abkhazi Garden

From: Public Hearings
Subject: FW: 515 Foul Bay

Begin forwarded message:

From: Kam Lidder <[REDACTED]>
Date: November 23, 2017 at 11:26:27 AM PST
To: "Lisa Helps (Mayor)" <mayor@victoria.ca>, "Ben Isitt (Councillor)" <BIsitt@victoria.ca>, "Jeremy Loveday (Councillor)" <jloveday@victoria.ca>, <mlucas@victoria.ca>, "Charlayne Thornton-Joe (Councillor)" <cth Thornton-joe@victoria.ca>, "Pam Madoff (Councillor)" <pmadoff@victoria.ca>, "Marianne Alto (Councillor)" <malto@victoria.ca>, "Geoff Young (Councillor)" <gyoung@victoria.ca>, <ccoleman@victoria.ca>
Cc: Janet Simpson <[REDACTED]>, <[REDACTED]>
Subject: 515 Foul Bay

At some point, I have to wonder if what the mayor and council say or do and city staff and planning actions mean anything. As they say, actions speak louder than words.

How is it appropriate to replace a heritage mansion that has been converted into 5 rental suites and replace it with 3 homes, likely to be multi-millions each?

Is the fact that there are currently renters there that makes this something to consider versus if renters were still living there?

When do we stop prioritizing the wants of developers and people who want to purchase luxury homes over the declining Woodland in Victoria?

I was just in Surrey and I was stunned at how much greenery is everywhere. Somehow they manage to have both density and preserve and build green space. From my mothers' house walking less than 15 minutes, I can enjoy several urban forest not to mention the neighbouring green spaces around the neighbourhood.

From my house on Wilspercer, in less than 15 minutes, I can walk to the cemetery at Pioneer Square. That's the only public green space near me. Government house would be okay when it's open, so it's not a public green space. I can walk to neighbouring Fernwood to Stadacona park but more than 15 minutes away.

Oak Bay council unanimously turns down proposal to cut down 1 garry oak. Victoria, not likely?

Perhaps Mayor and Council, should consider addressing the needs of people who live in this city that make less than our Mayor and the council members. With the exception of the Mayor, who's salary is well above the average.

As yourself, if you could afford to rent or buy in Victoria if all you lived on was your taxpayer paid salary as a Councillor or less.

Kam Lidder
Victoria Resident

Lacey Maxwell

From: Lynnette Kissoon [REDACTED]
Sent: November 23, 2017 1:47 PM
To: Pam Madoff (Councillor); Lisa Helps (Mayor); Chris Coleman (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Charlayne Thornton-Joe (Councillor); Ben Isitt (Councillor); Marianne Alto (Councillor)
Cc: Jonathan Tinney; Alec Johnston; Alison Meyer
Subject: Please do not approve the Alpha Development proposal for 515 Foul Bay Road

Dear Mayor and Council,

What matters to you more?

The health of Victoria and its residents?	The wealth of developers, speculators and investors?
Building for need?	Building for greed and speed?
Income appropriate housing that is needed for residents currently living in our fair Victoria?	Overpriced luxury condos and homes that developers are telling you are needed by future residents who may or may not come to Victoria?
Preserving green spaces for everyone to enjoy?	Destroying urban forests and green spaces to maximize density for developers/speculators and investors to enjoy their profits?
Reflecting the vibrancy of Victoria by respecting other environmentally important sections of the OCP that favours all residents of Victoria?	Blindly adhering to only one section of the OCP that favours developers?

I ask you these questions because once again you are faced with listening to overwhelming public outcry against Alpha Development's proposal for 515 Foul Bay Road.

Why is there such strong public outcry?

Here are the reasons why you should say no to Alpha Developments' proposal:

Current state	Future state
There is a unique relationship between the 1.2 acre property in a Garry Oak woodland and the	Cutting down 19 of the 37 trees on the site, including 11 mature Garry Oaks , resulting

7 neighbouring properties immediately adjacent, including Abkhazi Gardens.	in the loss of significant tree canopy and green space additional trees on the site as well as trees on neighbouring properties are also likely to be negatively impacted by blasting and construction*
The land features many rock outcrops and natural vegetation.	Blasting rock outcrops to remove the understory
The mansion is divided into 5 rental suites.	3 large modern houses are to be built
The current house is a Samuel MacLure heritage mansion	Proposed homes will exceed the maximum house size permitted which is not complementary to the heritage mansion or neighbouring homes 14 variances to the Panhandle Lot Regulations are being sought to significantly decrease building setbacks to the heritage home and to neighbouring properties, to increase building heights and to double the number of stories
Less than 2% of this historic sensitive Garry Oak ecosystem remains in Victoria.	Cutting down 11 Garry Oaks on this property as well as the proposed removal of other Garry Oaks by other developers in the city

The Developer bought this property knowing full well that the Neighbourhood plan does not allow for development of panhandle lots and yet they are expecting you to approve this plan.

So, again, what matters to you more?

The health of Victoria and its residents?	The wealth of developers, speculators and investors?
Building for need?	Building for greed and speed?
Income appropriate housing that is needed for residents currently living in our fair Victoria?	Overpriced luxury condos and homes that are developers are telling you are needed by future residents who may or may not come to Victoria?
Preserving green spaces for everyone to enjoy?	Destroying urban forests and green spaces to maximize density for developers/speculators and investors to enjoy their profits?

Reflecting the vibrancy of Victoria by respecting other environmentally important sections of the OCP that favours all residents of Victoria?	Blindly adhering to only one section of the OCP that favours developers?
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Please do not accept the proposed development by Alpha for 515 Foul Bay Road. The proposal provides no benefit to the residents of Victoria but promotes profits to the developer.

Thank you for considering my letter in your decision making tonight. The residents of Victoria need you to lead them in a healthy direction for all and not for the benefit of the few. Please.

Lynnette Kissoon

Lacey Maxwell

From: nancy lane macgregor [REDACTED]
Sent: November 23, 2017 12:27 PM
To: Victoria Mayor and Council
Subject: Proposed development at 515 Foul Bay Road

Dear Mayor and Council,

The proposed development at 515 Foul Bay Road is another case of environmental destruction, and building for the ultra rich, with the expectation that requests for zoning changes, variances, and a weak Tree Preservation Bylaw will favour the developer.

It is imperative that the Mayor and Council AND the Planning Department say a firm and final NO to this developer's dream. Citizens of Victoria are well aware that the experiences of Toronto and Vancouver are being repeated here. Affordable rental housing is not available. Overpriced condominiums become empty places, often rented out as Air B & B's while more are built to fill 'the housing supply myth' (see Globe and Mail Sat. Nov. 18/17 Dr John Rose). Owning a home for many is becoming a dream of the past.

To destroy a Garry Oak forest that has been on this hill longer than we know, to blast the rock and destabilize other trees and homes nearby, to build four houses without a care about rules in place that preserve neighbourhoods and a wiser vision of the city is an arrogant act. We must recognize that the time has come to turn away from this idea of privilege and that we can control nature for our own benefit.

More and more of Victoria's tree canopy is being lost to development and in proposed development plans. Will the Urban Forest Master Plan mean little Garry Oaks growing in pots? Is ten years the new age for this old growth species?

I urge the City of Victoria Mayor and Council and Planning Department to say NO to the development at 515 Foul Bay Rd.

Preserve neighbourhoods in the spirit of trust given you, AND make a swift and thorough update to the ineffective Tree Preservation Bylaw.

Yours truly, Nancy Macgregor

November 23, 2017

Re: Public Hearing for 515 Foul Bay Road

Dear Mayor and Council,

The RNA would like to add our voice in opposition to Alpha Development's proposal for this priceless site.

Not only would it ignore the stated wishes of the neighbourhood, but it would also be a travesty of environmental responsibility to allow the destruction of a truly beautiful pocket of rare Garry oak meadow.

The OCP states that less than 2% of this endangered ecosystem remains, an ecosystem upon which 100 species at risk depend. Furthermore, the OCP promises to support the "protection and restoration" of the Garry oak ecosystem and to "enhance" the urban forest.

In order to honour its commitment to the community, the City must protect such iconic landscapes, rather than seriously consider destroying them for the sake of a few unnecessary luxury houses.

The RNA appeals to City councillors to reject this proposal at tonight's public hearing. The lichen-covered, rocky outcropping and many Garry oaks and precious Arbutus trees on this site are far too valuable to be squandered in the name of profit.

Sincerely,

Janet Simpson, President
RNA

Lacey Maxwell

From: Vince [REDACTED]
Sent: November 23, 2017 10:09 AM
To: Victoria Mayor and Council
Subject: 515 Foul Bay Road

Mayor and council,

I am writing this to express my opposition to the proposed development at 515 Foul Bay Road.

I am shocked that this has proceeded to Public Hearing tonight.

How can you entertain a development that allows more than half of the garry oaks on the site to be cut down?

How can you entertain a development where a developer needs fourteen variances?

If granted, these variances will only insure maximum profit for the developer while upsetting the ecosystem of the property and forever changing the privacy and quiet of the neighbourhood.

How can you entertain a development that will allow three huge two story homes on a panhandle, exceeding size, height and setback requirements?

How can you entertain a development where the developer doesn't have a blasting plan in place? Have they consulted the neighbours and insured them that any blasting damage will be addressed by them?

If you approve this development you will have agreed to fourteen variances of your own zoning and panhandle regulations. This would send a terrible message to all Victoria neighbourhoods and tell developers that they can basically get whatever they want from our Council.

I live at 1740 Lyman Duff lane. My property adjoins 1745 Rockland. I'm sure you recall the two year battle we had to endure with that development proposal? Although it took two years of hard work and a lot of stress on the neighbours, the process worked for us.

I think it will work for the neighbours at 515 Foul Bay Road if council takes a step back and insures that the people of the neighbourhood trumps developer profit.

Thank you for your kind consideration.

Regards,

Vince Bennett

Sent from my iPad