

June 16, 2017

Mayor and Council:

Re: Proposed development at 515 Foul Bay

You have heard from this CALUC before but we wanted to ensure as you consider this that our final thoughts on this development were clear.

We have written many times before expressing our concern for significant reduction of variances, we have seen the difficulty such major changes do create in future developments. One in particular was an approved variance which allowed a house to be built within 1 foot of the property line, which is now many years later causing some distress for neighbours and the house owner who would like to renovate or redevelopment

In addition, we have become acutely aware that subdivision along with variances, many variances in some cases, like 515 Foul Bay, permit a way around re zoning and all the costs and delays that may cause and also REMOVES THE DEVELOPMENT FROM COMMUNITY CONSULATION AND REVIEW.

In this particular case we have the following concerns:

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. Many Garry Oak and other mature trees and understory will be removed. Removal of on site trees and blasting will affect mature trees on neighbouring properties.
3. Blasting for 2 or 3 houses will destroy rock outcrops, natural features and Garry Oak meadows
4. 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.
5. 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 is 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.

6. The designs of the three houses is NOT compatible with the existing heritage house or the statements in the OCVF as referenced in 1,
7. Privacy, light and use on neighbouring properties will be adversely affected
8. The decision to allow will create a precedent for this area
9. Equitable solution for the shared driveway for 511 and 515. Approval of the project should not affect the affect the access to 511.

We advise some caution with proceeding and suggest you may wish to ask the CALUC to hold a community meeting for a public review of the proposal. We did offer to do so many months ago with the residents and the developer but the developer advised he would not attend such a meeting

David Biltek
Chair
Fairfield Gonzales Community Association Land Use Committee

cc. Alec Johnston
Noraye Fjeldstad