



## Memorandum

**Date:** 24 May 2011  
**To:** Graeme Bride, Executive Director Planning and Development Services, City of Albany  
**From:** Richard Vogwill, President, Frenchman Bay Association Inc (FBA)  
**Subject:** Review of Proposed Planning Policy 7N – Frenchman Bay Tourist Development Site

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Graeme,

The FBA has reviewed Proposed Planning Policy 7N and we outline our comments and recommendations below.

### General

- This planning policy applies to the Frenchman Bay site. Because of: (i) the proximity of our members to the site and (ii) our interest in preserving the character and biodiversity of the area, the FBA has a great interest in the type of development that is ultimately approved by Council for this site.
- We have always maintained that any development on this iconic site should be designed to minimise environmental and visual impacts and our strong preference has been for an Eco-Tourist, low-density, low-height type of development - something that isn't visually demeaning to Frenchman Bay.

### Comments on Objectives

Objective (1) we agree strongly with this objective.

Objective (2) this objective implies that as *'an incentive to reducing the footprint'* the developer will be allowed to increase the height of buildings to 3 storeys. The construction of 3-storey buildings at Frenchman Bay is not appropriate within the environmental and impact guidelines that should apply to this site. We suggest rewording this objective, as follows:

*"To encourage innovative tourism and provide an incentive to reduce the footprint and the visual impact of the development on the topography and natural environment"*.

Objective (3) we believe that provision for or any reference to *'3 storey'* buildings should not appear in this Planning Policy.

Objective (4) we support this objective and therefore recommend minimising the height of any development to maintain the visual amenity of Frenchman Bay.

Objective (5) suggested fifth objective *"To ensure that the development recognises the rich Indigenous and non-Indigenous heritage of this extraordinary location"*

Objective (6) suggested sixth objective *"To retain the amenity of the beach below for Albany residents and casual visitors by ensuring that the scale of the development takes account of an optimal level of beach usage."*

### **N1.1 Land Uses**

This section refers to short-term accommodation (for periods of less than three months) to the general public. The prime use of this development should be for tourism. Therefore, we assume that no-one can own an individual dwelling and that we are catering only for tourists (as far as accommodation is concerned). There have been a number of attempts to introduce residential zoning into proposed developments at the site; we believe that this is a completely inappropriate use for the site and have opposed it vigorously in the past.

### **N1.2 Building Heights -3-Storey Buildings**

Our overriding concern with this policy is that the door is being 'left open' for Council to approve 3-storey buildings on this site, which can comprise up to 50% of the total development footprint.

- One of the reasons given is that 3-storey buildings can reduce the overall development footprint, but we consider that this would be to the detriment and loss of the visual amenity of the development. We would rather see a somewhat larger footprint of lower elevation buildings, such as the Eco-Tourism type of development.
- Another condition under which 3-storeys could be considered is if *'vegetation is retained or established in these areas to screen development'*. If the existing high vegetation buffer on the north side of the property is damaged or destroyed during construction, it will take decades for it to be restored. The protection and retention of this stand of trees should be a mandatory requirement of developers with strong punitive disincentives to apply if the requirement is breached.
- It is much more appropriate to only allow maximum 2-storey buildings in only small areas at the back (south) of the development.
- It is important to ensure that the historic Vancouver springs are not polluted, by minimising the development footprint inside the spring catchment.
- The issues of effluent disposal, the overall development area and subsequent vegetation loss (associated with road access and parking, for example) and specifically adopting an optimal level of beach usage should be some of the factors that determine the number of allowable "units" on the site.

Planning policies aside, how can we even consider allowing 50% of this site to comprise 3-storey buildings?

### **N1.3 Setbacks**

Once again reducing the footprint is mentioned. As stated previously, we would prefer the development to occupy a greater area of the site and only allow a maximum of 2 storeys.

### **N1.4 Bulk and Scale**

We are not sure what *'establish an appropriate scale when read against the topography of the locality'* means. Only a small portion of the development (above the eastern car park) should be seen from the beach or the bay. It is our opinion that any development that is visually intrusive from the beach or the bay should not be allowed at this site.

### **N1.5 Materials and Colours**

Agree. Will there be a reflective roofing policy?

**N1.6 Parking Areas**

This section says that direct vehicle access should only be allowed if '*basement/undercroft parking is viable*'. This is of great concern if the natural site topography has to be increased in order to allow vertical space for the basement/undercroft parking. This could raise the elevation of numerous buildings and thereby result in a greater visual impact. The last thing we need.

**N1.7 Retaining Walls**

Agree.

**N1.8 Assessing Impacts on the Natural Topography and Landscape**

We agree with this section. A scale model of any proposed development should be mandatory (including accurate vegetation heights and an accurate representation of the scarp down to the beach) and also that the model should be available for public viewing.

**Housekeeping**

- last line of Section N1.1 - the last 'and' is not required
- Section N1.2 - list item 2 - first sentence - 'shall **be** maximized'
- Section N1.4 - 2nd last line - perhaps change to 'when compared to the topography...' or 'when assessed against the..'
- Section N1.6 - remove 'd' after 'distributed'

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Thank you for the opportunity to express our views. We hope that you will consider and implement our recommendations before this planning policy goes back before Council.

Regards,  
Richard