



Garry Oak Meadow Preservation Society

Dedicated to Protecting Victoria's Living Artifact

January 26, 2026

Dear Mayor and Council,

We understand Council has received a request from the applicant for 2830–2850 Lansdowne Road asking that Council reconsider its November decision to deny the application based on proposed revisions. We are writing to urge Council not to reopen this application until it is fully resubmitted through established review processes and its impacts on trees, neighbourhood safety, and long-term ecological function are transparently reassessed.

This is not simply a procedural or heritage question. It is a **land stewardship, climate resilience, and Indigenous-ecological responsibility question**.

The Uplands is not an ordinary residential neighbourhood. It is a **Lekwungen cultural landscape and a federally designated Canadian National Historic Site**, recognized for the relationship between its Garry oak ecosystems, its designed landscape, and its enduring ecological and cultural values. Development decisions on individual lots affect not only the property owner, but the **Commemorative Integrity of the entire Site**, including Uplands Park, Cattle Point, and the rare species they support. The designation requires place-based environmental leadership, and ongoing stewardship by decision makers.

As we stated in our November 24, 2025 submission to Council, the proposed development at 2830–2850 Lansdowne Road **exceeds the site's ecological capacity** and places unacceptable pressure on Garry oak ecosystems and the urban forest that sustains them. These impacts are not offset by modest reductions in building count or footprint.

1. The revised proposal lacks information for Council's review

Council's November 2025 refusal emphasized **massing, siting, and landscape impacts**. While the applicant now proposes to remove one Accessory Dwelling Unit and claims to save "at least eight additional protected trees," **no revised, species-specific tree retention plan** has been provided.

The last publicly available tree inventory shows that the original proposal would remove:

- **30 bylaw-protected trees**, including
- **13 Garry oaks**, along with Douglas-fir, Western red cedar, and other mature native species.

Without a revised tree inventory reviewed by Oak Bay Parks staff, Council cannot determine whether the most ecologically significant trees—including Garry oaks—are being retained or whether the "eight additional protected trees" are primarily lower-value or ornamental species.

This matters because Garry oaks are not interchangeable. They are **keystone species** that support hundreds of rare plants, insects, birds, and fungi that exist nowhere else in Canada. Their loss cannot be mitigated through replanting, especially where **plantable space for large, long-lived trees is permanently lost**.

2. Tree removal here directly increases risk for people and ecosystems

Mature trees in the Uplands provide **essential climate-regulating infrastructure** for current and future residents of this neighbourhood and the surrounding region. Their canopy cools homes and streets through shade and evapotranspiration, and their deep root systems absorb rainfall and stabilize soils before runoff overwhelms aging drainage infrastructure.

The Uplands has one of the highest canopy covers in Oak Bay—approximately 44%—because of large trees on private properties such as this one. Once those trees are removed, the cooling, flood protection, and habitat they provide are lost,

and the loss of plantable space makes replacement impossible to achieve. Young replacement trees cannot replicate those services for 80 to 150 years, if they survive at all in compacted, disturbed soils. The greater community has just experienced damaging winter rainfall and faces increasing summer heat, this is a matter of public safety and long-term municipal cost, not simply landscape preference.

3. Garry oak ecosystems are a Lekwungen food system and a national responsibility

Garry oak meadows are not ornamental green space. They are Lekwungen food systems, stewarded for millennia through careful tending of camas (kwetlal) and associated species. These ecosystems are inseparable from Indigenous knowledge, land-based practices, and cultural continuity.

Scientifically, Garry oak ecosystems are among the most endangered ecosystems in Canada. Fewer than 5% remain in a near-natural state relative to their historical extent. Uplands Park and the surrounding neighbourhood form one of the most important remaining networks, supporting the highest concentration of rare species in the country, including species that depend on connected habitat across private and public land.

This is one of the reasons the federal government designated Uplands—including both the park and its surrounding residential landscape—as a **Canadian National Historic Site**. That designation recognizes that the **ecological and cultural integrity of the whole landscape** must be maintained, not just individual park parcels. Removing mature Garry oaks and fragmenting habitat on private lots directly undermines that integrity.

4. Section 219 covenants do not provide century-scale protection

The applicant has proposed a Section 219 covenant **to restrict future disturbance, building envelopes, and unit count**. **However, a Section 219 covenant is a municipal legal instrument that can be amended or discharged by future councils and may be overridden where it conflicts with provincial housing legislation.**

In the current policy environment—where governments are actively revisiting and weakening long-standing land-use and environmental protections—a covenant **does not guarantee** the protection of Garry oaks, soils, or habitat over the **century-scale lifespan of these trees**. For a National Historic Site and one of Canada's rarest ecosystems, Council must rely on **verified tree retention, conservative siting, and enforceable design at the time of approval**, not future promises that may not withstand shifting political priorities.

5. Council discretion and due process matter on a National Historic Site

The applicant is requesting reconsideration without resubmission to the **Advisory Design Panel** or a **public hearing**. That would remove the mechanisms designed to evaluate cumulative impacts on trees, siting, and landscape character—precisely what is required on a site of this sensitivity.

Bill 44 does not remove Oak Bay's authority to protect **environmental, cultural, and landscape values**, particularly within a National Historic Site and a globally rare ecosystem. Council has both the discretion and the responsibility to ensure that housing delivery does not erode the very systems that make this place livable, safe, and culturally distinctive.

Conclusion

We respectfully ask Council to **decline reconsideration** of the November 2025 decision until:

- A fully revised **tree inventory and retention plan** is provided,
- The proposal is reviewed again by the Advisory Design Panel, and
- The public is given an opportunity to assess whether the changes truly reduce the project's impacts.

The Garry oaks of the Uplands are living infrastructure, cultural heritage, and climate protection all at once. Once they are gone, they will be difficult, if not impossible to replace.

Sincerely,

The Garry Oak Meadow Preservation Society