

[REDACTED]

From: Mary W Davie [REDACTED]
Sent: Wednesday, October 13, 2021 4:42 PM
To: Public Hearings
Subject: Zoning Regulation Bylaw(No. 1257) = No.21-069 October 14, 2021 6:30pm

R E: Public Hearing on proposed changes to 1120, 1124 and 1128 Burdett Ave. Thursday, October14, 2021.

I am a resident of 1149 Rockland Ave. Strata Plan VIS 248, adjacent to the above dwellings. Our strata is a building with a diversity of occupants, including those still working, retirees and a variety of ages over 19. Two of the units are rentals. We are a close knit community who are involved in strata affairs by volunteering and attending meetings in large numbers. This why when we had the second meeting (before Covid)there was large turnout for the very good presentation by Empresa. There were many questions and discussions.

It was with surprise when we were informed of the latest proposal as it more closely resembled the original (2018) proposal which was already turned down. The 6 variances are untenable and do not match what was proposed at our last meeting. The east side yard setback was already discussed at the meeting with Empresa as we have trees which would be impacted. As I recall, we were told that a tree specialist had been consulted and there would not be a variance. I would suggest that you ask for that report to be presented if it has not been already. We are very proud of our trees and gardens and are not prepared to lose any as they are vital for our privacy.

The fifth floor seems out of keeping with the new planning for the Fairfield plan. We were told that there would only be one unit on that floor which would be stepped back and the Front half would be a roof garden for the tenants. Is that still in the plans? Also there was to be a large space for bicycles and their maintenance in the garage. There is almost never parking on Burdett so there should be a designated space for a car share if variance 6 is allowed. There are two such spots on Rockland and they are very well used.

The city is losing three rental houses, what is it getting in return. The rents for these apartments are to be at the high end and when asked about the price there were gasps from the audience. Very few of us in our strata could afford to live there. Where is the affordable housing?

Respectfully submitted,

Mary W Davie, #308, 1149 Rockland Ave.

Sent from [Mail](#) for Windows 10

October 13, 2021

Dear Mayor & Council,
Victoria City Hall,
1 Centennial Square
Victoria, BC V8W 1P6

I am writing to you with regard to the proposed rezoning of 1120, 1124 & 1128 Burdett Ave.

BRILLIANT letter from Tim Stemp on October 9! He directly, point-by-point, exposes a blatant attempt by Empressa to bulldoze over the people and City Hall, over EVERY SINGLE ADVISEMENT from City in last meeting:

“Not a single point of concern or objection by the community or council has been addressed in a positive way.”

The arrogance alone of this developer makes me wish to fight this proposal! But, most importantly, the developers are walking all over the OCP, us, the city. They are thumbing their noses at the neighbourhood, people, the city; and – YOU, Madame Mayor, and Council!

This is so absurdly outlandish! What’s their game? “Aim high” is one thing: but this... Do they think “the people” will fall for their supposed “generous concessions” coming down from this? (No, I fervently believe “the people” will not; but will Council?)

I believe this “neighbourhood”, which I love, integrally includes those houses behind. I accepted “my street” as being a thoroughfare, but a very reasonable one including so much of “neighbourhood feel”. That includes “behind me”. In fact, that, to me, is THE MOST “neighbourhood” in all directions. I have been supremely happy here. But: to lose both daytime Sun, and nighttime moons... The entire sky nearly all blotted out. This proposal defiles Key directive 9 of the plan to “integrate new housing that “fits the character of residential areas”.

They continue to PUSH, try to bully their way through to do what? Increase profits! That is ALL that matters to them! They will build, walk away and never look back! WE will be forced to live – virtually forever... - with whatever monstrosity they can get away with.

Their offer to plant a couple of trees to mollify us is specious, m/b even insulting. Would those trees end up “providing” us with leaves, cones, needles, sap, branches...? Of course, that would be “our” responsibility to police and pay for.

This developer is arrogantly challenging the city. In the current atmosphere it seems that EVERY proposal gets passed. Is there no end to the empire building? Is our city, its world-renowned character to fall victim to grandiose and greedy “visions”, as we, the people who live here roll over and accept these big ideas?

And what IS the real gain? A few (about 30) extra residences? Is it worth all that? Destroy the fabric, character of a neighbourhood? Why must the “urban sprawl” continue, spreading past Cook St. to East, Fort St. – no – Rockland to the South? Those have long been boundaries/transitions to “neighbourhood” from “downtown”, as they logically, geographically should! On major thoroughfares it is expected, but not “inside the neighbourhood”.

Finally, what does this gain for the city, housing? It looks very similar to “Reaganomics Trickle-Down” fallacy. SO much development already; and, we have record shortage of places for students?!!

Wasn’t Mayor Helps’ “vision” to “trickle-down” to less expensive, more available housing by building UP the D/T? Seems something is not going according to plan.

I wish for Council to continue to insist that Empressa abide by zoning regulations, scale back all the grandiose demands for “more”, as delineated in the Tim Stemp letter of October 9, 2021.

Sincerely,

Mark Marquette

201-1115 Rockland Avenue

[REDACTED]

From: Dwayne Smith [REDACTED]
Sent: Tuesday, October 12, 2021 10:01 AM
To: Public Hearings
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1257) - No 21-069

Dear Mayor & Council, Victoria City Hall

We wish to express our strong objection to the above proposal for the rezoning of 1120, 1124, and 1128 Burdett Ave.

This rezoning application has been going on for years and each application gets worse.

We fail to understand why a 5 storey building is being proposed when that was one of the most contentious issues in the last proposal and when Section 5.1 of the Fairfield Plan clearly calls for up to 4 storey buildings only.

Parking is already a huge problem on Burdett Avenue and this proposed development will only compound the problem and add to the increase of traffic congestion on a residential street. Having 5 storeys once again adds to the problem.

The developer has decreased the setbacks so there is no land left surrounding the building. For people living in the building on the East side this will leave no space for any light, and the trees will have to be taken down. This was also an issue brought forward in the last discussion.

The developer, once again, has not listened to any of the concerns of the people living in

the area and has no interest in contributing to the area only looking after his own personal gain.

Respectfully yours,

Dwayne & Dorothy Smith
#206-1149 Rockland Ave.

Re: Development proposed for 1120-1124-1128 Burdett Avenue

To: Mayor and Council, City of Victoria, #1 Centennial Square, V8W 1P6

From: James Allen, 404-1115 Rockland Avenue, Victoria, V8V 3H8, [REDACTED]

October 14, 2021

I am writing to register my strong objection to the development proposal filed by Empressa Developments with regard to the above-noted properties. I associate myself with the analysis sent you this week by Tim Stemp of #1153 Burdett Avenue. Councillors will be aware that this is a revision of an original proposal of almost four years ago. At that time, City Council rejected the proposal. Significant community opposition (that still exists) was evident in a prior public hearing, voiced in a manner that is not possible to replicate in the midst of a global pandemic (I very much appreciate the generous one week from receipt of notice – encompassing a holiday weekend – allowed to prepare for a virtual public meeting on October 14).

To boil down the objections to their essence, the prior proposal was too large for both the site of the building and the narrow single block of Burdett Avenue on which it was to be situated. It should be noted that this block consists almost entirely of single-family homes, or such homes converted to multiple dwellings in a gently low-level fashion. The only purpose-built multi-unit structure on this block is two storeys. Four-storey buildings that provide the justification for this development as they are said by the developer to characterize “the neighbourhood” are, in fact, located on Cook Street and Rockland Avenue. These buildings are not in any way accessed from Burdett.

Remarkably, the revised proposal contemplates an even larger building, over 25% higher than the original (which already towered over the top of my building by almost 8 feet; this one will be about 20 feet higher), with increased site coverage and reduced setbacks on all sides. It is difficult to see this as anything other than the developer poking a sharp stick in the eye of community input. This input has been consistent in advocating a completely different form of development to transition from Urban Residential to Traditional Residential across the street; this input includes two occasions when the developer “consulted” at my residence, but at no time has anything we said been acknowledged or heard; in fact, it feels as though we are being punished for having the temerity to participate in the process.

The developer appears to have “consulted” because the rules require him to engage in a charade. In all seriousness, what is the point? Why not just allow developers to do whatever they like? Why not put them in charge of zoning? At least the so-called planning department is called “development services”. Why not go all the way and call it “development facilitation”. That would be more honest and straightforward.

At the same time, the direction of council resulting from the prior public meeting has been completely ignored. Council recognized that, as one still serving councillor put it (and I’m paraphrasing), this would be a wonderful building on a different site. While the revised proposal continues as a rental project, it will do nothing to

address Victoria's affordability problem, which I would argue is the principal issue that should govern any development proposal in Victoria. Indeed, affordable housing is being demolished to make way for the market rentals payable to Empressa that neither house people with modest incomes nor provide generous space for families who wish to live close to downtown. If ever there was a site appropriate to townhomes or house-plexes, this is it. Such forms would also fulfill the requirements of the Official Community Plan and the Fairfield Area Plan (only two years old, and already ignored) for a "sensitive transition to lower scale development" between land designations. If I may be permitted to quote myself, commenting on the earlier incarnation of this project, this is not so much gentle densification as densification by sledgehammer.

Speaking of which, in drafting this letter I have had occasion to reread the five separate communications I had with Council and the Mayor, as well as planning staff, with respect to the previous iteration. It is truly striking how everything I said then continues to apply, if not more so because the revised building is so much larger. The proposed building remains out of proportion to the size of the lot and the character of the block, and can only be accommodated by a singular use of spot zoning that not only dispenses with existing zoning, but also requires a plethora of variances to the requested rezoning itself.

Here's a novel idea: Why not require a developer to work with zoning as it exists? Surely an imaginative project that respects neighbours on a sleepy one-block residential street, rather than engaging in what amounts to blockbusting, is within the ability of Victoria developers. If this proposal is allowed to proceed, rest assured Burdett will not be the last location in a traditional residential area facing this situation.

My residence is not on Burdett but it is certainly in the cross hairs of this proposal. I have been advised not to address the issue of light and proximity to my building because "council won't care". So perhaps I can address this not to council, but to the individual humans who are councillors: How might you feel if adjacent construction impaired 85% of the light source of your dwelling? I'm on the fourth floor, the top of my building, which will be dwarfed by Empressa's structure; this impairment will be even more dramatic for my neighbours on lower floors who face a future of perpetual shade in winter months and beyond. How might you be affected by the loss of privacy and quiet enjoyment of your residence by the imposition of a wall ten or so metres away from the edge of your balcony? If you're like me, you would experience some combination of depression and anger to once again be threatened like this.

I urge you to reject this ill-conceived exercise in blockbusting and demand something of a more appropriate scale from this developer. As always, I greatly appreciate the opportunity to participate and provide feedback. Respectfully.

James Allen

[REDACTED]

From: Nora Hynes [REDACTED]
Sent: Thursday, October 14, 2021 8:04 AM
To: Public Hearings
Subject: Fwd: PUBLIC HEARING - THURSDAY, OCTOBER 14 @630PM re zoning regulation bylaw, amendment bylaw (No.1257) - No 21-069

Mayor Helps & council,

It is with extreme disappointment & truth be told, anger, that I submit my objections to the 2nd proposal for the development of the properties on Burdett St. as outlined in your notice dated Oct 1/2021.

I would urge council to review the public hearing held in July 2018 for a development plan for a 4 storey bldg that was rejected by council. You have now been presented with a 5 storey plan that does not follow any of the specific advice, concerns or objections expressed by city council & the neighbourhood at that meeting.

This current plan was presented to us by the developer at a meeting in our bldg approximately 2 years ago. We strongly expressed our concerns to him as we felt this was a plan that did not address any of the neighbourhood & council's objections to the 1st plan. He gave us the impression that he listened & would take our concerns & objections seriously. He told us he would meet with us again. Then the pandemic hit us so we couldn't meet in person again. But modern technology allowed for electronic communication during this time & we haven't heard from him at all since that initial meeting.

Our only news of this development proceeding since that meeting is the notice of the public hearing we received Oct. 7. We are being given **1 week only** to respond & submit our concerns to you. I feel we have been short changed given it was a long week-end with people busy or perhaps out of town.

My objections to this plan are:

1. It has gone from a 4 storey bldg (one of the reasons it was initially rejected), to a 5 storey bldg. This will immensely impact the neighbourhood . My purchase of this condo 23 years ago, was based around wanting brightness with lots of sunshine & a sense of privacy. If this current plan is approved it will enormously impact my life personally as I will lose all of this.
2. The variances for open site space, rear yard setback, west & east side yard set back are all vastly changed from the 1st plan & are worse, as the site coverage going from 40% - 53% is a huge damaging change for us & the neighbourhood.

We are not NIMBYS! This valuable property has the potential to be developed to suit the neighborhood much better. I believe a proposal for a town house complex would be more suitable & would offer affordable housing in this neighbourhood as was suggested to council for the 2018 public hearing. Obviously the developer has paid no heed to any concerns proposed to him as this plan hardly addresses affordability. I ask council to

give serious consideration to this flawed plan & take my objections to heart in your decision as you vote.

Thank you.

Nora Hynes

#402-1115 Rockland Ave.

Sent from my iPad

October 13, 2021

Mayor Helps and Members of Council,

My name is Mark deFrias and I live at 1025 Meares Street which is located next to the proposed development site. I am in support of the redevelopment proposed for 1120 Burdett Avenue.

New available rental homes in this neighbourhood are almost non-existent. This project brings will bring needed 3 bedroom homes in addition a mix of studio, one and two bedroom homes for a range of family types and household incomes. Additionally, it will have the potential to reduce traffic congestion as residents will have an encased parking area to allow them to easily bike into work.

The builder has offered to deconstruct and salvage two of the houses rather than demolish. This process allows for the majority of the waste to be diverted from the landfill. In addition, Nickel Brothers will pick up and move the middle home to be reused within the CRD. This process is much more environmentally sensitive than if the homes are to be simply demolished and replaced with new single family homes. This alternative would also further erode affordability in our neighbourhood as new single family homes in this location versus rentals does not contribute much to housing options for our future generations in Victoria.

The proposal has gone through great lengths over time to adapt and better reflect our neighbourhood. I look forward to welcoming this building into our community and support this proposal.

Sincerely

A handwritten signature in black ink, appearing to be 'Mark deFrias', with a stylized, cursive script.

Mark deFrias

October 13, 2021

Dear Mayor & Council,
Victoria City Hall,
1 Centennial Square
Victoria, BC V8W 1P6

RE: ADDENDUM: Empressa Development Proposal, Burdett Avenue

I must point out that the voting history since 2018 shows that Mayor Helps opposed NOT a single development application, except for a rezoning application at

“011-546 Yates Street and 566-568 Yates Street: Rezoning Application No. 00770”.

In previous years, she voted 3 times opposed in 2020, then only twice each in 2018-2019. Kudos for consistency; but what does that say about her objectivity?

Similarly, it appears council DID derail a handful:

April 8th, 2021, May 13th and 27th, June 6th, and July 17.

Five out of 14 submissions? Slightly over 1/3 rejection rate.

One “favourable” motion was to send developer back to drawing board on the landscaping – but NOT “denying” the application).

008-Council Member Motion: Reconsideration of Council Motion on Development Permit with Variance Application for 1475 Fort Street

OK, I could go on, but it is all there on the City website. The point is: how objective – no: CONCERNED FOR this area, beautiful neighbourhood, over the empire-building of our mayor? “Numbers!”; all that matters?

I respectfully urge council to discuss this seeming favouritism toward development.

Sincerely,

Mark Marquette
201-1115 Rockland Avenue

[REDACTED]

From: Zaiba Khan [REDACTED]
Sent: Thursday, October 14, 2021 10:18 AM
To: Public Hearings
Subject: 1128 Burdett Ave Development

Dear Mayor Lisa Helps & Council,

I was interested to see what the developer would put forth after being rejected previously. That proposal was for a building that was too high, too big, and much too close to 1115 Rockland condos on the back line.

The idea of providing more affordable housing closer to the downtown core makes a lot of sense. This proposal however, misses the mark. How it is an improvement to the previous proposal is perplexing. It is in fact, higher, bigger and even CLOSER to the back property line. This type of building would ruin the feel of that part of Burdett Ave. It would be more in harmony with the neighbourhood if there was a gradual transition to the downtown feel west of Cook St. With this type of building there is no transition at all, and frankly would look very out of place. It seems townhouses would be a better option, to avoid a congestion of buildings forming a U shape (Burdett, Cook, Rockland).

As far as affordable housing goes, how is this being addressed with this proposal... will it be all market rent, because that is not exactly affordable except for the well-off.

Please take into consideration that other options would make more sense for this neighbourhood, because this proposal is not the right one.

Sincerely,

H. Khan
1115 Rockland Ave

Sent from [Outlook](#)