

January 16, 2018

Mayor and Council
City of Victoria
1 Centennial Square
via Email

Dear Mayor and Council

RE: Empresa 1120-1128 Burdett proposal

I am writing to you to express my concern with Empresa's proposed rezoning and development plan for 1120-1128 Burdett Avenue. As proposed this development is contrary to a great number of significant goals and guiding principles outlined in the New Draft Fairfield Neighbourhood Plan.

There are 9 key directions in the plan. #1 is for higher density housing to be located in the North West. 1120-28 Burdett lies just outside the defined quadrant, to the South East. However, one of the key goals for the North West area on page 8, and well-supported throughout the OCP for all neighbourhoods states:

"FUTURE DEVELOPMENT SHOULD BE SENSITIVELY DESIGNED TO GRADUALLY TRANSITION FROM DOWNTOWN TO THE RESIDENTIAL AREAS AND HELP IMPROVE PUBLIC SPACES AND STREETS."

The height and massing of Empresa's proposal fails to adhere to this widely-recognized cornerstone of good urban planning and redevelopment.

The current proposal for 1120-28 is for a 4-storey building that significantly exceeds the max allowed height in the zoning requested by the developer. It is also located directly across the street from 1 & 2 storey traditional and historic-designated residential houses and is not sensitively designed to provide any transition from inner city multifamily to the residential areas.

Key Direction #9 on page 9, outlines the following needs for the traditional residential areas:

- Maintain the low-rise, open and green feel of traditional residential areas.
- Offer housing options to attract a diversity of residents and opportunities for long-time Fairfield residents to "age-in-place"
- More housing for renters and families is needed.
- A variety of housing types such as townhouses, and more secondary suites.

The 1120-28 Burdett site is located directly across the street from single-family homes in the Traditional Residential Area of Fairfield. The front streetwall of the proposed building is over 14 m. high, compared to a max allowed building height of only 12 m under the developer-requested zoning. In addition, as noted in the October 27, 2017 Planning Director's report, the proposed front setback is less than half of what is required under the requested zoning and there are significant variances required for open site setbacks, east, west and rear setback as well as for increased site coverage and reduced open space minimums. As such, the community fails to see how this supports the Key Direction to "*maintain the low-rise, open and green feel of traditional residential areas*" located directly across the street.

The proposed building is a 4 storey apartment building containing a mix of:

- 8 – 381 to 410 sq ft bachelor units
- 25 – 501 to 625 sq ft one bedroom units, and
- 11 – 739-867 sq ft 2 bedroom units

Again, the community fails to see how this form supports the key direction to provide more housing for families, or variety of housing types such as townhouses and secondary suites.

Table 5.1 on Page 44 of the draft plan outlines the building types anticipated for each area designation. For the Traditional Residential area directly across the street the acceptable building types are outlined:

- Single-detached dwellings, house conversions, duplexes
- Generally, ground-oriented residential buildings, including
- House-plexes and townhouses, consistent with the policies in Chapters 6 and 7
- Accessory suites in detached dwellings, duplexes and in some townhouses

For the Urban Residential designation which 1120-28 has been included, the acceptable building types are:

- Residential buildings set back to accommodate landscaping
- Upper floors above the streetwall (as described in plan policies and Development Permit guidelines) should step back
- For multi-unit buildings of three or more units, parking located to the rear, in a structure or underground

However, the developer's current proposal does not provide the setback to accommodate landscaping as required. In fact, as noted earlier the proposed front setback is less than 50% of what is required by the requested rezoning.

In addition, there is no step back in the upper floors above the streetwall as required. This requirement/desire for step back is further demonstrated twice in the draft plan by the use of the same photo of a building that illustrates a step back above the second floor on pages, 8 and again on page 71. The photo is of a recently constructed building located at 1011 Burdett that not only has the required streetwall step back, but the 1011 front setback is significantly greater than proposed for 1120-28 Burdett.

It is note worthy that, not only does the 1011 Burdett example have a larger front setback and the required streetwall step back, but is also further west in the Urban Residential proper, where greater density and smaller setbacks are more appropriate. In contrast to this, the 1120-28 Burdett Ave site directly abuts the Traditional Residential area which should therefore require even greater set backs, lower heights, less massing, etc. to serve as a transition to the Traditional Residential area as noted on page 8 of the new draft community plan for Fairfield.

The Draft Fairfield Plan Chapter 8 – Residential Housing Areas, makes the following statements on Page 71:

- There is a rich diversity of housing in Fairfield
- The traditional residential areas feature ground-oriented housing such as single detached houses, secondary suites, duplexes and heritage conversions
- Many of traditional residential areas of the neighbourhood are characterized by tree-lined residential streets, historic and post-war houses that reflect Fairfield's suburban history and landscaped front yards.

- The Urban Residential areas include a range of rental and condominium buildings, townhouses, as well as a mix of lower scale housing sprinkled throughout.
- Tree-lined streets and generous landscaped yards create a livable neighbourhood.
- It contains a significant portion of the City's rental housing stock, and there is a desire to retain and revitalize this relatively affordable supply of housing where possible.
- **There is a strong desire for more family friendly (3 bedroom or more) rental and ownership housing**, such as townhouses or large apartments. (*emphasis added*)
- There is a desire to maintain the historic character of the neighbourhood, and the design and fit of new and old is an important neighbourhood concern.

Shoehorning an over-height 4 storey, 44-unit building onto a small lot directly abutting a traditional residential area is a direct contradiction of all the above value statements of the new Local Area Plan.

The Urban Residential Area of the draft plan includes Section 8.1.3.1. which says to "*Consider residential buildings up to 4 storeys and 1.2 floor space ratio.*" However, the proposed Development at 1120-28 Burdett is for an FSR of 1.66 which is 38% over the stated maximum considered density in this zone.

Some of the form and character objectives for the Urban Residential zone outlined in section 8.3 of the draft plan include:

- To maintain a character of multi-unit buildings fronted by green spaces along public streets
- To present a friendly face to the street and create pedestrian-friendly environments
- To develop streetwalls (that portion of the building façade closest to the street) whose scale relates to the width of adjacent streets, framing the streets while allowing access for sunlight.
- To ensure new development is neighbourly, **compatible and transitions sensitively to adjacent development, particularly adjacent Traditional Residential areas** (*emphasis added*)
- Minimize the impacts of off-street parking on the quality of site designs and pedestrian environment
- To include landscape and on-site open spaces that contribute to urban forest objectives, provide environmental benefits, and support sociability and livability.


Once again, the proposed building falls short on all of these objectives. The proposed setback is less than half of what the requested zoning requires and therefore does not meet the objective for green spaces fronting a public street.

The proposed building's height exceeds the max zoning allowance, the setback is less than half the zoning requirement and there is no step back in the streetwall. As such it does not relate to the width of the adjacent street and blocks sunlight and sky sightlines.

Due to the requested variances for height, setbacks, site coverage and open space, the building is not compatible or neighbourly and provides no sensitive transition to the adjacent Traditional Residential area on the rest of the street. The proposed development only has 36 off street parking stalls compared to the 53 stalls required by schedule C of the City of Victoria Zoning Bylaw. As such it does not minimize the impacts of parking on the street.

Based on the above, it is clear that the proposed development for the 1120-28 Burdett Ave site does not meet the objectives or guidelines for the neighbourhood as outlined in the new Draft Fairfield Plan. I urge you to reject this development in its current proposed form.

Sincerely,



GARY KIRK

**Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC V8V 1 P6**

**RE: Rezoning Application #00516 for 1120; 1124 and 1128
Burdett Street.**

My home is immediately adjacent to the proposed Empresa 1120 Burdett Avenue project and faces onto Burdett Street with direct Burdett Street access. I have many concerns over the proposed development.

1. The Empresa proposal DOES NOT COMPLY with the original OCP (Official Community Plan) for the area. There are too many variances being asked for. The developer's current variance requests are in addition to the original rezoning requested and would create a building exceeding the 1.2 FSR base density set out in the OCP. With the increase in height and the request to reduce the minimum required front yard setback from 10.5 to 5.11 m. and the further request for east side variance from 6.77 to 3.75m , along with an extra 2.82m added for parkade setback will restrict the light and impinge on privacy to neighbouring units of both 1115 and 1149 Rockland Avenue.

All other houses and buildings on Burdett are set back from the street and this proposed variance request, if approved, would stick out like a 'sore thumb'.

IT DOES NOT FIT INTO THE NEIGHBOURHOOD.

**What is the point in having an OCP if it going to be ignored?
Furthermore the developer is asking for greatly reduced setbacks that exceed the standards of the requested zoning. Those variances negatively impact my and my neighbours homes.**

2. Directly across the street from this proposed development are 2-storey family houses and heritage-designated houses, with a number of well maintained smaller-scale character homes further to the east on both sides of the street. During the staff

presentation before Council, staff presented a graphic titled “Character of the Street” that ignored all of the smaller-scaled homes on the street – fully 60% of the total number of Burdett homes on the block. At the same time, staff included images of two larger homes at greater distance that are not on Burdett Avenue. In this manner staff have misled Council as to the actual character of the street and the overall scale of the majority of homes found there.

3. Parking is another issue. Burdett Street from Cook to Linden St. is a very short street. It also has very limited street parking at present and there is not adequate off-street parking for the reduced number of parking spots in the proposed development, let alone for visitors.

Another concern is LACK OF CREDIBLE PUBLIC PROCESS.

Communication for whole process has not been handled well by City Hall nor by the developer, Empresa Properties. The original Public Hearing was to be early summer of 2017. The residents were only informed that evening that it was postponed. In November an article in the local newspaper published an article on the proposed development stating that there did not seem to be any concerns from the neighbourhood, which was untrue. The residents were not kept up to date by either city staff or the developer with the changes to the proposed development and these changes are more concerning than the original proposal.

Our next public hearing was posted on three official city-provided signs as Jan.25th and was taken off the Development Tracker website only a few days before hand without any notification to the neighbourhood. There were many concerned residents of the area who had postponed travel and vacations in order to be here for the 25th date and now are unable to attend and speak at Public Hearing on Feb.22, as they are out of the country.

I ask you to take a stand and vote no to developments such as that proposed for 1120 - 1128 Burdett Avenue and to pay attention to the concerns and wishes of the residents and

taxpayers of established neighbourhoods. As a community we have looked for and supported plans for family-oriented housing for this Fairfield neighbourhood.

Sincerely,

Donna MacFarlane

#112 – 1149 Rockland Ave

Victoria BC V8V 4T5

Alicia Ferguson

From: Public Hearings
Subject: RE: zoning regulation bylaw, amendment bylaw (No.1100) No. 17-0457

-----Original Message-----

From: Isobel Kimpton
Sent: February 19, 2018 9:35 AM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: Re: zoning regulation bylaw, amendment bylaw (No.1100) No. 17-0457

Re: city council meeting Feb 22, 2018 at 1830

To whom it may concern - please keep my email address confidential.

Objection to the size of development proposed for 1120, 1124, 1128 Burdett Ave, Victoria, BC.

1. Increased height, footprint and east side setback cause light reduction to residents in existing properties - right to light is in Canadian Law - Ancient Lights Law.
2. The proposed height increase will affect the appearance of the district as it will exceed all the other buildings in the immediate area.
3. Reduced parking spaces will have an impact on all surrounding streets. This reduction will affect traffic flow for parking, service vehicles, visitors and new residents. City parking requirements from schedule C of the City of Victoria Zoning Bylaw require 53 spaces for 44 apartments.
4. The proposed proximity to the sidewalk for the front yard setback doesn't allow for adequate landscaping to maintain the green character of the street.

Regards
Isobel and Robert Kimpton
215 1149 Rockland Ave
Victoria, BC
V8V 4T5

Alicia Ferguson

From: Public Hearings
Subject: RE: proposed changes to 1120-1128 Burdett Avenue

From: rick johnston
Sent: February 19, 2018 10:08 AM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: proposed changes to 1120-1128 Burdett Avenue

Like so many of our neighbours who sent letters, emails and petitions we also registered our opposition to the proposed development of this property and to date you have totally disrespected and disregarded us. Now you show even greater arrogance and hypocrisy by mailing us a document titled "It's Your Neighbourhood" wherein you are seeking our input on changes permitting even greater density and variance requirements to a new development proposal. If the job of an elected official is to represent the needs and concerns of his/her constituents you have so far failed us miserably. It's time to stop paying us lip service. We urge you to do the right thing by rejecting this proposal and work with us on a transitional development that is the RIGHT FIT FOR OUR NEIGHBOURHOOD.

Respectfully submitted.
Rick and Lynne Johnston
203-1115 Rockland Ave