

City of Victoria  
1 Centennial Square  
Victoria, BC  
Via email

February 19, 2018

Dear Mayor and Council

I am replying to your request for input on proposed changes via  
"It's Your Neighbourhood", February 9, 2018.

RE: PROPOSED CHANGE TO 1120-1128 BURDETT AVENUE:

**Zoning Regulation Bylaw, Amendment Bylaw (No. 1100) No. 17-047:**

Existing Zone: R1-B, Single Family Dwelling District  
R3-AM-1, Mid-Rise Multiple Dwelling District  
New Zone: R3-AM-4, Mid-Rise Multiple Dwelling Burdett District

**Development permit with Variances Application:**

General Form and Character "...for the purposes of approving the exterior design and finishes for the multi-residential building as well as landscaping."

- increase the height
- increase the site coverage
- reduce the open site space
- reduce the minimum required front yard setback for the building
- reduce the east side yard setback for the building and for the parkade stairs
- reduce the west side yard setback for the building face, for the balconies and nil for the parkade
- reduce the required residential parking spaces per dwelling unit

I. My immediate understanding upon reading the proposed changes was: The developer is requesting "New Zoning" to accomplish a specific development project, then is immediately asking for seven variances to approve the exterior design, finishes and landscaping. So what happened to any attempt to design a building that would meet the existing "just" requested new zoning?

Why so many variances needed if the developer has done due diligence and knows the regulations for building on this particular parcel of land?

The City of Victoria has Neighbourhood Plans and an Official Community Plan for a reason. Asking for such a great number of variances looks like an attempt to put more density and living units into a building that appears to be too large for the three lots. Be a little more creative. Why not stick to the Plan? Other developers have recently done it just up the street.

Is GREED getting in the way of NEED?

**II.** I live next door to these three single-family houses that will be demolished. I face the same view of Burdett Ave. and walk out to this nice residential neighbourhood, with large landscaped front, side and back gardens – a sunny, livable, social and pedestrian-friendly street. The proposed structure with all variances will invade neighbour's privacy, cut off sunlight, damage mature trees on neighbouring lots and is not a "model proposal" for this site. It would be very, very obtrusive. "Something more respectful of the traditional residential neighbourhood would have been preferable". (I agree, councilor.)

And I have another question.

Where will the three families, maybe with some children and possibly Grandma later, where will they find a place to live on this street?

The largest unit in the proposed building is 739-867 sq. ft. This does not meet the Neighbourhood Plan of opportunities for long-time Fairfield residents to "age-in-place"! We need some family-oriented spaces as per the FAIRFIELD NEIGHBOURHOOD PLAN.

Then these three families will have a place to live in my neighbourhood, in by backyard.

I would like that.

**I am against the Proposed Changes to 1120, 1124 and 1128 Burdett Avenue.**

The developer could easily design an acceptable, profitable building on this three-lot parcel. There are examples nearby of recently built structures, which meet the proposed New Zoning. But due to the requested variances for height, set backs, site coverage and open space this building is not compatible with the Local Area Plan.

And in terms of neighbourliness it STINKS!

I urge you to reject this development in its current proposed form.

Sincerely,

Dannita Macluskie  
307-1149 Rockland Ave.  
Victoria, BC  
V8V 4T5  
Email: [REDACTED]

## Pamela Martin

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**From:** Tara Todd Macdonald [REDACTED]  
**Sent:** February 19, 2018 7:06 PM  
**To:** Public Hearings; Victoria Mayor and Council  
**Subject:** Public Hearing for 1120/1124/1128 Burdett Avenue

Mayor and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

February 19, 2018

Dear Mayor Helps and Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young,

Re: Empresa Properties Rezoning Application #00516 & Development Permit Application 000462 - 1120/1124/1128 Burdett Avenue

I am a resident at 1149 Rockland Avenue, which is located on the east side of the proposed development. I had planned to attend the public meeting but am required to be out of town for work and will not be able to attend the meeting but wanted to convey my opposition to the development for the following reasons:

Too much density – Burdett Avenue is a quiet street and mainly contains single family homes and most of the street is zoned Traditional Residential. I feel that the proposed development's building height and setback variances being sought are excessive and go far beyond the standards of the zoning applied for by the developer. I also note the developer is requesting less open space to allow for more coverage for the building. It is my understanding that this contradicts the new draft Fairfield Neighbourhood Plan which states development should "maintain the low-rise, open and green feel of traditional residential areas".

Loss of light and privacy - The building's proposed size and height would overwhelm the adjacent buildings and, as the proposed development's shadow study indicates, those of us residing at 1149 Rockland and 1115 Rockland would lose the light and privacy we currently enjoy now. My side of the building faces west and the sun comes around in the afternoon. I enjoy the afternoon sunlight throughout the year and in the evenings during the spring, summer and early fall. If the proposed development is built, my side of the building would already be in shadow just at the time of day (e.g., 3:00 pm in the summer) when the sunlight currently starts to come into my suite. It would be a complete loss of sunlight, not just an hour or two, for most of the year.

Impact on parking and local traffic – I noticed that the plans do not allocate enough parking spots for the building's residents and visitors. This would inevitably create traffic congestion and frustration for the neighbours as the building's residents and their visitors would be seeking additional parking spots on Burdett Avenue or other streets in the neighbourhood.

I recognize there is a high demand for more housing in Victoria, but the size of this proposed development has too much density and negatively impacts the neighbouring residents and I request that you reject it.

I think a better alternative for the site would be townhouses or row houses. I would welcome a revised development that complies with the Fairfield Neighbourhood Plan and would provide more homes for families in the neighbourhood.

Sincerely,

Tara Todd-Macdonald  
214-1149 Rockland Ave

## Lacey Maxwell

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**From:** Anna Cal [REDACTED]  
**Sent:** February 20, 2018 8:16 PM  
**To:** Victoria Mayor and Council  
**Subject:** 1120-1128 Burdett Avenue

Dear councillors,  
I'm against the Rezoning Proposal for 1120-1128 Burdett Avenue.

City of Victoria has over **700** site specific zones. Multifamily developments, that are built to the zone, seem to be an exception.

This proposal has to many variances, including reducing the most precious public asset, the setbacks. I do not see any reason or hardship behind those variances.

20 years of rentals is just a promise; there are no legal forces to keep those units as rentals even for a day. Besides, 20 years is a **VERY** short time.  
Victoria is desperate for stability. Do not destabilize Fairfield for the sake of a mere token.

Thank you  
Anna Cal

## Lucas De Amaral

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**From:** Adam Gaudes [REDACTED]  
**Sent:** Monday, February 19, 2018 5:02 PM  
**To:** Victoria Mayor and Council  
**Subject:** Regarding 1120 Burdett Avenue

**Categories:** Planning

Mayor and Council

I would like to register my support for the rezoning of 1120 Burdett Avenue.

This project is in a great location and I'd love to live there someday. I live nearby and will be affected by this project. I have friends and family who live nearby, and I want the best for them.

Council should approve the project for the reasons listed below:

- I would like to move to Burdett Avenue someday, and that will be easier if there are more homes there
- If there are more homes like this, it's less likely that I will be priced out of the area
- If we want people to use public transit, we need to let them live near it
- We desperately need more rental homes in Victoria

1120, 1124 & 1128 Burdett Avenue deserves to be approved, but some things could be improved:

- I'm disappointed that the project doesn't have even more units

Please approve this project.

Adam Gaudes

[REDACTED]  
605-930 Yates St

Mayor & Council  
1 Centennial Square  
Victoria, BC  
V8W1P6

**Subject: Support for Rezoning and DP Application at 1120 Burdett Avenue**

Mayor Helps and Members of Council,

I live at 1121 McClure Street our home can see the proposed development at 1120-1128 Burdett Avenue. Since this projects conception over 2 years ago we've been a part of the redevelopment process through consultation with the applicant. The applicant has gone great lengths to address the community concerns, resulting in a much better project, which is why **I strongly support this application.**

Many improvements have been made to the plans over the years, based on our community input; Some of the main items include: limiting the building height to 4-storeys, to keep in line with the surrounding buildings, reducing density by increasing setbacks several times at the front and rear providing more open space, breaking down the height of the Burdett frontage through architectural ground orienting features, all while taking a major step to increase rental availability by securing 100% commitment to a purpose built rental building.

While I understand some of the concerns, I know that our neighbourhood, which borders downtown, will need to accommodate greater growth as outlined in our current community planning. This growth is primarily intended to benefit future generations. It is not necessary to limit development at these infill sites, as there are many in our community struggling to find adequate and available rentals close to where they work.

It can be easy to get caught up just thinking about what's best for us personally, but these changes are for those who want to stay or become a part of our community. It's our job as good community citizens to aid this process by being an inclusive community and supporting much-needed projects such 1120 Burdett. To conclude, **I urge council to approve this great infill project to help our community grow to its best.**

Thank you,

Adrian

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## Amanda Ferguson

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**Subject:** 1120-1128 Burdett Avenue Rezoning Proposal.

**From:** Barbara Bowman

**Date:** February 20, 2018 at 10:59:48 PM PST

**To:** "Helps, Mayor Lisa" <[mayor@victoria.ca](mailto:mayor@victoria.ca)>, "Alto, Councillor Marianne" <[malto@victoria.ca](mailto:malto@victoria.ca)>, "Coleman, Councillor Chris" <[ccoleman@victoria.ca](mailto:ccoleman@victoria.ca)>, "Isitt, Councillor Ben" <[bisitt@victoria.ca](mailto:bisitt@victoria.ca)>, "Loveday, Councillor Jeremy" <[jloveday@victoria.ca](mailto:jloveday@victoria.ca)>, "Lucas, Councillor Margaret" <[mlucas@victoria.ca](mailto:mlucas@victoria.ca)>, "Madoff, Councillor Pamela" <[pmadoff@victoria.ca](mailto:pmadoff@victoria.ca)>, "Thornton-Joe, Councillor Charlayne" <[cthorton-joe@victoria.ca](mailto:cthorton-joe@victoria.ca)>, "Young, Councillor Geoff" <[gyoung@victoria.ca](mailto:gyoung@victoria.ca)>

**Subject:** 1120-1128 Burdett Avenue Rezoning Proposal.

Barbara Bowman  
February 20, 2018

Re: 1120-1128 Burdett Avenue Rezoning Proposal.

Respectfully Mayor and Council,

Fairfield's neighbours have requested contextual developments to be built within their Craftsman Styled communities.

The 1120-1128 Burdett Proposal exceeds the boundaries of height and build footprint (setback) in every direction. Massive buildings will destroy the beauty of this street's attractive features.

This design is not necessary when there is so much potential for complimenting this area's Craftsman Characteristic.

Please request to redesign this development to complement the street's setbacks, design features and to eliminate the proposed over-shadowing.

The street's current Structural Characteristics encourage visitors and would attract more residents to stay, play and work within this area. Too much change creates discontent, which in turn creates transient communities as long-term residents move away to stable communities that are not being torn down for unknown density and style.

Please go back to the developer and ask for a better fit for Burdett.

Kindest Regards,  
Barbara Bowman  
Moss Street in Fairfield, Victoria

## Lucas De Amaral

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**From:** Carly Paracholski [REDACTED]  
**Sent:** Tuesday, February 20, 2018 9:15 AM  
**To:** Victoria Mayor and Council  
**Subject:** Support for 1120 -1128 Burdett Avenue Rezoning

**Categories:** Planning

Mayor and Members of Council,  
1 Centennial Square  
Victoria, BC  
V8W1P6

Dear Mayor Helps & Council,

***Subject: Support for 1120 -1128 Burdett Avenue Rezoning***

Our property, 825 Cook Street, faces the proposed development, directly to south of Burdett Avenue. As an adjacent neighbour who will be impacted by this development I am in full support of the proposed rezoning. Over time, the plans have evolved into the best design yet for our street based on community input. These changes for both the building design and building purpose has improved the proposal for our community. The applicant has now gone through countless design improvements based on our input to find the best middle ground; all while still addressing Victoria's demands for a greater amount of rental housing.

Overall, the buildings design enhances the existing surrounding streetscape as though it was always a part our neighbourhood. A major benefit for neighbours is that the proposal contributes a significant amount of landscaping around the property with all parking placed underground something that adjacent properties don't contribute. This is very important in helping to add greenery to the built environment rather than more surface parking.

While I empathize with neighbours who may have concerns, it important that our community focus on how to best address both rental availability and rental affordability in this neighbourhood, as it's nearly non-existent. Many individuals' are trying to find somewhere to live in this neighbourhood, but options here are extremely limited. This is a pragmatic design in a neighbourhood with very similar surrounding context, thus a very supportable project. We hope council recognizes the importance this project has within our community.

Thank you for taking the time to read my letter of support.  
Regards,

Carly Paracholski  
825 Cook Street

February 20, 2018

Mayor and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC  
V8W 1P6

**Proposed Condo Development by Empresa Properties on the Sites of  
1120/1124/1128 Burdett Avenue**

Dear Mayor and Council,

*The definition of a Council is to 'listen to, and represent the views of members of local society in decision-making.'*

In the most recent Strategic Plan for the City of Victoria there is an emphasis on the importance of Civic Engagement and a commitment to listening to the voice of the public on all matters concerning life in the City. In this Plan, there is also an emphasis on City Council working more closely with neighborhood associations. Along with many of my neighbours (Right fit 4 Burdett), I have now written multiple letters to Council voicing concerns about the above-named development. In what appears to be several games of 'switch and bait,' played by the Developer and City Council, in terms of information not shared at critical times, or the cancellation of public hearings at the last minute, my neighbours and I have had the rug pulled out from under us. And, each time this has occurred, the Developer has come back with a 'new' plan for the neighbourhood development that is even more heinous in terms of the extent of its request for variations from our guiding planning document, the Official Community Plan.

From the beginning, my neighbours and I have worked in good faith to vocalize our deep concerns about the development and to request consideration for a development that would be more appropriate to our family-oriented, lower density, transitional 'Village' community (Right fit 4 Burdett). As noted, each version of the developer's plans that we have been subjected to has reflected more shocking variations from the Official Community Plan in terms of: increased density, and deeper violations of light, space, invasions of privacy, and negative impacts on quality of life and well-being, sense of home and sense of community.

Despite multiple letters, and also singular letters with over 100 signatures on several occasions, we, the citizens have never heard a direct word from City Hall that would acknowledge that the content and nature of our concerns has been heard. The only real acknowledgement of our concerns has been that our letters have been received. In the local newspaper, one Councillor even made a comment that the neighborhood did not seem to be opposed to the new proposal for the development, when at that time, nobody had heard what the new plan was.

It is unethical, unconscionable and reprehensible that each time the developer advances a new proposal it is for more violations than the last one. This time a 44-unit rental complex has been proposed which will have even more devastating impacts on quality of life and the Village nature of our local neighborhood.

The following list compiled by Right Fit 4 Burdett reflects the specific negative impacts of the latest Empresa Properties proposal for Burdett Avenue:

## 1. Developer requested Variances

Empresa Properties, the developer, has from the outset requested variances on height and setbacks on all four sides, in excess of the standards of the zoning they have applied for. As the local Community Association Land Use Committee (CALUC) notes, *“the setbacks and other standards were created for health, safety, aesthetics and other reasons and to consistently permit changes is to deny the validity of the standards. We have seen too many instances where variances have created problems and in some cases appeared to be ‘work arounds’ for re-zoning.”*

Itemized requested variances (violations of the Official Community Plan) on this proposal amount to the following:

- \* An FSR density of 1.66 which is **36%** over the allowed density for the zoning is being sought by the developer.
- \* Site coverage that is **28.6%** over the allowed coverage for the zoning is being sought by the developer.
- \* A front set back that is **51%** less than that required by the zoning is being sought by the developer.
- \* A rear set back that is **29%** less than what is required by the zoning is being sought by the developer.
- \* An East set back that is **44.6%** less than what is required by the zoning is being sought by the developer (**58.3%** for the stairs).
- \* A West set back that is **67%** less than what is required by the zoning is being sought by the developer.
- \* Off street parking that is **32%** less than what is required by the zoning is being sought by the developer.

**Summary:** *The variances listed above impinge on the light, privacy, safety and livability of the neighbouring homes and are tremendous sources of community concern and opposition. This development would have devastating effects on this neighborhood.*

## 2. None of Empresa Properties formulated plans adhere to Zoning

From the outset, the developer has failed to generate any plans that conform to the zoning standards, with no plans formulated that meet the OCP base density of 1.2 FSR. As such, this developer is requesting zoning that **violates existing standards** to the detriment of the community.

## 3. City of Victoria is already building beyond Official Community Plan (OCP) guidelines for apartments, while failing to meet targets for townhouse housing for families.

Construction industry stats for Jan-Oct. 2017 show **75% growth over the OCP's annual growth target of 450 apartment units** in only 10 months. In addition, growth is **83% under** the OCP's annual growth objectives of 90 ground-oriented townhomes.

**4. The Burdett Avenue community broadly supports family-oriented housing, as identified in the OCP and other by townhouse advocates addressing Council**

Townhouses have long been recognized as “the missing middle” for Victoria between expensive single-family detached homes and multi-unit apartment building. For families looking to obtain a home in a walkable community townhouse are the desirable and more affordable option for raising families in this neighbourhood. Transportation and housing advocate Tod Litman, in writing to Victoria Council notes *“many hundreds of units are under development in the downtown core, but these are unsuitable to many households, particularly families with children. We need more townhouses and apartments in walkable neighborhoods throughout our City.”*

**5. Need for appropriate transitions of form and massing between Urban Residential developments and Traditional Neighbourhoods**

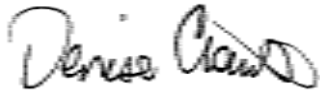
Victoria's OCP as well as the emerging Draft Fairfield Gonzales Local Area Plans (LAP) and “best practices” urban planning documents recognize the need for transitions in height and massing in the borders between areas of different density and housing. In the same way, the community-supported vision of 3-storey row or stacked townhouses would be better in fulfilling this function and properly supporting the dominant street character while providing housing options and a moderate density increase. The Draft LAP for Fairfield sets this key goal: *“Future development should be sensitively designed to gradually transition from downtown to the residential areas and help improve public spaces and streets.”*

Sadly, I am unable to be at the Public Hearing on February 22<sup>nd</sup> because I am out of town. I was available and ready to speak for the previous two meetings, and am deeply disappointed about what I have interpreted as switch and bait techniques deliberately designed to destabilize our efforts to have a voice about the even greater inappropriateness of the latest proposal from Empresa Properties. As a health and human geographer at the University of Victoria who studies issues of health and place, sense of place, and sense of belonging, and services for seniors and other vulnerable populations, I remain deeply concerned and opposed to this development. Sense of community, belonging and sense of place are central values of mine, and also of my neighbours.

Ultimately, I hope for ‘real’ discussions to take place on February 22<sup>nd</sup> and thereafter. I hope that City Hall will hear our deeply felt concerns and respond appropriately taking local public voices into account rather than supporting the plans of Empresa Properties towards over-development that will lead to a tremendous decline and devastating consequences on the vibrancy, vitality, livability, sense of home and pride of place for this charming and character-rich Fairfield-Gonzales family-oriented community.

Sincerely,

Right fit 4 Burdett

A handwritten signature in cursive script, reading "Denise Cloutier".

Denise S. Cloutier, PhD.  
Resident of Rockland  
and Professor, Department of Geography  
University of Victoria, Victoria, BC, V8V 4T5  
Email: [REDACTED]

February 15, 2018

1161 Burdett Avenue  
Victoria, B.C. V8V 3H3

Mayor and Council  
City of Victoria  
1 Centennial Square, Victoria BC

RE: Objection to Rezoning Application #00516 / 1120 – 1128 Burdett Avenue

From the time of the onset of redevelopment proposals for 1120 -1128 Burdett Avenue, the adjacent and immediately-impacted surrounding community has expressed its support for townhouse proposals that would support family-oriented housing, that would fit compatibly into the neighbourhood, while also contributing to a degree of relative and comparative affordability to the cost of housing, particularly for young families.

These are the same goals prominently identified and set out in the 2012 OCP. The scarcity of townhomes are also made evident in development analytics as the most underrepresented segment of the housing continuum, and is the acknowledged “missing middle” between single-family homes and higher density multi family units.

It is an unusual situation to have a community organize and speak so fully in support of a recognized social housing need. In my own experiences across a number of communities I would say it qualifies as a miracle.

At core, and beyond their support of a viable row or townhouse proposal for the site, the only expectation the community had would be that the proposal should recognize the reasonable and legislated need for space, light, safety and a modicum of aesthetics. These are so well-recognized as to be enshrined into the municipal code as essential components of good planning and quality of living.

This community has yet to see a proposal that complied with even the existing codes for the zoning sought by Empresa Properties. Essentially, the developer, with the tacit pre-approval of the city’s Planning department, has advanced a proposal that seeks to obtain most of its benefits at the cost of its neighbours, at the cost of their comfort, well-being, and even to a degree of their safety.

Beyond the change from single family to multifamily zoning requested, the developer seeks variances of reduced clearance setbacks of 44% along the east, 29% on the rear, 51% on the front and 67% to the western edge.

Beyond the specifics, the essential problem with the proposal is twofold: even through a consolidation of three residential lots, the site itself is too small for the density sought. Such predicaments are often found at the hands of new developers, but the community and residents at large should not be asked to bear the load of a developers’ inexperience and faults. Secondly, the proposal fails to accurately address the context, proximity and appropriateness of the

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development to the predominant historical and character of the street in a manner consistent with the OCP.

Through these two critical deficiencies the proposal demonstrates its unsuitability to its would-be neighbours and neighbourhood. If the building were not unsuitable it would not be dependent on either the number or the degree of variances requested by Empresa.

The need to avoid variances from these codes are so compelling that the head of FGCA-CALUC writes, "... *the setbacks and other standards were created for health, safety, aesthetics and other reasons and to consistently permit changes is to deny the validity of the standards....We had seen too many instances where variances had created problems and in some cases appeared to be 'work arounds' for re-zoning.*"

In two presentations and through their report to Council, city staff inaccurately and selectively portrayed the "Character of the Street" (attached) through a graphic presentation that ignores 60% of the actual homes on the street. Within the same graphic, two character homes not located on Burdett Avenue, and at a considerable distance are included, but ignoring all smaller-scale homes lying much closer to the proposed development that constitute the majority of the street's houses.

In defending the graphic, J. Tinney, the city's director of Planning offered that the image was intended to relate to the four storey walkups to the SW, West and North, but none of those buildings were in actuality included in the graphic – only existing character and heritage-designated buildings. It is impossible to consider the presented visual as other than a misdirection to Council.

Equally, it is difficult to qualify the October 12, 2017 letter to Mayor and Council, from Empresa's principal, Karl Robertson, stating, "...*All flanks of the site are comprised of midrise strata and rental buildings ranging from four to five storeys in height.*" There are in fact no five storey building near or flanking the site, and the southern facing is made up of two-storey heritage-designated and character homes. Other portions of Mr. Robertson's letter attempt to selectively point to the OCP while ignoring the sections that run directly counter to his plan.

Similar inaccurate fundamental understanding of the developers' proposal and its negative impacts were evident at a Dec. 31 meeting between Empresa, FGCA-CALUC and community members, when Luke Harrison, as Empresa's representative, refused to admit that their proposal was reliant framed around a broad set of major massing variances. Ultimately, settling the discrepancy required producing a copy of the staff report, but raised the question as to how a principal who doubles as CAO of Vancouver's city-owned Vancouver Affordable Housing Agency would not be better acquainted with his Victoria-based private enterprise project.

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I request that that Council reject this proposal in this form. While the issue of affordability remains at present, as noted in the recent 2018 UBCM “A Home for Everyone” study (Page 7), “*Available data suggest that British Columbia housing prices have been driven up by investor demand and speculation.*”, and stabilization of housing prices will require change in taxation policies of both foreign and domestic speculation.

Presently 48% of projects coming forward locally are for purpose-built rental units, in numbers that put Victoria far above all projected need in both the Regional Growth Strategy and the OCP.

The one component of housing that is failing to see an adequate response is identified in all surveys and show as comprising less than 1.5% of the housing industry’s benchmark Yellowsheet Analytics (Sept. 30, 2017); **townhouses**.

This family-oriented form has a ready market due to the numbers falling below demand and their comparative affordability when balanced against the cost of either scarce (and generally unsuitable) three-bedroom apartments, or detached single family homes. This is a form that would fulfil planning goals in terms of transportation, energy and demographic mix and community vibrancy and cohesiveness. The neighbourhood would welcome and embrace such a project and hold it as an enhancing, stabilizing element of the neighbourhood. They view it as the Right Fit for Burdett.

Sincerely,

Douglas Curran

[REDACTED]

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“Character of Street” Page 3 staff report



## Lucas De Amaral

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**From:** Dwayne Leskewitch [REDACTED]  
**Sent:** Sunday, February 18, 2018 4:00 PM  
**To:** Victoria Mayor and Council  
**Subject:** EMPRESSA BURDETT DEVELOPMENT APPLICATION

**Categories:** Planning

By now I am sure you are aware of the many community concerns regarding this proposal.

My wife and I moved to Victoria about 2 years ago after considering many other possibilities. One of the issues we researched was all about the future...what could we reasonably expect to see change in the neighborhood we had chosen as a new home. Looking at the OCP, we were comfortable that changes would be something we could support. The OCP appeared to speak to a neighborhood that would retain its character; one that retained its mix of heritage look and feel and one that would preserve street appeal with generous setbacks. The proposed development if approved as presented would translate into a big LIE. We would have made a significant financial investment only to have those of you responsible to steer the course set by the OCP on behalf of the citizens say to us " Well it was only a concept. Too bad on you for relying on it."

On a related matter, as the Mayor has made it very clear about her bias on the proposal as reported in the Times Colonist, it would be highly unusual and likely contrary to her legal obligations if she does not recuse herself from the Public Hearing on Thursday. The fact that she reportedly received close to 50 % of her campaign funds from developers only highlights the need for her recusal.

Dwayne Leskewitch  
816 Linden Ave

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## Pamela Martin

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**From:** David Peters [REDACTED]  
**Sent:** February 20, 2018 8:59 PM  
**To:** Public Hearings  
**Subject:** Zoning Regulation Bylaw. Amendment Bylaw (No. 1100) No. 17-047

I am unable to attend the public hearing to address the proposed bylaw amendments and development variances to 1120, 1124 and 1128 Burdett Avenue and therefore want to share my concerns and views via this email.

My wife and I will be directly affected by the decisions made regarding the above sites. We live and own a condo at [202 1115](#) Rockland Avenue that faces the proposed development. We are not in favour of this development as proposed or the variances attached. Specifically, we have issue with:

- increasing the height
- increasing site coverage
- reducing the open site space
- reducing the minimum required front yard setback
- reducing the east side setback for the building face and balconies
- reducing the required residential parking from 1.2 spaces per dwelling unit to 0.8 spaces per dwelling unit.

These variances will directly encroach upon our existing living space, encroach on our privacy, reduce visibility of our surroundings and limit daylight to our home. I do not understand how this development and these variances can be applied fairly in comparison to the existing buildings adjacent to this proposed development. Clearly the neighbourhood has already established the limits and setbacks to building heights. To allow these variances will set a new precedent for building heights and encroachment on setbacks that do not fit with the neighbourhood. We especially do not agree with the reduction in parking per unit. All of the surrounding multi family dwellings are responsible and accountable for their own parking and this must also apply to this development. To grant this variance is going to push vehicles associated with this higher density development onto the surrounding streets which as you well know are already lack available parking spaces.

We are not opposed to developing these sites for multi-family units as long as the development does not exceed the adjacent and existing multi-family structures height and setbacks limitations and existing bylaws. I am hopeful that Victoria City Council will hear our concerns and listen objectively to what we and are neighbours are expressing. I would be surprised if any member of council lives near this development to be affected by these variances, yet I hope that the Council will do what is right by this neighbourhood and restore my faith in the municipal political system.

As this is part of public record, I do not want my personal email address and phone number to be disclosed.

Respectfully,

David and Maureen Peters  
[REDACTED]

## Lucas De Amaral

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**From:** Bob and Gerry [REDACTED]  
**Sent:** Monday, February 19, 2018 12:39 PM  
**To:** Victoria Mayor and Council  
**Cc:** Pam Madoff (Councillor)  
**Subject:** Fit for Burdett

**Categories:** Planning

Mayor Helps, Pam Madoff and council,

I hope to attend and present my concerns at the city hall on Thursday, however, if I am unable to attend, I wanted to make sure my concerns are read and considered by Mayor Helps, our representative, Pam Madoff and all council members.

Thank you,

Gerry Bell, resident Chateaufeuf, 1149 Rockland Av. Victoria BC [REDACTED]

Fit for Burdett

By allowing Empresa properties to vary the zoning regulation bylaws by such an excessive percentage as they are requesting, city council would be willfully allowing the developer to break the law and willingly denying all residents of the surrounding homes and condos their privacy, safety, security and livability. Approval of these building plans would infringe on our rights recognizing them as irrelevant. It is my understanding that the building variances were created by the city's Planning Department for the safety and suitability of all citizens of Victoria not as guidelines which allow for serious alteration by developers. Empresa has submitted proposals that not only ignore the legally recorded and approved zoning regulation bylaws but are requesting changes which threaten the security and quality of living in the neighbourhood.

The combined land size of the three small properties cannot support the size, density, height or type of structure proposed by Empresa and their plans ignore all zoning standards. The proposed setbacks, size and proximity of the structure proposed exceeds the variances to the extent that light would be blocked from our condo suits on the East side of our building. If approved, the proposed building would be so close to Chateaufeuf that it could create a potential fire hazard. Empresa has ignored the family orientation of the neighbourhood and has not shown any consideration to density issues or traffic congestion that would threaten the safety of local families on a short residential street. It is my sincere hope that profit before people of Victoria would not become a slogan for which the city mayor and council of Victoria would wish to be identified.

The usage of the Burdett properties would be more appropriate for the construction of family orientated townhouses, preferably level entry units, which would complement the residential nature of Burdett and retain the value of the community. This type of development would be welcomed by all local residents because it would comply with and enhance the nature of the neighbourhood. Even a building which follows all city zoning

bylaws and which contains a good portion of affordable housing for young families would be acceptable. The size of the units proposed would not be suitable for family occupation. No mention has been made about the planned rental usage of units. How many units would be affordable rentals and how long would the building remain as rental property when a strata designation is being sought prior to construction?

February 19, 2018

To: Mayor and Council, City of Victoria

cc: Charlotte Wain, Senior Planner, Development Services

This is a modification of a letter I originally sent to Councillor Isitt. My intention was to also submit it to all of City Council and to the relevant Senior Planner. I am not sure whether I successfully did this, and as I received no response to the questions I posed, I am writing again hoping for better luck this time.

I have previously communicated my concerns re the proposed construction at #1120-1128 Burdett Avenue by Empresa Developments. This shape-shifting project is still of acute interest to me as its fate will determine where I spend my remaining years on Planet Earth. That the building has morphed into 44 rental units from 36 strata units does not alter the fact that it will transform a quiet residential block on the edge of downtown. In essence, the song remains the same, the 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 requirements, but also requires a plethora of variances to the requested rezoning itself.

Some elements of this proposal are “less than”: less than the required number of parking spaces; less than the required front, side and rear setbacks. Others are “more than”: more than the allowable building height; more than the allowable site coverage; more than the allowable FSR density. Nothing about it is spot-on.

Suffice to say, one person’s model proposal is another person’s block-busting monstrosity. I will attend the public meeting on February 22nd to discuss this matter further.

Many months ago, the endlessly patient and unfailingly courteous Charlotte Wain told me to “have faith in the process”. I wonder if you could respond to a few questions related to process. Had I not made a minutiae-related phone call to the planning department a day or two before the original public meeting scheduled last June, I would not have known the proposal had been withdrawn and the meeting cancelled. Is there any mechanism in place to notify interested parties (and there was clearly an organized group concerned with this proposal) of such an 11<sup>th</sup> hour event? Not everyone has access to or facility with computers.

When a serious-minded group of citizens invest a great deal of time and effort in analyzing a development proposal with respect to its alignment with the Official Community Plan, can they expect a serious response to their analysis from either the developer or the city planning department? Can they expect that their arguments (or a refutation thereof) will form part of the information that staff supply to council to assist their deliberations? If not, why not?

Is it the case that the Official Community Plan is a document that belongs to all Victorians or is it a book of (flexible) guidelines for developers? Does the mandate of the planning department include the requirement to assist developers in bringing their projects to fruition? Does its mandate also include a requirement to accept input from and make allowances for the concerns of citizens directly affected by a given development? If so, how does the department balance these interests? If not, why not?

Finally, would you agree with me that family-friendly developments in or near downtown Victoria are to be encouraged? If so, what accounts for the almost total absence of multi-unit townhouse developments in the City of Victoria, particularly in locations proximate to the downtown core? If not, why not?

I can think of three lots where an imaginative townhouse development could be just such a place. But for that to happen, council must agree that this proposal is simply not good enough.

Best regards. See you on the 22nd.

James Allen, 404 – 1115 Rockland Avenue (also on behalf of Katherine Allen)

January 16, 2018

Mayor and Council  
City of Victoria  
1 Centennial Square  
via Email

Dear Mayor and Council

RE: Empresa 1120-1128 Burdett proposal

Last November 11 There was an article in the T-C that quoted councillor Ben Isitt saying that residents surrounding the proposed Empresa development on Burdett Street had expressed very little concern about the proposal. The article was discussing the sudden change of plans by Empresa from a townhouse development, which received much disapproval, to an apartment rental complex. Residents had NO notice or knowledge of this change until reading about it in that article.

We, therefore, could hardly register concerns about it. This style of minimal-to-no communication and sleight-of-hand from a developer leaves a bad taste and feelings of great distrust toward them. That is reinforced by their claim at an information session that “no blasting will be done” for the underground parking. I find that statement ludicrous at best, having endured many days of frequent explosions just two very small blocks to the North at Cook and Fort Streets; as well as observing many in the several projects in the D/T core within just a couple of blocks of us.

Additionally, as a North-facing owner on Rockland Avenue, directly North of the site, I am certain that their “shadow footprint” for our building is inaccurate. I believe they may have “calculated” that based on us being directly North-facing, rather than a few degrees to the NNW.

Burdett, certainly, and Rockland, too, are RESIDENTIAL neighbourhoods, between Cook Street and Linden Avenue; but, exemplify the “transitional” character of the Fairfield Community Plan. Three of five edifices on South side of Rockland are owned, residential, then one small rental building, and a large, heritage B&B. On Burdett, seven of eight buildings on both the North and South sides, seven of eight buildings are at least residential style, one or two appear to have suites.

Cook Street serves as a de facto border between high-density rental, and at least a transitional residential demarcation. From my window I look toward downtown, just a few blocks away, and I see six cranes on development sites. No one can say the council has been idle in increasing density THERE; but, why must it spread beyond the downtown core?

Empresa's initial proposal gave lip-service to contributing to the community, as expected. However, their proposal was a paltry \$40,000 to go – NOT to Fairfield where they would build – but to DOWNTOWN., an obvious ploy to evoke sympathy from council; but, useless for the community they plan to invade.

Respectfully,

Mark Marquette

201-1115 Rockland Avenue

## Pamela Martin

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**From:** Mary [REDACTED]  
**Sent:** February 20, 2018 8:26 AM  
**To:** Public Hearings  
**Subject:** 1120-1128 Burdett Avenue  
**Attachments:** McClure Townhouse Description.doc

I would like my sentiments to be on record regarding the proposed development at 1120-1128 Burdett Avenue  
Zoning Regulation Bylaw Amendment Bylaw 1100 17-047

February 20, 2018

I oppose the proposed development at 1120-1128 Burdett Avenue, although I do support a heritage type building to be developed, that is conducive in keeping with the integrity of Fairfield.

I am a home owner, and have lived in Fairfield at 1120 McClure Street for 11 years. My husband and I purchased our townhome in this neighbourhood. Fairfield is a family neighbourhood and a strong community. We already have an abundance of apartment blocks throughout Cook St. and Fairfield.

What would be more appropriate and what I am hoping for is that the area you propose will be developed into a character conversion. This may not house as many people as you'd like to, however, it maintains the heritage and overall feel of the neighbourhood. Your proposal compromises this, and I'm sure your people could come up with better ideas.

If you drive around the neighbourhood between Burdett/Linden/McClure to Richardson you'll observe beautiful character conversion townhomes that are keeping in what WE want. It is OUR neighbourhood.

Please refer to the specs I enclose of our particular townhome, which has 6 units, a lovely garden, and supports the integrity of Fairfield.

Mary Standell

1120 McClure Street, Unit 2

Victoria BC

[REDACTED]

Fabulous Garden/Patio Townhome w/a premier Cook Village address.This cutie has it all.2 bdrms, 2full baths, Gas Firepl, Insuite Lndry.Large Open Kitchen, small computer area off LR, large Patio Faces S & E for great sun. Fresh paint,crown mouldings,laminate flrs throughout, new W/W in bds. '98 built by Denning Const.(6units).You'll enjoy calling this "Home".Extra outside LCP storage &LCP parking.Pets & rentals OK.

Dimensions					Main Level	Level 1
	Level 1	Level 2	Level 3	Other	Ground Level	Level 1
Fin. Sqft	<b>930</b>				Water	<b>City/ Munic.</b>
Entrance	<b>8x4</b>				Waste Disposal	<b>Sewer/ Municipal</b>
Living	<b>15x12</b>				Fuel	<b>Gas,Electric</b>
Dining	<b>11x11</b>				Fireplaces	<b>1</b>
Kitchen	<b>9x9</b>				Fireplace Types	<b>Natural Gas,Living Rm</b>
Mast BR	<b>13x11</b>				Bsmt Height	
Bathroom	<b>4pc</b>				Heating	<b>Gas Fireplace,Baseboard</b>
Bedroom	<b>11x9</b>				Basement Type	<b>None</b>
Ensuite	<b>3pc</b>				Additional Accom.	
Office	<b>7x4</b>					
Storage	<b>4x4</b>					

Leased Equipment

Interior Features **High Speed Internet,W/W Carpet,Storage Separate,Storage In Suite,Laundry In-Unit,Flrs/Wood,Flrs/Tile,Dining Area,Blinds**

Appliances Included **Range Hood,F/S/W/D,Garborator,Dishwasher**

Lot Size	<b>1,063</b>	Lot Acres	<b>0.02</b>	Parking Spaces	<b>1</b>
Lot Width		Lot Depth		SqFt Parking	
Year Built	<b>1998</b>	Roof	<b>Asphalt Shingle</b>	Parking Types	<b>Uncovered</b>
Foundation	<b>Concrete Poured</b>	Exterior Finish	<b>Wood,Sturdy Board</b>	Driveway	<b>Exp. Agg.</b>
Construction	<b>Insulation Ceiling,Insulation Walls,Windows Thermo,Windows Vinyl,Frame Wood 2x4</b>				
Exterior Features	<b>Patio,Fenced Yard/Part,Landscaped</b>			<b>Schools</b>	
				Elementary School	<b>61 Sir James Douglas</b>
Lot Features	<b>Serviced,Level</b>			Middle School	<b>61 Central</b>
Services				High School	<b>61 Vic High</b>

Strata Managed By	<b>Duttons</b>	Buildings In Complex	<b>1</b>	Parking Spaces Rented	
Strata Managed By Phone	<b>250-383-7100</b>	Units In Complex	<b>6</b>	Parking Spaces Unallocated	
Tenant Phone		Units In Building	<b>6</b>	Rental Restrictions	<b>N</b>
Monthly Assessment	<b>\$155</b>	Levels per Unit	<b>1</b>	Age Restrictions	<b>Non e</b>
Strata Lease Years		Floors In Building	<b>3</b>	Pet Restrictions	<b>Dogs and Cats</b>
Restrictions	<b>Dogs and Cats Allwd,No Age Restr,No Rental Restr</b>				
Assessment Includes	<b>Yard Maint,Water,Management,Garbage p/u,Bldg Insurance</b>				
Shared Amenities					
Rent Includes					

Photo Not Available



**Click on photo to enlarge**

## **Lacey Maxwell**

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**From:** Noel Taylor [REDACTED]  
**Sent:** February 20, 2018 10:42 PM  
**To:** Victoria Mayor and Council  
**Subject:** Rezoning Proposal for 1120-1128 Burdett Avenue

February 21, 2018

Dear Mayor and Council:

Re: Rezoning Proposal for 1120 -1128 Burdett Avenue

I am writing to ask you to please listen to your constituents that are asking for appropriate scaled developments to maintain the character of neighbourhoods.

The density being sought is absolutely inappropriate on the consolidated lots, which is why so many variances are requested. Such variances in height, setbacks, and site coverage will not only negatively impact the longtime residents in adjacent buildings, but will also be incompatible with the traditional neighbourhood and historic buildings of the street.

This attempt to maximize profits by increasing density onto a site is resulting in very strong opposition. Nothing about this proposal will enhance the neighbourhood. It is a good example of the destabilization occurring as a direct consequence of the rampant spot-rezoning in Victoria.

Please add this letter to the volume of correspondence opposing this application to overbuild in a residential neighbourhood.

Please respect the legitimate and balanced concerns of the existing residents, and deny this application.

Yours truly,

Noel Taylor  
1010 Pentrelew Place

## Lucas De Amaral

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**From:** Tara Todd Macdonald [REDACTED]  
**Sent:** Monday, February 19, 2018 7:06 PM  
**To:** publichearings@victoria.ca; Victoria Mayor and Council  
**Subject:** Public Hearing for 1120/1124/1128 Burdett Avenue

**Categories:** Planning

Mayor and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

February 19, 2018

Dear Mayor Helps and Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young,

Re: Empresa Properties Rezoning Application #00516 & Development Permit Application 000462 - 1120/1124/1128 Burdett Avenue

I am a resident at 1149 Rockland Avenue, which is located on the east side of the proposed development. I had planned to attend the public meeting but am required to be out of town for work and will not be able to attend the meeting but wanted to convey my opposition to the development for the following reasons:

Too much density – Burdett Avenue is a quiet street and mainly contains single family homes and most of the street is zoned Traditional Residential. I feel that the proposed development's building height and setback variances being sought are excessive and go far beyond the standards of the zoning applied for by the developer. I also note the developer is requesting less open space to allow for more coverage for the building. It is my understanding that this contradicts the new draft Fairfield Neighbourhood Plan which states development should "maintain the low-rise, open and green feel of traditional residential areas".

Loss of light and privacy - The building's proposed size and height would overwhelm the adjacent buildings and, as the proposed development's shadow study indicates, those of us residing at 1149 Rockland and 1115 Rockland would lose the light and privacy we currently enjoy now. My side of the building faces west and the sun comes around in the afternoon. I enjoy the afternoon sunlight throughout the year and in the evenings during the spring, summer and early fall. If the proposed development is built, my side of the building would already be in shadow just at the time of day (e.g., 3:00 pm in the summer) when the sunlight currently starts to come into my suite. It would be a complete loss of sunlight, not just an hour or two, for most of the year.

Impact on parking and local traffic – I noticed that the plans do not allocate enough parking spots for the building's residents and visitors. This would inevitably create traffic congestion and frustration for the neighbours as the building's residents and their visitors would be seeking additional parking spots on Burdett Avenue or other streets in the neighbourhood.

I recognize there is a high demand for more housing in Victoria, but the size of this proposed development has too much density and negatively impacts the neighbouring residents and I request that you reject it.

I think a better alternative for the site would be townhouses or row houses. I would welcome a revised development that complies with the Fairfield Neighbourhood Plan and would provide more homes for families in the neighbourhood.

Sincerely,

Tara Todd-Macdonald  
214-1149 Rockland Ave

UVic Urban Development Club  
4163 Longview Drive  
Victoria, BC, Canada  
V8N 2L2  
T: [REDACTED]  
E: uvicudc@gmail.com



February 20, 2018

City of Victoria  
1 Centennial Square  
Victoria, BC, Canada  
V8W 1P6

Dear Mayor Helps and Members of Councils,

**RE: Revised Support for 1120, 1124, and 1128 Burdett Avenue Rezoning and Development Permit**

The University of Victoria Urban Development Club is a unique interdisciplinary body on campus that brings together like-minded students from across departments and disciplines to discuss and learn about all aspects of urban development. Since our inception in September 2013, we have had a returning membership of over 100+ students. Activities have included hosting a range of industry professionals, organizing multiple commercial and residential development tours, attending open houses and industry events, and volunteering with land use-related associations.

The application by Empresa Properties Ltd. for the rezoning of 1120 – 1128 Burdett Avenue represents a project that has good planning and urban design, which supports future generations. We have followed this project over the last two years gaining approvals from the planning department, unanimous support at the advisory design panel meeting and nearly unanimous approval at latest committee of the whole meeting. The proposal has gone through countless iterations to go well beyond the goals and guiding principles outlined in Victoria's Official Community Plan, while balancing the needs of the community.

The issue of affordable rental housing is drastically impacting the ability for people to live, work and play in Victoria; this is especially prevalent among many university students hoping to stay and work in the city. Our vacancy rate has marginally improved to 0.7%, but this is still nowhere close to a healthy rental market and adds to the stresses of many of our daily lives. With regards to our members, many will soon be graduating and looking for work around the booming Fort Street tech district, among many other businesses growing in the area. The ability to possibly rent at 1120 Burdett Avenue with great access to these businesses by foot, bike or transit is something of great value to our generation. However, if good urban infill design is not supported in this area then these opportunities will be few and far, leaving future generations behind. Many of us do not plan to live in single-family homes or townhomes. These concepts move away from compact urban living and cannot be afforded by an

average person looking to live on Burdett Avenue or in the vicinity. We feel these designs add to urban sprawl and are better suited to areas away from our urban core.

As many of us study the impact that rental housing has on our economy, we know of countless studies showing the trickle down impact that these 44 new rental units will have on other rental accommodation in the area. By increasing our rental supply we can achieve greater indirect benefits from freeing of older rental stock, thus lowering overall rental prices.

To conclude, the application by Empresa Properties to rezone this site will have significant positive impacts for the greater community. Our members strongly support this applicant and urge council to approve this much needed rental project.

Sincerely,

Patrick Hyde-Lay  
President

Will MacTavish  
Vice-President

Josh Ceraldi  
Vice-President

Jordan LeBlanc  
Director

Brandon Selina  
Director

Ellen Pennock  
1121 Oscar Street  
Victoria, BC  
V8V2X3

Mayor & Council  
1 Centennial Square  
Victoria, BC  
V8N0A3

**Subject: Support for 1120-1128 Burdett Avenue Rezoning**

Dear Mayor Helps and Members of Council,

I urge council to support the application for the rezoning of 1120 – 1128 Burdett Avenue. As an owner to the south of the project at 1121 Oscar Street I welcome this proposal for 44 new rental units to our neighbourhood. Overtime the proposal has gone through much iteration to better fit our community needs. In doing so we believe the best project is now before council today.

We are supportive of these changes to our neighbourhood, in order to help maintain its diversity. As a triathlete who has previously represented Canada many times on the world stage, one of the many difficult challenges over the years for athletes is finding adequate housing in this neighbourhood where we train. Low-rise multiunit projects such as proposed allows us to live in this neighbourhood without commuting in on a daily basis. This project fits in with neighbourhood planning and it's surrounding context improving on both the character of the neighbourhood and it's housing availability.


Council needs to prioritize housing first as a means to keep this area healthy and affordable. However, this project goes beyond simply meeting the general fit for the area by providing many amenities and forward thinking benefits to the residents and the community, some of these include:

- A Green Building Design
- A Bike Washing Room
- A Pet Washing Room
- Garden Spaces for Ground Level Homes
- Quick Access to Cycling Infrastructure

All of these benefits encompass active, healthy and diverse lifestyles that are otherwise very difficult to afford in this community.

To close, we support this well planned proposal in our neighbourhood to benefit the many reasons that makes this neighbourhood a special place. We strongly encourage all council do the same to best plan for our future.

Sincerely,

Ellen Pennock  
1121 Oscar Street  




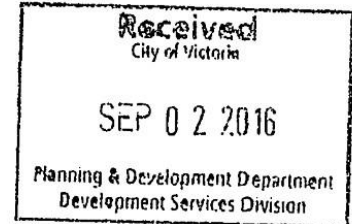
## Talbot Mackenzie & Associates

Consulting Arborists

June 13, 2016

Empresa Properties  
216-1642 Mckenzie Avenue  
Victoria, BC V8N 0A3

Attention: Karl Robertson



**Assignment:** To review the proposed construction plans for the property at 1120, 1124 and 1128 Burdett Avenue and comment on how the proposed construction may impact the trees on the neighbouring property to the East of 1128 Burdett Avenue. Prepare a tree retention and construction damage mitigation plan to be used during the demolition and construction process.

**Methodology:** The larger trees located on the neighbouring property to the East of 1128 Burdett Avenue were inventoried and their information is supplied in the attached tree resource spreadsheet. Information gathered includes: Species, diameter at breast height, calculated critical root zone, crown spread, health, structure and general comments and their location is identified by a number on the attached plan. As we did not go onto the neighbouring property, the d.b.h. sizes on the survey provided were used.

**Observations:** The proposed building design for the most part has taken into consideration the critical root zones of the large trees on the neighbouring property to the East. The potential conflicts that we anticipate may arise, will be during the required excavation for the underground portion of the project and any associated cut slope or additional working room that may encroach into the critical root zones of trees to be retained. Should the project be approved, we anticipate that it will likely require shoring, shotcrete or similar methods to reduce the amount of over excavation requirements. The amount of necessary shoring will have to be determined during the proposed excavation when that potential root disturbance can be better quantified. If large structural roots are encountered during the excavation that cannot be retained, we will likely recommend that additional trees be removed.

In the North east corner of the property there is a set of stairs to access the underground parking that will encroach into the critical root zone of Douglas fir # 5. Since our initial site review the plans have been modified to reduce the encroachment into the critical root zone of the tree, but we anticipate the construction of these stairs will be difficult to accomplish without impacting the tree. The extent of the impacts will only be possible to determine through exploratory excavation or at the time of excavation for the proposed building construction. As the excavation will only impact a portion of the trees critical root zone, it may be possible to retain the tree. If large structural roots are encountered during the excavation that cannot be retained, we will likely recommend that this tree be removed.

.../2

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net

- **Servicing:** There are no servicing details shown on the plans provided, but it is our understanding that they are to be located outside of the critical root zone of trees to be retained. If services must be located within the critical root zones of trees to be retained it must be reviewed with the project arborist. Installing services within critical root zones will likely require a combination of hand digging, small machine or hydro excavation. If significant roots are encountered that are critical to the health and stability of the trees and they cannot be retained, it may be necessary to remove additional trees.
- **Blasting and rock removal** –If areas of bedrock are encountered, the blasting to level these rock areas should be sensitive to the root zones located at the edge of the rock. Care must be taken to assure that the area of blasting does not extend into the critical root zones beyond the building and road footprints. The use of small low-concussion charges, and multiple small charges designed to pre-shear the rock face, will reduce fracturing, ground vibration, and reduce the impact on the surrounding environment. Only explosives of low phytotoxicity, and techniques that minimize tree damage, are to be used. Provisions must be made to store blast rock, and other construction materials and debris, away from critical tree root zones.
- **Concrete work:** Provisions must be made to ensure that no concrete wash or left over concrete material is allowed to wash into the root zone of the trees. This may involve using plastic or tarps or similar methods to temporarily isolate the root zones of the trees from any of the concrete installation or finishing work.
- **Pruning:** We recommend that any pruning for building clearances of construction access be completed by an ISA certified arborist.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
  - Locating the barrier fencing
  - Reviewing the report with the project foreman or site supervisor
  - Locating work zones, where required
  - Supervising any excavation for the road upgrades and service footprints that are within the critical root zones of trees to be retained.
  - Reviewing and advising of any pruning requirements for machine clearances.
- **Review and site meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any demolition, site clearing or other construction activity occurs.

.../4

**TREE RESOURCE**

1

<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>CRZ</i>	<i>Species</i>	<i>Crown Spread</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
1	60	6.0	Pine	7.5	Good	Fair	Good	Located on neighbours property, good potential for retention providing critical root zone can be adequately protected. May require shoring to reduce the need for cut slope. Existing house basement has likely inhibited root growth.
2	50	5.0	Pine	7.5	Good	Fair	Good	Located on neighbours property, good potential for retention providing critical root zone can be adequately protected. May require shoring to reduce the need for cut slope. Existing house basement has likely inhibited root growth.
3	50	5.0	Cherry	6.0	Fair	Fair	Fair	Located on neighbours property, good potential for retention providing critical root zone can be adequately protected. May require shoring to reduce the need for cut slope.
4	35	5.0	Chamaecyparis	6.0	Good	Fair	Poor	Located on neighbours property, good potential for retention providing critical root zone can be adequately protected. May require shoring to reduce the need for cut slope.
5	60	9.0	Douglas fir	9.0	Fair	Fair	Poor	Located on neighbours property, good potential for retention providing critical root zone can be adequately protected. May require shoring to reduce the need for cut slope.

**PARKADE DATA:**

- 34 RESIDENT CAR STALLS
- 2 VISITOR CAR STALLS - including 1 Accessible
- 40 BICYCLE STALLS
- (22 FLOOR-MOUNT, 18 WALL-MOUNT)
- 36 STORAGE LOCKERS

No.915  
Apartment Building  
top of roof = 31.00

Parking Lot



No.1115

peak=33.38

18.29 m

12.50 m

35.62 m

+ peak=33.52

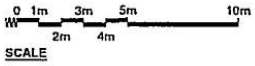
No.1149

Strata Plan  
VIS248

6. Revised Plans & Specs	2016.04.14
5. REDUCED PARKADE (4 STALLS)	2016.04.14
4. DR REVIEW	2016.04.07
3. CONSULTANTS REVIEW	2016.02.29
2. REVISED PLAN - FOR REVIEW	2016.02.09
1. CONSULTANT REVIEW	2016.01.22
ISSUED FOR:	DATE
<input type="checkbox"/> CONSTRUCTION	
<input type="checkbox"/> TENDER	
<input type="checkbox"/> BUILDING PERMIT	
<small>Copyright Notice: This drawing is the property of Low Hammond Rowe Architects. It is to be used only for the project and location specified. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Low Hammond Rowe Architects.</small>	
project no.	1548 - Green
date	2016.02.29 checked
drawn by	
scale	1:100
project	

1150  
BURDETT  
CONDO

1150 BURDETT AVENUE  
VICTORIA, B.C.  
V8M 1A1



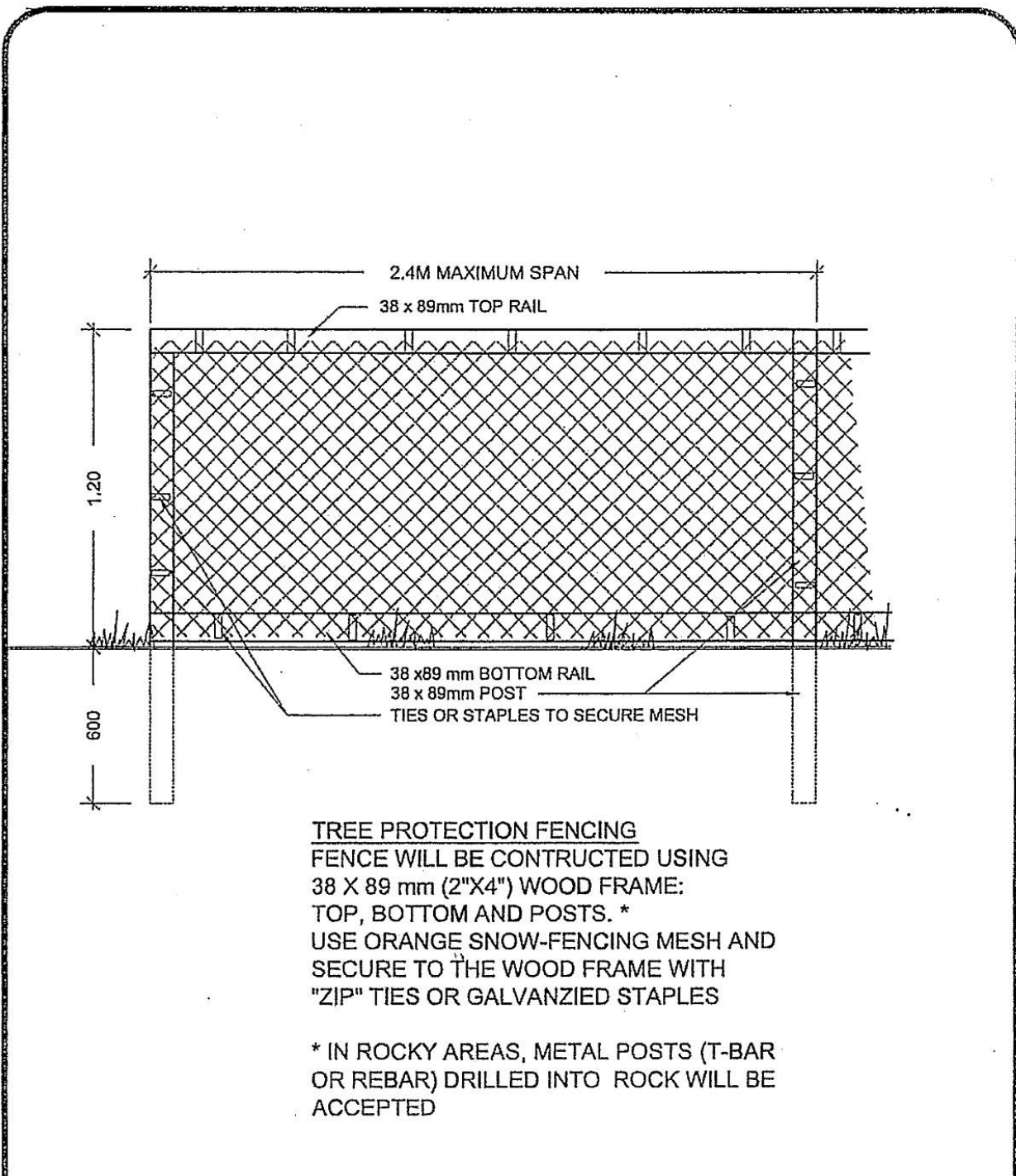
SCALE

BURDETT AVENUE

**PARKADE PLAN**

A2.0

revision no.



DETAIL NAME:

**TREE PROTECTION FENCING**

DATE: Oct 30/07  
 DRAWN: DM  
 APP'D: RR  
 SCALE: N.T.S.

**E105**  
 DRAWING

February 20<sup>th</sup>, 2018

Dear Mayor and Council

**Issues with respect to the building, 1120 - 1128 Burdett and how it affects the neighbourhood.**

I strongly urge you to reject this application in its entirety, or at the very least, deny every single one of the requested variances.

I recognise that council must evaluate the projects submitted to them by developers. However enough is enough - Council must send signals to developers that mini condos are out and that preference will be given to family friendly row houses and to stacked townhouse projects.

This city is crying out for transition housing – many seniors who are downsizing, especially those who are dog owners, do not want to move into condos – they are looking for housing that is smaller than their current housing but that allows them their independence. Where is this type of development in Victoria? Why has this council not encouraged it?

This proposed development on Burdett is especially egregious. The developer requests low rise residential zoning – and then requests variances to ALL of the low rise zoning standards. The effect of these zoning changes would be to expand the building footprint to within a few metres of the property lines and also to raise the height of the building.

**Impact of the neighbour's quality of life**

This proposed development would overshadow the neighbouring buildings and in one case reduce the sunlight available to this stack of **four units to 2 hours a day in midsummer and none in winter**. Could council please explain why this is acceptable? And if the answer that this development will provide market valued rental housing, it is NOT an acceptable excuse.

With over 4,000 condo units in the pipeline and under construction in Victoria - the majority of these condos will be sold to investors who will rent them out – this is not a valid claim. This excuse might have been valid three years ago – but with the oversaturation of rental units coming online shortly it has lost its value.

**Impact on trees on 1149 Rockland property**

The digging required for the underground parking will impact five trees on the 1149 Rockland property. Please see the attached copy of the arborist's letter submitted to the City last year. This report freely admits that two trees on our property are unlikely to survive the construction, and that the other three trees may not survive wither. Given that this report was done for the developer – you can imagine it anticipates the best possible outcomes for these trees. It is highly unlikely that given the underground excavation will come to within 3 feet of our property line we will see the best possible outcome.

This best case scenario in all cases is qualified by a phrase – **“providing critical root structures can be protected”**

The arborist's report refers to a phrase “relative tolerance” to construction stress. What does “Relative tolerance” mean; it means the likelihood the tree will survive the construction process. Two

of the trees on our property are listed as having “poor” relative tolerance in the table listed “tree resource”. One is a really pretty, tall Douglas fir with a 62 inch diameter – (valued at \$10,200 three years ago by Bartlett Tree Experts). The five trees in question have a value in excess of \$50,000

What does “poor” mean – here is a definition; **Current research indicates that this plant is very intolerant especially if roots are compromised during construction.**

**Please do not approve this building which will kill our trees.**

**In the event that our trees are destroyed – either because their root structure is impacted – or because they become so unstable that they become unsafe in high winds – Empressa must reimburse Strata 248 for the full \$50,000.**

#### Possible Impact on nearby concrete structures

Any blasting near existing large concrete structures could cause severe damage. The underground parking at 1149 Rockland – including concrete conduits that drain water away from the building may be cracked by blasting nearby, especially as the blasting will occur within a few metres of these structures.

Empressa must provide all nearby residents copies of high quality HD photos of their existing structures that may be impacted by blasting at their expense. I believe this is standard procedure in the construction community for insurance purposes.

#### **Zoning standards.**

I presume that when city council sets zoning standards they do so for a reason. They presumably are interested in the health and safety of the residents of the city. Maybe they take into consideration possible fire regulations? Perhaps they are set to try to retain the character of a neighbourhood by setting standards for setbacks etc. ensuring that gardens and green spaces abound.

If this is true – why would you approve changes to the zoning standards? Is safety and quality of life unimportant now?

Please retain the zoning standards as they stand. It is what you were elected to council to do. To allow development in a reasonable manner while retaining the character of Victoria.

Yours truly

M. Paula McGahon

## Pamela Martin

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**From:** ROBIN PLATTS [REDACTED]  
**Sent:** February 21, 2018 6:52 AM  
**To:** Public Hearings  
**Subject:** 1120-1128 Burdett Ave redevelopment proposal

I am writing as a home owner and neighbour to express my opposition to the proposed development at 1120-1128 Burdett Avenue.

Eleven years ago, my wife and I purchased our home, a block away from the proposed redevelopment. We spent more money to live in this lovely neighbourhood, rather than in other neighbourhoods. We chose it because this is a beautiful neighbourhood with streets lined with heritage homes, and heritage-style conversions, such as the one we live in; a 6 unit townhome dwelling built in 1998 by Denning Const.

The beautiful character of this neighbourhood must be preserved, and unfortunately developments such as the one proposed serve only to gradually erode the charm and heritage of this area.

I understand the desire of the developer to make money and also that the City will get financial benefits. But I strongly believe that, as a community and as people, we should not let money be our guide. We should care about having a sense of the beauty and character of where we live. This defines our own sense of home. And while some eyes see only dollar signs, many of us who live here see beauty and a real sense of community, and that is something you cannot put a dollar value on.

I believe our elected officials have a duty, too, to not just see these decisions as a money-maker, but as a test of their own willingness to stand up for the city and the citizens they were elected to represent. T

I therefore strongly urge you to stand up for the people who call this neighbourhood home and not support this type of redevelopment. I would suggest, at the very least, that the developer be asked to go back and to come up with another option, one that would be more in keeping with the charm of this area, (such as the many character conversions into townhomes in the neighbourhood) to prevent it being turned into nothing but a stretch of faceless apartment blocks. Think of what would be lost and ask yourself, how much of our city's character are we willing to sacrifice before we stop and consider that a community is where people live, what they call home and what defines us as human beings?

Robin Platts

## Lacey Maxwell

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**From:** Trudy David [REDACTED]  
**Sent:** February 21, 2018 12:18 AM  
**To:** Victoria Mayor and Council  
**Subject:** Empresa Properties 1120-1128 Burdett Avenue

Dear Mayor and Council,

As a property owner on Burdett Avenue, I am writing to express my concern with the proposed development by Empresa Properties. It is obvious from the number and degree of variances requested, that the developer's plans are far from what has always been considered acceptable by the city. This proposed high-density development would not fit into our neighbourhood.

I believe it would be a mistake to allow such high density housing in an area like ours; this area serves as a transition between the increasingly busy downtown area and the quieter residential neighbourhoods. If, instead of the proposed apartment building, townhouses were built, young families could afford to live within walking or biking distance to work and schools, while still enjoying the benefits of a less hectic atmosphere in which to raise their young children.

Even in the New York City area, Brooklyn maintains this ideal with brownstones and leafy boulevards, instead of dense apartment buildings. As our city gets busier, it is important that we maintain this kind of balance - - not just for aesthetic reasons - - but for the mental and emotional well-being of the city's residents.

Respectfully,

Trudy David  
1165 Burdett Avenue