

## Lucas De Amaral

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**From:** Barbara Bowman [REDACTED]  
**Sent:** Tuesday, February 20, 2018 11:00 PM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)  
**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

## Lacey Maxwell

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**From:** Geanine Robey [REDACTED]  
**Sent:** February 21, 2018 4:23 PM  
**To:** Victoria Mayor and Council  
**Subject:** Re: Empressa Development Proposal for Burdett

Dear Mayor and Council,

I am writing in opposition to Empressa's proposal for 1120 - 1128 Burdett. The high density development proposed for the site dwarfs the surrounding residential homes and fails to complement the historic character of the neighbourhood.

The requested density, multiple variances including reduced set backs, increased height and site coverage and fewer parking spaces all fail to meet current city standards and OCP guidelines.

With the proliferation of site specific zoning (more than 700) that disregards the legal status of the OCP, it is entirely unacceptable to create yet another one.

Please do not approve Empressa's proposal.

Sincerely,

Geanine Robey

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

***Strong Support for Rezoning and Development Permit of 1120-1128 Burdett Avenue***

Dear Mayor Helps and Councilors,

My name is James and I live at 1015 Rockland, one street up from the proposal at 1120- 1128 Burdett Avenue. I'm writing because I will not be able to attend the public hearing on February 22<sup>nd</sup>, 2018.

I only moved to this beautiful neighbourhood a couple years ago because of an opportunity in a great new development on my street. At the time of planning many neighbours thought this would be too much, out of place and out of scale on a small lot. Today we are able to live in a great new development on this block because council helped approve the project, which often gets complemented.

Changes in Fairfield are often difficult for many to conceive at the drawing stages, but with a quality builder, once these projects complete perspectives tend to change. Projects such as the infill on Burdett Avenue will allow our community to grow and become more diverse. It's an excellent way to bring more rentals to the area, while adding to the character of our neighbourhood. This highly walkable urban location provides tenants with great options to walk to Cook Street Village and the downtown core. With a vacancy rate of less than 1% our community will continue to struggle with the lack of available rentals in the area. We strongly support these gentle infill developments in our neighbourhood and encourage council to approve this rezoning for our new neighbours at 1120 Burdett Avenue.

Thank you,  
James

February 21, 2018

Mayor and Council  
City of Victoria  
1 Centennial Square  
via Email

Dear Mayor and Council (Edited February 21, 2018)

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 8-10 degrees to the NNE.

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



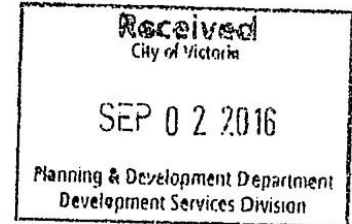
## Talbot Mackenzie & Associates

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 in to 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.

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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.

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**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

+ 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 reserved. This drawing is the property of Low Hammond Rowe Architects Ltd. and 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 Ltd.</small>	
project no.	1548 - green
date	2016.02.29 checked
drawn by	
scale	1:100
project	

1150  
BURDETT  
CONDO

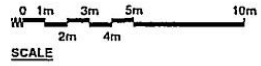
1150 BURDETT AVENUE  
VICTORIA, B.C.  
V8M 3L5

**PARKADE PLAN**

Sheet No.

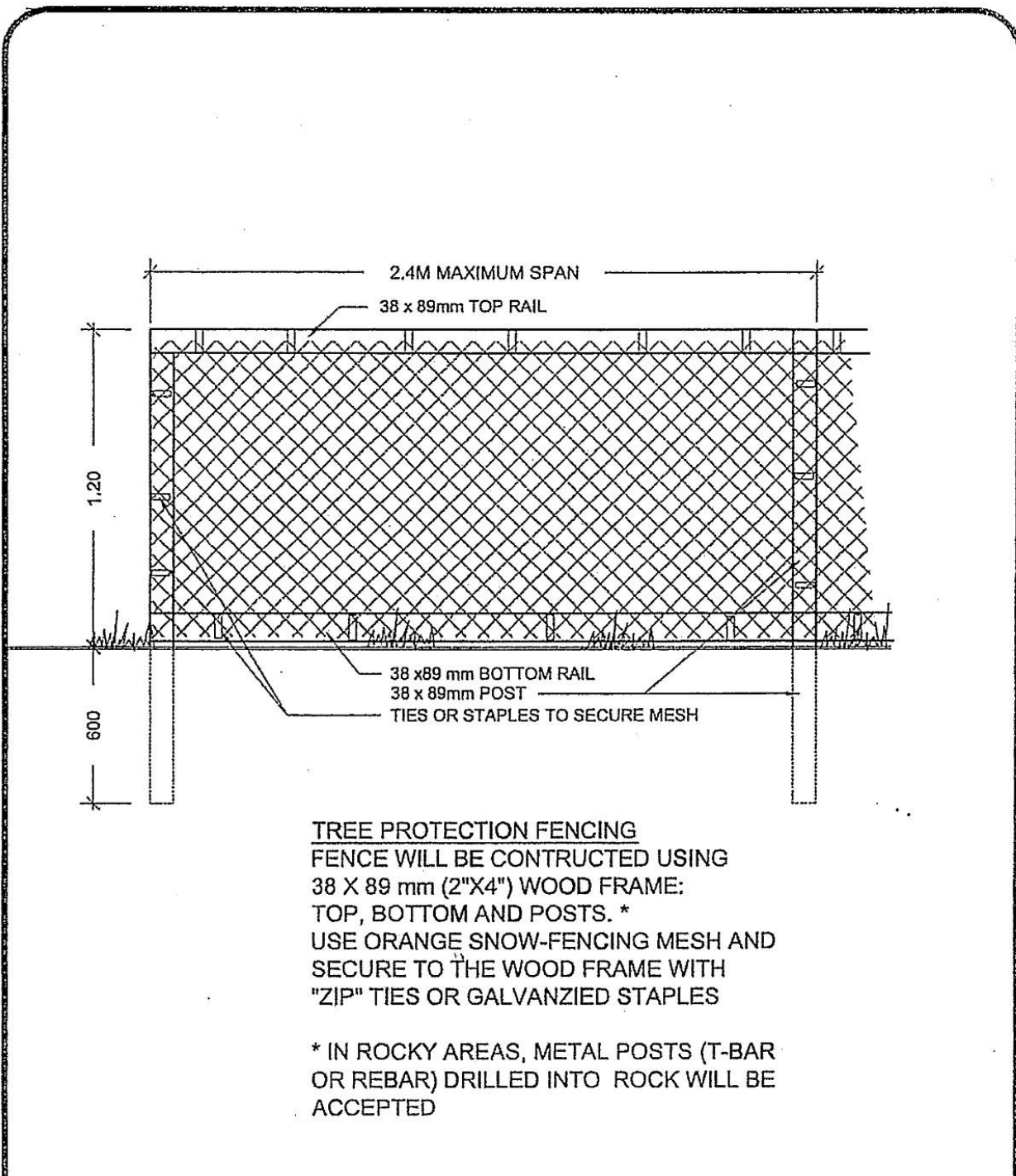
**A2.0**

revision no.



BURDETT AVENUE

Approved for construction by the City of Victoria on 2016.02.29. The City of Victoria is not responsible for the accuracy of the information provided in this drawing.



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