

13 April, 2018

Ms. Candy Ho  
Element Lifestyle Retirement, Inc.  
1147 Homer Street  
Vancouver, B.C. V6B 2Y1

Dear Ms. Ho,

RE: Aquara Seniors Development, Bayview Place

We are a group of residents of the Bayview One building in Bayview Place, and a number of us attended your presentation at the Bayview Sales Centre last Thursday evening. We were pleased to see that your plans contemplate the use of high-quality materials and finishings, which appear to line up well with the overall context of the Bayview Place master-planned community. While we appreciate the obvious care and attention with which you are approaching your new development, there are a few aspects of the proposal that are causing our group some concern.

Firstly, we have all known for a number of years that a seniors' residence would be coming to our neighbourhood, but the project has always been presented in the various models and drawings as a tiered design, with three levels of building height progressing from east to west along Kimta Road. That design was helpful in lessening the "shoe-box" or "canyon-like" effects that can result from purely rectangular buildings when observed from ground level. The renderings that we saw last Thursday did not seem to include any tiering, however.

Secondly, we have in the past been regularly assured by various Bayview Place people that the seniors' residence roofline elevation would be no higher than that of the building incorporating Bayview One townhouses 4, 5, and 6. On Thursday though, we heard that Aquara is planned to rise above those Bayview One townhouses by half a storey or more, which has clear implications for perceived building "crowding" in the Tyee Road/Kimta Road vicinity as well as natural light illumination in many Bayview One units. Our neighbourhood would appreciate reassurance that the overall height (inclusive of any rooftop

rooms and electrical/mechanical/elevator installations) of the Aquara project will not exceed the height of the Bayview One townhouses.

Lastly, but not the least of our concerns given the spatial relationship between Bayview One and Aquara, is the actual roof design. To date in Bayview Place, the developers and their architects have taken considerable care to minimize the visual impact of roof profiles, equipment, and lighting when observed from neighbouring residences and buildings. Bayview One's roof is very dark in colour, and the Bayview One townhouses all have aesthetically-pleasing green roofs. We understand that the Encore townhouses are also to feature green roofs. The general approach has been to achieve a very clean and austere roofscape, so that the roofs almost seem to disappear in relation to the rest of the landscape. The Shutters buildings and townhouses across Kimta Road have managed a similar result (unfortunately the BMW project on the other side of Tyee did not exercise the same diligence). We are quite worried that some of the ideas for Aquara, including the rooftop patio and vegetable garden, will not follow this well-established philosophy. It should also be noted that in this harbourside area significant bird and wind-related problems can result from a sub-optimal roofscape plan.

We would greatly appreciate your taking these concerns of ours into account as you continue with your planning process. We would like to meet with you next week to facilitate a discussion aimed at ensuring that Bayview Place remains a destination residential community enjoyed by all owners and users.

Yours sincerely,

Norinne and John Coombs  
Suite 405, Bayview One

Andrew Beckerman  
Suite 511, Bayview One

**Lynn and Gerry Chippeur**  
**Suite 607, Bayview One**

**Lynn and Daniel Ethier**  
**Suite 209, Bayview One**

**Evelyn and Peter Gold**  
**Suite 706, Bayview One**



**Janet Grice**  
**Suite 207, Bayview One**



**Laurie Hillis and Ken Toon**  
**Town House #2, Bayview One**



**Mandy Jones**  
**Suite 109, Bayview One**



**William Charles Locker**  
**Suite 110, Bayview One**



**Carol Mann and Marvin Cleal**  
**Suite 609, Bayview One**



**Patricia Mariash  
Suite 1003, Bayview One**



**Carol McClintick  
Suite 809, Bayview One**



**Keri Moore  
Town House #3, Bayview One**



**Dale Naftel  
Suite 702, Bayview One**

**Patti and Kevin O'Neill  
Suite 410, Bayview One**



**Faye and Merv Ozarko  
Suite 510, Bayview One**



**Judy and Garnett Rancier  
Suite 1004, Bayview One**

**Marguerite and Donald Rowe  
Town House #6, Bayview One**





**Betty and Frank Rudge  
Suite 211, Bayview One**



**Carla and Brian Tough  
Suite 304, Bayview One**



**Lisa and Jim Vanstone  
Bayview One**



**Karen and Lynn Watson  
Suite 704, Bayview One**



**Donald Whalen  
Suite 306, Bayview One**



**Anne and Maurice Yacowar  
Suite 212, Bayview One**



**CC:**

**Victoria City Council: L. Helps, M. Alto, C. Coleman, J. Loveday, C. Thornton-Joe,  
B. Isitt, M. Lucas, P. Madoff, G. Young**

**M. Hill, Community Development Coordinator, City of Victoria**

**M. Betanzo, Sustainable Planning & Community Development, City of Victoria**

**Sean Dance, Chair, Land Use Committee**

**J. Handy, Community Planner, Victoria West**

**Chris Reiter, Bayview Place**

**Ray Normandeau, Proline Management Ltd.**

## Lacey Maxwell

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**From:** Maurice Yacowar [REDACTED]  
**Sent:** April 17, 2018 10:57 AM  
**To:** Victoria Mayor and Council  
**Subject:** Aquara seniors residence

As residents of Bayview One we would like to raise some serious concerns about the additional height assumed in the current plans for the new Aquara seniors residence in Bayview Place.

The project has all along been presented as a tiered building no higher than the Bayview One townhouses. When we bought our condo two years ago the project plans and advertisements confirmed that, as they have for all the other buyers since. Last week we learned that the building will now be a solid five storeys, at least half a storey higher than has been declared. We feel we have been seriously misled.

In addition, we are concerned about the plans for a rooftop deck, to include a lounge area, garden, possibly a greenhouse and even an eating area. While an interesting idea, we have serious doubts about its appropriateness in this location.

We live on the third floor facing onto the Aquara site. From our experience of the extremely harsh winds on our balcony we would consider it foolhardy to plan any such open construction or activity on the Aquara roof. The cold would make it uninviting for most of the time. Worse, the winds would create a constant danger of falling matter, especially of any plants, pots, peat or broken glass. We have shared this concern with Ms Ho and hope she has taken it to heart.

Respectfully,  
Anne and Maurice Yacowar  
#212, 100 Saghalie Road

## Lacey Maxwell

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**From:** John Coombs [REDACTED]  
**Sent:** April 19, 2018 7:52 PM  
**To:** 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); Lisa Helps (Mayor)  
**Cc:** Michael Hill; Miko Betanzo; landuse@victoriawest.ca; Jim Handy  
**Subject:** Aquara Seniors Residence, Bayview Place  
**Attachments:** Aquara.docx  
  
**Categories:** Planning

Dear City Council and Staff,

Last week, a group of Bayview One residents corresponded with the Developer of the proposed Aquara Seniors Residence project with respect to a number of perceived concerns regarding building size/architecture, height, and roof design. The letter was copied to the [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca) address and relevant staff members; a copy of the letter is attached below.

We would like to contribute our own personal perspective on the matter. As you will be aware, most of the buildings in the Songhees area are quite architecturally diverse, with varying heights, shapes, rooflines, and finishing materials making for an interesting and inspirational neighbourhood. While we have known for some time that a seniors building would be coming to the Tyee Road/Kimta Road vicinity, it has always been presented as a tiered structure reflecting the heterogeneity of the area, with the highest tier not exceeding the roofline of the Bayview One town houses. We have recently learned that the Developer of Aquara is instead proposing a relatively plain, rectangular-style, larger building of a single height, exceeding that of the Bayview One townhouses by a half-storey or more, not including rooftop installations. We are worried that this approach will create a more crowded, canyon-like effect at ground level, detracting from the overall feeling and appeal of Songhees and Victoria West.

More specifically, we are particularly concerned with the roofscape part of the proposal. We are advised that the plans call for a rooftop patio and even a vegetable garden. Given the propensity for the wind to blow quite hard off the water at any time of the year, we have concerns for the safety of people both on the roof and in the streets below. The attractiveness of such facilities to bird populations is another troublesome factor to be considered. In our opinion, the project should be targeting a very austere, simple roof solution, in line with the approach taken by the other buildings in the neighbourhood. Ideally, the Developer should be aiming for a green roof like the ones used by the Bayview One townhouses, or the one installed on the Harbour Air seaplane terminal.

We would greatly appreciate Council's bearing these reasonable and constructive observations in mind as the Development Permit application is processed.

Yours sincerely,

Norinne and John Coombs  
Suite 405, Bayview One  
Victoria West  


**Lacey Maxwell**

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**From:** Fay Ozarko [REDACTED]  
**Sent:** April 20, 2018 11:40 AM  
**To:** Victoria Mayor and Council; Michael Hill; Miko Betanzo; landuse@victoriawest.ca; Jim Handy  
**Subject:** Songhees Aquara Seniors Development Bayview Place

Dear City Council and Staff,

We share the concerns of our fellow Bayview One residents regarding the increase in height, deviation from original 3 tiered building project plan and visual/practical impact of the proposed roofscape.

When we purchased our unit in January 2017 we confirmed with the Bayview Place development office the project plans for the Seniors Residence. The new plans recently presented to us very dramatically from what we were led to believe. Thank you for your consideration of our concerns during your review of their Development Permit application.

Sincerely,

Fay & Merv Ozarko  
Bayview One Unit 510

Sent from my iPad

**Lacey Maxwell**

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**From:** John Coombs [REDACTED]  
**Sent:** April 24, 2018 2:39 PM  
**To:** 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); Lisa Helps (Mayor)  
**Cc:** Michael Hill; Miko Betanzo; landuse@victoriawest.ca; Jim Handy; Norinne Coombs  
**Subject:** Aquara Seniors Residence, Bayview Place  
**Categories:** Planning

Dear City Council and Staff,

Further to our letter of April 19, 2018, please find below a number of electronic messages from other concerned citizens of the Bayview Place community regarding the proposed Aquara project:

**From:** "Quesnel, Jacqueline" [REDACTED]  
**Date:** April 23, 2018 at 1:48:33 PM EDT  
**To:** [REDACTED] >  
**Cc:** [REDACTED]  
derrick rees [REDACTED]  
**Subject: RE: Forwarded from your Council President, Teri Holtbu: Aquara Seniors Living plan**

Good morning Mrs. Coombs,

Both Derrick Rees and I, Jacqueline Quesnel, of 504 – 83 Saghalie Road, agree with your concerns regarding the proposed design for the new Aquara building by Elements Lifestyle Retirement, and are very disappointed and upset with the shift in design.

Our email addresses are as follows:

[REDACTED]  
[REDACTED]

Thank you,

Jacqueline Quesnel

**From:** [REDACTED]  
**Date:** April 22, 2018 at 12:21:49 PM EDT  
**To:** [REDACTED] >  
**Subject:** Aquara Seniors Living plan - you have my support: Maureen Siegfried / Unit 1203 / SL 113 / Promontory

**Subject:** RE: Aquara Seniors Living plan - you have my support: R Steve Siegfried / Unit 1203 / SL 113 / Promontory

Hello Norinne,

I have read your document outlining the concerns regarding the Aquara Seniors Development and I am in total agreement with yourself and John.

You have my support.

Maureen Siegfried  
Unit 1203 - Promontory

**From:** "Steve Siegfried" [REDACTED]  
**Date:** April 22, 2018 at 11:55:07 AM EDT  
**To:** "Norinne Coombs" [REDACTED]  
**Cc:** "Steve Siegfried" [REDACTED]  
**Subject:** RE: Aquara Seniors Living plan - you have my support: R Steve Siegfried / Unit 1203 / SL 113 / Promontory

Hello Norinne,

I have read your document outlining the concerns regarding the Aquara Seniors Development and I am in total agreement with yourself and John.



You have my support.

R. Steve Siegfried  
Unit 1203 / SL 113 Promontory  
[REDACTED]

**From:** "Debby Wheeler" [REDACTED]  
**Date:** April 21, 2018 at 7:34:12 PM EDT  
**To:** "'Norinne Coombs'" [REDACTED]  
**Subject:** RE: Songhees Aquara Seniors Development

Hello Noreen,

We are Bruce and Debby Wheeler and own # 508. We were unable to be in Victoria for the meeting and will not return to Bayview until early May.

Would you be able to share the information discussed at the meeting? Like many other residents at Bayview , we are also concerned with the planned development with loss of view, sightlines and roof top mechanical devices.

A quick note would be appreciated. We are looking forward to seeing you in person when we get to Victoria.

Thanks for your time!

Bruce and Debby Wheeler

**From:** Sheila Schubert <[REDACTED]>  
**Date:** April 21, 2018 at 10:55:36 AM EDT  
**To:** [REDACTED]  
**Subject:** Aquaria Retirement Residences

Please add me to your list of objectors. I am also frustrated with the promises, to then find out it is not the case. When we bought into the Promontory we were told that the Roundhouse would be built in 2015. Then it changed to 2016 and now it is obvious it will be the last thing to be built, if ever.

Thank you for your work to bring these issues to light.

Sheila Schubert, 1702 Promontory

**From:** Abigayle Turner  
[REDACTED]

**Date:** April 20, 2018 at 7:24:57 PM EDT

**To:** [REDACTED]

**Subject:** Aquara Seniors Living plan

Dear Norinne and John Coombs,

I agree and support your letter to  
Element Lifestyle  
Retirement. Thank you for bringing  
this to my attention and initiating  
this inquiry.

This needs to be shared with the  
owners of Encore as well.

Sincerely,  
Gayle Horton  
Promontory & Encore Owner

Sincerely,

Norinne and John Coombs  
Suite 405, Bayview One

## Devon Cownden

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**From:** Fay Ozarko [REDACTED]  
**Sent:** Sunday, June 24, 2018 5:18 PM  
**To:** Victoria Mayor and Council; Michael Hill; Miko Betanzo; landuse@victoriawest.ca; Jim Handy  
**Subject:** Re: Songhees Aquara Seniors Development Bayview Place

Dear City Council & Staff,

Further to my email of April 20/18. In a recent meeting with the Developer of the Aquara Seniors Development Bayview Place we were blind sided by the revelation that the height of the building has now increased even more than the last time they presented the community with the plans. What we were led to believe when we purchased our property would be a 3 tier building turned into a 5 story building and now has changed once again to the height of a 6 story building. In looking at their presentation it appears the additional height is a result of the main floor having a ceiling height of 18 feet.

The Bayview Community is very concerned about the impact to the existing home owners. Thank you for consideration.

Regards,

Merv & Fay Ozarko  
Bayview One Unit 510

Sent from my iPad

> On Apr 20, 2018, at 11:40 AM, Fay Ozarko [REDACTED] wrote:  
>  
> Dear City Council and Staff,  
> We share the concerns of our fellow Bayview One residents regarding  
> the increase in height, deviation from original 3 tiered building project plan and visual/practical impact of the  
> proposed roofscape.  
> When we purchased our unit in January 2017 we confirmed with the  
> Bayview Place development office the project plans for the Seniors Residence. The new plans recently presented to us  
> very dramatically from what we were led to believe.  
> Thank you for your consideration of our concerns during your review of  
> their Development Permit application.  
> Sincerely,  
> Fay & Merv Ozarko  
> Bayview One Unit 510  
>  
> Sent from my iPad  
>

**Monica Dhawan**

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**From:** Daniel Ethier <[REDACTED]>  
**Sent:** Wednesday, June 27, 2018 8:50 AM  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** Aquara Senior Development Changes

My name is Daniel Ethier , Lynn Ethier , my wife , residents of Bayview One unit 209. I am sharing my concerns for the Aquara Development.

The Aquara Seniors Development is located in our neighbourhood and will have a direct impact on all the shared areas. the area. We believe its a great addition to Bayview Place.

We do have some relevant concerns that are not acceptable and should be addressed

1 - The overall height of the building

It came to light on June 19, 2018 that the building would not be at Kimta Road grade but above grade. The development is calculated 5' above the grade of Kimta which is was news to us.... thats not what the original plans were .

They are basically adding an addition floor by increasing the ceiling heights of the main floor which again not what was in the original plans and no consultation was made to the neighbourhood.

We were all surprised of the latest increase in height of the building . Yes its the same amount of floors BUT the developer was very creative in making changes and thought no one would notice. I would hope that the City of Victoria did notice the changes and will also take action .

We are aware that you are building a variance free building and appreciate that you hosted a community meeting at the Delta Hotel to informed us of your intentions. A suggestion for future meetings should be held in the evening as most people actually work ! Hope this wasn't a ploy to get less people at the meeting in order to announce the changes they made ...

I do believe that the development is much needed in the city and will beautify the neighbourhood

We and all the residents of Bayview One would appreciate any consideration to the above concerns.

Thank you to your time.

## Monica Dhawan

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**From:** Darcy Garneau <[REDACTED]>  
**Sent:** Tuesday, June 26, 2018 2:13 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fwd: Aquara Development  
**Attachments:** Aquara 6.23.2018.pdf

To: [REDACTED]

Dear sir/madam:

I am a resident of Bayview one (unit 205). Please accept this email as support for the letter sent to you by Donald Smith dated June 23, 2018 wherein he notes significant issues with the design of the Aquara building (letter attached).

- 1) The building height is unnecessarily high and considerably higher than disclosed to buyers at Bayview. Over the past ten years, it has been represented that the height of the Aquara building would be no greater than five feet above the Bayview townhomes. This is clearly not the case.
- 2) Part of the problem is the developer has located the ground floor of Aquara upon a parking platform that is five feet above the street level. Further, the design slips in a sixth floor via the use of the mezzanines in the first floor area. Some argument has been made that this was done to provide adequate truck access. However, truck access does not require the use of an 18 foot clearance. Clearly, it is a means to maximize building area at the expense of the neighboring properties.
- 3) In the meeting with the Aquara development team, it was stated that the roof line was within the height limit of the site. However, the design indicates a significant mechanical room above this point. It does not seem reasonable that a large building mass (10 feet X 40 feet x 20 feet) should be permitted above the height limit. Please explain how this is possible within the zoning regulations.

Again, please accept this letter in support of Mr. Smith and his letter of June 23, 2018. If at all possible, please review and mitigate the significant impact created by the height of the Aquara development.

Thank you.

Darcy Garneau  
#205 - 100 Saghalie Rd  
Victoria BC  
Canada V9A0A1  
[REDACTED]

## Monica Dhawan

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**From:** Judy Rancier <[REDACTED]>  
**Sent:** Tuesday, June 26, 2018 10:34 AM  
**To:** [REDACTED]  
**Subject:** Aquara Development

My name is Judy Rancier. Garnett Rancier, my husband, and our family are residents of Bayview One unit 1004. I am sharing my concerns for the Aquara Development.

The Aquara Seniors Development is located in our neighbourhood and will have a direct impact on all the shared areas. I do believe this will be an exceptional project that is much needed in our city. The quality of accommodations that Aquara will provide to a specific resident will be a positive outcome for so many in our community.

I do have some relevant concerns that I feel should be addressed.

1 - The overall height of the building including the rooftop mechanical room.

It came to light on June 19, 2018 that the building would not be at Kimta Road grade but above grade. The development is calculated 5' above the grade of Kimta.

Lobby and main floor have an 18' ceiling height, actually two floor ceiling height, which basically is an additional floor. This we were told was due to a small area for deliveries on the far west side of the building.

The ceiling height of the residential units are above average for residential buildings. Excessive heights increase heating and definitely cooling cost which seem contradict goals to reduce energy waste.

The mechanical room, 'yet to be designed' is believed to be 10' tall by 40' wide x 20 feet deep, depending on placement will be an additional floor for certain neighbours of mine.

I think that there are areas here for compromise. Any thoughtful consideration in height reduction would have a very positive affect on the adjacent neighbours.


2 - Window treatments and patio glass

Widow coverings and glass treatments are beneficial to the Aquara building and anyone viewing the building directly. With uniform directionally operated widow coverings units can control light coming in and views out their widows. It makes a building uniform and classic. Using a glass treatment like Spandrel on the lower portions of unit widows allows for easier placement of furniture in the home and also hides unsightly views if you are viewing into the building.

3 - Roof Top

As of yet there is no set design for the roof top. Once the plan is adapted I believe great consideration should be taken the a green roof top and green screening of the mechanical room. The mechanical room is quite substantial and should be addressed with attention to the immediate neighbours.

I am aware that you are building a variance free building. I appreciate that you hosted a community meeting at the Delta Hotel to inform us of your intentions. I do believe that your development is much needed in the city. It will give many a chance to enjoy our beautiful neighbourhood with the quality of care they need. You are adding another element to our distinct locale.

Myself and the neighbourhood would appreciate any consideration to the above concerns.  
Thank you to your time.  
Judy Rancier  


## Devon Cownden

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**From:** fw [REDACTED]  
**Sent:** Thursday, June 28, 2018 11:23 PM  
**To:** Jim Handy  
**Cc:** [REDACTED] Victoria Mayor and Council; [REDACTED]  
**Subject:** Aquara Seniors Building at Bayview Place

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Handy:

I am Fe Wanner, a resident of Bayview One on the Songhees.

While the upcoming Aquara is a welcome development with the potential to be of significant impact to our community, I cannot but be concerned about certain aspects of it that came to light only recently at a meeting where Aquara offered an incomplete and unsatisfactory update on the project's design. It now differs from what was first discussed when originally unveiled..

I will greatly appreciate if you could please assist in bringing forward the issues enumerated below.

And no, it is not for the reason that *our views will be diminished* (sadly, yes, but we knew that coming in albeit not in this scale), rather I am convinced they are in the interest not just of Bayview Place but Victoria in general, as well as our environment.

I am a proud and happy member of the Bayview Place community, and like other well-meaning residents, want nothing more than to maintain, if not improve this outstanding addition to the city of Victoria.

Mr. Handy, a great source of complaint shared by many other residents of Bayview Place:

- a. the proposed grade for the building is roughly 5 feet above Kimta Road thereby resulting in a building much higher than previously presented by the Aquara team. (Please see attached.) ;
- b. the ground floor is basically two storeys tall at 18'. This is a large space to heat and light that appears only to be necessary because of a small delivery area on the west side of the building. This design seems to be very energy inefficient;
- c. the ceiling heights of the residential units are higher than normal. This extra space further contributes to the unnecessary extra height as well as the energy inefficiency;
- d. the mechanical room on the roof top appears massive - 10' tall by 40' wide by 20' deep according to the project architect;
- e. the green roof and screening for the mechanical room have not yet been designed. I think it will not be a bad idea to involve the neighbours about such an important element of the general development design.
- f. the window treatments will be important to integrating this building into the neighbourhood as they will affect light pollution and views of the Aquara units. Again, consulting the neighbours will prove useful


I feel with better cooperation and communication, there is room for a mutually beneficial resolution that provides

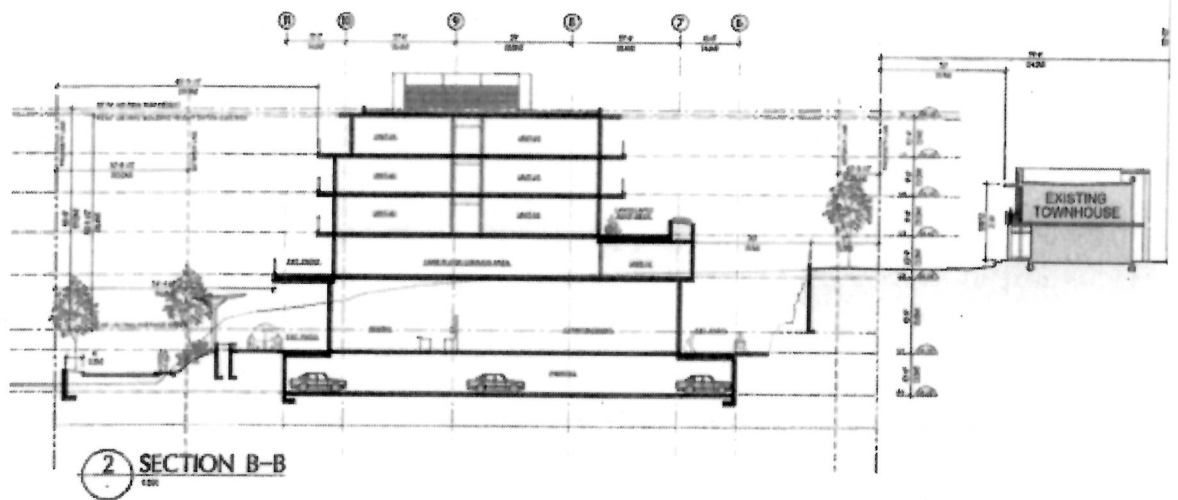
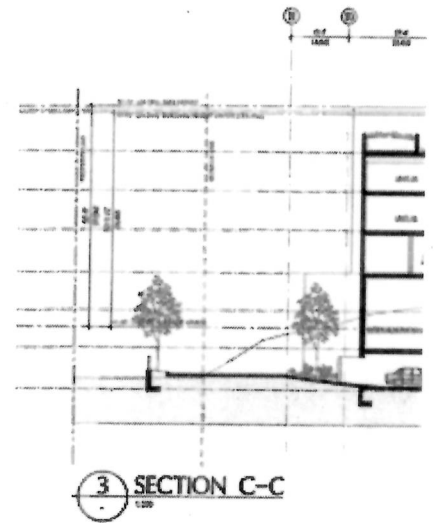
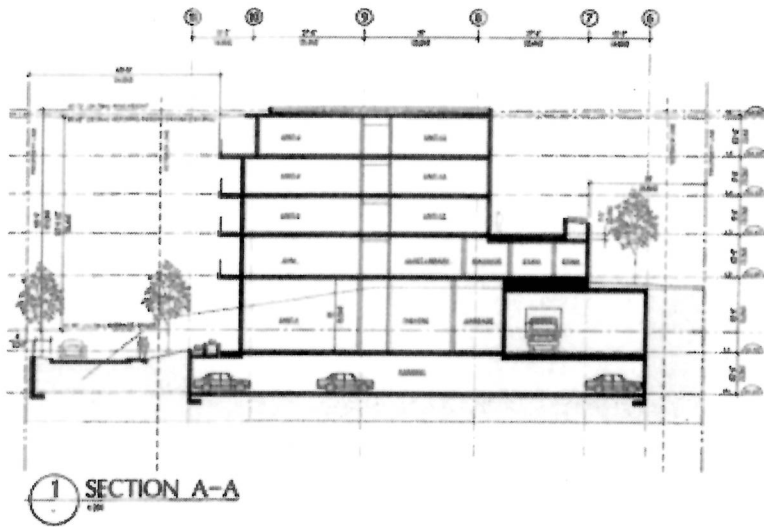
- for reduced operating costs for the Aquara builders and operators,
- reduced height and better aesthetics for the Bayview One residents,
- a more energy efficient and thus more sustainable building to support the city's climate change goals
- and a wonderful environment for families with senior members.



Thank you for considering this request,.

Sincerely yours,

Fe Wanner  
Bayview One  
Unit #507  




## Lucas De Amaral

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**From:** Victoria Mayor and Council  
**Sent:** July 3, 2018 10:53 AM  
**To:** Laurie Hillis  
**Subject:** Email to Mayor and Council RE: Don and Liz Smith's Letter Dates June 23rd, 2018 Regarding the Aquara Building

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Planning

Dear Laurie,

Thank you for your email regarding the proposed development at 90 Saghalie Road. Your correspondence has been shared with Mayor and Council, and will be attached to the staff report when this application is presented to Committee of the Whole.

Please note the applicant is not seeking any variances from the Zoning Regulation Bylaw (meaning the proposal complies with the permitted density, height, setbacks etc.) and, therefore, when reviewing the proposal staff will be considering whether the application satisfies the applicable Design Guidelines.

If you have any questions specific to this application please contact Jim Handy, City of Victoria Senior Planner at [JHandy@victoria.ca](mailto:JHandy@victoria.ca).

Sincerely,

Lucas de Amaral  
Correspondence Coordinator  
Mayor / City Manager's Office  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6



**From:** Laurie Hillis [REDACTED]  
**Sent:** June 27, 2018 2:05 PM  
**To:** Jim Handy <[JHandy@victoria.ca](mailto:JHandy@victoria.ca)>  
**Cc:** Lisa Helps (Mayor) <[LHelps@victoria.ca](mailto:LHelps@victoria.ca)>; Marianne Alto (Councillor) <[MAalto@victoria.ca](mailto:MAalto@victoria.ca)>; Chris Coleman (Councillor) <[ccoleman@victoria.ca](mailto:ccoleman@victoria.ca)>; Ben Isitt (Councillor) <[BIsitt@victoria.ca](mailto:BIsitt@victoria.ca)>; Margaret Lucas (Councillor) <[mlucas@victoria.ca](mailto:mlucas@victoria.ca)>; Pam Madoff (Councillor) <[pmadoff@victoria.ca](mailto:pmadoff@victoria.ca)>; Charlayne Thornton-Joe (Councillor) <[cth Thornton-joe@victoria.ca](mailto:cth Thornton-joe@victoria.ca)>; Geoff Young (Councillor) <[gyoung@victoria.ca](mailto:gyoung@victoria.ca)>; Jeremy Loveday (Councillor) <[jloveday@victoria.ca](mailto:jloveday@victoria.ca)>; Michael Hill <[mhill@victoria.ca](mailto:mhill@victoria.ca)>; Miko Betanzo <[mbetanzo@victoria.ca](mailto:mbetanzo@victoria.ca)>; Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>; [REDACTED]  
**Subject:** Don and Liz Smith's Letter Dates June 23rd, 2018 Regarding the Aquara Building  
**Importance:** High

Hello all ~

We are writing in support of Don and Liz's very well-articulated letter of June 23<sup>rd</sup> regarding the frustration and disappointment in what was presented by Wendy and Candy Ho and their architect Barry Weir on June 19<sup>th</sup> regarding the proposed new Aquara Building.

We are Laurie Hillis and Ken Toon, owners of Townhouse 2 directly inline of this mammoth building. And we are very demoralized to see how high the Aquara is going to be, as this was misrepresented to us when we purchased two years ago. Had we known the "actual" height, we probably would not have bought the property at all. We are not as in-the-know as Don is in his understanding of the building codes and engineering specifics delivered in his letter but we wholeheartedly support that this "bait and switch" mentality, that the lack of a proper, honest consultative process is untenable in a city like Victoria. It's why we chose to move here full time 3 weeks ago! Imagine our disappointment after hearing the June 19<sup>th</sup> meeting and that fact that this appears to be a "done deal".

Other issues that are concerning us and many of the other residents we have spoken to include, but are not limited to:

- Opening the pathway sooner than the end of the project as this is a very well used access for all residences of the properties;
- Proper window treatments to ensure privacy for all;
- Lack of design for the green roof;
- The ugly chain link fence that sits right outside the townhouses' views – surely something more sophisticated could be installed!

We too look forward to support and response to this grave issue. It does not speak well to ethical practices. We are not at all against building and know the value of a seniors' residential property, it is the lack of transparency that has us shaking our heads.

Regards,  
Laurie Hillis and Ken Toon

Laurie Hillis

MA Leadership, PCC Megatrains Inc.

I am a resident of Bayview One, Suite 702 and have resided here since 2011. I have very high regard for the vision and planning of the developers to the Bayview Properties/Focus Equities and their respective buildings along with future plans of this distinctive 20 acres.

I attended the Aquara / Element developer meeting on June 19<sup>th</sup> and was distressed by the presentation. There has been no consultation with Bayview One owners prior to this meeting.

The architect Barry Weir seemed to lack overall transparency in the sharing of information.

In-fact the tone of the meeting on part of the developers was defensive.

While I believe very strongly the development at this location will provide a quality & well managed seniors residence that is much needed in the Victoria West community there are a few points outlined below most alarming regarding the project overall;

- The design scope is much different from the original development tiered building plan as intended for this lot and now encompasses what is the majority of the lot creating a massive slab-like building structure.
- The height elevation seems excessive for a building of this nature, with a lobby of 18' which is essentially the creation of an additional floor (exceeding the 5 floor permitted height). The development has a 5' above grade floor level from Kimta Road. This seems unreasonable. This is further exacerbated by the above average ceiling heights to each floor.
- The overall roof design remains unclear. The very large 40' w x 20'd x 10'h parapet mechanical on the roof will be unsightly without adequate screening to which so many residents on the south side of Bayview One will have views toward. In addition there is very little green roof to the design.

Lastly, I would very strongly recommend including in the building bylaws a window covering requirement of white backed vertical blinds or drapes (with vertical blinds being the preferred recommendation) as they far exceed the privacy offered by and form of light filtering roller shades. As a resident of Bayview One that faces Promontory, I can assure you that the roller shades in Promontory offer NO privacy to the occupants of the suites that have them, and I find myself adjusting my blinds to avoid accidentally seeing that which should not be seen by ones neighbours. Further, the placement of furniture, computers, other electronics and shelving with bric-a-brac against the windows is unsightly from the neighbouring perspectives and efforts to minimize such views using spandrel or frosting on lower portions of windows would be appreciated to maintain the current standard of high quality residences at Bayview Place and surrounding sites.

There is an opportunity here to create a further harmonious blend of architecture and landscape to an already beautiful growing community in Songhees district. I trust Mayor and Council would consider these concerns and points raised regarding Aquara.

Thank you,

Dale Naftel  
Suite 702-100 Saghalie Road  
Victoria

July 2, 2018

During this past year, we have each acquired condos in the Bayview One condominium project in Vic West. Both of us are seniors and newcomers to the condo lifestyle in Units #110 and #306 respectively. During the brief time that we have been here there has been much talk about a project that is referred to as the Aquara Seniors Development Project. Further detail on Aquara were more clearly brought to light at an information session that took place on June 19, 2018, and at a subsequent meeting of the developer and their architect on June 27, 2018.

We write to you because we are alarmed at many of the facts that we discovered from these two meetings.

It would appear that the term Senior Development Project is a misnomer and that this is clearly a Multi-Housing Development that has a small Senior's Living and Care component to it. In fact many of the unit in this development will be purchased much like the condo units that we acquired.

Along with our fellow residents and neighbours, we anxiously await the due process of your DP approval group in the passing of this Aquara Multi-Housing Building proposal for this vacant parcel of land that lies immediately to the south of the Bayview One.

No doubt many Victoria residents along with City Councilors view this development as a positive project and would like to see it proceed to a successful completion. We too share this opinion. However, we hope that your decisionmakers apply the same rigorous scrutiny and standards to this development as they would to any other housing development in our fair city.

After viewing the elevation drawing of the proposed Aquara project, we wish to bring your attention to two important points that are most disturbing to us:

1. One is the manner in which the developer and architect have decided to massage the "at-grade-level" for this development in such a fashion that it would appear that the Great Wall of China is about to be erected before our eyes. We see a strong need for the City to reign in this grandiose scheme from a height perspective and more clearly define what is an acceptable at-grade-level for this structure.
2. Our second point of importance is also a height limiting factor and is one that has been stated previously by others in their correspondence to you. This has to do with the varying and excessive ceiling heights throughout the proposed structure ... is this really necessary? Of particular note is the 18-ft ceiling height at the ground level. This is totally over-the-top. It invites the future creation of a mezzanine level and consequently a 6 storey structure instead of the originally proposed 5 storey structure. Kindly put a stop to this nonsense.

We are appreciative of your prompt attention to these issues as you go about the business of reviewing and approving this Aquara Development Project.

Yours respectfully,

Charles Locker (Unit #110-100 Saghalie Rd) and Donald Whalen (Unit #306-100 Saghalie Rd)

## Lucas De Amaral

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**From:** Kevin O'Neill [REDACTED]  
**Sent:** July 4, 2018 11:12 AM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Jim Handy; Chris Coleman (Councillor); Ben Isitt (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Michael Hill; Miko Betanzo  
**Subject:** CONCERNS ABOUT THE AQUARA DEVELOPMENT AT BAYVIEW PLACE  
**Categories:** lucas

From: Kevin O'Neill / [REDACTED]  
Subject: Request for Assistance Seeking Relief from Excess Height of the Aquara Seniors Building  
Date: July 4, 2018

To: [mayor@victoria.ca](mailto:mayor@victoria.ca)

To: Mayor Lisa Helps; Victoria Councillors; Mr. Jim Handy / Planning Department et. al.

My name is Kevin O'Neill, and I along with my wife have been residents at BayView One for the past four years. I am writing to you and to our Victoria city counsellors in regards to the Aquara seniors development project at Bayview Place in VicWest.

I have been associated with athletics and professional sports most of my adult life, and I have always taken comfort knowing that rules and regulations helped govern the conduct of all players and others associated with the "Game"

I am now very upset with Elements Development and the Aquara project, since they currently seem to be willing to change the terms and conditions of their project to suit their own needs. This seems most unfair to those of us who have been told for years about the scope of the development, and now see it being significantly changed right before our eyes.

We hope that the City of Victoria planning department, along with our elected officials can help restore order to this project. The alternative is to tell all residents of our city that they should not believe anything they are told by developers, and that would be most unfortunate.

In general I have been pleased with how the rapid change and growth that we have witnessed in our city, has been handled by our local government. I would hope that the fair and just application of rules and regulations in all aspects of our cities future would continue to be the rule rather than the exception.

Thanks for your time.

Sincerely,

Kevin O'Neill  
Resident / BayView One

Contact information:

Phone: [REDACTED]

E-mail:

[REDACTED]

Cell: [REDACTED]

cc: to Mr. Jim Handy / Senior Planner, plus other members of Vicotoria Council



23 June 2018

To: Jim Handy  
Senior Planner – Development Agreements  
City of Victoria

My name is Don Smith and along with my wife, Lynn, we are residents of the Bayview One Building, Unit #308. Our neighbours on the third floor, as well as other residents of the Bayview One, share the views represented here.

We are upset by our perception of the “bait and switch” being precipitated by the developers of the Aquara Seniors Building project as they are putting a solid building mass of 5 storeys with an additional 10 foot tall (or taller) mechanical room in front of our Bayview One Building, **when nothing was to exceed the height of the top of the second floor of the Bayview One building (or) not to exceed 5 feet above the Bayview One Townhouses** (#4, 5 and 6) inclusive of the parapet (see attached drawing).

On Tuesday 19 June 2018 we were told for the first time by the Aquara development team of presenters - including the owners Wendy Ho and Candy Ho, their architect Barry Weir of Wensley Architects and landscape architect James Partlow of Lombard North - that the overall height of the Aquara Building would be “**much higher**” (12 to 14 feet overall) than originally represented excluding the mechanical room which “has not been designed.”

The Aquara Seniors Building is located as part of a larger community of residents at Bayview Place including the Bayview One Building, the Promontory Building and the Encore Building (all multi-residential buildings representing hundreds of residents) which share the surrounding landscape, the window scape and roof top scapes of all the new buildings. It is a community of neighbours and community advocates. We would like to welcome Aquara, but no consultation was offered to us by Aquara.

We were told by Aquara that our third-floor level unit #308 would NOT be impinged upon by the overall height of the anticipated Aquara Building. We are **now** told by Aquara that their building height exceeds our balcony railing (5 foot, 3 inches), before including the mechanical room, which is a shock to us!

Also, the behemoth mechanical room is estimated at “10 feet tall by 40 feet wide by 20 feet deep” (the mechanical room is not yet designed) with no apparent screening, landscaping or other treatment to mask the visual blight that will add even more to the outrageous eye-sore of the height “**addition**” presented by the Aquara developers. The slab design of the building provides **no relief** and the landscaping will simply serve as inadequate camouflage that over time will likely grow to further exacerbate the problem.

We have always known that a “tiered building” **not to exceed 5 regular storeys** and staggered downward to 3 storeys (west to east) and then to grade level, would occupy the lot to the south of our home. This design provided us with relief.

The architect, Barry Weir of Wensley Architects of Vancouver, has discarded the planning recommendation of a “tiered building” and has instead designed a 5-storey “flat slab building” and has used every possible amount of floor space ratio – often in a manner that appears energy inefficient and not congruent with the sustainability goals of the City of Victoria. These sustainability and usability goals are clearly captured in the zoning recommendations by the City of Victoria which describe a “tiered building” and not a 5-storey “flat slab building” with an 18-foot (2 storey) lobby.

The Aquara architect appears to have taken “**extreme measures**” to use every possible square foot vertically and horizontally to the point that would appear to include sacrifices of sustainable practices for a seniors’ building (or any other residential building). This includes residential floors of inconsistent heights (see attached drawing.) All of these floors exceed the norm for multi-residential units as they have above average clear heights – using a consistent design of 9-foot ceilings with a 1-foot drop in private rooms to control (and in this case reduce) heating and air conditioning costs would be more consistent with sustainability goals by reducing energy waste.

It is common knowledge that the height of the Aquara Building to be constructed was NOT to exceed the height of Bayview One Townhouses #4, 5 and 6 by more than ½ the height of their top floor. These townhouses are measured vertically as just under 20 feet in overall height inclusive of the parapet. We recognize that any reasonable roof mounted mechanical devices are not calculated in the overall height.

The Aquara architect has pushed the ceiling heights upward to use every vertical inch, often **for no apparent design reason**, and as a result exceeded our balcony’s height by over 5 feet! This is not acceptable to us because it exceeds a building height that was to be capped at the townhouse height plus 5 feet. The encroachment is more than 12 feet overall excluding the additional height of the mechanical room.

**There was zero consultation with the Bayview Place neighbours (until the 19 June) including the owners in the Bayview One Building, the Promontory Building or the Encore Buildings.** We were all shocked to learn from the Aquara Architect, Barry Weir, that the height of the Aquara Building’s 4<sup>th</sup> floor is the same height as the Bayview One’s 4<sup>th</sup> Floor which clearly exceeds that height allowed for in the approved zoning.

The architect was given ample time at this meeting to answer the question of height which was asked several ways and he failed to do so willingly or accurately. In fact, he opined that the Aquara Building would be roughly the height of the Shutters Building when in fact the Bayview One Building is 3.5 storeys higher than the Shutters Building because of natural slope. Likewise, the roof design, including the potential Green roof treatments and the mechanical room, remains unclear and undesigned. This meeting provided a repeat of the lack of transparency and imprecise information made available at the previous Aquara community marketing meeting. This is causing residents of the neighbourhood to seek out information themselves – this is not a good practice as it has raised the spectre of uncertainty due to lack of transparency.

It is readily apparent that the architect misspoke regarding the height. Bayview One is home to many engineers (including myself) and architects. In reviewing the publicly accessible design documents it is evident that the architect began his calculation 5 feet higher than the street grade of Kimta Road. **Aquara has lifted the project up slightly over 5 feet.**

In combination with the inconsistent and excessive residential unit heights “for sale”, these 5 feet now cause the height of the Aquara building (exclusive of the mechanical room height) to be more than a full storey higher (12 to 14 feet) than advertised.

In addition to the height of the “for sale” units and 5-foot grade lift design issues, there is the issue of the 18-foot tall ground floor disguised as a “favour” for the neighbours to benefit from underground delivery of goods. The ground floor has an advertised height of 18 feet. **This essentially turns a 5-storey building into a 6-storey building** – this is another element of the “bait and switch”.

The design as presented includes a small westerly located loading ramp with an 18-foot ceiling allegedly to accommodate large delivery truck accessing a below the surface loading dock space. This 18-foot height is carried all the way through to the easterly side of the building as a straight line to create more mezzanine space in the lobby areas and for the condos “for sale” which face Tyee Street on the far east side of the building.

An 18-foot ceiling height for the entire ground floor is **NOT** necessary. This height is excessive and provides the owners of Aquara the use of mezzanine spaces for the entire ground floor. The Aquara owners can still achieve mezzanine space without losing significant height. The height savings could then help lower the overall height of the Aquara building. Lowering this would also help improve the overall height of the building which would help provide the relief we seek for a reasonable height closer to the original representation of below the 3<sup>rd</sup> floor of the Bayview One Building.

In summary, the relief we reasonably seek could be easily achieved by:

- Lowering the current 18-foot height of the ground floor;
- Eliminate the 5-foot lift above the height of Kimta Street;
- Eliminate the excess heights of the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> floors (which are all above average clear heights) by using a standardized 9-foot clear height with 1-foot drops; and
- Distributing the huge mechanical room and lowering its height.

In closing, we are aware that the zoning for this site is approved. We understand how the grade is calculated. We understand that there is a cost advantage to building a consistent height across Aquara's ground floor. We also understand that the excess heights in each storey drive an increased operating cost in maintaining the desired environment and that this reduces the environmental sustainability of the building and likely drive up operating costs. We like the building's operational concept and we believe that it will be a great addition to our community. We are simply asking that you actively work to lower the overall height of the building mass within reason by 12 to 14 feet of height so that the 3<sup>rd</sup> floor of Bayview One is guaranteed the promises already made to the owners to have a clear look over the Aquara Building from the 3<sup>rd</sup> floor instead of a clear look into it and its occupants.

We look forward to your support and response.

Respectfully,

Don and Lynn Smith  
#308 100 Saghalie Road  
Victoria BC V9A 0A1

[REDACTED]  
[REDACTED]

cc:

Mayor  
City Counselors  
Bayview One Strata Council members  
Bayview Place Neighbours (Bayview One Building Residents, Promontory Building Residents, Encore Building Residents)  
Proline Property Management

Attachment:

Aquara Senior Building - Building Section Drawing by Wensley Architecture

## Lucas De Amaral

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**From:** Donald Smith [REDACTED]  
**Sent:** June 25, 2018 8:53 AM  
**To:** Lisa Helps (Mayor)  
**Subject:** Request for Assistance Seeking Relief from Excess Height of the Aquara Seniors Building  
**Attachments:** Aquara Agenda - Comments.pdf; Aquara Relief Sought.pdf; Aquara Section Views.tiff  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged  
**Categories:** lucas

To: Mayor Lisa Helps

My name is Don Smith and along with my wife, Lynn, we are residents of the Bayview One Building, Unit #308.

We have known since making the Bayview One our home that a seniors residence was to be built on the neighbouring lot. We believe the Aquara Seniors Building can be an excellent addition to our community. What has come as a surprise very late in the process is the excessive and unnecessary height designed into the building. As well, the lack of community engagement in the design process does not bode well for a harmonious relationship with our new neighbours.

We are upset by our perception of the “bait and switch” being precipitated by the developers of the Aquara Seniors Building project as they are putting a solid building mass of 5 storeys with an additional 10 foot tall (or taller) mechanical room in front of our Bayview One Building, **when nothing was to exceed the height of the top of the second floor of the Bayview One building (or) not to exceed 5 feet above the Bayview One Townhouses (#4, 5 and 6) inclusive of the parapet.**

We have contacted the City of Victoria (Jim Hardy - the Senior Planner for Development Agreements) with a request seeking relief from the excessive and unanticipated height of the proposed Aquara Seniors Building.

We seek your assistance in providing the relief we reasonably request which can be easily achieved by:

- Lowering the current 18-foot height of the ground floor;
- Eliminate the 5-foot lift above the height of Kimta Street;
- Eliminate the excess heights of the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> floors (which are all above average clear heights) by using a standardized 9-foot clear height with 1-foot drops; and
- Distributing the huge mechanical room and lowering its height.

We have included three documents in this e-mail for consideration:

- the minutes from the meeting with Aquara development team on the 19 June. We have included our comments on what transpired at the meeting
- the letter to Jim Handy of the City of Victoria seeking relief
- a section view of the planned Aquara Seniors Building as it relates to the Bayview One Building

Respectfully yours

Don and Lynn Smith  
#308 100 Saghalie Road  
Victoria BC V9A 0A1

[REDACTED]  
[REDACTED]