

## Lacey Maxwell

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**From:** ann macmillan [REDACTED]  
**Sent:** June 2, 2017 11:56 AM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor);  
bissitt@victoria.ca; Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam  
Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)  
**Subject:** Re: 986/988 & 990 Heywood

Mayor and Council, City of Victoria

We are the owners of 905 Oliphant. Last July we received a letter from the new owners of the Heywood properties, located immediately behind us informing us that they were planning to build a 4 storey condo on the said properties.

The letter asked if they, Jawl Residential and Tri-Eagle Development could meet with our strata, strata 463, as soon as possible. This was a Saturday and we met for the first time the following Tuesday.

All seven strata residents were present and have been at 7+ subsequent meetings. On two occasions we met with the architects and once with the landscape designer.

Initially we noted several areas of concern: loss of sunlight, driveway proximity, noise and light pollution, and vehicle fumes. The 6 metre driveway is to be located immediately behind our garden fence.

The developers have been attentive to our questions and concerns and have worked hard to mitigate them in the design of the building. They are also acutely aware that our strata is to the north of the building and the most impacted of all the neighboring properties.

All this to say that in these many months of consultation we have found the developers to be available, helpful, attentive and professional. We hope the variances will be granted and the project approved.

Ian and Ann MacMillan

## Lacey Maxwell

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**From:** Kathleen Chrétien [REDACTED]  
**Sent:** June 2, 2017 5:24 PM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); mlucus@victoria.ca; Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Jason Johnson; Jonathan Tinney; Development Services email inquiries; Community Planning email inquiries  
**Subject:** Proposed Development at 986-990 Heywood Avenue

Council of the city of Victoria

RE: Proposed Development at 986, 988, and 990 Heywood Avenue

Thank you for this opportunity to "have our say". We are the owners of 216 Vancouver Street, directly east of the proposed development. This development will have a major impact on us and our property and we hope that the concerns we outline will have your attention and consideration.

As we see it, the significant variances sought i.e.: increasing the height, increasing the site coverage, reducing the open space and reduction of all of the setbacks, including those for the parkade will place a towering structure very close to the adjacent properties.

Height:

The proposed height variance of 2.28 meters essentially makes this structure equal to a five storey building. This increase in height over the zoning limits is predicated on the notion that 9 ft and higher ceilings are the new norm, this is subjective and arguably spurious. The height will cause this building to loom over the neighbourhood, particularly to the east. The Tweedsmuir Mansions to the south of the proposal, one of Victoria's acknowledged architectural gems, an anchor to the area and a landmark in the community and city, will be diminished by the mass of the structure. The properties to the north will be cast in perpetual gloom and we on the east and lower side of this sloping site will be facing a structure, that from our perspective, looms even larger.

The structure will create a wall (at night an illuminated wall) between the properties to the east of the site and Beacon Hill Park. There is currently a good visible connection with the park from the east via the space between and over the two houses now on the site, and this will be lost to us and our neighbours if the building goes ahead as planned.

Privacy:

We note that the proposal speaks of "maximizing views to the east and west" and of the concern for privacy to the north and south but makes no mention of privacy to the east. In a letter to the Mayor and Council dated March 6, 2017, Cascadia Architects states that it respects the OCP guideline 1.6.2 which suggests that buildings "be designed to address privacy, particularly for portions of the development abutting the side yards of adjacent single-family dwellings". There is no mention of, and nor does the design address, the privacy of the private

open spaces of the adjacent properties on the eastern side. There will be a considerable number of balconies with these "maximized views to the east" and they will be directly and intrusively overlooking our properties.

#### Landscape:

Our backyard has several mature trees. One in particular, a large and healthy Elwood Cypress is close to 100 years old. Likely planted when our house was built, it is near 8 meters high with a 60cm diameter at the base and is situated very close to the property line. The parkade setback indicated on the drawings is a mere 1.22m. The excavation required in order to accommodate the concrete forms for construction of the perimeter wall will necessitate digging even closer than this to the tree. We believe that the stress of the excavation will destroy it. The developers have promised that they would hand dig the area around the tree and will have an arborist on hand but with such a small setback and close/deep excavation for the parkade, the tree could easily lose 30 to 40% of its root system. It is unlikely the tree could survive such an assault even with hand digging, and even with an arborist on hand - a disaster for us. It seems absurd to lose such a beautiful rarity as this tree to a parking spot in an underground parkade. Perhaps a parking variance to allow for undisturbed soil in that area could be considered. That tree is beneficial to everyone in the neighbourhood, old and new, and to wildlife as well.

#### Design and Footprint:

At the CALUC meeting, the community expressed its opinion that the building was too big and that the design did not fit the neighbourhood. We too feel the proposal is much too big for the site, shows little concern for the immediate neighbours, the neighbourhood and the community. In our meetings with the developers we voiced our concern with the height, size, and uninspiring design but we see no consideration in their submission to the city.

For fifteen years, we have lived in this quiet and safe residential area. We have raised our family here. It is not an area that needs more vibrancy, nor the traffic pressure and noise that higher density will bring. That kind of thinking is more suited to the Cook Street Village, where people actually gather and spend time. We can see no benefit to the community as a result of this project, it is in the wrong place. Having said that, we recognize that the area is zoned for a mid-rise building but we believe that the zoning should be respected and not rewritten to accommodate the needs of developers. We are told that scaling back the project is not viable which we can only interpret to mean that profit margins would be too low and raises the question of why was the site purchased in the first place. We believe that the community has legitimate concerns about the scale of this project and has made reasonable requests for changes but despite numerous consultations nothing of substance has changed and the project appears to be presented as a fait accompli.

#### To sum:

We oppose the proposed variances and the potential consequences of those variances, particularly the height and the parkade setbacks and the resulting overly large footprint. We respectfully request that council deny these variances and send this proposal back to the drawing board.

Kathleen Chrétien & Terry Linford  
216 Vancouver Street  
Victoria, BC

## Lacey Maxwell

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**From:** Heneault Linda [REDACTED]  
**Sent:** June 2, 2017 7:24 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:** Jawl / Tri-Eagle Development Project for 986,988 and 990 Heywood  
**Attachments:** Jawl 988-90 , 986 Haywood Development Oct 20.docx

Mayor Helps and Council,

We are the owners and residents at 911 Oliphant Avenue, the most north east townhouse of Strata #463 located on the north perimeter of the proposed building site. In Oct 2016 we submitted the attached letter of support for the proposed Jawl/ Tri-Eagle development from our strata. As the most impacted neighbours to this new development, we want to ensure you understand our reasons for our continued support for this project.

**The views to the south of our units and onto the proposed building site are our primary views and provide our primary light.** As the most impacted of all neighbours by possible loss of light, loss of privacy and loss of views, it was important to us to work closely with the development team to work out solutions that minimized our concerns and took into consideration all bordering neighbours. We have met (together with all of our strata members) with David Jawl, Travis Lee, the Cascadia team and landscape architects on this project numerous times and have found all interactions to be respectful, timely, informative and creative. We have been very pleased with many of the design solutions they have presented. A few examples being;

- consideration of minimal windows on the north side of the building to protect our privacy
- have set back the penthouse units to reduce orientation onto our gardens
- have designed landscaped underground parking to avoid unsightly views onto above ground paved parking and to minimize street parking impacts
- landscaping and tiering the 5'8" wall impacting our back garden
- and have positioned the building to reduce its shadow impact without impacting park facing views for Tweedsmuir or Oliphant

All of the neighbouring homes and properties adjoining this development are rich in history and significance in their own right. The Tweedsmuir with their art deco south facing facade, the lovely heritage homes along Vancouver Street, and our 4 town homes on Oliphant - on the Heritage Tours and described as a Wagg and Hambleton 1976 building with commissioned Imke Pearson stained glass, oriel windows, double-coursed shingles and angled bay entries. Our research into and feedback about Jawl Residential and Tri-Eagle Development has been consistent with our experience with them. They are a first class group that do wonderful work while respecting the neighbourhood. We believe the development as proposed is of high quality and will enhance our neighbourhood and we look forward to continuing to work with them through the next phase of building and landscape planning.

We are pleased to support this project.

Sincerely,

Linda and Rob Heneault  
911 Oliphant Ave,  
Victoria Bc  
