

131, 135, and 139 Menzies Street
Letter to Victoria Mayor and Council
November 28, 2023

Rezoning and Development Permit Application

Mixed-Use Purpose-Built Rental Development in James Bay

Submission By:



December 5th, 2023

Attn: Marianne Alto, Mayor of Victoria
Cc: City of Victoria Council
Karen Hoes, Director of Sustainable Planning and Community Development
Robert Bateman, Area Planner

**Re: 131, 135, 139 Menzies Street Rezoning and Development Permit
Letter to Mayor and Council**

Dear Mayor Alto and Members of Victoria Council,

On behalf of Mike Geric Construction, it is my pleasure to resubmit an application to rezone the properties at 131 – 139 Menzies Street to a mixed-use purpose-built rental building. We have worked carefully with the neighbourhood as well as following the Downtown Core Area Plan to create a development which will enhance the Menzies Street “Five Corners” Village Centre. This proposed 43-home project will include a thoughtful mix of studio, one-, two-, and three-bedroom homes along with a 1,200 square foot commercial storefront.

This proposal also delivers a thoughtful series of localized transportation demand management measures which will ensure that this zero-automotive development. Our intent is to play a pivotal role within this neighbourhood and the City in connecting people, reducing vehicle dependency and improving quality of life while minimizing our ecological footprint.

This zoning amendment and Development Permit Application will create purpose-built rental housing stock in a low-impact site plan which retains and enhances the neighbourhood tree canopy, respects the neighbouring homes, and enhances the Menzies streetscape.

We look forward to sharing our vision with you and to receiving your feedback.

Project Team:

Developed and Operated by:	Mike Geric Construction Ltd., Victoria BC
Architect:	Continuum Architecture Ltd., Victoria, BC
Landscape Design:	Forsite Landscape Architecture, Victoria, BC
Transportation Engineers:	WATT Consulting Group, Victoria, BC
Civil Engineers:	Westbrook Consulting Group, Victoria, BC

We acknowledge and respect that this property is located on the traditional territory of the Ləkwaŋən peoples and the Songhees and Esquimalt peoples whose historical relationships with the land continue to this day.

Project Data Snapshot

Lot Area
1,243m²

Existing Zoning
R2 – Single Family Residential

Proposed Zoning
Comprehensive Development
(CD) Apartment Zone

Official Community Plan Designation:
Apartment Designation
139 and 135 Menzies:
Commercial Centre

Townhouse Designation
131 Menzies:
Traditional Residential

Lot Coverage:
776.8 m² (62.4%)

Floor Space Ratio: 2.02 : 1

Building Height:
Apartment Height
139 and 135 Menzies: 14.0m
Four Storeys

Housing Breakdown:
Studios: 18
1 - Bed: 15
2 - Bed: 16
3 - Bed: 4
Total Homes: 43

Residential Tenure:
Purpose-Built Rental
(via covenant)

Setbacks:
Front Yard: 0m
Front Yard Dedication: 2.0m
North Side Yard: 3.35m
South Side Yard: 3.03m
Rear Yard: 5.36m

Parking Breakdown:
Residential:
Bike: 110
Vehicle:0
Commercial / Visitor:
Bike: 8
Vehicle: 0
Disabled Vehicle: 1 (on street)
Car Share Stall: 1 (on street)

Building Efficiency:
Step Code: Level 3

Heat Source: 100% Electric
Zero Carbon Step Code Level 3

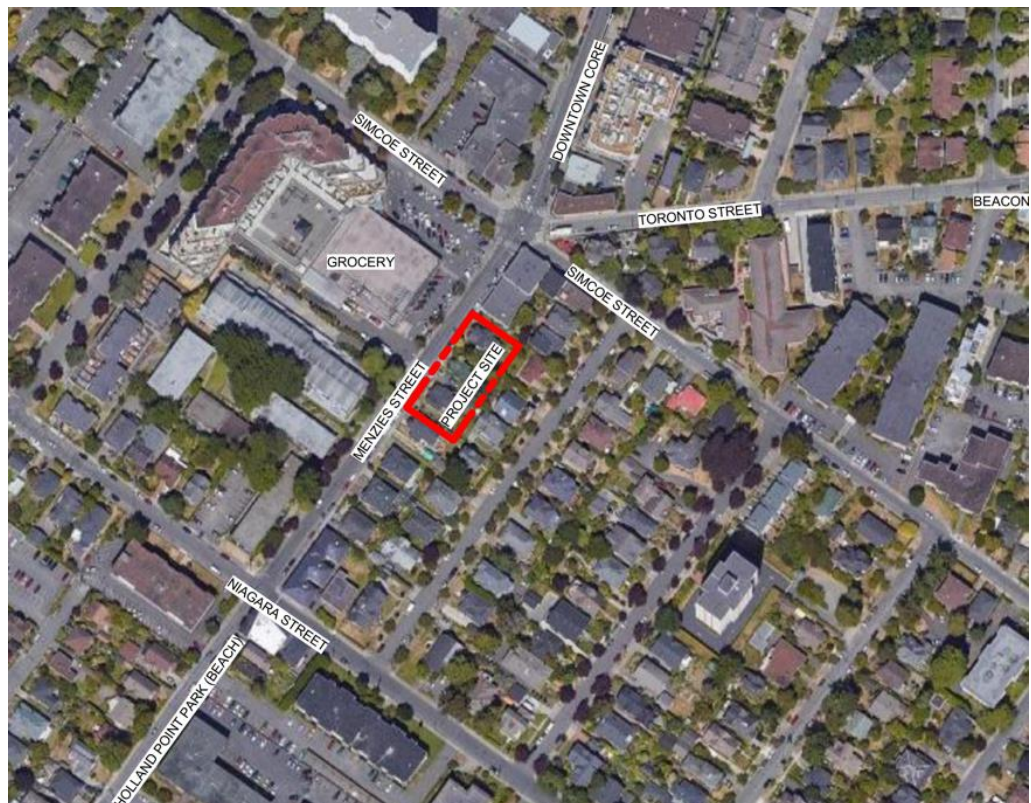
Site Context

The proposed development site is located on three residential lots at 131, 135 and 139 Menzies Street. The subject properties each contain single family homes which have been utilized as rental properties for at least the past two decades. The lands are immediately adjacent to the northern commercial corner which is referred to the “Five Corners” intersection of the Menzies Street Neighbourhood. These properties are within close walking distance to regional transit, a significant number of commercial retail amenities and services as well as the exemplary James Bay park network.

The three existing homes are slated to be removed for the purpose of this redevelopment. Mike Geric Construction is still exploring a range of opportunities for the salvage of these homes. Current discussed opportunities include:

- 1) finding a partner with available land elsewhere in the City of Victoria or region to relocate homes;
- 2) finding a partner with available land elsewhere along the West Coast where the homes can be relocated; and/or
- 3) Unbuilding the homes to a standard which preserves critical items that can be re-used for other home redevelopments within the region and preserves any items with any unique aesthetic qualities.

The eastern and southern property lines are shared with traditional neighbourhood residential buildings; some of which have self-identified and neighbourhood-supported historical significance. One objective of this application is to support the preservation of these homes by consolidating density in the least-disruptive form possible through the elimination of all significant underground earthworks while working to enhance the character of this historical and dynamic commercial centre.



Planning Context

The three lots included in this application are only 82-feet in depth and have required a careful approach to both site and room planning to ensure that ample setbacks are included in the development while also creating a thoughtful mix of high-quality interior and exterior living spaces for the future tenants of this building.

We are applying for a rezoning and Development Permit from the current R-1, Two Family Dwelling District to a Comprehensive Development zone which allows for a mixed-use apartment building with an average Floor Space Ratio of 2.52. As a subject of this application, we are prepared to place a covenant on title which will secure the entirety of the provided housing as rental in perpetuity.

Since receiving City of Victoria feedback in their May 29th, 2023 and following additional discussions with some immediate neighbours, we have revised the application to eliminate all parking on site.

Feedback from the City pertaining to the desire to have overall massing reduced, to reduce the impact of underground excavation to existing tree root zones and the direction to create a lower-impact development within such a walkable area helped inform this decision. Further, neighbourhood feedback pertaining to the amount of blasting required at adjacent developments provided context for our direction. The number of homes with heritage value and the potential impact to these homes from nearby, adjacent blasting on our site gave us pause and provided an opportunity to rethink the underground composition.

The change in Official Community Plan designation on these sites from Commercial Centre on the northern two lots to Traditional Residential on the southern lot. We have embraced this planning designation, through massing, architectural expression and built-form, to create a thoughtful transition from the historic Menzies Street Village Centre to the traditional residential neighbourhood.

Project Principles

The following three design principles informed our site planning and architectural redesign of this proposal. The initial submission was for a 46-home rental building with no commercial space on the ground floor and additional site coverage and significantly less setbacks. We have refined our building design to address feedback we heard from the City Planning staff as well as feedback from our neighbours and the broader neighbourhood association.

- 1. Diversity of Housing**

This strategic location presents an opportunity to create a diverse range of much-needed rental housing for seniors, local employees, students, and families. Our goal was to create a thoughtful mix of housing for people to thrive in James Bay no matter what stage of life they are at. We have included three ground-oriented family homes with back yards, a number of two-bedroom homes and a mix of studio and one-bedroom homes geared to individuals who want to call this neighbourhood home and live a low-impact, car free lifestyle.
- 2. Exceptional Public Realm**

This development works to enhance the Menzies Street Commercial Village through the creation of an attractive and active commercial frontage which works to meet the varying needs of current and future James Bay residents. Black awnings and a traditional brick façade, close proximity to the public boulevard, and neighbourhood bike parking will create an inviting and animated streetscape.
- 3. Neighbourhood Integration**

We have challenged our design team to re-envision this submission to create a development which enhances the neighbourhood from all perspectives. We have worked to include a generous rear yard setback which both protects significant on- and off-site trees while minimizing the impact to our residential neighbours. Our overall design provides a modern take on the historical elements of this unique and eclectic neighbourhood.
- 4. Reduce Our Impact**

The low-profile four-storey design and elimination of the underground parking area both reduces our immediate impact on neighbours through construction and excavation, but it also will ensure the life of this building will provide a lower-impact lifestyle for residents and commercial tenants alike.

Materiality and Building Form

This urban infill project proposes a four-storey apartment building, stepping down to three 3-storey roofline at the southern portion of the site. The main floor contains both walk-up dwellings and an animated, well glazed commercial space. The commercial space has flexibility for one larger Commercial Retail Unit or two small units depending on market demand at the time. All communal and residential bike storage is secure and provided at-grade.

Overall, the project is site-specific, tailored to its context and responds to the context of a property split into differing designations by the Official Community Plan.

The massing provides a built-form transition from the adjacent historical houseplexes, stepping up to three and four-storey mixed-use apartment building, as envisioned in the OCP and Downtown Area Design Guidelines. It also continues the neighbouring commercial storefronts and ground-oriented dwellings. This collectively animates the streetscape and reinforces CPTED principles of eyes-on-the-street.



The overall building itself is narrower than most in this typology, deliberately so to provide the maximum possible setback to the adjacent houses and existing trees. The underground parkade is similarly setback from the neighbours.

While the overall form of the apartment portion of the project is generally prescribed by formulaic construction convention and feasibility. This gives the design a cohesive and distinctive residential characteristic, making it an overall good fit for this dynamic neighbourhood.

Exterior finish materials meet the BC Building Code requirement for non-combustibility. They consist primarily of cementitious paneling with a brick-clad main floor fronting the street. The restrained colour palette derives largely from the surrounding context. Subtle accent strips are introduced, especially on the southernmost townhouse to animate the muted privacy wall.

Overall, this project will ensure adherence to the OCP and relevant Design Guidelines while respecting the adjacent traditional neighbourhood condition to the south and commercial village context to the north. Both qualitatively and quantitatively, it will be a responsible infill and a good neighbour.



Landscape

Menzies

The landscape design has changed significantly from the initial application to the one submitted today. The streetscape design is meant to draw people towards the residential and commercial entryways while minimizing breaks in the proposed boulevard. All frontage landscaping is meant to remain simple while complimenting and framing the James Bay Village corner store façade.



Changes in sidewalk finish textures will create a safe and welcoming and safe delineation for pedestrians who are passing by the frontage and for those utilizing the future neighbourhood business or accessing the residential lobby.

Planting boulevard trees along the property frontage within the dedicated Menzies streetscape will ensure ample soil volumes for a mature and generous urban tree canopy.

Side Yards

The side yards will provide clear and accessible pathway access to the rear of the property. This will be a critical passageway for residents living in their ground-oriented three-bedroom home to access their yards and entryways.

Rear Yard

The elimination of excavation for an underground parkade has ensured that ample landscape planting and tree retention is possible. Approximately 5.5m of rear yard setback has been established to ensure that significant neighbourhood trees are retained and that a rear yard landscape plan creates a lush and welcoming back yard for families who immediately access the rear yard and for all tenants to enjoy a relief from the Village Centre to the west.

In addition to tree retention and planting, a fence along the rear and side property lines will ensure adequate screening and buffering is provided for the single-family neighbours to the east and south.



Transportation and Connectivity

The subject properties are within a neighbourhood with an exceptional walkability and mobility score when it comes to proximity to local shops, parks, and amenities as well as connection to the regional public transit network. Menzies Street provides arterial access to Superior and Bellville Streets as key connections to the City's downtown commercial core, employment centres and further to the regions post-secondary institutions.

Removing the underground parkade, eliminating on-site parking and reducing entryway accesses across the property boulevard ensures that Menzies Street maintains a safe and accessible for pedestrians, commuters and future residents alike.

Upon review of the alternative transportation merits and general walk score of this location, it was an easy decision to transform this proposal into a 'car-free' design. The reduced construction impact to neighbours, the transportation demand management improvements and the overall improvements in design and massing all support this direction.

This development's immediate proximity to the Menzies 'Five Corners' Village Centre, the creation of a ground floor retail space, and its connectivity to cycling and regional transportation networks supports a car-free lifestyle for future residents. Our parking variance is also supported by several proven and meaningful Transportation Demand Management measures such as:

- purchasing a MODO car share membership for every resident within the building (vehicle already located at the Thrifty Foods parking lot);
- providing an ample, safe bike and e-bike storage infrastructure;
- providing and storing 3 e-bikes for tenant use; and
- providing each resident with a welcome package which outlines convenient car-free options.

Neighbourhood Consultation

Key Application Updates:

The previous submission for redevelopment of this project was met with some significant concern from immediate neighbours and from the James Bay Neighbourhood Association. The previous application had more residential units (46) proposed, no commercial space and a significant underground and building footprint. Following our CALUC meeting and initial project submission, our design team has carefully reviewed the neighbourhood feedback and has crafted an application which has significantly responded to neighbourhood concerns. This new application also better conforms to the residential infill design guidelines and best practices supported by the City of Victoria.

Here is a summary of our changes:

1	Concern: the proposed building would result in loss of neighbouring trees and create an imposing rear yard setback to the traditional residential neighbours.	Resubmission Response: The overall building width has been reduced by 3m. This has created a 5m rear yard setback from the back of building envelope to the rear fence line.
2	Concern: the parkade excavation would be within 2m of the rear property line and would have a significant impact on immediate residential neighbours.	Resubmission Response: Parkade has been eliminated. This means we can maintain nearly all rear trees and create a more significant landscape / buffer condition in the rear yards.
3	Concern: Four storey massing along the south property line does not adequately step down to match the existing neighbourhood condition to the south of this property.	Resubmission Response: We have created a tapered side yard condition and introduced a fourth-floor residential amenity roof deck. This better conforms with the current neighbourhood designation within the OCP for this lot and provides for a more vibrant streetscape.
4	Concern: Would like to see additional family-oriented homes provided in this neighbourhood.	Resubmission Response: We have created 4 ground-oriented 3-bedroom units. The intent is to have all with yard access to create a family-friendly design and atmosphere.
5	Concern: No creation of placemaking and vibrancy with this development.	Resubmission Response: We have provided a space for a commercial unit at grade, providing continuity between this property and the Five Corners intersection. From a design perspective, we have a brick façade and awning condition to create a vibrant and consistent street presence with the neighbourhood. This commercial condition is supported by the OCP.

6	Concern: Building height and neighbouring overlook. Especially raised by those neighbours to the west of this property.	Resubmission Response: We have lowered the overall building to a total of four storeys, reduced the first floor ceiling height by moving the PMT away from the second floor overhang, and raised building windows.
7	Concern: Neighbours did not like the rooftop amenity deck and were worried about the overlook / privacy issues this may create.	Resubmission Response: We have eliminated the rooftop amenity deck and replaced this on the fourth floor.
8	Concern: Impact of blasting and excavation for the underground parkade.	<p>Resubmission Response: We have eliminated the entire underground parkade area in response to neighbourhood feedback. This has enabled us to economically:</p> <ol style="list-style-type: none"> 1. Reduce building height by one-storey; 2. Reduce our excavation impacts to rear property trees; 3. Secure maintenance of neighbourhood trees to ensure there is improved screening between neighbours; and 4. Address overlook concerns.



Existing Tenants:

Each of the three existing homes are currently tenanted with long term tenants. Since our purchase of these properties in November of 2021, Mike Geric Construction has managed these properties and worked directly with each tenant on any of the operational matters that may come up from time to time due to their tenancy. Further, we have had ongoing direct tenant-specific conversations about re-housing residents in comparable, nearby spaces when the houses are removed for redevelopment. We will continue to communicate with our tenants as this application evolves and advances and will always strive to meet and exceed the standards set out in both the Provincial Tenancy Act as well as the City of Victoria’s Tenant Assistance Program.

Closing

We are proud of our resubmission of this mixed-use, purpose-built rental development at 131-139 Menzies Street. On behalf of our design and consultant team, it has been a pleasure to plan for an exciting redevelopment within this beautiful and unique neighbourhood. We maintain that this revised plan will enhance the Five Corners Menzies Village and provide a thoughtful mix of much-needed rental housing. We look forward to continuing our engagement with both the City of Victoria staff, the James Bay Neighbourhood Association and our valued neighbours. Mike Geric Construction intends to develop, tenant, and manage this property for years to come and we believe are positively contributing to what is already a vibrant, livable, and charming neighbourhood.

As always, we will continue to be available to meet with interested stakeholders and neighbours to discuss and demonstrate our commitment to build a great community.

Thank you for your consideration.

Sincerely,

Edward M. Geric
President and CEO
Mike Geric Construction Ltd.