

April 30, 2019

Mayor Lisa Helps & Council  
City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6

**Re: 415-435 Michigan Street Residential Infill  
Rezoning & Development Permit Application**

Dear Mayor Helps & Council:

On behalf of Starlight Investments, CitySpaces Consulting is pleased to submit this application for rezoning of, and a development permit for, the properties located at 415 and 435 Michigan Street.

**The Proposal**

This application proposes rezoning the property from its current *R3-H High Density Multiple Dwelling District* to a site-specific zone. This new zone will accommodate the addition of 24 ground-oriented infill rental housing units (12 one-bedroom units, 12 two-bedroom family townhouses) along Michigan Street between the two existing residential towers, adjacent to the swimming pool.

The project site is located in the James Bay neighbourhood, on the north side of Michigan Street, adjacent to Irving Park. The existing site comprises two purpose-built rental apartment towers that were constructed in 1962 – Regent Towers (13 storeys) and Charter House (14 storeys) – and are separated by a distance of about 65 metres.

This project is intended to:

- Increase the rental housing supply and choice for individuals and families;
- Enhance the public realm and the Michigan Street “curb appeal” of the site;
- Provide on-site amenities for new tenants, and improved amenities for existing tenants;
- Create a model stormwater management plan;
- Provide an architecturally pleasing infill development;
- Apply a suite of Transportation Demand Measures designed to encourage alternatives to private vehicle use; and
- Support the City’s affordable housing objectives.

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## Why is Rezoning Required?

The site is currently zoned *R3-H High Density Multiple Dwelling District*, which permits a floor space ratio (FSR) of 1.68:1, and the existing buildings on the site have an FSR of 1.44:1. The proposed ground-oriented units will add approximately 1,996 m<sup>2</sup> (21,486 sf) of additional floor space for a combined FSR of 1.65:1.

The current R3-H zone requires a minimum building height of 21 metres. The proposed new rental units will be approximately 12.5 metres high, therefore rezoning is required to reduce the minimum height provision in the Zoning Bylaw. No increase in density or change of use is requested.

## Requested Variance

The number of vehicle parking stalls required by the City's bylaw, based on a total of 219 residential units (195 existing and 24 new) units, is 243 stalls.

There are 138 parking stalls overall for the site. No significant additional parking is contemplated, although three additional spaces have been added after reconfiguring bicycle storage facilities (see below), for a total of 141 vehicle stalls. A traffic plan, prepared by Watt Consulting, concluded that there is a suitable amount of parking for the existing units and the proposed new units based on parking demand surveys (copy attached). Subsequently, a "peer review" of Watt's results was conducted by Bunt & Associates (copy attached). While the new report made a couple of notations about the original Watt report, the analysis indicated the initial report findings were sound, and concluded there would be sufficient parking to meet demand.

Additionally, a review of the parking requirements carried out by the applicant identified the following:

- The site is immediately adjacent to the James Bay Village Centre, and if the property were included as part of that Village Centre, the total number of parking stalls required by the bylaw would be 202; and
- The parking bylaw prescribes parking requirements by floor area rather than unit type. On the site, there are a number of existing units that are just one square metre larger than the cut-off point for a lower parking ratio. If those units were only one square metre smaller in floor area then the total parking requirement would be reduced to 193 stalls.

In total, 168 new Long Term bicycle stalls and 18 Short Term stalls are included in the plan. Thirty-four (34) new Long Term bicycle stalls will be located in a new building that will also provide space for an enclosed recycling centre to allow removal of large outside garbage bins. The remaining new Long Term stalls will be housed in a new purpose-built storage building on the site.

Starlight has made considerable efforts to identify other strategies to reduce dependence on the car, and to introduce measures that will encourage the use of alternative transportation modes. The fact that the site is within a five-minute walk of the Legislative Precinct, 10 minutes to Downtown, and less than five minutes to a "Village Centre" suggests that many working residents/tenants will find walking a very convenient means of travel to shop and to work.

In addition to the new bicycle storage buildings, to mitigate parking demand and encourage residents to use alternate forms of transportation, Starlight will implement the following TDM measures:



- i) Purchase of a Modo carshare vehicle to be located on-site in a convenient and designated parking stall (not included in vehicle stall total);
- ii) Purchase of Modo car memberships for the first 50 tenants who sign-up;
- iii) Initial pre-purchase of \$100 in Modo vehicle use credits as incentive for tenants to use the on-site vehicle;
- iv) Introduce a U-bike program specific to 415/435 Michigan that will be overseen by Devon Properties to ensure the bicycle company maintains proper controls; and
- v) Removal of the old carport structures, allowing for three additional parking stalls southeast of Regent Towers.

### **Alignment with the City's Land Use Policy**

This project is in alignment with the Official Community Plan (OCP) in which the site is designated as "urban residential", which supports:

- Attached and detached buildings up to three storeys;
- Low-rise and mid-rise multi-unit buildings up to approximately six storeys;
- Variable yard setbacks with primary doorways facing the street;
- Variable front yard landscaping, boulevard, and street tree planting;
- On-street parking and collective driveway access to rear yard or underground parking;
- Ground-oriented multi-unit residential;
- Total floor spaces ratios generally up to 1.2:1; and
- Increased density up to a total of approximately 2:1 may be considered in strategic locations for the advancement of plan objectives, such as within 200 metres of the James Bay "Large Urban Village".



The project also aligns with the OCP because of its:

- High quality architecture, landscape, and urban design features (sec 8.43);
- Provision of new infill and building additions that respond to context through sensitive and innovative design (sec 8.44); and
- Human scale building design, through consideration of form, proportion, pattern, detailing and texture, particularly at street level (sec 8.45).

This project supports the OCP's objectives for housing diversity by:

- Adding to the range of housing types (family-oriented and one-bedroom units), forms (ground-oriented), and tenures (rental) within the neighbourhood to meet the needs of residents at different life stages, and to facilitate aging in place (sec 13.9); and
- Providing ground-oriented, multi-unit residential housing to encourage a mix of residents, including households with children (sec 13.10).

In terms of encouraging active transportation, the site is ideally located within:

- A few minutes walk of the James Bay neighbourhood's main commercial centre;
- A ten-minute walk to Downtown;
- A few minutes walk to three carshare stations; and
- A few minutes walk to seven transit stops.

### **Consistency with the City's Housing Policy**

The proposed project is consistent with the City's land use and housing policies because it is:

- A ground-oriented infill housing development;
- A rental project;
- Targeting families by providing 50% of the proposed new housing units as two-bedroom units with rooftop patios;
- Not seeking an increase in density over the current zoning, and is consistent with the Urban Residential land use designation; and
- Located near employment, commercial, social, medical, and educational centres (the new GVPL branch is one block away, and the James Bay Community School is two blocks away).

Starlight is aware of the importance the City is placing on the provision of affordable housing in the community. To be a partner in the solution, Starlight is prepared to work with the City to assign two of the one-bedroom units (approximately 10% of the total new units proposed) for below market/affordable rents.



### **Site Attributes/Enhancements**

The project is located in an underutilized area between the two existing apartment towers, and on the north side of a centrally-located swimming pool, along Michigan Street. The location of the existing driveways will remain the same, flanking the new housing building.

In addition to providing new rental housing, by siting the project in this location, there is also opportunity to improve the existing site arrangement for current tower tenants. For example, the existing swimming pool becomes a more central feature with added privacy from the street. New storage buildings will provide 168 stalls of Long Term bicycle storage, and improve trash and recycling collection.

On-site vehicle circulation and safety will be improved through the addition of clear pedestrian links between the new and existing buildings, as well as improved lighting and visual connections, and the removal of the large retaining walls at the driveway entrances. These walls block views of oncoming pedestrians and the adjacent municipal streets, and were mentioned as an issue by existing tenants during one of the public open houses.

The placement of the proposed infill project on the site allows for street-oriented townhomes and flats along Michigan Street, which will enhance the public realm, increase the sense of neighbourhood, and provide much-needed rental housing options for families.

## Unit Types

The project comprises 12 two-storey, “walk-up” townhouse units stacked on top of 12 ground level one-bedroom apartment suites. Each ground level unit has a private outdoor garden space, and each two-bedroom townhouse unit has a private rooftop deck. The street facing townhouse units all have roof level terraces.

## Architectural Character

The project’s exterior design will provide a refreshing new streetscape for the Michigan Street frontage, and enhance the sense of neighbourhood. The massing for the project adopts a rowhouse approach in which each home has its own front door. Both the housing and storage buildings will be crafted in a West Coast, but modern style, using simple planes, flat roofs, generous overhangs, and contemporary glass railings. Materials will include both Hardie and natural wood, and glazing will be contemporary in its fenestration. Where visible to the street, soffits will be clad in natural wood materials with associated trim. Please see the plans and elevations attached to this application.

## Landscaping & Open Space

New landscaping will integrate the new buildings and site circulation with the existing apartment buildings, site features, and facility programme. A revitalized Michigan Street frontage will incorporate new tree plantings, and amenity plantings to provide an attractive public realm and integration with the existing neighbourhood. Landscaped areas will be planted with a diverse selection of tree and shrub species to soften the building edges, and to provide screening for the private outdoor spaces. Existing trees that need to be removed for construction will be replaced at a ratio of more than four to one.

A small, new centrally located gardening area will provide good solar exposure, and include raised planter beds, ornamental garden beds, a potting table, and garden shed. The ground level one-bedroom units will each have a private outdoor garden space. The two-bedroom townhouse units will have private rooftop decks, and those facing Michigan Street will all have roof level terraces. These private amenity spaces for each unit will be separated by architectural privacy screens and raised planters that include native and adapted non-invasive plants to support biodiversity, reduce pesticide use, and support water conservation. Where possible, existing trees will be maintained.



## Green Features & Energy Efficiency

The green features for the project can be divided into three categories: 1) stormwater management, 2) specific landscaping for the new development, and 3) high performance construction techniques.

### 1. Stormwater Management

Rainwater management has been incorporated into the landscape plans, and designed to manage run-off from both the new building and the westerly one-third of the existing surface parking area. The rainwater management features will comply with the City’s new Rainwater Rewards Program, and it is expected that the building owners will enjoy a reduction in stormwater utility fees as a result.

## 2. Specific Landscaping

The 12 two-bedroom units will each enjoy innovative individual rooftop amenity spaces, with raised garden plots on each deck.

## 3. High Performance Construction

The majority of materials used for construction will be environmentally friendly (e.g., non-toxic, wood, etc.). As well, to promote indoor air quality, low VOC or no VOC paints, adhesives, and sealants will be used. Several energy efficient components will also be included:

- High-performance windows, e.g., EnergyStar.
- Heat recovery ventilator (75% or better recovery).
- LED lighting throughout.
- Water efficient fixtures throughout.

## **Services & Utilities**

The site is fully serviced. No upgrades to sanitary sewer, stormwater, or domestic water lines are anticipated, nor is there a requirement for a sewer attenuation tank. A copy of preliminary servicing for the new development is included as part of this application.

## **Public Engagement**

Several meetings have been held related to this application, including:

- Starting in May 2017, several meetings have been held with the James Bay Neighbourhood Association (JBNA)'s Land Use Committee throughout the course of this application's development.
- An open house for the residents of the two existing towers on the site was held on August 28, 2017.
- A public open house for the neighbourhood was held on August 28, 2017.

All tenants were invited to the first open house, and some 600 invitations were distributed to neighbours for the second open house. In general, the response from neighbours was favourable. Existing tenants did raise some questions related to the timing for completion of work on the tower buildings, and the driveway views, which were addressed earlier in this letter. A summary of the comments received is attached to this application.

Since those early meetings, the applicant has met and worked with the JBNA's Land Use Committee many times to review and improve this rezoning application.

## **CALUC Meeting**

A CALUC Meeting was hosted by the James Bay Neighbourhood Association on February 14, 2018. Feedback from meeting participants was generally related to three main points:

1. Parking; issue with variance request for no additional parking.
2. Loss of green space.
3. Overall impact on Michigan Street.



## 1. Parking

As mentioned above, a parking variance is requested with this application. Both completed parking studies concluded that, “the existing site parking supply is expected to accommodate the proposed infill development with the potential spillover of two vehicles, which is not expected to negatively impact neighbourhood parking conditions”.

It is important to note that while an allocation of vehicles parked on Michigan Street was used to determine parking ratios, this does not mean that 25 stalls on the street are required to meet parking demand, as suggested in comments recorded during the CALUC presentation. The difference between the methodology to determine parking demand ratios, and actual parking needs can be easily misinterpreted. The assessment did not suggest that on-street parking spaces are in lieu of on-site parking.

## 2. Loss of Green Space

Residents were concerned that the site for this project will mean loss of green space in the community, and that the proposed development does not include enough green space/ landscaping. The attached landscape plan shows that new landscaping will:

- Integrate the new buildings and site circulation with the existing apartment buildings, site features, and facility programme. Pedestrian access to the existing Charter House building will be enhanced with a new sidewalk along the east driveway.
- Incorporate a rain garden as an integrated way to both landscape and manage stormwater on the site. The existing green space is a lawn, which provides little in the way of ecosystem services or landscape functionality. Lawns require significant inputs of water, fertilizer, and energy to maintain. The proposed landscape manages rainwater, provides more tree canopy, and enhanced biodiversity of the site, while reducing irrigation demand.
- Incorporate new tree plantings, and amenity plantings to provide an attractive public realm and integration with the existing neighbourhood.
- Replace existing trees that need to be removed for construction at a ratio of more than four to one, thereby enhancing tree canopy coverage of the site.



The ground level one-bedroom units also each have a private outdoor garden space. Each two-bedroom townhouse unit has a private rooftop deck, and those facing Michigan Street will all have roof level terraces. These private outdoor spaces will expand the interior living spaces for tenants, and also provide them with space to grow food and plants.

It is noted that the introduction of a new rain garden, the planting of more drought resistant vegetation, and the proposed tree replacement program shown on the attached landscape plan will, together, have a more positive impact on the local green space/environment than the existing grass-covered area.

## 3. Overall Impact on Michigan Street & Its Streetscape

Some neighbours expressed concern that the added “density” on the site would add to parking congestion on Michigan Street. Current zoning for the site already permits the additional rental housing units without a change in density. At the request of the James Bay Neighbourhood Association’s Development Review Committee, additional monitoring of parking demand was done on Michigan Street, and determined surplus on-street parking was available (see attached Watt Group report).

There are currently more than 500 residential units/residences fronting on to Michigan Street between Menzies and Oswego Streets. Given the existing density of this block, and the compact nature of the James Bay neighbourhood, it seems unlikely that the addition of 24 units (4% increase in units ) would have a substantial impact on the neighbourhood, or on traffic congestion on Michigan Street, particularly if these new residents take advantage of all available transportation options (walking, transit, car share, etc.). As mentioned above, a "peer review" of Watt's results was conducted by Bunt & Associates (copy attached). While the new report made a couple of notations about the original Watt report, the analysis indicated the initial report findings were sound, and concluded there would be sufficient parking to meet demand.

At the meeting, there were also concerns about future impacts on street parking by the new Capital City Park development and Downtown employees. Such impacts would be minimal to this block because of different peak demand periods.

### Conclusion

This application represents a special opportunity to enhance and make better use of an existing location in the community, while responding to the demand for family and affordable rental housing in Victoria. We look forward to presenting this proposal to Council and committees, and demonstrating its many positive features.

Should you require any further information, please do not hesitate to contact me directly at 250.383.0304 x 122 or at [dstrongitharm@cityspaces.ca](mailto:dstrongitharm@cityspaces.ca)

Sincerely,



Deane Strongitharm, MCIP, RPP



Attachs.

cc. Howard Paskowitz, Starlight Investments  
Rob Bateman, City of Victoria