

131 – 139 Menzies Street
Letter to Victoria Mayor and Council
May 8th, 2023

Rezoning and Development Permit Application

Mixed-Use Purpose-Built Rental Development in James Bay

Submission By:



May 8th, 2023

Attn: Marianne Alto, Mayor of Victoria
Cc: City of Victoria Council
Karen Hoese, 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 building will include a thoughtful mix of studio, one, two, and three bedroom homes as well as three, family-oriented townhomes and a 1,200 square foot commercial storefront.

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 animates 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 Lək̓wəjən 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

Building Height:

Apartment Height

139 and 135 Menzies: 18.1m

Townhouse Height

131 Menzies: 10.5m

Housing Breakdown:

Studios: 8 (18.6 %)
1 - Bed: 17 (39.5 %)
2 - Bed: 14 (32.6 %)
3 - Bed: 4 (9.3 %)

Total Homes: 43

Residential Tenure:

Purpose-Built Rental
(via covenant)

Parking Breakdown:

Residential:

Bike: 36
Vehicle: 16

Commercial / Visitor:

Bike: 6
Vehicle: 5

Disabled Vehicle: 1

Electric Parking:

Electric Charged Bike:

42 (100%)

Electric Charged Vehicle:

21 (100%)

Electric Bikes Provided to all

Tenants: 3

Lot Coverage:

610 m² (50%)

Setbacks:

Front Yard: 0m
Front Yard Dedication: 2.0m
North Side Yard: 2.0m
South Side Yard: 1.77m
Rear Yard: 6.659m

Building Efficiency:

Step Code: Level 3

Heat Source: 100% Electric
(no natural gas)

Floor Space Ratio:

Apartment: 2.96

Townhouse: 1.52

Combined: 2.52

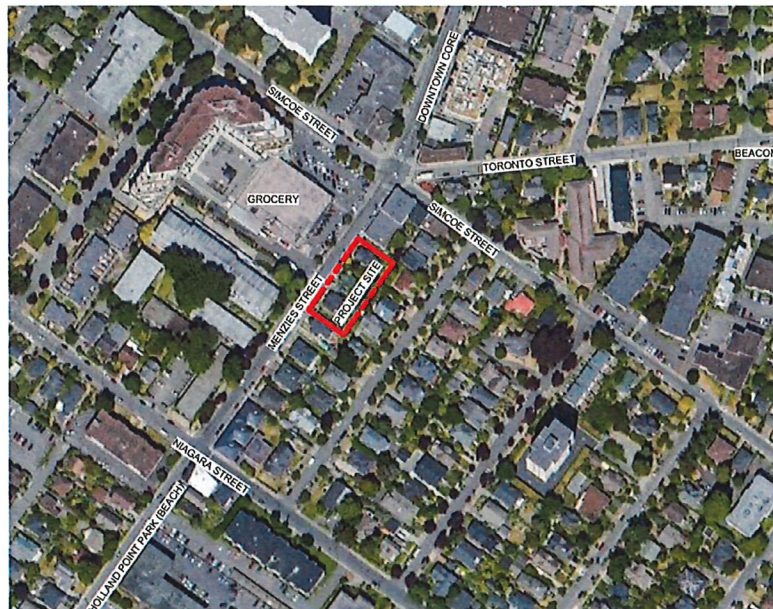
Site Context

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 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 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 underground parking and 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.

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 ground-oriented family townhomes, a significant 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 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, 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 neighbouring trees while minimizing the impact to our residential neighbours. Additionally, we have created a townhouse condition to compliment the traditional neighbourhood streetscape rhythm to the south. Finally, our overall design provides a modern take on the historical elements of this extremely unique and eclectic neighbourhood.

Materiality and Building Form

This urban infill project proposes a five-storey apartment building, stepping down to three 3-storey townhouses at the southerly portion of the site. The main floor contains commercial space. All parking is underground and includes extensive space for secure bicycle storage.

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

The massing provides a built-form transition from the adjacent duplex and multiplex homes, stepping up with townhouses to a mixed-use apartment building, as envisioned in the OCP. It also continues the neighbouring commercial storefronts and culminates in the front porches of the townhouses. 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, the design incorporates gable-roofed elements, similar to the townhouse roof forms, themselves reflecting the gable-roofed vernacular of surrounding houses. This gives the design a cohesive and distinctive residential characteristic, making it an overall good fit for the 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 while respecting the adjacent traditional neighbourhood condition and commercial village context. Both qualitatively and quantitatively, it will be a responsible infill and a good neighbour.



Rendering of the proposal looking south down Menzies St.

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 cycling infrastructure and commercial frontage to compliment the James Bay Village corner store façade on the southern properties. Changes in pavers and materiality will create a safe and welcoming delineation for pedestrians who are passing by the frontage and for those utilizing the future neighbourhood business or residential lobby space. Further south along Menzies Street, the addition of raised retaining walls and planters will create sheltered and livable patio spaces for the proposed townhouses.

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

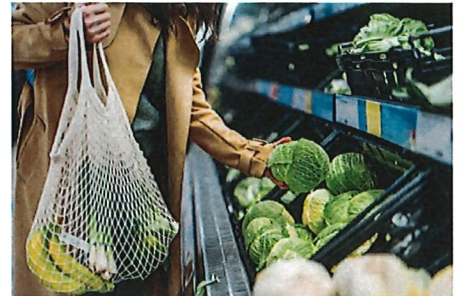
The side yards will provide clear and accessible pathway access to the rear of the property. This will be a critical passageway for commuters to safely access the parkade and their townhomes..

Back Yard

The location of the parkade underground servicing and building layout has been minimized to ensure that ample landscape planting and tree retention is possible.

Approximately 7m 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 commercial core, employment centres and post-secondary institutions. The proposed underground parkade access provides clear and visible site lines for residential and commercial drivers and cyclists looking for a safe access to and from the building.

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-lite or car-free lifestyle for future residents. Our parking variance is also supported by a number of proven and significant 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 more 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:

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| 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 7m 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 width has been reduced by 4m. This has created a 6m rear yard setback from the neighbouring properties. This means we can maintain 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 eliminated the apartment condition on the south lot and have instead created three storey townhomes. These townhomes will be the same relative height as the neighbouring properties to the South and to the West. It 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. |

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| 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 and raised rear building windows. The overall height of the building has been dropped to be sub-grade on the north portion of the property. Further, the rear windows have been raised to address overlook concerns from neighbours. |
| 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. This direction has been offset for tenant quality of life by adding modest patios to most of the proposed dwellings throughout the building. |

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,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke.

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