

**131, 135, 139 Menzies Street**

Mixed-Use Rental Housing Rezoning and Development Permit

Resubmission Letter to Mayor and Council



March, 2024

**Attn:** Mayor Alto  
Council

**Cc:** Karen Hoese, Director of Sustainable Planning and Community Development  
Robert Bateman, Senior Process Planner  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

**Re: REZ00823 and DPV00210 for 131, 135, and 139 Menzies Street Development Permit and Rezoning Application Resubmission**

Mayor Alto, Council and Victoria Planning,

On behalf of our team at Mike Geric Construction and the project team, it is a pleasure to present this resubmission. The application before you is a purpose-built, mixed-use rental apartment with 44 homes over a modest four storey building. This proposal has worked carefully to weave together City of Victoria Design Guideline policy, sound smart growth planning principles and the voices and concerns of the neighbours to establish a thoughtful, compact and ecologically conscious development. This application focuses on the following objectives:

1. **Purpose Built Rental Homes:** Provide a range of studio, one-, two- and three-bedroom purpose-built family homes in this extremely desirable and livable James Bay Village.
2. **Reduce Our Impact:** Through building a car-free, minimal-footprint development which is designed to reduce construction and post-development disruption on our neighbouring properties through greater setbacks and the elimination of an underground parkade.
3. **Create an Exceptional Public Realm:** Enhance the 'five corners' intersection with a modest, tasteful and vibrant commercial street frontage.

This document contains a summary of our application and we look forward to the opportunity to present this to you and to work with the City to deliver a much-needed new housing and commercial option within the beautiful James Bay Village.

Sincerely,

Edward M. Geric  
President and CEO



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

## Project Data Snapshot

### Lot Area

1,243m<sup>2</sup>

### Existing Zoning

R2 – Single Family Residential

### Proposed Zoning

Comprehensive Development  
(CD) Apartment Zone

### Official Community Plan Designation:

139 and 135 Menzies:  
Commercial Centre

131 Menzies:  
Traditional Residential

### Lot Coverage:

63 %

### Floor Space Ratio:

1.99 : 1

### Building Height:

#### Apartment Height

139 and 135 Menzies: 14.1 m

#### Number of Floors: 4

### Housing Breakdown:

Studios: 19

1 - Bed: 15

2 - Bed: 5

3 - Bed: 4

#### Total Homes: 44

### Residential Tenure:

Purpose-Built Rental  
(via covenant)

### Setbacks:

Front Yard: 0.00 m

North Side Yard: 3.35 m

South Side Yard: 3.30 m

Rear Yard: 5.36 m

### Parking Breakdown:

#### Accessible Vehicle: 1

#### Car Share Stall: 1

#### Total Bikes Provided: 85

### Electric Parking:

#### Electric Charged Bike: 31

#### Electric Bike Share: 2

#### Electric Cargo Bike Share: 1

### Building Efficiency:

#### Step Code: Level 3

Heat Source: 100% Electric  
(no natural gas)

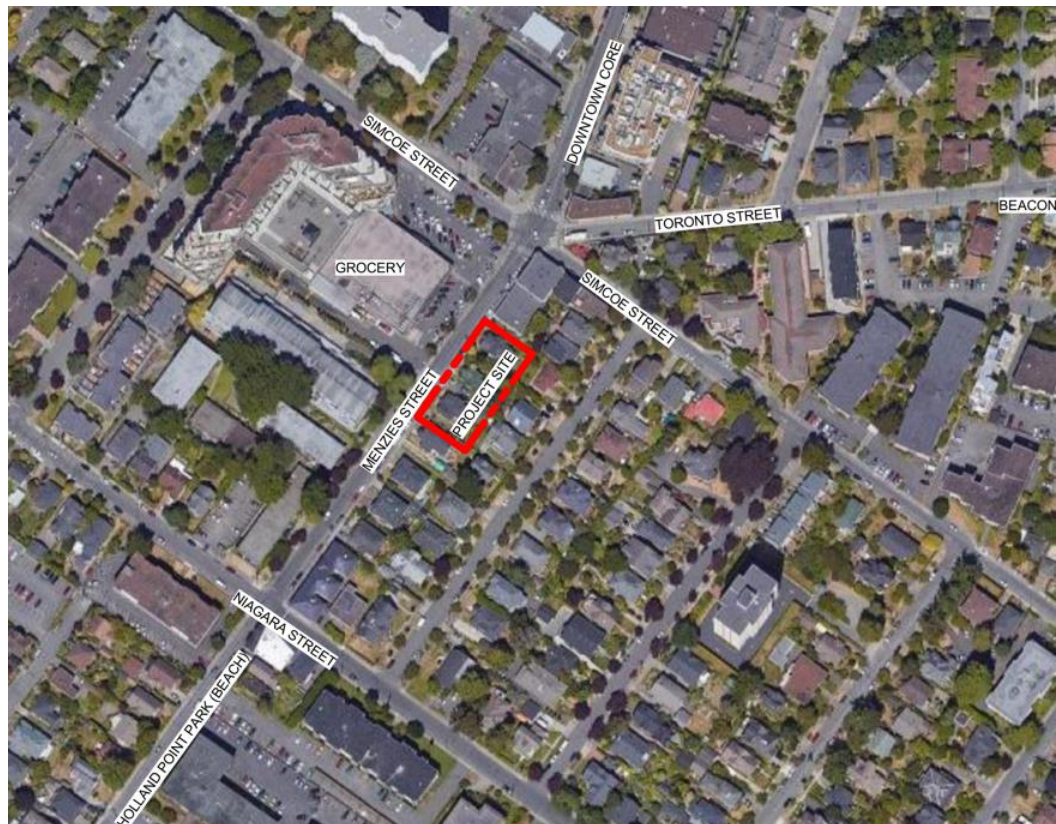
## Context

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 no underground parking or garage and an average Floor Space Ratio of 1.99 : 1. 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 and civil earthworks 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 approach.



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 Objectives

The following project objectives informed our site planning and the 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. Purpose Built Rental Homes

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 four ground-oriented family homes with back yards on the ground level, 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. 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.

### 3. An Exceptional Public Realm

This development works to enhance the Menzies Street Commercial Village through the creation of an attractive and active “sticky” 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, tree lined, and animated streetscape.

## Materiality and Building Form

This urban infill project proposes a four-storey apartment building, stepping down to three 3-storey roofline at the southerly portion of the site. The main floor contains commercial space. All communal and residential bike storage is secure and provided at-grade.

Overall, the project is site-specifically tailored to its context and responds to the challenge of a property which is 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 to three and then a four-storey mixed-use apartment building, as envisioned in the OCP. 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 proposed 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's portion of the project are generally prescribed by formulaic construction convention and feasibility. This gives the design a cohesive and iconic as well as a distinctive residential characteristic, making it a complimentary 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.



This project is designed to meet and exceed the conditions set out for design and scale in 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.

## Landscape and Tree Planning

### **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.

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.



### **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 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.



*Rendering of protected neighbouring and on-site trees from Medana Street.*



## Transportation, Connectivity and Parking

The development site is located within a neighbourhood with an exceptional walkability and mobility score. The building is close to local shops, parks, and amenities as well as connection to the local and regional cycling lanes and 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 regional post-secondary institutions.

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.

### Existing Conditions Which Support a Car-Lite and Car Free Application

In consultation with WATT Consulting Group, our transportation engineers, the following terms were established as critical reasons for considering a car-free program:

- Less than 800m (10 min walk) to amenities such a groceries, pharmacy, liquor stores, coffee shops, restaurants, medical/dental offices.
- Less than 800m to frequent transit.
- Connective bicycle and pedestrian network.
- Availability of existing carshare vehicles (distance & number of vehicles).
- Near higher employment density.



### Our Commitments to Support a Low Impact Lifestyle

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 a number of proven and significant Transportation Demand Management measures such as:

- Carshare memberships and usage credits for all residential units.
- Info packages provided to all tenants.
- Provide an electric carshare vehicle parked on-site with charger.
- Increase long term bicycle parking by 20%.
- Provide 15% of long-term bicycle parking for cargo/overside bicycles.
- 50% of bicycle stalls will have access to an electrical outlet.
- Provide a bicycle maintenance station.
- Provide a bicycle share program for tenants:
  - 1 - cargo share e-bike
  - 2 - share e-bikes
- Provide 2 yearly Transit passes for a 5-year term for the commercial unit.
- Upgrade adjacent bus stop to include a shelter and improved accessibility and (if possible) a bicycle rack, waste receptacles, and lighting.

Upon iterative discussions with the City's transportation and engineering departments, we have included an accessible van parking stall and a visitor / future car share parking stall. Including these stalls ensures success to all potential tenants and commercial users of this building and ensures that we offer the most broad-based transportation solutions within this car-lite and car-free building. In designing the two on-site parking stalls, access, egress, and providing clear and visible site lines for pedestrians and cyclists was a priority.

## Neighbourhood Consultation

The previous submission for redevelopment of this project was met with some significant concern from immediate neighbours and from the James Bay Neighbourhood Association.

### Original Application:

The original (2022) 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 carefully reviewed the neighbourhood feedback and has crafted an application which has significantly responded to neighbourhood concerns.

### Second Application:

Our second (2023) application included a five-storey mixed use building with one level of underground parking. We nearly doubled the rear yard setbacks of the building and saved a significant number of on-site trees; however, concerns of overlook and massing were still significant from both City of Victoria staff and the neighbours.

### Current Application:

Upon receipt of feedback from neighbours that the blasting occurring at neighbouring developments was significant and through the immediate neighbour's reiteration that a height reduction would be preferred: the current application was developed. The application before you today works to bridge the City's long-term transportation objectives, better conforms to the Official Community Plan land use designation(s) and design guidelines and best addresses the concerns shared by our immediate neighbours to date.

### Summary of Responses:

- |   |   |   |
|---|---|---|
| 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: The parkade has been eliminated and the extent of rear yard excavation will fall along the proposed ground level property line.  |
| 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 step down the building on the south lot to a three-storey height. This creates a private, screened tenant amenity deck and brings the building down to a comparable height to the neighbouring single family homes and houseplexes. |
| 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 on the first floor. The intent is to have all with yard access to create a family-friendly design and atmosphere.  |

5	Concern: Lack 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 east of this property.	Resubmission Response: Lowered the overall building, raised the eastern and southern windows and added additional screening to the east.
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. The amenity deck has been pulled back from the building edges to improve tenant safety and reduce overlook, further a wooden screen has been added to the eastern wall of the deck.
8	Concern: Impact of blasting and excavation for the underground parkade.	Resubmission Response: We have eliminated the entire underground parkade area as a response to neighbourhood feedback. This has enabled us to feasibly: <ul style="list-style-type: none"> <li>1. Reduce building height by one-storey;</li> <li>2. Reduce our excavation impacts to rear property trees;</li> <li>3. Secure maintenance of neighbourhood trees to ensure there is improved screening between neighbours;</li> <li>4. Address overlook concerns; and</li> <li>5. Provide market rental housing at a more competitive price point without paying for expensive underground works.</li> </ul>

### Current 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. We have had ongoing direct, ongoing and tenant-specific conversations about re-housing residents in comparable, nearby spaces when these homes are eventually 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.