

September 26, 2024 (revised letter March 8, 2024)

City of Victoria
Building and Planning Department 1 Centennial Square
Victoria, B.C. V8W 1P6

ATTN Mayor and Council

RE: Rezoning Application 1132 and 1134 Empress Avenue

Dear Mayor Alto and Members of Council,

This letter outlines the core content of our application to rezone the property located on 1132 Empress Avenue, how the proposed development aligns with current policies, and how it intends to contribute to the neighbourhood of Fernwood. We request to amend the property's current R-2 zoning to a new, site specific, R-(TBD) zoning and a parking variance for cars and long-term bikes. The proposed rezoning and variance would allow the development of a 3-unit market rental apartment building with frontage on Bay Street while retaining an existing 2 family residence facing Empress Avenue.

RECENT HISTORY AND NEIGHBOURHOOD CONTEXT

The property is located close to the corner of Bay Street and Cook and maintains frontage on Empress Avenue and Bay Street as originally laid out in the 1910 subdivision plan of blocks 4 and 5 of the Finlayson Estate. Many of the properties on the block have, over the years, subdivided into small lots facing either Bay St. or Empress Ave. or have consolidated into larger lots to build mid-sized apartment buildings.

Constructed on the property in 1912, the existing residence shown below on the left identifies with the "California Craftsman Style Bungalow" that was prevalent in North America from 1905-1920 though its roofs have a higher pitch than typical. The existing residence currently functions as a two-family rental home. As a condition to be met prior to approval, we retained a building conservation specialist to write a statement of significance and have applied for heritage registry as a condition to met prior to approval. The neighbourhood is generally a mix of similar bungalow style homes, one/two family homes, 3-4 story apartment buildings that appear to have been constructed in 1950s-1980s.



DEVELOPMENT SUMMARY

The proposed development includes three, 2-bedroom rental units. This looks to complement the proposed long-term vision of the Official Community Plan & Fernwood Neighbourhood Plan. It also aligns with the desired measurable outcomes regarding housing choice (2-bedroom units) and increasing the city's rental housing inventory (3 new rental homes) stated in Victoria Housing Strategy Phase Two: 2019–2022. Looking to the future of Bay Street and working with City staff, this project accommodates a 3.38m SRW and 3.05m setback from this SRW as a condition of rezoning. In further meetings with staff, the issue of adaptability was discussed, however, the requested SRW and setback reduced the building footprint to such a degree that there was no room to accommodate adaptable, 2-bedroom units.

A permeable, "turf stone", driveway links Empress Ave. with three parking stalls located between the existing two-family rental home and the proposed three-unit building. A deck shelters the parking area, screens the cars from view, connects the two buildings, and functions as a common social area. A moveable, shared table and planters will be provided in this space for common use and further screening and privacy from neighbours. Its elevation above grade allows for improved solar access as opposed to being at grade. Responding to neighbour's input on the project, we have included a planted wooden screen to provide reasonable privacy and designed to minimize shading of the adjacent lots and gardens. Working with the Parks Division, the principal landscape features include six replacement trees, two boulevard trees on Bay St. and an emphasis on native, drought-resistant planting.

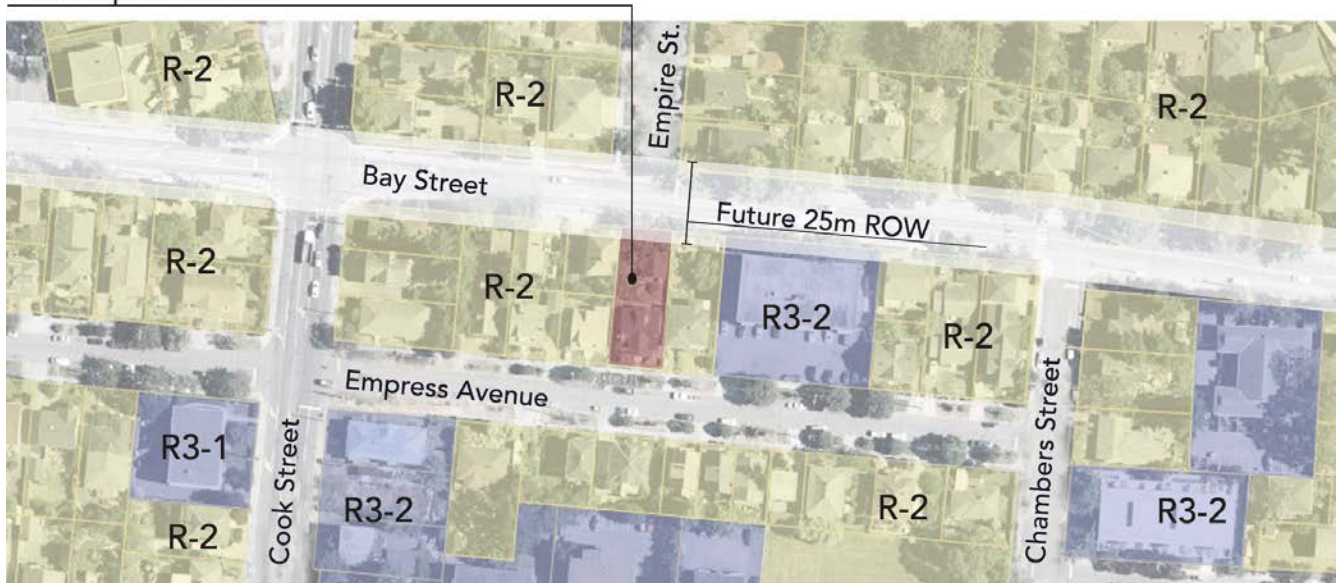
The design looks to balance the clear expression of the three separate entries to the individual units while maintaining the look and feel compatible with nearby one- and two-family homes. In particular, it looks to the roof forms, structural details, and garden trellises of the craftsman homes in the neighbourhood and, aligning with the strategic directions for Bay St. laid out in the OCP and Multi-unit Residential Design Guidelines (2012), utilizes a more modern urban housing typology that frames and energizes the streetscape. Neighbours have shown support for this approach in several meetings. Limitations of lot width led to the current layout of one ground floor unit and two, nearly symmetrical, 2-story units above. The flanking stairs from the ground level to the units above are two-story in height and serve as a transition from the three-story shape where the building faces neighbouring properties. A wood trellis and raised porches covered in vines and simple landscaping utilizing drought resistant, local, plants and creates a transition zone between the sidewalk and the unit entries. The shape of the roof presents a flat edge facing the street similar to nearby roofs and, like many craftsman homes, mitigates the building height by allowing the roof to engage with the story below it.



ZONING CONTEXT

As shown on the diagram below, the nearby properties are zoned R-2 (two family homes) and R3-1/R3-2 (multiple dwellings) that currently host 3 and 4 story apartment buildings (permitted up to 6 stories). We use these zones to provide a model for us to work from. This model is informed by our goal of making a three-unit building that fits the current neighbourhood, the future 25m ROW on Bay Street, neighbours' feedback, and the nature of the lot itself.

1132 Empress Avenue



Zone	Density	Max Stories	Max Height	Site Coverage	Open Site Space
Current Zone R-2 (Two Family)	FSR 0.5:1	2	7.6m	40%max	30% (33% rear yard)
R3-1/R3-2 (Multiple Dwelling)	FSR up to 1.6:1	6	18.5 or 22m	up to 30%	30% min
Schedule P – Missing Middle	FSR 0.5:1, 1.1:1	n/a	7.6m	50%max	30% min
Proposed Site Specific Zone	FSR 0.77¹	3²	8.95m³	47.9%⁴	36.0%

Notes/Rationale: ¹ Incremental density R-2

² Other nearby site specific zones allowing 3 story multiple dwellings such as R-94 on the corner of Queens and Cook adopted in 2019

³ To reflect neighbours' concerns about height in relationship to existing houses. The north side of the existing house and north side of two neighbouring 2 story houses have raised basements that present a 2 1/2 to nearly 3 story building face.

SETBACKS

<u>Zone</u>	<u>Front Yard Setback</u>	<u>Side Yard Setback</u>	<u>Rear Yard Setback</u>
Current Zone R-2	7.5m or	Combined 4.52m	10.7m or
Max 0.75 Eave projection into all setbacks	avg. of abutting lots Projections: Steps and Porch 3.5m Bay window 0.6m	1.5m or 10% lot width 10% of lot width= 1.52m 3.0m one side yard when no rear lane	10% of lot depth
Proposed Site-Specific Zone	No change ¹	Combined 4.52m ²	4.0m/3.05m ⁴
Max 0.75 Eave projection into front and side setbacks		2.26m west side yard ³ 2.26m east side yard ³	Max 1.0 Eave

Notes/Rationale: ¹ No change as the "front yard" is facing Empress Ave and is relevant to the existing residence

² This applies to the proposed building in order to stay in character with the general building spacing of R-2 zoning

³ The proposed building is centred in the lot. This reflects the neighbour to the west's specific request to increase the space between their house and the proposed. General bike/walking circulation is on east side which, currently, is more open to the sun. Like a "rear lane", car access will be from Empress making the 3m one side yard minimum unnecessary.

⁴ The proposed "rear" setback is, effectively, now the "front" setback for the proposed development facing Bay Street. It is set further back from the property line than the adjacent house to the west to accommodate a future secondary arterial 25m SRW on Bay as illustrated in the Official Community Plan and the Fernwood Neighbourhood Plan. The increase in setback gives more room to the existing boulevard tree root zone. An additional setback of 4.0m at ground level from the SRW line has been accommodated, as requested by staff, to align with policy developed after the start of the application process. The upper floors overhang the ground floor for a setback of 3.05m from the SRW to provide space for two-bedroom apartments.

MOBILITY CONTEXT

The area is well served by local, arterial, and secondary arterial road networks. Unrestricted on-street parking is available all along both sides of Empress Ave., Empire St. and nearby local streets within a 5-minute walk.

Convenient access to public transit is provided by a bus stop, located on Bay St. adjacent to the property, for the number 10 line that runs through James Bay, Downtown, Esquimalt, and to the Royal Jubilee Hospital. As shown in the OCP, this access will only expand as BC transit's 25-year plan shows Bay Street becoming a frequent transit street.

The property is served on Bay St. by a painted bike lane that connects to Victoria's Biking network. According to the OCP and in listening to plans regarding intersection safety on Bay St at a Fernwood neighbourhood meeting, the property's access to the biking network will only grow in convenience and safety in time.

The property is within a five-minute walk of Central Park, Royal Athletic Park, Blackwood Green, Queens Avenue Playlot, and George Jay Elementary School. In a reasonable ten-minute walk one can access Northpark Village, Fernwood Village, Fernwood Community Center and Victoria High School.

CAR and BICYCLE PARKING

	Required	Provided	Notes
Off street Car Parking Spaces	3.85	3	Provide and secure 5 MODO car share memberships
Per schedule C for rental in perpetuity apartments (5 units x 1.3)+ (5units x 0.1) =7			
Long Term bicycle racks	10	6	
Short Term bicycle racks	6	6	
Accessible Parking Space	1	0	

Bicycle storage is located on the ground level of the proposed development for ease of day-to-day use and direct access to Empress Ave. and Bay St. ensuring that bicycle mobility is convenient. As part of our parking variance, we request a relaxation of the required 0.45m distance from wall to centerline of bike rack to 0.42m to allow us to accommodate the long-term bike parking in an existing space. To mitigate the effects of this reduction, the aisle width has been increased from the required 1.5m to 2.0m.

Transit access, as mentioned above, is also quite convenient. To further facilitate tenant transit needs, we will provide 5 MODO car memberships in lieu of residential parking (the usage credit comes with the membership).

The proposed driveway and drive aisle has been discussed in multiple meetings with neighbours. That space is currently used as a shared walking path and the use of 'grass pave' is intended to maintain that look and feel while providing a permeable driveway surface. As requested by neighbours, thin concrete spacers act to reduce

the speed of cars entering the parking area and will help stabilize the surface. A fence along the driveway or in the back yard is not desired by the neighbours as it will interfere with the usability of the space. Most of the existing trees along the property boundary will be retained to help screen the parking area.

GREEN BUILDING FEATURES

Modern “passive design” inspired construction details that emphasize minimizing thermal bridging, continuous insulation, and solar orientation are integral to the shape of the roof and walls. As this is a market rental building with the north side facing Bay St., some of those principals had to give way for reasons of economy or aesthetics. For example, all north facing windows were not minimized or eliminated as passive design suggests because a windowless Bay St. building face would not be a desired outcome. The following is a list of green building initiatives used in the project:

- Meeting Step 4 of the BC Energy Step Code.
- Use of exterior durable materials designed to last the lifespan of the building and be readily maintained but still are in character with the existing neighbourhood.
- Low-VOC paint in all interior areas.
- Permeable ‘grass pave’ driveway surfacing.
- Heat pump as primary heating system.
- 100% electric infrastructure thus eliminating sources of combustion.
- Rough-in electrical conduit to roof for future solar panels.
- Electric vehicle rough-in wiring for each parking space.
- Use of LED lighting throughout the project.
- Low flow plumbing fixtures used throughout all units.

Secure bike storage on the ground floor with electrical outlet for electric bike charging encourage a car-lite lifestyle.

- Landscaping utilizes native, drought resistant plants.

CONTRIBUTION TO THE CITY AND NEIGHBOURHOOD

I moved to Victoria/Fernwood in 2015 with the intention of applying my background in homebuilding, environmental design, LEED Consulting, and my experience working on a variety of building projects in North and South America. I soon founded Frontera Homes, a custom homebuilding company, to combine my love for the outdoors and traveling, as well as my passion for building. The name Frontera itself brings both of these worlds together, representing a street I lived on in Latin America and my motivation to be at the forefront of building with a focus on the environment. Over the past five years, we have been involved in a number of architecturally driven, sustainably inspired projects in Victoria including a step 4 (very nearly step 5/net zero) front/back duplex at 2639 Cedar Hill Rd. and one of the first "Net Zero" renovations in British Columbia located at 2654 Fernwood Rd. I am currently enrolled in the Canadian Passive House Building Certification program.

A close family friend, Robert Murdoch, and I purchased 1132 Empress in 2018 and until only recently I resided there. We completely restored the existing craftsman bungalow on site, redesigning the interior space, upgrading its insulation and heating system, replacing old electrical and wiring, salvaging old materials and refurbishing others. I believe we succeeded in bringing life back to a beautiful, character home that was in need of a facelift. We intend to apply similar care inspired by principles learned on other projects to the proposed building on Bay St.

During my 5 years living at 1132 Empress, I have gotten to know the neighbours and surrounding community well. Before moving forward with a design for this project, I had several formal and informal meetings with our neighbours to better understand how they might be impacted by the project and how to mitigate some of these impacts. As such, we hired the architect Bruce Greenway (Greenway Studio) to create a landscape-driven design that could maintain the feeling of and shared access to the linked backyard while not intruding into our neighbour's privacy.

Our proposal intends to align with the strategic directions regarding livability and sustainability that our city aspires to while respecting the existing scale and character of the neighbourhood in the present day. Adding incremental density at this scale is achievable by small developers like ourselves and can help fill in the "missing middle" in small scale, multi-family rental housing. The published feedback on current planning initiatives regarding the Fernwood corridor shows there is public support for projects like this on our site and beyond.

Sincerely,

A handwritten signature in black ink, appearing to read 'Taylor M'Carthy', with a long, sweeping horizontal stroke above the main signature.

Taylor M'Carthy