

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

March 24, 2025

RE: Zoning Regulation Bylaw. Amendment Bylaw (No. 1358). No. 25-018

Dear Mayor Alto and Councillors,

I am writing in reference to the proposed Zoning Regulation Bylaw Amendment associated with the proposed development on 131-139 Menzies street the Council is to consider on Thursday, April 3, 2025.

I strongly object to the development as proposed by the proponents of the project, and the proposed Zoning Regulation Bylaw Amendment.

The proposed development is simply **inappropriate**, being **too LARGE** and too tall, for the proposed site.

Please note that the proposed site comprises three small, very shallow (only 82' deep) lots zoned as R-2.

The chosen site is totally inappropriate for the size and height of the proposed development.

As a result, the proponents ask for significant variances

(1) Setback variances

- a. The proponents request 0m as front setback while all zones require a front setback of between 3 m and 10.5 m.
- b. The proponents request 5.36 m while the current R-2 requires 10.7 m and a 4 storey residential building (R3-AM-1/-2 (Mid-rise multiple dwelling) requires 7 m.

(2) Parking variance

- a. The proponents request 1 accessible and 1 parking spaces while Schedule C requires 20 spaces (including 1 accessible van space). This is contrary to most of recent developments. Note that ALL the CRHC proposed affordable rental developments (Michigan Square, Caledonia, Pandora, Village on the Green, Campus View) include the appropriate number of off-street parking (<https://www.crd.bc.ca/crhc/current-developments>).

(3) Site Coverage variance

- a. The proponents request a site coverage of 63% while the existing R-2 zoning requires a maximum of 40% coverage and a R3-AM-1/-2 (Mid-rise multiple dwelling) requires a maximum of 30%

(4) Density variance

- a. The proponents request a significant increase in the FSR, proposing a combined FSR of 2.02:1. The proposed FSR far exceeds the FSR of 0.5:1 of the current zoning (R-2).



- b. Further, the proponents, stay silent to the fact that one third of the land (131 Menzies) is designated as residential and NOT as large urban village.

(5) Transition to neighboring structures

- a. Due to the inappropriateness of the chosen site, the proposed development does not provide any transition to the neighboring structures to the north (single-storey structures) to the east (two-storey single-family houses) and to the west (rising abruptly to four storeys with no setback to the narrowed Menzies street).

No **privacy** is afforded to the neighbors to the west.

The City of Victoria Design Guidelines for Multi-Unit Residential, Commercial and Industrial state that

- “1.6 Multi-unit residential development that directly abuts any residential building that is lower and smaller in scale, including, but not limited to, single-family dwellings, should:
 - 1.6.1 **Provide a transition** in its form and massing to lower-density building forms.
 - 1.6.2 Be designed to address **privacy**, particularly for portions of the development abutting the side yards of adjacent single-family dwellings”.

(6) Inappropriate mix of unit sizes .

- a. The proposed development comprises mostly of smaller units. 34 studio or one-bedroom units, 5 two-bedroom units and 4 3-bedroom units. All are on the smaller size with studios being less than 27 m² and the maximum size of the 3-bedroom units being 72 m².
- b. The most recent report on the progress of the city of Victoria meeting the provincial housing, states that the city has exceeded its first-year target of 659 new homes by 120% (1477 units). However, the city has fallen short on affordable and family-size housing units (“Victoria exceeds first-year housing target, falls short on affordability” Times Colonist November 15, 2024).

The proposed development contributes disproportionately to the not needed small, non-family-size, non-affordable housing rather than addressing the urgent needs of affordability and family housing.

(7) Inappropriate choice of exterior material and color

- a. The proposed brown color and material of the cladding, have no relation to the color palette and material used in the neighborhood.

Although the proposed new 10-year OCP update has not been finalized nor adopted yet, it is proposing very similar requirements to the existing ones, envisioning an urban environment that is human-scale, livable and non-intrusive.

To quote from Attachment C (Zoning Modernization).

- A. Zoning modernization will move Victoria toward a single zoning bylaw for the entire city that:
- Reduces the need for rezoning applications and site-specific zones.

B.

Building Form	Location	Density	Height*
Residential Infill (four storeys or fewer)	All Affected Properties in Residential Fabric	1.6:1 FSR	14 metres

The proponents request an FSR of 2.02:1 far exceeding the envisioned 1.6:1 FSR

- C. Setback parameters are generally envisioned to support the perimeter block concept in Victoria 2050 and enable an urban form that promotes engagement with the public realm while balancing the need for private and semi-private spaces. This form is supported by:
- Front yard setbacks of approximately 4.0 m for most conditions.
 - Side yard setbacks of between 1.5 and 3.0 m depending on built form, height and site conditions.
 - Rear yard setbacks of 8.0 metres or more depending on built form, height and site conditions (5.0 metres for Heritage Conserving Infill)

The proposed development violates the envisioned setbacks by large margins as discussed earlier

- D. To help ensure the liveability of new residential units and in accordance with Council direction from January 23rd, 2025, a general regulation would establish:
- A minimum unit size of 33m² for multi-unit residential housing forms.

The proposed development includes 19 studios; 15 have a size that is 29.9 m², 3 are 27.6 m² and one is 30.7 m². All are below the envisioned minimum size of 33 m²

- E. To help meet the OCP Goal Posts for family housing, and in alignment with the Council adopted policy and direction from June 27th, 2024, general regulations would require:
- All new multi-unit residential developments of four or more storeys to have a minimum of 30 per cent of dwelling units contain two or more bedrooms, with a minimum of 10 per cent of units containing three or more bedrooms

The proposed development includes only 10 units that have two bedrooms or more as opposed to the anticipated requirement of 13 such units (0.3 x 44 = 13.2).

From Attachment G, Rezoning and Development Policy

F. 2.1.6 Commercial Space Requirements and Guidance

Developments within 36 m of commercial main streets should include a minimum density of commercial, artisan, cultural or community-serving space on the ground

floor to support a vibrant village and a diversity of shops and services to serve current and future populations. For different villages, the desired commercial space is:

- Within Community Villages, at least 0.4:1 Floor Space Ratio to accommodate a diversity of commercial unit sizes and business types that can provide goods, services and social opportunities for daily living

The proposed development includes 99.5m² of commercial space. This corresponds to 0.08:1 FSR far inferior to the anticipated 0.4:1 FSR as stated in section 2.1.6 of Attachment G.

It is abundantly clear that the proposed development violates current and envisioned site requirements. It is simply **too LARGE** for the site. The unsuitability of the site for such a development, has resulted to yet another site-specific rezoning request; contrary to the stated goal of the new OCP to reduce the need for rezoning applications and site-specific zones.

Should this development proceed, it would for ever alter the character of the historical James Bay village and the Five Corners.

Given the above, one wonders what the redeeming features of the proposed development are, apart from enriching the proponents. One also wonders whether it is City-of-Victoria's policy to reward the wrong business decisions of developers, by awarding them significant variances and allowing inappropriate and not warranted developments that alter the fabric of neighborhoods.

Sincerely,

Nikitas Dimopoulos, PhD, FEIC, P.Eng.
149 Medana Street

From: [K.R](#)
To: [Legislative Services email](#)
Subject: Development permit with variances 00210 on Menzies Street
Date: March 22, 2025 7:52:17 AM

Hello,

I am writing to share my feedback and concerns regarding the proposed rezoning and variances for this property.

I employ you to help maintain the historic neighbourhood characteristics of James Bay in this location.

Do not approve a reduction of site setbacks or open site space. There is no reason to **pander to developers** at a cost of space and opportunity to increase plants and tree canopy.

Tourists come to Victoria, and particularly James Bay, for the ambience, history, and walkable streets. Not to feel crowded in and blocked from sun by large structures. Not to see massive developments, plugged in between smaller older houses.

In fact, the design of these types of density-focussed developments should be expected to have architectural features of the surrounding historic structures.

Thank you for this opportunity, please hear and favourably respond to the community and your citizens.

Kris

Carpe diem

From: [Edyth Bradley](#)
To: [Legislative Services email](#)
Subject: 131, 135, 139 Menzies Street
Date: March 24, 2025 10:53:43 AM

Please do not allow this proposal to be approved in its current submission form. There are too many variances need and especially agregious are:

reducing the front (Menzies Street) setback from 4.00m to 0.00m
reducing the minimum rear (SE) setback from 10.00m to 5.36m for the building, 4.24m for the balcony, and 3.87m for the canopy
reducing the minimum side (NE) setback from 6.00m to 3.50m
reducing the minimum side (SW) setback from 6.00m to 3.30m

and

reducing the minimum number of residential vehicle stalls from 30 to 0
reducing the minimum number of visitor vehicle stalls from four to one

This will result in residents and guests parking in the already-too-crowded Thrifty's lot.

reducing the minimum number of retail vehicle parking stalls from two to zero

The retailer will have need to transport business items as a normal course of business. This is an unrealistic burden on the retailer. It will affect the quality of retailer that would engage in such a lease.

This proposal needs to be rethought and revisited.

Edy Bradley BID
Banfp Design Group Ltd.
#3-508 Pendray Street
Victoria, BC V8V 0A9
cell

From: [the Millers](#)
To: [Legislative Services email](#)
Subject: Zoning changes being considered for 132, 135 and 139 Menzies Street
Date: March 24, 2025 3:55:00 PM

Dear Councillors and planners,

Once upon a time we had an OCP that we understood and appreciated. Now it seems that cohesion of vision has disappeared.

This development is part of the problem, altering the front set back to 0 and including only one parking space in an extremely busy street. Bending the existing sidewalk with no account for the overall design of the street is ridiculous. Filling the site to 63% with overhang by balconies will make the people living in and near the building feel stifled, with little green space.

This development would look like it was parachuted in long after the rest of James Bay is allowed to develop in a more organic way.

We need a more cohesive, long term approach to design of our city.

This does not come across as a serious plan and I hope it will not be treated as such. Please ensure that the developers go back to their drawing boards to create a more liveable building on this unusually narrow lot.

Best wishes,

Lisa Miller
122 Medana Street
Victoria, B.C.