

From:
To: [Legislative Services email; Victoria Mayor and Council](#)
Subject: 131-139 Menzies Rezoning - April 3rd Council Meeting.
Date: March 30, 2025 11:09:17 PM

Dear Mayor and Councillors,

As you deliberate both the new Official Community Plan (OCP) and the site-specific rezoning application for 139 Menzies, on the same day, I urge you to recognize that approving this bylaw would directly contradict the policies and principles you are poised to adopt.

This proposal undermines your stated objectives around equitable density, cohesive planning, transparency, and community benefit. If passed, it would serve as an example of exactly the kind of piecemeal, inequitable decision-making the new OCP is designed to prevent.

1. This Proposal Contradicts Core Policies in the Proposed OCP

Policy 4.3.1 – Compact Urban Form & Efficient Land Use

Approving a site-specific bylaw that blocks higher-density development on adjacent properties is counter to the city’s goal to “support land assembly to facilitate developments that meet urban village densities.” This proposal does the opposite — it inhibits future assembly and thereby density.

Policy 6.1.3 – Equitable Growth within Urban Villages

The proposal restricts the ability of adjacent Medana Street lots to contribute to the intended scale and form of development in this village centre, violating the plan’s commitment to fair access to development rights and urban opportunities.

Policy 4.7.1 – One City, One Plan

The OCP explicitly states the city will avoid “ad hoc or site-specific rezoning unless clearly justified by exceptional public benefit.” No such benefit is provided here. To approve this rezoning would expose the OCP’s guiding philosophy as a hollow slogan and Council as corrupted or inept.

2. It Compromises Site Assembly Necessary for Realizing OCP Density Goals

With a combined depth of this and the neighbouring lots being only 159 feet (82.5' + 82.5' - 6' given to street for a sidewalk), back-to-back Menzies blocks fall 81 feet short of the standard 240-foot block depth needed to support six-storey development envisioned in Urban Villages (see Policy 6.1.2). This makes assembly essential.

By inserting a project with insufficient setbacks (especially at the rear), Council prevents the coordinated development of adjacent lots, thus stranding land that is essential to meeting housing goals. This is not intensification — it's fragmentation. A vote for this bylaw would negate Council's collective and individual councillors' stated goals and aspirations,

In the draft bylaw Part 2: Design Guidelines > 2.1 Site Planning and Building Orientation | [General Urban Design Guidelines](#) | city of Victoria page 13 :

j. Where multiple buildings with residential uses are located on a single lot, the following minimum separation spaces between primary facades are recommended as follows:

- » 6 - 8 m for buildings up to approximately three storeys
- » 12 m for buildings up to approximately four storeys
- » 16 m for buildings up to approximately six storeys

3. The Setback and Safety Standards Are Incompatible with OCP Guidelines

Policy 8.4.2 – Urban Design for Safety and Livability

The proposed minimal rear setback fails to support safe separation between buildings or allow for required emergency access. A 15m or 50-foot-tall building (the proponent neglects to show total height on the plans) needs 3.75m or 13 feet of horizontal clearance for a safe 1 in 4 fire ladder slope, yet this proposal does not provide that — even before accounting for hedges, trees, retaining walls or fencing. **Why allow setbacks of 3.87m when 12m spacing is the proposed new OCP minimum for only four stories, while it is 16m for higher buildings?**

This is a glaring difference and should never be allowed.

Policy 9.1.1 – Green Space in Urban Blocks

The OCP emphasizes the preservation and integration of open space and trees into block interiors. This bylaw has only 4m of green space at the rear and nothing at the front, less at

the sides AND removes mature trees and proposes replacement plantings directly into shallow bedrock on this site as proven by visible rock outcroppings — with no excavation plan, no irrigation, and no viable long-term growth strategy. The plans show the rear yard as excavated yet this would be right down to, or below the existing bedrock level. Trees do not grow in solid bedrock. Blasting will damage the existing buildings mere metres away. This landscaping plan is a facade, a cartoon — not a serious urban design proposal.

4. It Raises Significant Ethical Concerns

The owner developer of 139 Menzies has made documented political contributions to several councillors currently voting on this rezoning — including Caradonna, Dell, Loughton, Thompson, and Mayor Alto. The developer of this property has engaged in compromising recorded communications with members of Victoria Council. While perhaps legal by a whisker, this creates the appearance of favouritism and undermines public confidence in land-use decisions. Policy 12.1.3 in the draft OCP calls for decisions to be made with transparency, integrity, and public trust — approving this application would undermine all three.

Such documented favouritism opens the City and even individual councillors up to legal liability as neighbouring properties are unfairly denied over \$10 million in potential future development value. This rezoning equates to theft of development value for the benefit of a benefactor of at least five members of Council.

This same developer is benefiting from a rezoning at Montreal / Kingston / Quebec that though opposed by the planning department and the neighbourhood, is supported by the same members of Council. The developer will make many millions from this rezoning as well.

5. Approval Would Set a Damaging Precedent

If Council approves this bylaw:

- You lock adjacent lots out of equitable development
- You undermine your “One City One Plan” objective
- You invite more piecemeal rezonings that erode the integrity of the OCP
- You set a dangerous design precedent for substandard development
- You cast long-term doubt on your stated commitment to fair and transparent planning The new OCP is shown to be a farce.

Policy 4.1.2 calls for growth that is “context-sensitive, coordinated, and based on shared

community objectives.” This proposal meets none of those criteria.

Conclusion

If the proposed OCP is to mean anything, Council must reject this site specific bylaw. Doing so would reaffirm your commitment to fairness, transparency, and the long-term vision of a livable, well-planned city.

Apply the new OCP to 131-139 Menzies as written — no special deals, no exceptions. Anything else weakens public trust, fragments urban form, and invites legal risk.

There are many additional concerns that make this proposal deeply inappropriate for this location. These have been voiced clearly in numerous letters and at well-attended CALUC meetings, where neighbourhood opposition was unanimous.

I must express personally: any appearance of favouritism toward this developer — who has a well-documented financial relationship with several members of Council — will cast a long shadow over your legacies and future election campaigns for decades to come. This one-sided rezoning threatens to rob millions of dollars in property value, along with the peace and security my family has built over four generations in our home. I will not forget it.

My family already knows what it means to lose our home — and family members — during World War II. Will we now lose our peaceful home again? Not to guns, bombs, and my uncles being tortured to death, but to a City Council that hands away our setbacks, our sunlight, allowing mature trees on the property line, to be cut down, and destroy neighbourhood stability simply to benefit the pocketbook of a self serving political benefactor?

I urge you: defend the principles of fairness and transparency. Reject this egregious site-specific rezoning. Vote to uphold democratic values — and the trust of the people you were elected to serve.

Respectfully,

Kirk Buhne, *B. Arch.*
140 Medana St, Victoria, BC

Kirk Buhne

From:
To: [Legislative Services email](#)
Subject: SAY NO TO 131, 135, and 139 Menzies Street 00823 & 00210 applications in James Bay
Date: March 31, 2025 8:14:27 AM

Dear Mayor and Council,

I am writing to oppose—in its current form—the granting of rezoning application 00823 and development permit with variances application 00210 for properties known as 131, 135, and 139 Menzies St.

Simply put, despite some concessions, the proposed building is still too deep (from west to east). Its variances are shockingly extreme and harmful to neighbours. Its lack of parking will negatively impact James Bay Village. And it doesn't even provide *affordable* housing. Approving the developer's rezoning and development/variances applications will send a chilling message that the City doesn't care about James Bay's residents (70% of whom rent), its history (oldest non-Indigenous residential area north of San Francisco), its unique heritage architecture that helps attracts 1 M tourists each year, or its dedication to diversity and density—the 3rd highest in the City.

I frequently walk on Medana St, a beautiful heritage-filled road just east of Menzies. Though packed with cars visiting James Bay Village, Medana attracts horse-carriages and tourists. Yet Google Maps reveals how narrow the block is between Menzies and Medana Streets in comparison to neighbouring blocks. As a photographer, I initially thought that the buildings behind the homes on Medana were backyard additions; then I realized that I was looking at the backs of homes on Menzies. *Few other blocks in James Bay are so narrow.* And few developers have such hutzpah.

Yet the variances that will be allowed IF this proposal goes through are extraordinary and not at all community-minded. The building's miniscule setbacks mean that it will loom over every home beside it, negatively affecting neighbours' privacy, quiet, sunlight, and potentially threatening their property boundaries. The building's miniscule setbacks also mean that it will loom over pedestrians walking on the east side of Menzies between Niagara and Simcoe—a popular route to and from James Bay Village. The lack of parking space (1 visitor only) is *inexplicable* considering how little visitor parking exists on Menzies, Medana, and Simcoe Streets for residents and non-residents wanting to shop in our Village. During construction, buses will have to reroute along COVID-narrowed Simcoe St (as they did last week because of Village Green construction at 118 Menzies) because buses can't go further north on Menzies to Niagara St., where they normally turn east—even on the proposed 10-year OCP.

What's worse is that this building was originally intended as affordable housing for the Quebec/Kingston/Montreal property developer, who refused to include affordable housing in his redevelopment of a parking lot and insists upon—not the townhouses or a six-storey building allowed in the OCP—but a 14-storey extravaganza that City planners have thrice advised against. ItsIZ mini-me on Menzies St will impact SE James Bay as negatively as a 14-storey will in NW James Bay.

Please respect James Bay and its community-oriented residents. Say NO to rezoning application 00823 and development permit with variances application 00210 for properties known as 131, 135, and 139 Menzies St.

Yours sincerely,
Dr. Adele J. Haft
202-660 Battery Street, Victoria, BC V8V 1E5

From:
To: [Legislative Services email](#)
Subject: Proposed changes to 131 135 139 Menzies Street
Date: March 31, 2025 6:37:24 PM

Hello,

My partner and I who are residents of an apartment building on 101 Menzies st, are writing to you regarding the changes proposed to the development permit for sites 131 135 139 Menzies. While we are both in favour of an increase in density to combat unaffordability and the housing shortage the reality of parking needs to be considered. Not everyone is able to switch to bikes to commute to work. My partner requires a vehicle to carry tools. As it stands there is fierce competition for parking in our allowed area and even though there is ample parking in the surrounding streets we get tickets if we try to park there. Consider making residential parking restrictions loosened so that residents of the community can park around the corner if they need to. Specifically, we take offense at the idea of reducing 30 vehicle stalls to 0 on the proposed changes. There is quite literally a new complex being built across the street already. The influx of buildings with no parking is going to make a bad situation worse. This is already a high traffic area and a main artery for a bus route. On a more personal note I sometimes am coming off night shift at the hospital and am unable to find parking in our designated area and have to drive around looking for a spot and end up parking in an area where I may get a ticket, and all I am trying to do is park in my neighborhood after a long night of work. Please consider the realities and well being of your current and future residents. Underground parking is a must!

Sincerely,
Aiden and Chris

From:
To: [Legislative Services email](#)
Subject: 131-139 Menzies Street
Date: March 31, 2025 1:50:51 PM

Dear Mayor and Council,

I have no hope that my comments will have any effect, but I want to make it clear that the number of variances being given to this developer are highly problematic. The notice lists 11 variances. In particular, I am concerned about the following variances:

- Increasing site coverage from 40% to 63%
- Reducing the front setback from 4m to 0m
- Reducing the rear setback from 10m to 4.24m for the balconies, and 3.87m for the canopy
- Reducing the number of residential vehicle stalls from 30 to 0

If one of the properties to the rear on Medana Street is to be redeveloped in the future, will they be able to have similar rear setbacks, so that there is only 8.5m between balconies?

The developer has shown little regard for the community, choosing not to rent one of the existing heritage buildings and letting it and the grounds fall into disrepair, I'm assuming in hope that the community will just want to see something happen.

I am sad about the loss of another three heritage houses. I wish that they could have been restored with some infill instead of this proposal, or that at least they could be replaced by rowhouses like the ones at the end of the block.

I am already concerned about the number of vehicles in James Bay, so I'm not going to comment on that other than to say that the City is going to need to meter all street parking in James Bay because it is already often impossible to find a parking spot at Five Corners. People are parking in the Thrifty's parking lot to access the businesses on the other side of the street. I see them parking and walking over to Piggy & Paisley all the time. Most people still have vehicles. Some people need them.

It seems like developers think that they can propose anything anywhere and get approval from City Council. In this case, the community is well aware that the developer contributed to the election campaigns of the Mayor and Councillors Caradonna, Dell, Loughton and Thompson. It doesn't give us a lot of faith.

Regards,

Deb Hull

From:
To: [Legislative Services email; letters@timescolonist.com](mailto:letters@timescolonist.com)
Cc: [JBNA](#)
Subject: 131-135-139 Menzies Street
Date: March 31, 2025 6:37:16 PM

Poster Child for Victoria's New OCP

For the past year we have listened to the City and Councillors explain the need to revise the OCP to set consistent guidelines for developers in order to eliminate the need for spot property re-zoning, yet here we are.

131-135-139 Menzies is a 4 storey, 43 unit, Market Rental building with No Parking proposed for Menzies Street, south of the Five Corners, as the James Bay Village transitions into a residential neighbourhood.

Currently all 3 properties on Menzies are zoned for family homes and are directly adjacent to family homes on Medana Street. These are all shallow 82ft lots that are in essence even too shallow to properly accommodate a missing middle multiplex, let alone a 4 storey building.

This Menzies building lacks the City's required number of 2 and 3 bedroom family units and all of the building's 19 studios are smaller than the City's minimum size of 33m². Nothing except for the 4 storey nature of this building is supported within the current OCP or the proposed new OCP. In total the developer is asking for 11 variances (!) mostly related to the lack of adequate setbacks and the elimination of parking.

In short, this a big utilitarian building trying to fit on a very shallow property which forgoes considerations and aspects of liveability in order to maximize rental revenue.

For now, let's skip discussing the chaos associated with dropping 43 suites with no parking into a residential neighbourhood, because it gets worse.

The OCP and neighbourhood development are forward thinking processes. To support principles of fairness and avoid mayhem, guidelines must be consistent for all properties.

Love it or hate it, the new OCP, which projects needs up to 2050, proposes up-zoning all residential neighbourhoods and properties to 4 or 6 stories, and in some cases even more.

Allowing such minimal setbacks (zero front and minimal side and rear) on this proposed Menzies development limits the potential viability of similar 4 storey (or more) developments on the adjacent properties that may be conceived of in the future.

While there may be specific needs for today, the development of neighbourhoods and the OCP should fundamentally feature fairness for all, establish sensible design guidelines, and maintain safe and liveable front, side-yard, and rear-yard property setback minimums, and not adopt a "First Come Takes all" approach that rewards developers that bend the rules at the expense of others. This proposed building on 131-135-139 Menzies violates all of these fundamental fairness principles.

Variances on 131-135-139 Menzies come to Council on April 3. If our City and Council truly believes in maintaining a balanced and fair approach to the OCP and all rezoning requests, they must refuse the variances requested for 131-135-139 Menzies.

Respectfully,

Kevin Youck

From:
To: [Legislative Services email](#)
Subject: Opposition to Rezoning and Development at 131–139 Menzies Street (Rezoning No. 00823)
Date: March 31, 2025 9:33:40 PM

Dear Mayor and Council,

I am writing as a concerned resident of the James Bay neighbourhood to strongly oppose the proposed rezoning and development permit application for 131, 135, and 139 Menzies Street (Bylaw No. 25-018 / Development Permit with Variances No. 00210).

This application represents a significant and troubling departure from the character, density, and livability of our neighbourhood. The proposal to rezone from the R-2 (Two Family Dwelling District) to the CR-M2 (Menzies Commercial Residential 2 District) in order to permit a four-storey mixed-use building will have a number of negative impacts on the community, including:

- Excessive density and scale: Increasing site coverage from 40% to 63%, with minimal open site space, is not in keeping with the surrounding low-density character of James Bay.
- Loss of livability and green space: Reducing all setbacks to the absolute minimum—some down to 0.00m—will eliminate the sense of space and openness that is vital to a livable neighbourhood.
- Complete elimination of parking: The proposal to reduce residential parking from 30 to 0 spaces, and visitor and retail parking to zero, is not realistic or responsible. It will place further strain on already limited street parking and negatively affect both residents and businesses.
- Bypassing public input: I am deeply concerned that, under Section 464(3) of the Local Government Act, there will be no public hearing. This development will fundamentally change our neighbourhood, and residents deserve a voice in the process.

As a long-standing member of this community, I urge Council to reject this proposal. Growth and development are necessary, but they must be undertaken with respect for the scale, needs, and voices of existing residents. This project, as proposed, is not compatible with the James Bay neighbourhood and would set a dangerous precedent for future development.

Thank you for considering my submission.

Sincerely,

Mary L Crocker

Resident & homeowner of 162 Medana St, Victoria, BC V8V 2H5

From:
Sent: March 31, 2025 12:13 PM
To: Legislative Services email; Councillors
Subject: Rezoning Application No. 00823 and Development Permit with Variances Application NO. 00210 for the Properties Known as 131 135 and 139 Menzies

I am opposed to the by-law changes proposed for the properties known as 131, 135 and 139 Menzies in the heart of James Bay. In fact, I am opposed to the development approved for those properties but most of you do not care.

The scale of the project is only made even more oppressive by the proposed bylaw changes that allow for absolutely no setbacks on Menzies that will make the streetscape less attractive and inviting and out of character with the properties to the south and our community. This is even worse than the mistakes of the past that allowed high rises in our residential neighbourhood - at least those buildings retained large, open, green, landscaped spaces between the buildings and the sidewalks.

The ridiculous reduction of parking spaces to 0 for residents, 0 for retail vehicles and 1 for visitors will affect all of James Bay. Parking is already an issue in James Bay and this, in the heart of the busy retail area, will make it worse for blocks around. Even you must realize that residents and visitors will park on nearby residential streets, in Thrifty's above and below ground lots, and in the Parliament Mews lot. Not everyone in James Bay can walk, bike, or take a bus with a load of groceries!

The people most effected by the parking problem and even more by the proposed severe reductions to setbacks on the rear (SE) side will be the residents of Medana Street. I do not live on Medana but I know it is a beautiful street of heritage and historic houses loved by locals and tourists. The good people of Medana have restored, renovated and maintained their homes, at not insignificant expense, to the benefit of the community. They will lose their evening sun, their privacy and the "quiet enjoyment" of their property. Their homes will likely suffer some damage from the construction as some of them have already experienced from the building of the monstrosity at the corner of Menzies and Niagara. In contrast, the owners of 131, 135 and 139, Menzies, who have allowed their properties to become derelict and their yards jungles of noxious weeds and vermin, will be greatly rewarded. How is this fair? How does this build community?

Despite the heading "It's your neighbourhood" on your Pubic Notice in the TC, you do not take our opinions seriously because they do not match yours. You will call me and my neighbours NIMBYs and miss the point that it is, in fact, OUR backyard. We know and help our neighbours and they help us; we plant gardens for everyone's enjoyment; we decorate and give treats to 150 kids on Hallowe'en; we decorate for the holiday season; we participate in Window Wanderland; we greet tourists and help them with directions as they pass by; we shop local and at the James Bay Farmers' Market and the Dickens Fair. A village is created by the people who live in it; not by government edict.

I know that the majority of you will also pay absolutely no attention to anything the residents of James Bay say. You never do. You know who you are. And, when you pass the new Official Community Plan, you will officially never have to even pretend to listen to me or my neighbours again. Of course, there is always Election Day.

Thank you to the Councillors who do listen. You know who you are, Councillors Gardiner, Hammond and Coleman.

Noreen Marshall
414 Niagara
James Bay

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

March 31, 2025

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

Dear Mayor Alto, Council and Planning Department

We received a letter from the City titled "**It's Your Neighbourhood**". Based on the variances requested in that letter for the proposed development, it will become anything **BUT** our Neighbourhood!

The variances:

- reducing the setbacks
- the "reduced" parking = parking completely eliminated

All clearly point to a developer shoe-horning a building that is too large into a space that is patently too small for the plan.

Further, density variations:

- 19 studios – all below the minimum requirement
- only 10 2-bedroom (presumably for families, with NO parking?)
- market-value suites

Further pointing to a developer looking only to his own ends, with no consideration of the community.

Finally, the impact on the James Bay Village centre:

- key Heritage is lost, with the demolition of an 1888 home designed by BC's first architect
- the size of the building overpowers the important and relatable history of 5 corners
- the height of the building imposes on the historic homes directly behind it, most of which were built within the first decade of the 20th century

A loss of the historic charm that brings people and commerce to James Bay as well as the City of Victoria.

Can you see that this request by the developer is completely inappropriate for the size of the lots, the village centre location and historic value of the residential community?

Say "NO" to this Amendment and stand firm on your commitments to the Residents of James Bay.

Sincerely,

Richard Renaud (Medana Street resident since 1997)

Patricia Crichton (Medana Street resident since 2004)

128 Medana Street,
Victoria, BC V8V 2H5

Planning Department
City of Victoria
1 Centennial Square
Victoria, BC V8W 1R9

Re: Zoning Regulation Bylaw 2014-001-100

Dear Mayor Alton, Council and Planning Commission:
We received a letter from the City titled "City of Victoria
various requested in that letter for the proposed
BUT Not Neighbourhood!

The advances:

- reducing the setbacks
- the reduction of parking and driveway elimination

All clearly point to a development that is not in the best interest of the community and the City of Victoria. It is a clear violation of the City's commitment to the residents of James Bay.

Further density variations:

- 19 studios - all periods of the day
- only 10-20 parking spaces for the entire building
- market-value suites

Further pointing to a development that is not in the best interest of the community and the City of Victoria. It is a clear violation of the City's commitment to the residents of James Bay.

Finally, the impact on the surrounding community:

- key heritage is lost with the demolition of the 1300 block James Bay area by BC's first architect
- the size of the building - we already have a building that is 3 stories tall, 100,000 sq ft, and 100,000 sq ft
- the height of the building - the building is 10 stories tall, which is the tallest building in the area, most of which were built in the 1950s and 1960s

A loss of the historic character of James Bay, and a commitment to James Bay as well as the City of Victoria.

Can you see that this amendment is not in the best interest of the community and the City of Victoria? It is a clear violation of the City's commitment to the residents of James Bay.

From:
To: [Legislative Services email](#)
Subject: Fwd: Zoning Regulation Bylaw, Amendment Bylaw (No. 1358), No. 25-018
Date: March 31, 2025 10:23:30 PM

Please see below letter to Mayor and Council with our feedback regarding Zoning Regulation Bylaw, Amendment Bylaw (No. 1358), No. 25-018

Kind Regards,
Soressa Gardner
& Dennis E. Bolen

Soressa Gardner
Medana Street,
Victoria, BC

Begin forwarded message:

From:
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1358), No. 25-018
Date: March 31, 2025 at 10:07:15 PM PDT
To: Marianne Alto <malto@victoria.ca>, "Jeremy Caradonna (Councillor)" <jcaradonna@victoria.ca>, Matt Dell <mdell@victoria.ca>, Susan Kim <skim@victoria.ca>, Dave Thompson <dave.thompson@victoria.ca>, Krista Loughten <kloughton@victoria.ca>, Chris Coleman <ccoleman@victoria.ca>, "Marg Gardiner (Councillor)" <mgardiner@victoria.ca>, Stephen Hammond <shammond@victoria.ca>
Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Mayor and Council,

This is in response to the letter we received from the City of Victoria with the banner "It's Your Neighbourhood" and inviting feedback regarding the proposed bylaw amendments for 131-139 Menzies, on your agenda for April 3rd.

Council has emphasized that a major selling point of the Draft Official Community Plan (OCP) is to be fair about development across Victoria (the *One City One Plan* slogan), and to facilitate long term planning by eliminating spot zoning, which needlessly complicates city planning and lengthens timelines for developers. Victoria has approximately 900 different zones because of this piecemeal process. We ask that Mayor and Council not slip one more zone into the mix before the Draft OCP is put into action.

The property in question is adjacent to Five Corners, the central anchor of historic James Bay. We were told the revised OCP would protect this unique neighbourhood but changes exceeding both current and anticipated zoning under the new OCP put heritage integrity for this area at risk.

Your upcoming Council meeting has eleven zoning exceptions on the table. These relate to increased site coverage, reduced setbacks, limited parking and a slightly reduced width of the bike room aisle. And although not part of the re-zoning application, it's worth noting that all nineteen of the proposed studio apartments are smaller than the City's minimum thirty-three square metres for all neighbourhoods excepting downtown. Additionally, only four 3-bedroom apartments are proposed. We need more family housing.

We believe these zoning exceptions, tiny studios, and lack of adequate and affordable family suites are not in line with the Draft OCP's liveability targets. Also, the proposed building is too big and dense for its eighty-two foot shallow lot. Most city lots in Victoria are one hundred and twenty feet deep. Given these anomalies, and the excessive accumulation of variances requested, we strongly believe the rezoning should be rejected.

Please ensure the best possible outcome for the Five Corners by rejecting the proposed bylaw amendments.

Regards,
Soressa Gardner
& Dennis E Bolen

cc Rob Bateman, Senior Planner
cc Legislative Services

Soressa Gardner
136 Medana Street,
Victoria, BC

From:
To: [Legislative Services email](#)
Cc: [JBNA](#)
Subject: 131-135-139 Menzies Variances -
Date: April 1, 2025 9:23:50 AM

Dear Mayor and Councillors,

We are submitting our opposition to the extreme variances (11) (!) that are being requested for 131-139 Medana Street. The sheer size of this large building with minimal setbacks on such small properties is unprecedented adjacent to a residential neighbourhood anywhere in Victoria. Is this mid block 4 storey, 43 suite building with no parking to be the new "Poster Child" for Victoria's revised OCP? Please look at the comments and letters attached to the applicant's application, this building has been a contentious project and has faced near unanimous opposition from the entire James Bay Community since we first became aware of this proposed building in June 2022. Please deny these variances.

At 82 feet the properties on Menzies are too shallow to properly support missing middle housing, let alone a dense 4 storey building. In their application even the developer comments on the challenges of putting a building of this size and density onto such shallow lots. For the past 2 years the neighbours on Medana street have been pleading with the developer to respect our neighbourhood to alter the aesthetic and sheer size of their proposed building. Our neighbourhood is not opposed to redeveloping these properties, but the current design is simply too tall and large to shoe-horn into these shallow lots. Granting setback variances to this property is unfair as this will effectively limit future redevelopment options on neighbouring properties. Side and rear yard setbacks affect safety and liveability. It is naive to think the reduced setbacks on this building are ok because the existing homes are small enough and far enough away. This is purely myopic and ignores what should be equal opportunity for future re-development on adjacent properties. The revised OCP envisions 4 to 6 stories throughout neighbourhoods everywhere — granting these extreme variances to this building constrains future redevelopment opportunities and discriminates against the neighbouring properties.

Due to the shallow nature of these lots a true Village redevelopment would entail the entire depth of the block — not only do these variances discriminate against the neighbouring property owners, this piecemeal approach to development subverts and complicates a proper Village redevelopment that may at some point be envisioned in the future.

Beyond just being too large for this shallow property, the proposed bland utilitarian design disrespects the Heritage Character of the Five Corners, our neighbourhood, and the neighbouring homes. Menzies Street narrows South of the Five Corners as the James Bay Village transitions into a residential neighbourhood. This section of the Village is bookmarked at the Five Corners by the Bent Mast and Historic 1911 Wilson Grocery store (now a Flower Shop) and ends at the Menzies apartments at Niagara. During tourist season our neighbourhood is a non-stop parade of carriages and pedi-cabs. In essence this southeast strip of the Village should be designated as a Heritage Village. During the James Bay Places and Spaces meeting, a discussion with a couple of senior city planners suggested that the recently updated development rules to preserve the Fernwood Village, rules limiting developments to 3 stories and requiring historic building designs and facades, would be appropriate to apply to this southeast area of the James Bay Village.

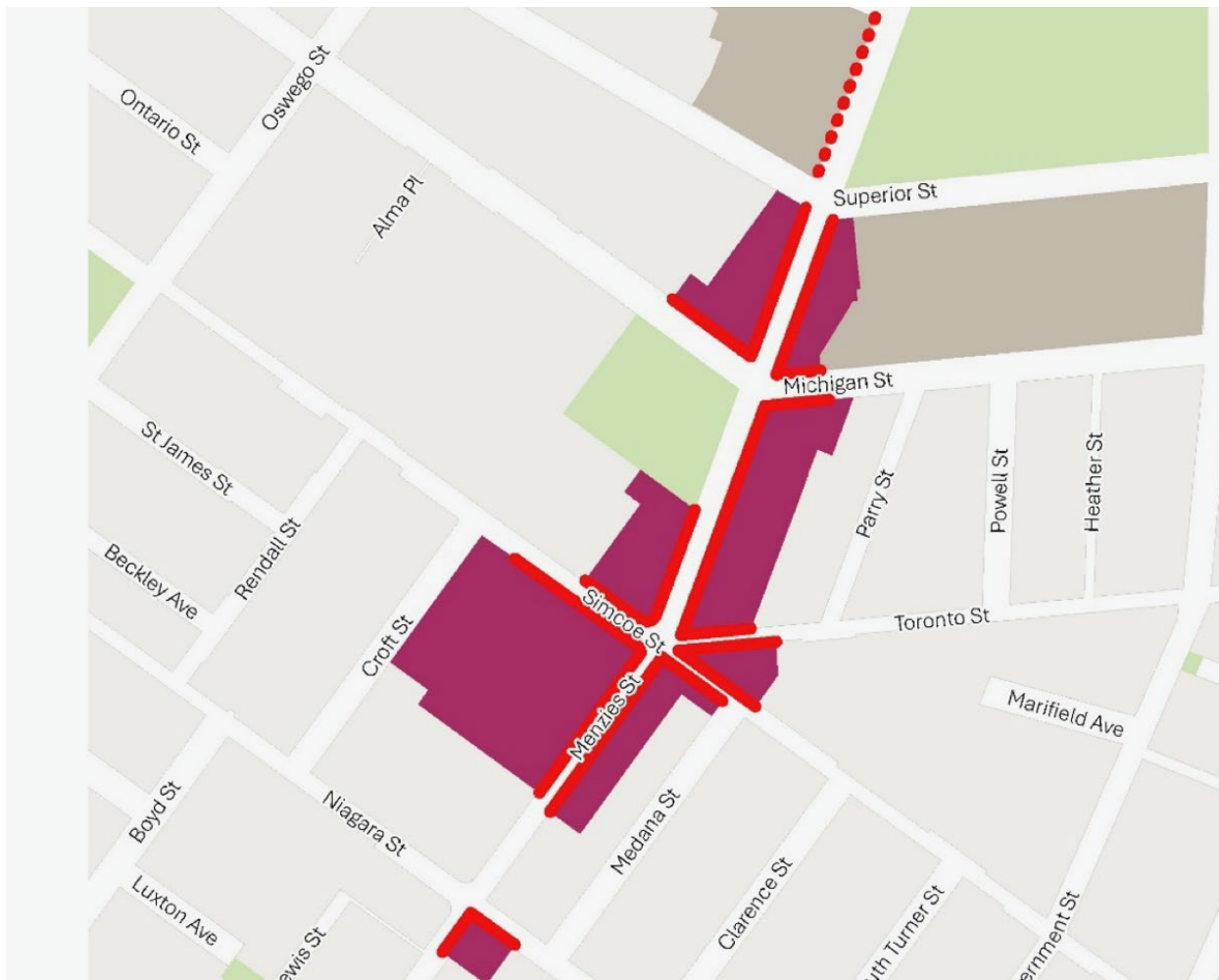
The City's argument in favour of approving this building on Menzies is strongly rooted in the Urban Village concept — yet this building lacks the required proportion of 2 and 3 bedroom family units, all 19 studios are smaller than the minimum size of 33m², the retail space is significantly smaller than the square footage called for in the OCP Village plan, and this building lacks any type of streetscape. This building makes a minimal attempt, but ultimately fails to meet the OCP's stated objectives for a Village Zone. This further supports refusing these variances and establishing a Heritage Village between Toronto and Niagara on the South-East Side of Menzies. Let's build neighbourhoods that build upon their strengths with rules that promote gentle densification.

Please deny this application. A building of this sheer size and density, lacking any parking, does not belong on such small properties adjacent to a residential neighbourhood. From the onset this proposal is too aggressive and the wrong fit for this location. With some creative effort there are better options.

Respectfully,
Kevin Youck and Emily Schudel
135 Medana Street

Due to the narrow nature of these properties it would make better sense to build 10 to 12, 2 storey heritage styled row-houses on these lots, each with an option of a 1-2 bedroom walk out basement suite (yielding 10-12 family homes, each with the potential of 10-12, 1 or 2 bedroom suites), all built in a character to enhance and respect the historical features within James Bay. And why not think-tank a creative home ownership/co-op style program? This could serve as an affordable home ownership template that would create a stepping stone to enable young families to get into Victoria's housing market, a market that is quickly becoming unaffordable for so many families. These properties at 131-135-139 Menzies as well as 50 Government Street could serve as the perfect locations to pilot a City managed co-op home-owner project, with homes designed in a style to respect the Government and Medana Street HCA applications. The city is filled with unaffordable "market-rent" apartments. It is well past time for Council and City staff to hold developers accountable, think outside the box, and come up with affordable home options. As a tax payer in this City I would far rather see my tax money go towards administering creative and diverse Co-op housing ownership programs rather than seeing home ownership within this city become an exclusive privilege. This type of program could effectively even be self-funded — if the City can run a Jazz Club, surely it can do the more important work of administering more affordable home ownership initiatives.

Below is a map of the James Bay Village from the new OCT and clearly shows how the Village zone narrows south of the Five Corners — it is this south west narrow strip that warrants designation as Historical Village,
Taken from the City's 2025 Rezoning and Development Policy | page75



For additional background and supported by public documents, Geric originally purchased these properties in an attempt to marry this Menzies building to the approval of variances for their Luxury condo development at Kingston/Montreal.

1. BC Assessment lists the sale of the Menzies properties to Geric on Nov. 12, 2021 for \$3.6M (only 2 days after facing near unanimous opposition to their Kingston/Montreal CALUC). They purchased these properties for \$1.2M more than what these unlisted properties sold for 1 year earlier on Nov 1/2020 and far in excess of their BC Assessment value. ** This points towards another issue with allowing 4-6 storey developments throughout the city as developers can easily outbid homeowners and drive up home costs in residential neighbourhoods.

2. FOI documents reveal that Geric spent the next 6 months working with and lobbying the Mayor's office to waive any CALUC/public meetings and have all requested variances for Menzies fast-tracked and approved under the City's affordable housing program. Geric's concept was to arrange to build and sell this building at "cost" as an affordable housing project to the CRD in exchange for variances to build their Luxury Condo at Kingston/Montreal (at that time Kingston/Montreal was only a 12 storey building) — one would assume that the CRD "cost" for Menzies was to include the \$1.2M surcharge Geric paid when they purchased these properties 6 months earlier.

3. Because these Menzies properties required rezoning the City was unable to waive any public hearings on the required rezoning. Yet Geric and the Mayor's office still pushed to bypass a CALUC in order to expedite this project and it was not until a last minute intervention by a Councillor that an expedited CALUC was organized and in June/2022 our neighbourhood became aware of Geric's proposed building — 6 months into their plan to force this building onto our neighbourhood without any consultation. It is ironic that had Geric secured land with zoning approved for a building of this scale their projects could have been expedited, Victoria via the CRD would have landed an affordable housing project, and Geric would have received their prized variances for their then 12 story luxury condo development at Kingston/Montreal. Why would they have not planned appropriately? Guess that's the \$1.2M question you would have to ask Geric. As this project was presented, the optics for Mayor Helps would have looked great, an affordable housing project in exchange for unpopular variances to a luxury condo development, and who would have known that the CRD paid a \$1.2M premium surcharge for this land? The ethics of this proposal are shaky at best. As a responsible tax payer, I for one would like to see the City and the CRD get better value for my tax money.

Somewhere along the way Geric either lost their proposed deal with the CRD or pulled their support for this deal as they became seduced with the ever increasing value of market rental costs in Victoria. Either way, we now have a developer with properties that they grossly overpaid for seeking to maximize the benefit to themselves with little regard to the concerns brought forward by their neighbours, and no respect for the OCP rules, or the historical significance of this neighbourhood.