



Committee of the Whole Report For the Meeting of July 27, 2017

To: Committee of the Whole **Date:** July 20, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00194 for 121 Menzies Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00508, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00194 for 121 Menzies Street in accordance with:

1. Plans date stamped May 25, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a) decrease the dwelling unit floor area (minimum) from 33.00m² to 28.98m²
 - b) decrease the number of parking stalls from eight to one
 - c) locate the parking in the front yard
 - d) locate accessory buildings in the side yard
 - e) increase total site coverage from 40% to 42.30%
 - f) increase the height of one accessory building from 3.50m to 4.41m
 - g) decrease the rear setback of an accessory building from 0.60m to 0.50m
 - h) decrease the side setback of accessory buildings from 0.60m to 0.40m
 - i) decrease the separation space between an accessory building and a principle building from 2.40m to 1.0m
 - j) increase the rear yard site coverage for an accessory building from 25.00% to 29.80%
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 121 Menzies Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site specific zone in order to permit a 10 dwelling unit House Conversion at this location. There is a concurrent Rezoning Application, as well as a Heritage Designation Application, that are presented in separate reports.

The variances are related to decreasing the unit size required in a conversion, reducing the parking requirements and reducing requirements related to siting and height of accessory buildings. The variances are supportable because they are the result of existing conditions and do not appear to substantially impact the adjacent properties.

BACKGROUND

Description of Proposal

This proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to site specific zone to allow a House Conversion with 10 dwelling units. The proposed variances are related to:

- decreasing the dwelling unit floor area
- decreasing the number of parking stalls
- changing the parking location
- increasing total site coverage
- increasing the floor area of an accessory building
- increasing the height of an accessory building
- decreasing the setbacks of an accessory building
- altering the permitted location of an accessory
- decreasing the separation space required between a principle building and an accessory building
- increasing the rear yard site coverage associated with an accessory building.

Sustainability Features

As indicated in the applicant's letter dated April 21, 2017, the following sustainability features are associated with this application:

- rainwater collection
- recycling and composting
- vegetable gardens
- high efficiency appliances with low water flow.

Active Transportation Impacts

The application proposes bike racks which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application; however, the applicant is willing to provide a 1.78m Statutory Right-of-Way along Menzies Street.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Existing Site Development and Development Potential

The site is presently illegally developed as 11 dwelling units (with individual bathrooms), two housekeeping units (with a shared bathroom), and one garden suite. The site was approved for seven housekeeping units, but was subsequently modified without securing the necessary City permits.

Under the current R-2 Zone, the regulations in the R1-B Zone, Single Family Dwelling District, would apply due to the size of the lot. The property could be developed as a single-family dwelling with a secondary suite or garden suite.

Relevant History

The existing building is approved for seven housekeeping units. At some point in the past, the building was renovated to accommodate 11 self-contained dwelling units (each with a separate bathroom), two housekeeping units, and the accessory building was converted into a dwelling unit totalling 14 dwelling units on the site.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on October 12, 2016. A letter dated October 21, 2016 is attached to this report.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Regulatory Considerations

The following table shows the variances that would be required to facilitate this development in conjunction with the concurrent Rezoning Application. This approach, rather than building these unique attributes into a new zoning bylaw, is recommended so these less stringent requirements are not entrenched in the zoning bylaw, running with the land even if the existing building is lost at some future date. Similarly, legal non-conforming conditions, such as height and setbacks will remain as legal non-conforming conditions so that again, if the building was ever destroyed, future development would need to conform to the zoning regulation bylaws of the day.

Zoning Criteria	Proposal	Zone Standard
Principle Building - Conversion		
Dwelling Unit Floor Area (m ²) - minimum	28.98	33.00
Parking - minimum	1	8
Parking - location	Front Yard	Behind Front Yard
Site Coverage (total) (%) - maximum	42.30	40
Accessory Buildings– Schedule F		
Location	Side and Rear Yard	Rear yard
Height (m) - maximum	4.41	3.50
Setbacks (m) - minimum:		
Rear	0.50	0.60
Side	0.40	0.60
Separation space from principal building	1.00	2.40
Rear yard site coverage (%) - maximum	29.80	25.00

The height, number of storeys, setback and site coverage variances are supportable because they are existing and do not seem to have a substantial impact on the adjacent properties. The applicant has supplied a Parking Study (attached) to justify the parking variance and is providing 10 bicycle parking spaces to help with the shortfall.

CONCLUSIONS

This Development Variance Permit Application to permit a 10 dwelling unit house conversion would not substantially impact adjacent properties. The parking variance is supported by a Parking Study and mitigated by 10 bicycle parking stalls. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00194 for the property located at 121 Menzies Street.

Respectfully submitted,



Rob Bateman
Senior Process Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



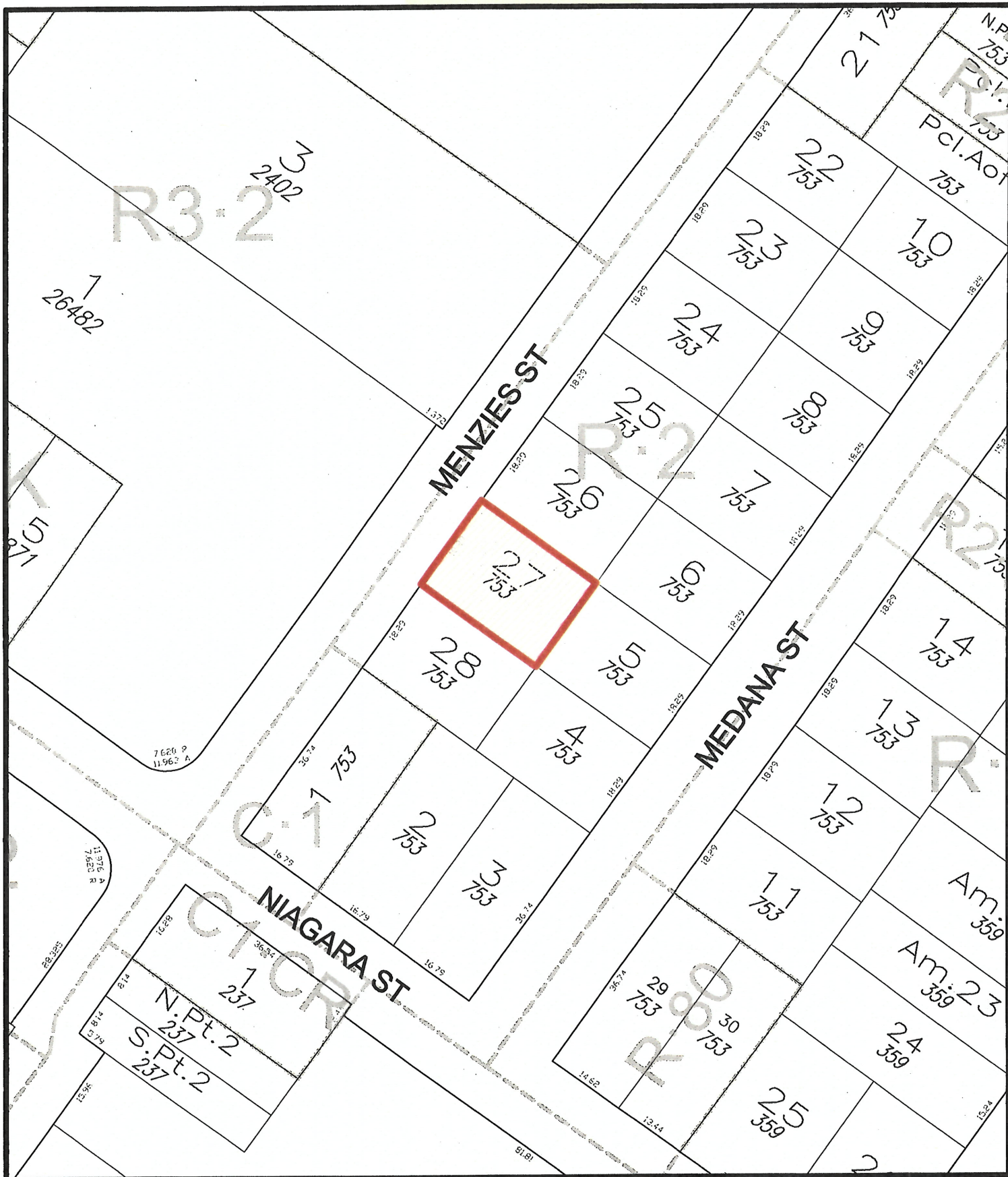
Date:

July 18, 2017

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 25, 2017
- Attachment D: Letter from applicant to Mayor and Council dated April 21, 2017
- Attachment E: Community Association Land Use Committee Comments dated October 21, 2016
- Attachment F: Parking Review dated January 22, 2016.

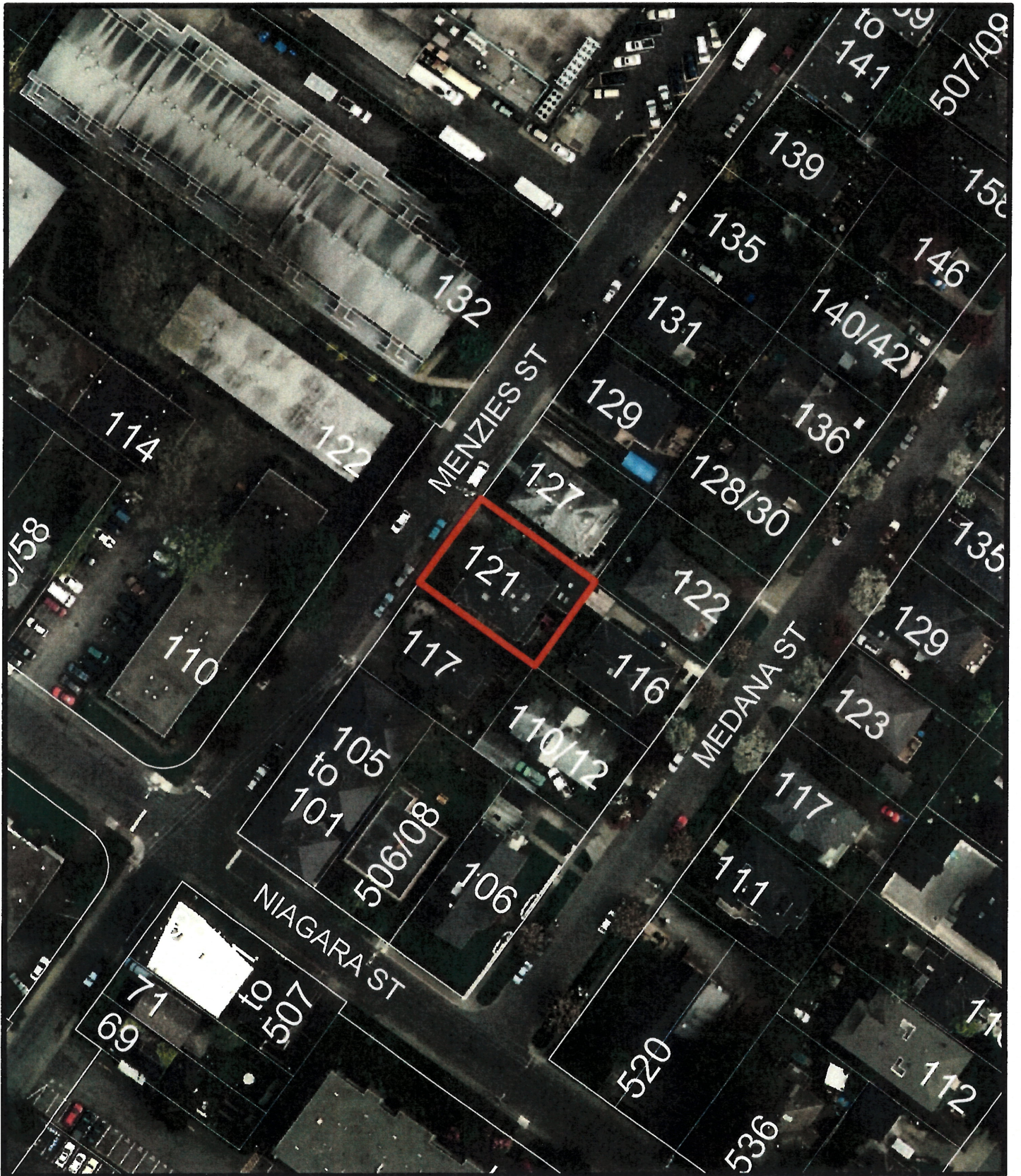
ATTACHMENT A



121 Menzies Street
Rezoning No.00508



ATTACHMENT B



121 Menzies Street
Rezoning No.00508



Rezoning Application Drawings



PID: 008674477

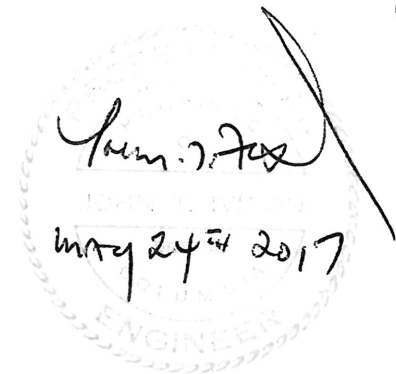
Owner: Gordon D. Osborne

121 Menzies St, Victoria, BC, V8V-2G4

Legal: Lot 27, Section 11 Beckley Farm, Victoria, BC

Plan: 753

ATTACHMENT C



Received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division


 John Ivison & Associates Ltd. 1-778-808-1969 johnivison@jivison.com	SCALE: <u>1/8"=1'</u> DRAWN: <u>CDM</u>	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C.		Drwg #:
	DATE: <u>APRIL 15 2017</u> CHECKED: <u>JTI/JAA</u>	Approved for use in Construction (Initials) _____		Rezoning Application Drawings
Disk No. <u>NA</u> FILE No. <u>GDO-001/0814</u>	Issue Date: <u>APR 2017</u>	EDIT VERSION	5	C 1

Table of Contents

- C1 - Cover Sheet
- C2 - Table Of Contents
 - Construction Notes
 - Door and Window Schedule
 - Suite Data Information Table
- C3 - Lot Plan - Survey - 2014
 - Project Data Table
- C4 - City to House Site Services

Architectural (APPROVED) 1992 - Drawing

HOUSE

- A1 - Floor Plans - Main / Bsmnt
- A2 - Floor Plans - 2nd / Attic
- A3 - Elevations - West
- A4 - Elevations - East
- A5 - Elevations - North
- A6 - Elevations - South
- A7 - General X Section
- A8 - Concrete FND, FTG's and Walls

Window Schedule

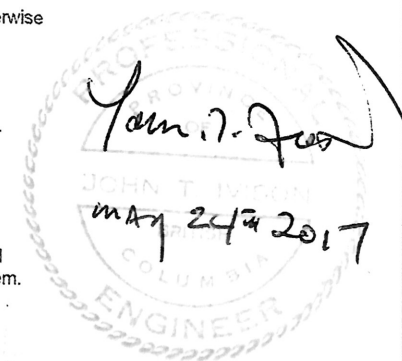
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26-50 0 - [2]	40-50 0 - [9]
26-56 1/2 - [3]	60-30 1/2 - [10]
30-36 1/2 - [4]	60-40 0 - [11]
36-36 1/2 - [5]	60-50 0 - [12]
36-56 1/2 - [6]	20-40 0 - [13]
40-36 0 - [7]	26-30 0 - [14]

Door Schedule (Rating)

24" std - [1]	24" Fire 1 0 Hour - [1]
28" std - [2]	28" Fire 1.0 Hour - [2]
30" std - [3]	30" Fire 1.0 Hour - [3]
32" std - [4]	32" Fire 1 0 Hour - [4]
34" std - [5]	34" Fire 1.0 Hour - [5]
36" std - [6]	36" Fire 1.0 Hour - [6]

General Construction Notes

- 1) Building contractor is to Verify all dimensions on site before proceeding
- 2) Measurements on site take precedence over scaling off drawings.
- 3) All concrete is to be a minimum 20 mpa (3000 psi) @ 28 days
- 4) All lintels in load bearing walls to be a minimum 2@2x10 SPF unless otherwise noted.
- 5) All plates on concrete to be rot treated & or be separation isolated upon installation.
- 6) Flush framed members shall be anchored using joist hangers.
- 7) Flash all unprotected openings and changes in materials on exterior walls.
- 8) All grades shown are approximate only.
- 9) All construction to comply with Local, BC and National Building codes as applicable.
- 10) All materials specified are subject to local availability
- 11) Roof Trusses and Manufactured floor members shall be designed by authorized engineer, who shall ensure that lintels, beams and posts over load bearing points are designed to withstand appropriate loads imposed upon them.
- 12) Design snow loads = 35psf (not to be exceeded)
- 13) All structural framing lumber shall be #1 & 2 SPF or better unless noted otherwise.
- 14) Do not use Fingerjoint (FJ) studs under beams, lintels or girders.
- 15) Lot Survey has been completed and construction is to be contained and maintained within dimensions of observed building envelope.



Suite Data Information Table

Floor / Suite #	ft 2	m2	Configuration
Bsmnt #8	237.08	22.03	Bachelor w/ Bath
Bsmnt #9	548.70	50.98	1 Bedroom w/ 2 bath Full Kitchen & Dining "Caretaker"
Bsmnt #11	159.15	14.79	Bachelor w/ Bath & Kitchenette
Main Flr #1	256.67	23.85	Bachelor w/ Bath & Kitchen w/ Stg Loft
Main Flr #3	348.49	32.38	1 Bedroom w/ Bath and Kitchen
Main Flr #10	544.34	50.57	2 Bedroom w/ Bath and Kitchen w/ Stg Loft
2nd Floor #4	377.87	35.10	1 Bedroom w/ Bath and Kitchen w/ Stg Loft - 2 Levels
2nd Floor #5	409.24	38.02	1 Bedroom w/ Bath and Kitchen w/ Stg Loft
2nd Floor #6	261.29	24.27	Bachelor w/ Bath and Kitchen w/ Stg Loft
2nd Floor #7	775.99	72.09	1 Bedroom w/ 2 bath and Kitchen w/ Stg Loft - 2 Levels
Bsmnt Office	254.88	23.68	Caretaker / Owner Office space
Totals	4598.29	427.21	Mixed Usage Units

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John Ivison & Associates Ltd.
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1040 and
2194 W. 6th Ave.
Victoria, B.C. V8K 0R1
Canada

1040 and
2194 Thomson Terrace
Nanaimo, B.C. V9R 0R1
V2L 0R1

SCALE: 1/8"=1' DRAWN: CDM

DATE: APRIL 15, 2017 CHECKED: JTI/JAA

Approved for use in
Construction (initials) _____

DISK NO. NA FILE No. GDD-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.

Table of Contents - Rezoning Dwgs

Issue Date: Jan 2017

EDIT VERSION

5

Drwg #:

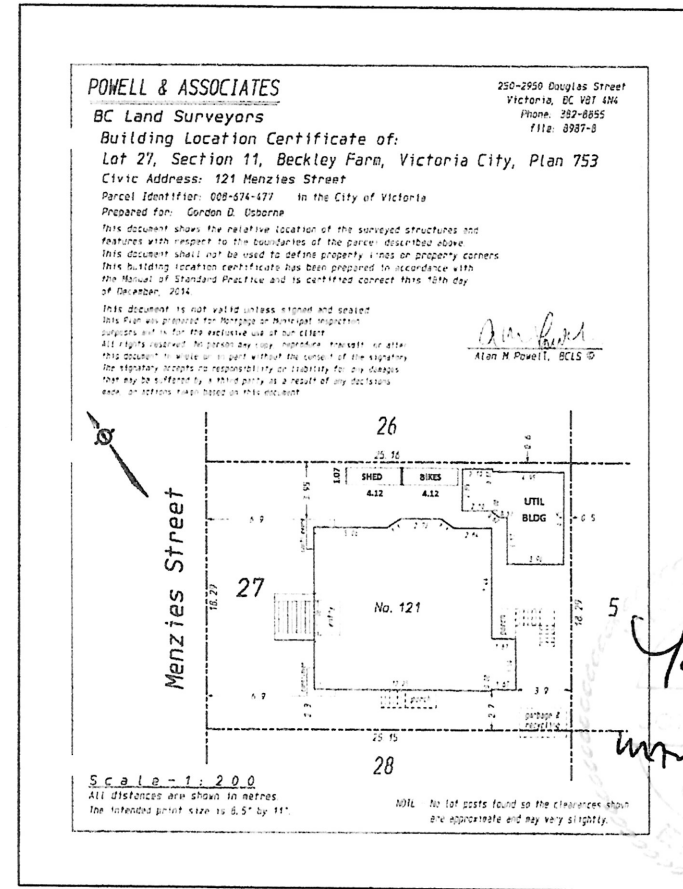
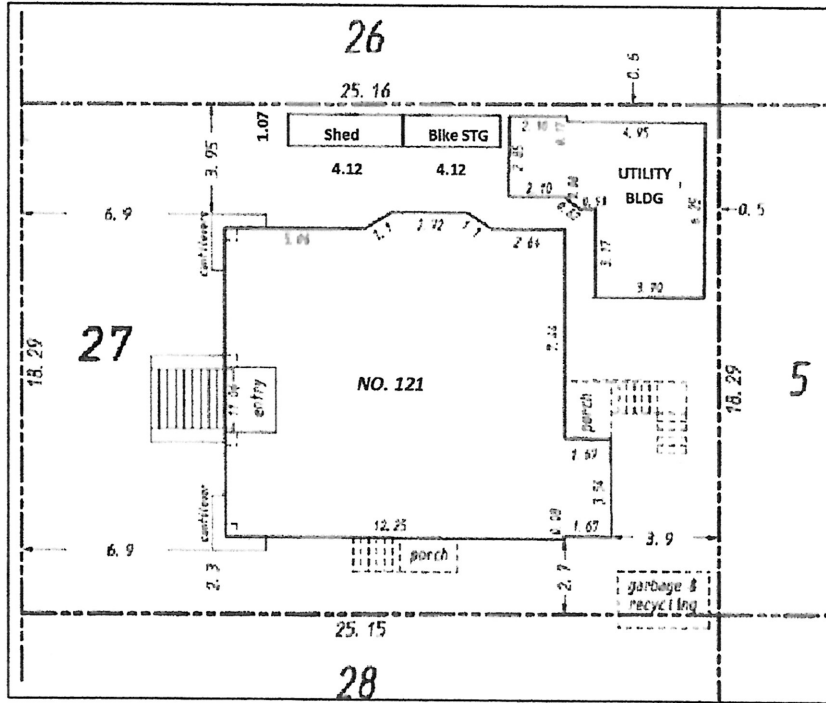
C2

Project Information Data Table	
Zone Existing	R-2 (DP16)
Proposed Zone	New Zone - Site Specific
Site Area	*5028.80 sf (467.19 m2)
Total Floor Area	*5625.95 sf (522.67 m2)
Commercial Floor Area	NA
Floor Space Ratio	*1.12
Site Coverage %	42.3
Open Site Space %	*44
Height of Building	39'-11 ³ / ₈ " (12.19m)
Number of Storeys	4
Parking Stalls on Site #	1
Bicycle Parking	*10

Building Setbacks	
Front Yard	24'-3 ¹ / ₄ " (7.40m)
Rear Yard	12'-9 ¹ / ₂ " (3.90m)
Side Yard (North)	11'-9 ³ / ₈ " (3.59m)
Side Yard (South)	9'-2 ¹ / ₄ " (2.80m)
Combined Side Yards	20'-11 ³ / ₈ " (6.39m)

* Denotes Revised Data

Residential Units Details	
Total Number of Units	*10 Mixed Usage
Unit Type	*1 Bdrm / 2 Bdrm / Bachelor
Ground Orientated Units	3
Min Unit Floor Area	*159.15 sf (4.79 m2)
Residential Floor Area	Refer to Suite Data Table - DWG C2



Gordon D. Osborne
 May 27th 2017

(A) Proposed Bike Parking - STG Area

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John Ivson & Associates Ltd.
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 JohnIvson@johnivson.com

1480 Island 3184 W. 5th Ave., Vancouver, B.C. V6K 1X6 Canada
 6551 Thomson Terrace, Maple Ridge, Duncan, B.C. V2X 0Y1

SCALE: 1/8"=1'
 DRAWN: CDM
 DATE: APRIL 15, 2017
 CHECKED: JTI/JMA

Approved for use in Construction (initials) _____

DISK NO. NA FILE No. G00-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
 121 Menzies Street, Victoria, B.C.
 Site Plan and Data - Rezoning Dwgs
 Issue Date: Apr 2017 EDIT VERSION 5











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City of Victoria Note:

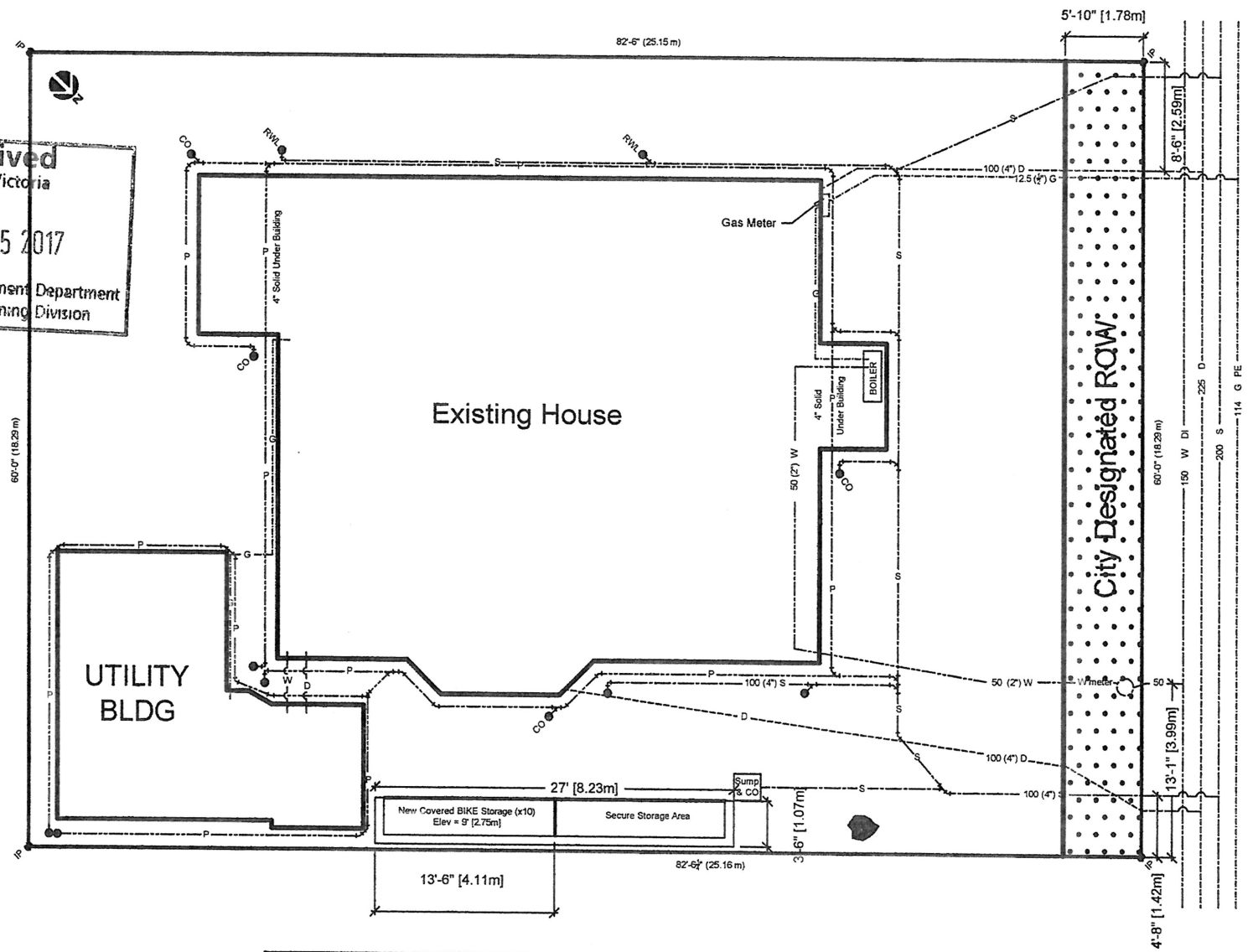
John D. Jones
 May 24th 2017

Menzies Street

LEGEND :

-  4" PVC Street "Y"
-  4" PVC "45°" Elbow
-  4" PVC "90°" Elbow
-  Rain Water Leader (RWL) or Clean Out (CO)
-  200 P Domestic Perimeter 4" Solid PVC
-  200 S City Storm - 8" | Domestic 4" PVC
-  150 W DI City Water - 6" | Domestic 2" PVC
-  114 G PE City Gas - 4.5" | Domestic 1/2" Copper
-  225 D City Sanitary - 9" | Domestic 4" PVC
-  Iron Pin (IP)

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 MAY 25 2017
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B Site Services

John Ivison & Associates Ltd.
 1-778-898-1909
 JohnIvison@JohnIvison.com

Malvern 3184 W. 8th Ave. Vancouver, B.C. V6K 1X5 Canada
 Island 8281 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 6Y1

SCALE: 1/8"=1'
 DATE: APRIL 15 2017
 Approved for use in Construction (Initials)
 DISK NO. NA FILE No. GDO-001/0814

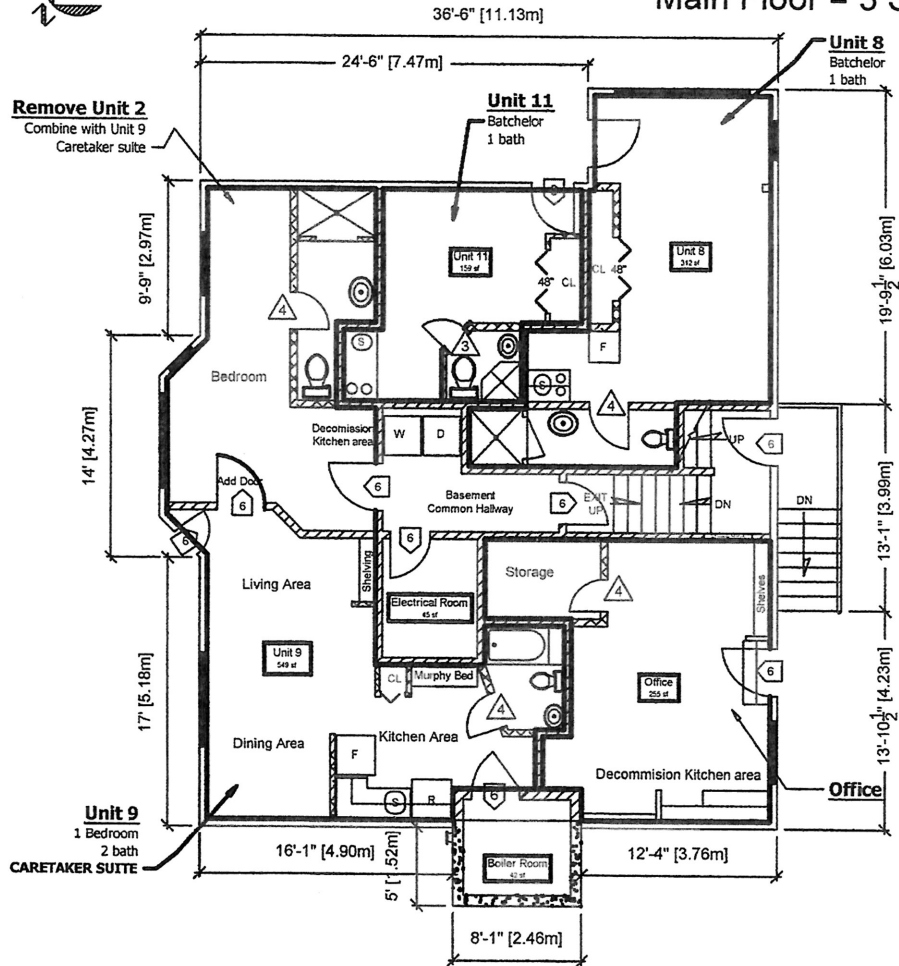
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 CHECKED: JTI/JAA

Mr. Gordon Osborne (REZONING DRAWINGS)
 121 Menzies Street, Victoria, B.C.
 Site Services - App'd 1992 - Alternate Plan
 Issue Date: Apr 2017

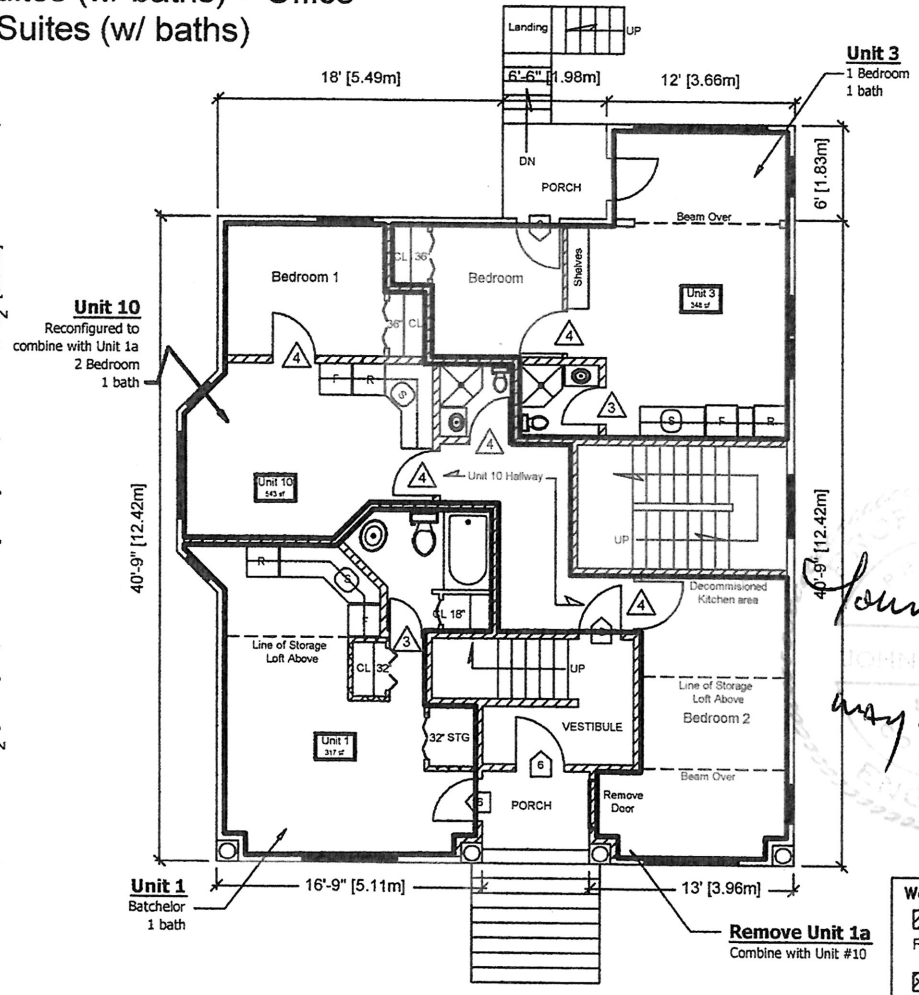
Drwg #:
C4
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Basement Floor = 3 Suites (w/ baths) + Office
Main Floor = 3 Suites (w/ baths)



A Basement Floor
1576.45 sf [146.46m²]



B Main Floor
1548.84 sf [143.89m²]

John T. Jee
May 27th 2017

Wall Legend :

	Fire Rated Separation
	Unrated Interior Partition
	Exterior Wall - Existing House Envelope

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John.Ivison@JohnIvison.com

Vancouver, B.C. V6K 1X8
V2L 0R1

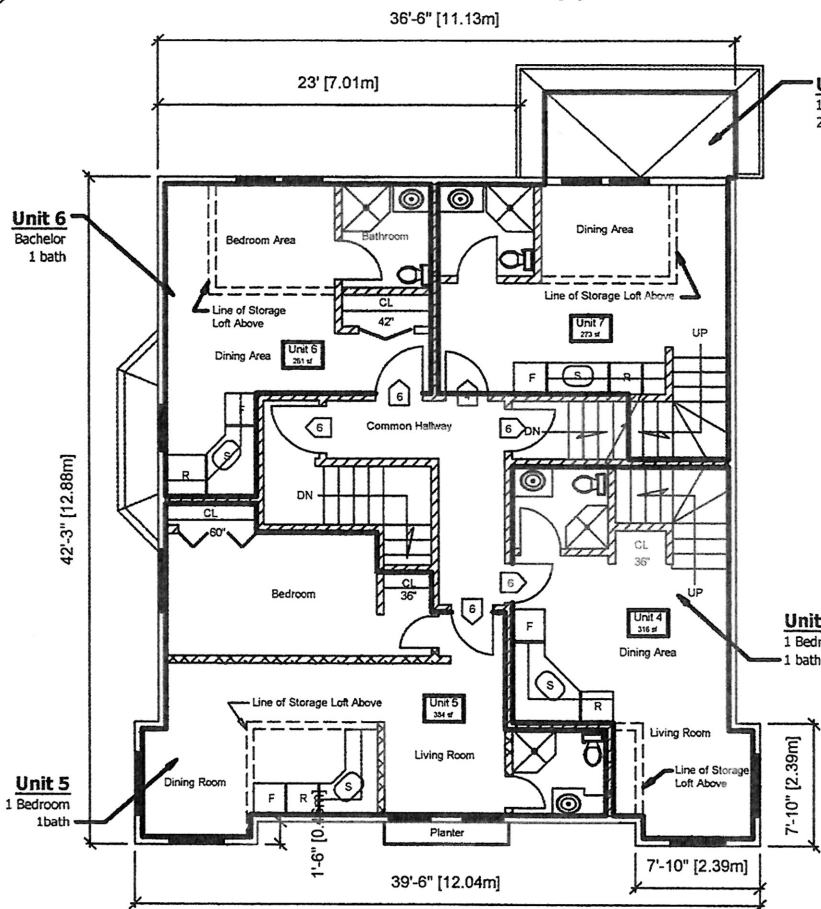
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DRAWN: CDM
DATE: APRIL 15 2017 CHECKED: JTI/JAA
Approved for use in Construction (Initials) _____
DISK NO. NA FILE No. GDO-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.
Floor Plans House (Basement /Main)
Issue Date: Apr 2017 EDIT VERSION **5**

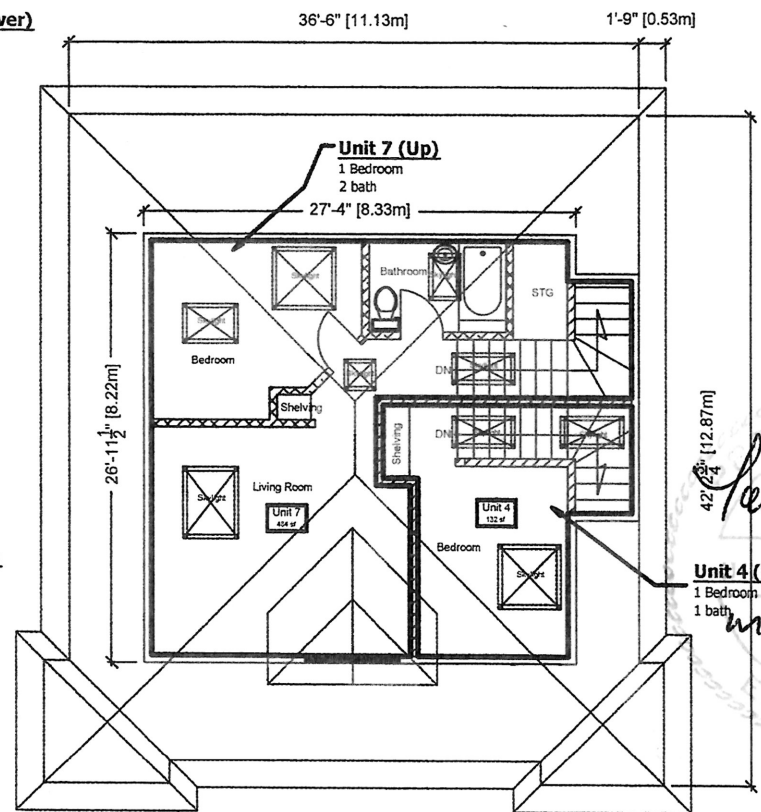
Drwg #:
A1



Second Floor = 4 Suites (w/ baths)
Attic Floor = Upper level of existing 2 suites from Second floor (4 & 7)



A Second Floor
1601.87sf [148.82m²]



B Attic Floor
798.98sf [74.22m²]

Pen. 7 Jus
MAY 24th 2017

Wall Legend :

	Fire Rated Separation
	Unrated Interior Partition
	Exterior Wall - Existing House Envelope

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City of Victoria
MAY 25 2017
Planning & Development Department
Community Planning Division

John Ivson & Associates Ltd.
 1-778-889-1909
 John.Ivson@johnivson.com
 Makland 3184 W. 6th Ave. Vancouver, B.C. V6K 1X8 Canada
 Island 6281 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 2B1

SCALE: 1/8"=1'	DRAWN: CDM
DATE: APRIL 15, 2017	CHECKED: JTI/JAA
Approved for use in Construction (Initials) _____	
DISK NO. NA	FILE No. GDO-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
 121 Menzies Street, Victoria, B.C.
Floor Plans House (Second / Attic)
 Issue Date: Apr 2017

Drwg #: **A2**
 EDIT VERSION 5

City of Victoria Note:

Top Of Roof	+39'-11 $\frac{3}{4}$ " (12.185m)
Avg Roof	+34'-1 $\frac{3}{8}$ " (10.398m)
Attic Floor	+28'-3" (8.610m)
Second Floor	+19'-6" (5.943m)
Main Floor	+9'-6" (2.895m)
Patio	~+21" (0.533m)
Avg Grade	0
Street	~-15" (-0.381m)



A Elevation - West

John T. Iverson
 JOHN T. IVERSON
 MAY 24th 2017
 ENGINEER

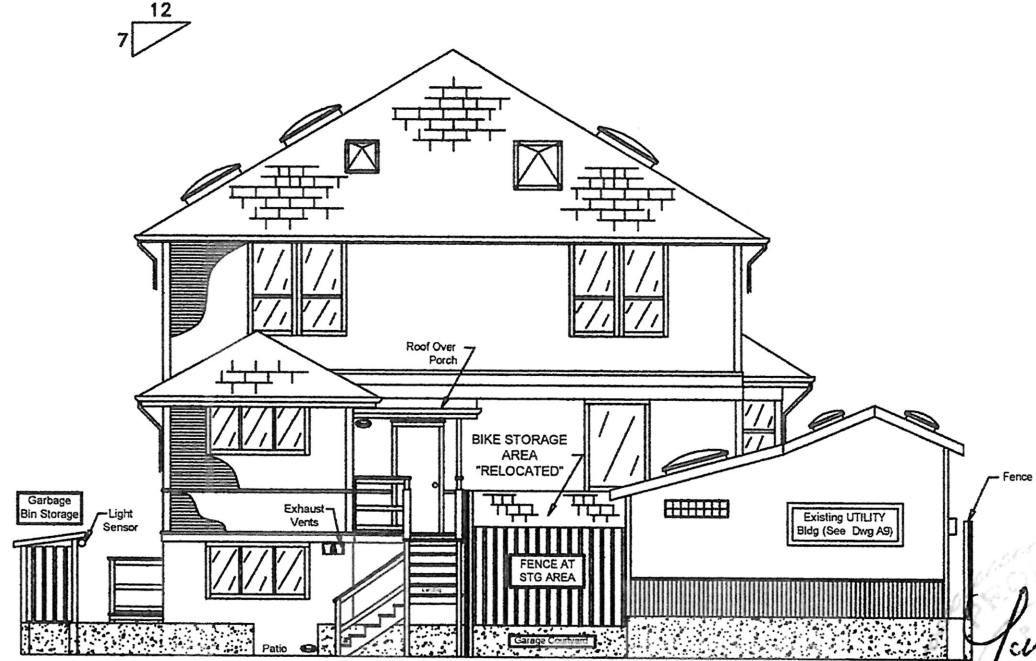
Received
 City of Victoria

 MAY 25 2017
 Planning & Development Department
 Community Planning Division

<p>John Iverson & Associates Ltd. 1-778-838-1009 John.Iverson@JohnIverson.com</p> <p><small>Midland 2184 W. 8th Ave., Vancouver, B.C. V6K 1X8 Canada</small> <small>Island 6251 Thomson Terrace, Maple Bay, Duneson, B.C. V8L 5P1</small></p>	SCALE: 1/8"=1' DATE: APRIL 15, 2017 Approved for use in Construction (Initials) _____ DISK NO. NA FILE No. G00-001/0814	DRAWN: CDM CHECKED: JTI/JAA _____ _____	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C. Elevation West - Rezoning Drawings Issue Date: APR 2017	Drwg #: A3 EDIT VERSION 5

City of Victoria Note:

Top Of Roof	+39'-11 $\frac{3}{4}$ " (12.185m)
Avg Roof	+34'-1 $\frac{3}{8}$ " (10.398m)
Attic Floor	+28'-3" (8.610m)
Second Floor	+19'-6" (5.943m)
Main Floor	+9'-6" (2.895m)
Patio	~+21" (0.533m)
Avg Grade	0
Street	~-15" (-0.381m)




(A) Elevation - East

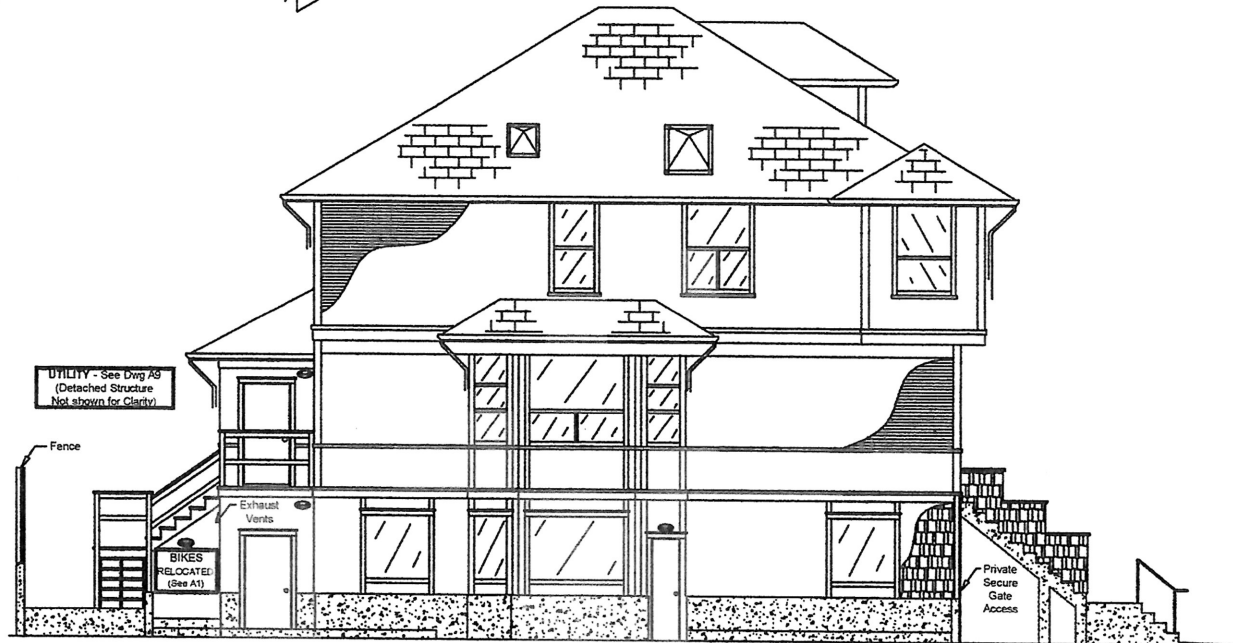
John T. Ivison
 JOHN T. IVISON
 MAY 24th 2017
 ENGINEER

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 John Ivison & Associates Ltd. 1-778-888-1909 JohnIvison@johnivison.com Nikland 3154 W. 6th Ave., Vancouver, B.C. V6K 1X3 Island 6251 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 6N1 Canada	SCALE: 1/8"=1' DATE: APRIL 15 2017 Approved for use in Construction (initials) _____ DISK NO. NA FILE No. GDO-001/0814	DRAWN: CDM CHECKED: JTI/JAA Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C. Elevation East - Rezoning Drawings Issue Date: APR 2017	Drwg #: A4 EDIT VERSION 5
	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C. Elevation East - Rezoning Drawings Issue Date: APR 2017		

Top Of Roof +39'-11 $\frac{3}{4}$ " (12.185m)
 Avg Roof +34'-1 $\frac{3}{8}$ " (10.398m)
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 Second Floor +19'-6" (5.943m)
 Main Floor +9'-6" (2.895m)
 Patio ~+21" (0.533m)
 Avg Grade 0
 Street ~-15" (-0.381m)



(A) Elevation - North

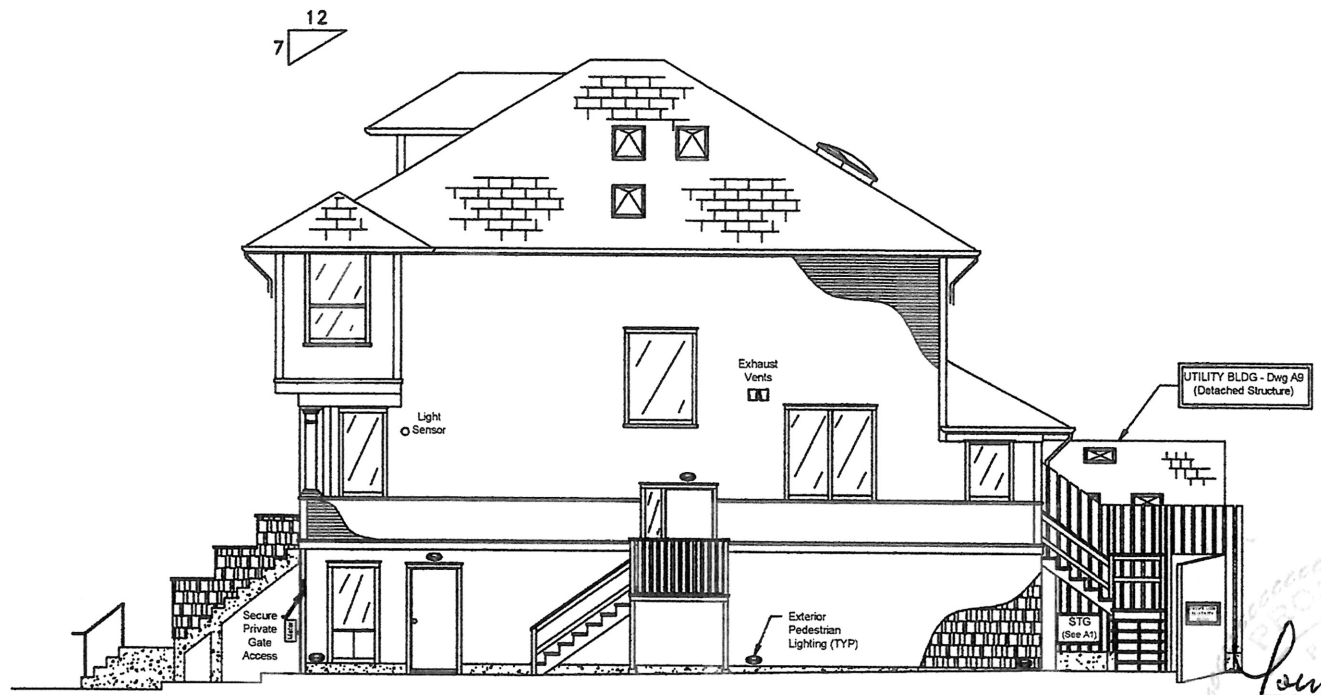
John F. Fuld
 JOHN F. FULD
 MAY 24TH 2017

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 City of Victoria
 MAY 25 2017
 Planning & Development Department
 Community Planning Division

<p> John Ivison & Associates Ltd. 1-778-288-1909 John.Ivison@johnivison.com Mainland 3184 W. 5th Ave., Vancouver, B.C. V6K 1X8 Canada Island 6251 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 6P1 </p>	SCALE: 1/8"=1' DATE: APRIL 15, 2017 Approved for use in Construction (Initials)	DRAWN: CDM CHECKED: JTI/JAA	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C. Elevation North - Rezoning Drawings	Drwg #: A5	
	DISK NO. NA FILE No. GDO-001/0814	Issue Date: APR 2017	EDIT VERSION 5		

City of Victoria Note:

Top Of Roof +39'-11 1/2" (12.185m)
 Avg Roof +34'-1 3/8" (10.398m)
 Attic Floor +28'-3" (8.610m)
 Second Floor +19'-6" (5.943m)
 Main Floor +9'-6" (2.895m)
 Patio ~+21" (0.535m)
 Avg Grade 0
 Street ~-15" (-0.381m)

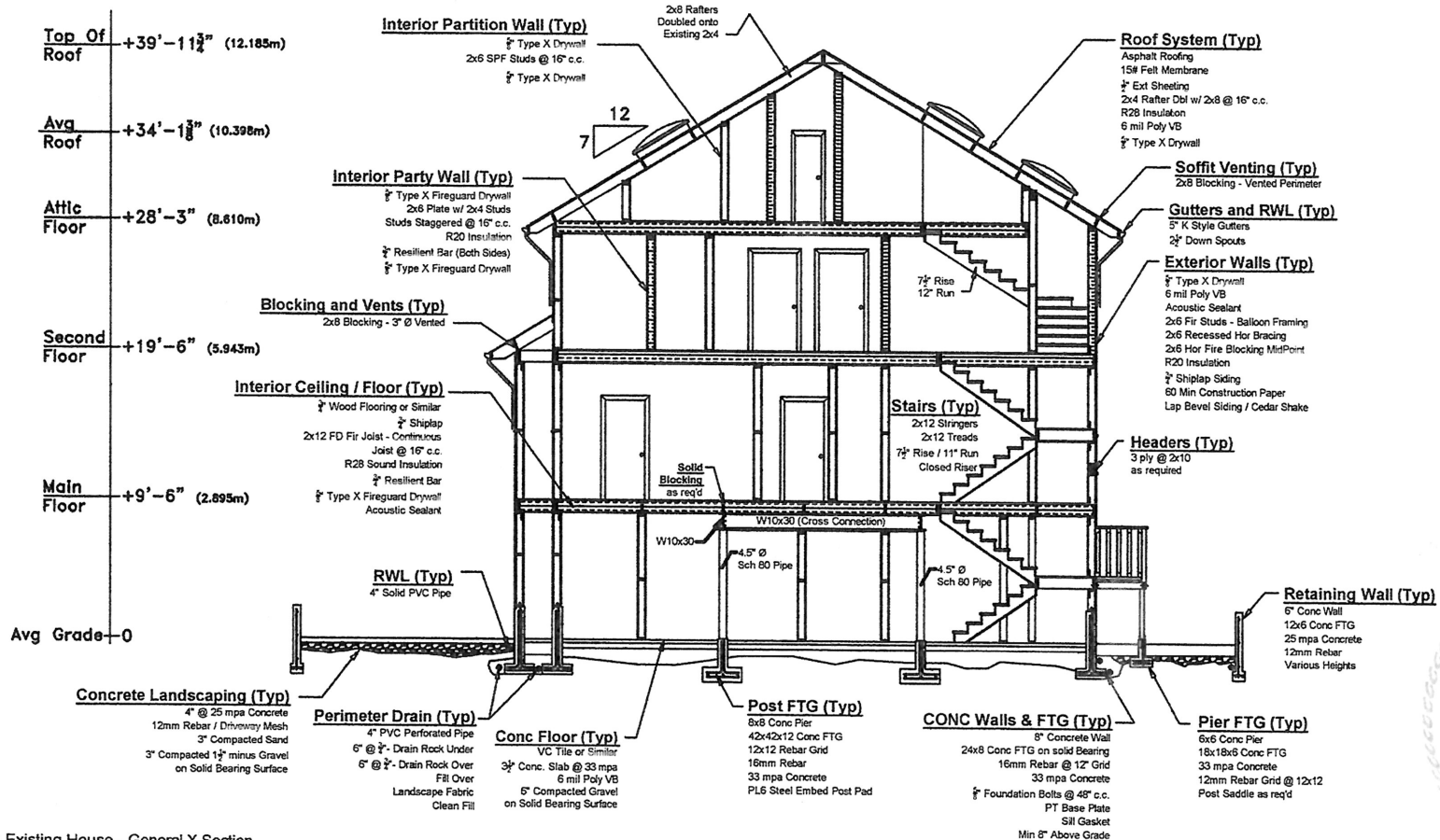


(A) Elevation - South

John Iverson
 MAY 24th 2017
 (Professional Engineer Seal)

Received
 City of Victoria
 MAY 25 2017
 Planning & Development Department
 Community Planning Division

John Iverson & Associates Ltd. 1-778-508-1339 john@jiaa.com 3184 W. 6th Ave. Victoria, B.C. V8K 1X3 Canada 6251 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 5P1	SCALE: 1/8"=1' DATE: APRIL 15 2017 Approved for use in Construction (Initials) _____	DRAWN: CDM CHECKED: JTI/JAA	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C.	Drwg #: A6
	DISK NO. NA FILE No. GDO-001/0814	Elevation South - Rezoning Drawings		Issue Date: APR 2017 EDIT VERSION 5



John D. Ford
 MAY 24th 2017

A Existing House - General X Section
 Information Observed or Confirmed as drawn

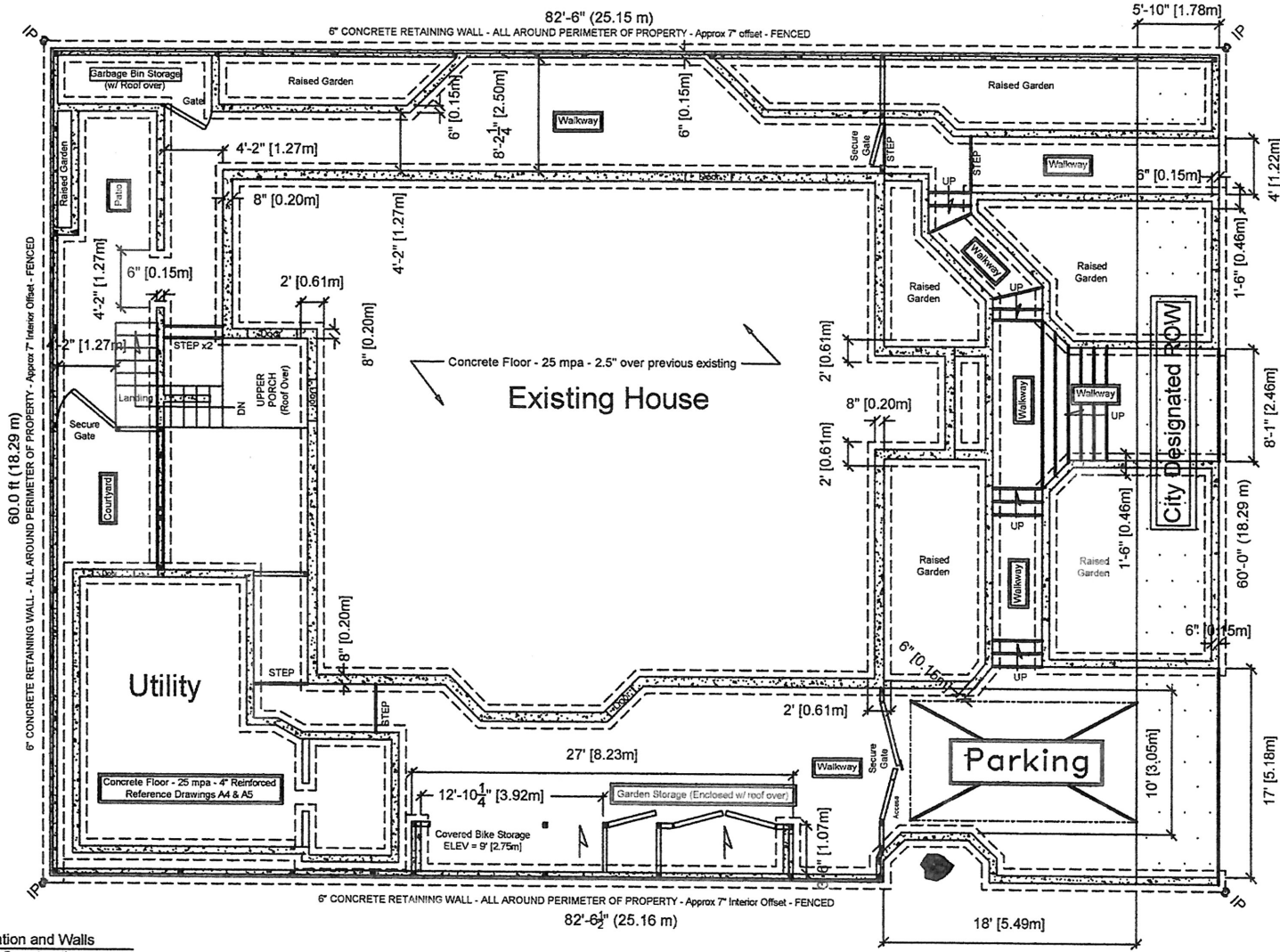
Received
 City of Victoria
 MAY 25 2017
 Planning & Development Department
 Community Planning Division

John Ivson & Associates Ltd.
 1-778-988-1909
 John.Ivson@johnivson.com
 Midland 3154 W. 8th Ave., Vancouver, B.C. V6K 1X8 Canada
 Island 6281 Thomson Tronson, Maple Bay, Duncan, B.C. V9L 0H1 Canada

SCALE: 1/8"=1'
 DATE: APRIL 15 2017
 DRAWN: COM
 CHECKED: JTI/JAA
 Approved for use in Construction (Initials)
 DISK NO. NA FILE No. GDO-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
 121 Menzies Street, Victoria, B.C.
Gen X Section - Existing Structure
 Issue Date: Apr 2017 EDIT VERSION 5

Drwg #:
A7



Menzies Street

John I. Iverson
MAY 24th 2017

Wall Legend :

	Concrete FND FTG & Wall - Approved Permit 1992
	Fence Line with Post - Fence around perimeter
	Iron Pin (IP)

A Concrete Foundation and Walls
- Approved 1992 Construction
Information Observed or Confirmed as drawn

Received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division

John Iverson & Associates Ltd.
1-778-889-1989
John.Iverson@JohnIverson.com

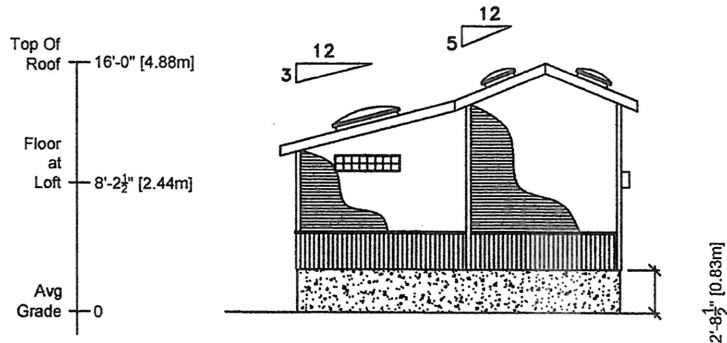
Malden 3184 W. 6th Ave.
Vancouver, B.C. V6K 1X3
Canada

Island 6251 Thomson Terrace
Mills Bay, Duncan, B.C.
V9L 5R1

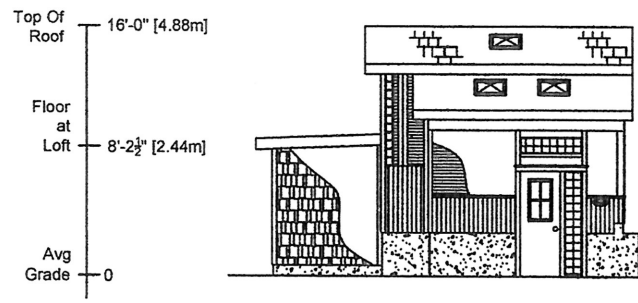
SCALE: 1/8"=1'
DATE: APRIL 15 2017
DRAWN: CDM
CHECKED: JTI/JAA
Approved for use in Construction (Initials)
DISK No. NA FILE No. GDO-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.
FND FTG & Walls - Rezoning Drawings
Issue Date: Apr 2017
EDIT VERSION 5

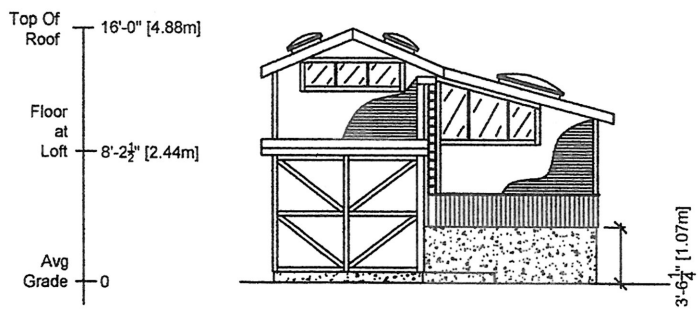
Drwg #:
A8



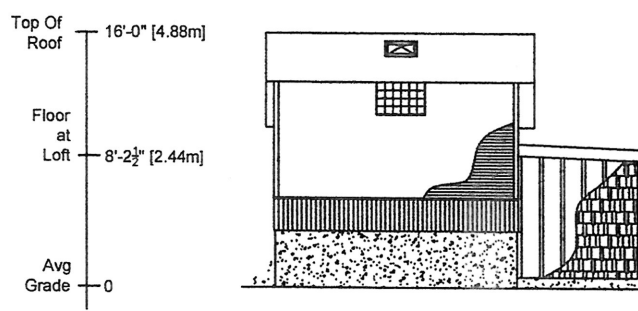
B UTILITY - East Elev
General Representation



D UTILITY - South Elev
General Representation



A UTILITY - West Elev
General Representation




C UTILITY - North Elev
General Representation

John. J. J. J.
May 24th 2017

Received
City of Victoria

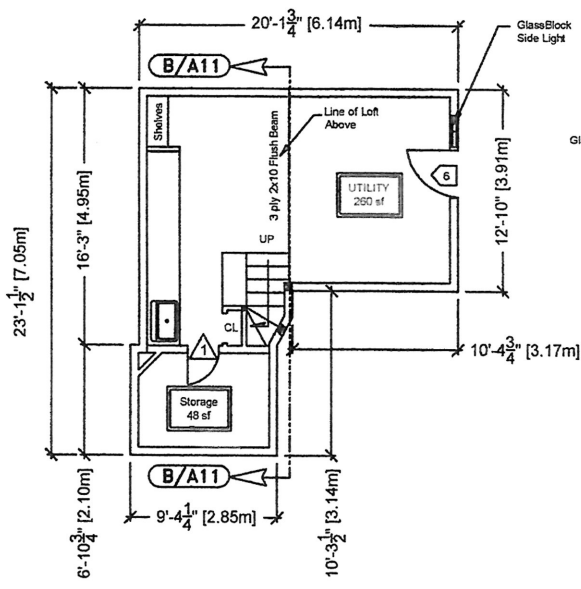
MAY 25 2017

Planning & Development Department
Community Planning Division

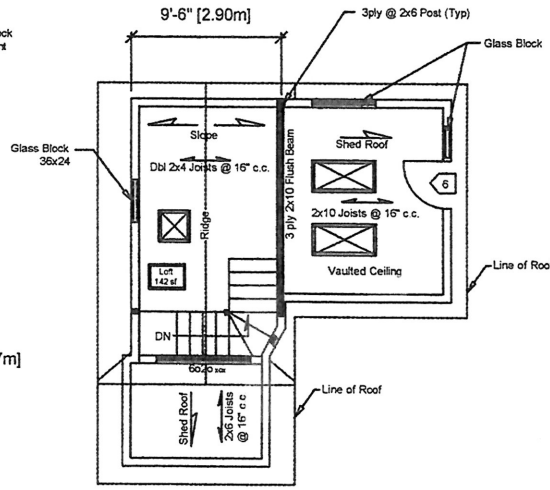
 John Ivison & Associates Ltd. 1-778-698-1909 JohnIvison@JohnIvison.com <small> Mainland 3184 W. 5th Ave., Victoria, B.C. V8K 1X8 Canada Island 8191 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 6R1 </small>	SCALE: <u>1/8"=1'</u> DRAWN: <u>CDM</u> DATE: <u>APRIL 15 2017</u> CHECKED: <u>JTI/JAA</u>	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C.		Drwg #:
	Approved for use in Construction (Initials) _____ DISK NO. <u>NA</u> FILE No. <u>GDO-001/0814</u>	UTILITY BLDG Elev - Rezoning Dwgs Issue Date: Apr 2017 EDIT VERSION <u>5</u>		A9



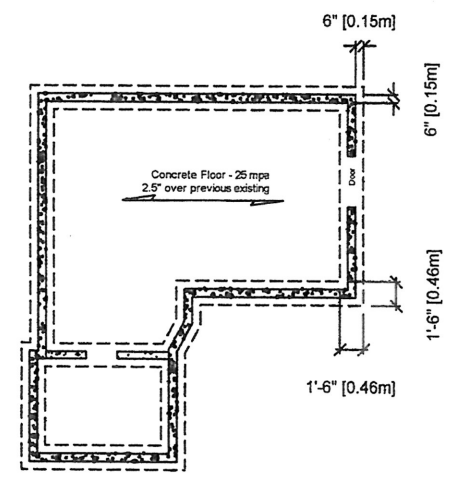
City of Victoria Note:



A UTILITY - Floor Plan - Lower Fir
312.94 sf [29.07m²]



B UTILITY - Fir Plan - Upper Loft
142.33 sf [13.22m²]



C UTILITY - FND Plan

John D. Ford
May 24th 2017

Received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division

John Ivison & Associates Ltd.
1-778-059-1909
JohnIvison@JohnIvison.com

Mainland: 3184 W. 8th Ave., Victoria, B.C. V8K 1X8 Canada
Island: 8281 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 5R1

SCALE: 1/8"=1'
DRAWN: CDM
DATE: APRIL 15, 2017
CHECKED: JTI/JAA
Approved for use in Construction (Initials)
DISK NO. NA FILE No. GDO-001/0814

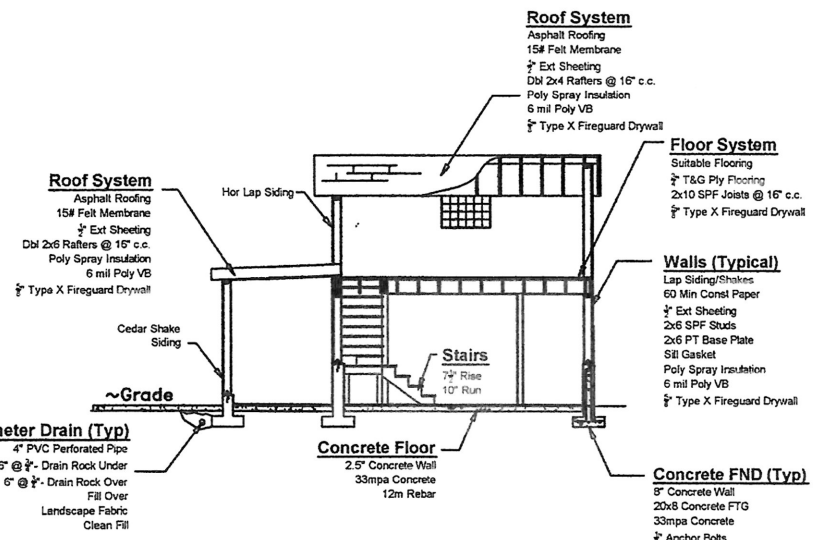
Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.
UTILITY BLDG - FND - Rezoning Dwgs
Issue Date: Apr 2017

Drwg #: **A10**
EDIT VERSION 5

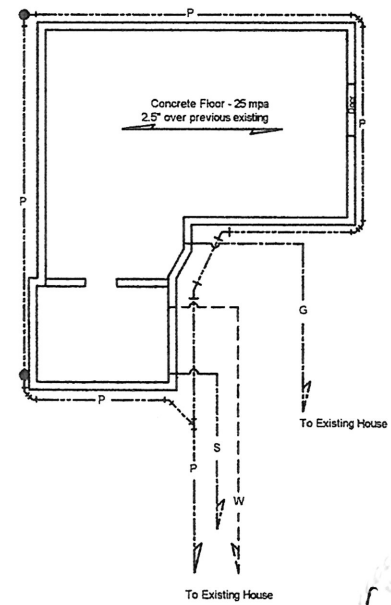
City of Victoria Note:

Received
City of Victoria
MAY 25 2017
Planning & Development Department
Community Planning Division

Top Of Roof 16' [4.88m]
Floor at Loft 8'-2 1/2" [2.44m]
Avg Grade 0

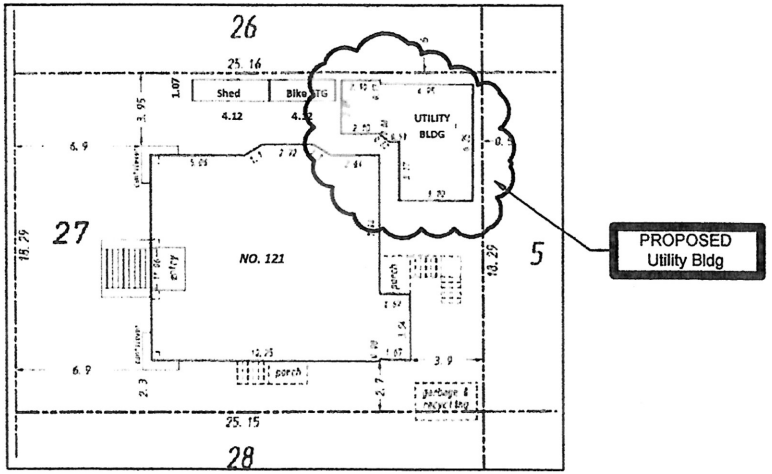


B UTILITY - Gen X Sec
General Representation



C UTILITY - Bldg Services

John Ivison
JOHN T. IVISON
MAY 24 2017



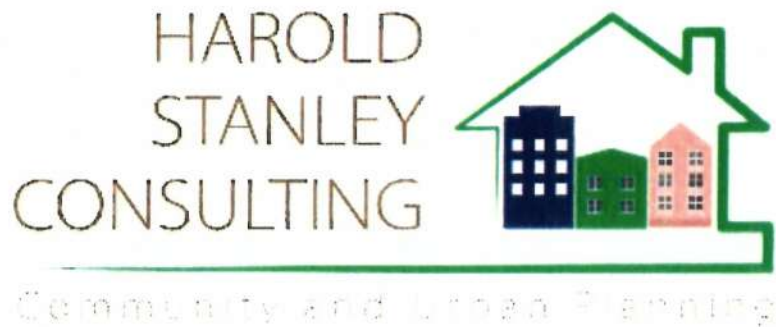
A LOT Survey - UTILITY

John Ivison & Associates Ltd.
1-779-659-1909
John.Ivison@johnivison.com
Midland 3154 W. 6th Ave. Victoria, B.C. V8K 1X8 Canada
Island 6251 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 0R1

SCALE: 1/8"=1' DRAWN: CDM
DATE: APRIL 15 2017 CHECKED: JTI/JAA
Approved for use in Construction (Initials)
DISK NO. NA FILE No. GDO-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.
UTILITY BLDG - X Sec - Site & Services - Rez Dwg
Issue Date: Apr 2017

Drwg #: A11
EDIT VERSION 5



City of Victoria
Sustainable and Community Development
1 Centennial Square
Victoria, BC V8W 1P6

April 21, 2017

RE: Rezoning application for 121 Menzies Street: Lot 27, Section 11, Beckley Farm, Victoria City, Plan 753

The proposal is to rezone the above noted residential property from the current R-2 (two family dwelling district) zone to one that would permit and accommodate 10 self-contained suites with a Floor Space Ratio of 1.19.

In 1992, the owner of the property was issued a Building Permit to renovate the property so as to accommodate 7 light housing keeping units with shared bathrooms. At the time the Building Permit was issued the R-2 zoning still applied to the property.

Subsequent to the issuance of the Building Permit, which was followed by an Occupancy Permit in 1993, the owner did further renovations that increased the number of suites to 14 from 7. Eight of the suites are bachelor suites with baths; 3 are one-bedroom suites with baths (one of which is designated as a caretaker suite); 2 are light housekeeping suites with shared bath; and one is a one-bedroom Garden Suite created through the conversion of an existing exterior garage, for a total of 14 suites. All of the suites, with the exception of the caretaker suite, are rented.

The current development provides much needed all-inclusive affordable rental housing with utilities and internet provided. The unfortunate aspect of this development was that it was undertaken in contravention of the City's Zoning Bylaw (the property is still zoned as R-2 two family dwelling district) and fifty percent of the work was done without permits, inspections and approvals. To try and resolve the situation the applicant retained a team of professionals to fully determine how much of the work complies with the BC Building Code.

John Ivison and Associates Limited was retained as part of the consulting team to assess all aspects of past construction and liaise with City staff. The consultant has subsequently determined that the work done is largely in conformance with the Code with only minor remedial work required. Consequently, fire and life safety/protection is not an issue.

The revised proposal is to reduce the number of suites within the principal building from 13 to 10. All the suites will be all inclusive and self-contained with their own bathrooms. The current Garden Suite will be decommissioned by removing the kitchen and bathroom fixtures. The building will then be converted to an accessory use, likely storage space.

One of the suites will be designated as a caretaker suite while a former suite will be converted to an office for use by the caretaker/owner. The caretaker suite and accompanying office will provide on-site supervision of the tenants and their activities, helping to mitigate any concerns neighbors may have regarding noise and unwanted behavior.

The building, built in 1907, fits in well with existing development on this block of Menzies, particularly its neighbors on the east side of the street which are of a similar age and architecture. The grounds are well landscaped with raised garden beds. The lack of large trees and hedges in the front yard provides unobstructed views of the building and its heritage facade.

The proposed Floor Space Ratio of 1.19 is only slightly higher than that of the two and three storey multi-dwelling buildings across the street in the R3-2 zone, which permits a maximum FSR of 1.0. Although the main subject building was raised as part of the Building Permit issued in 1992, the building's original footprint has not changed.

The existing and proposed development conforms to most of the goals, objectives, policies and guidelines contained in the City's current land use legislation including the Official Community Plan (2008) and the James Bay Neighborhood Plan (1993).

The proposed rezoning adheres to the vision outlined in the City's Official Community Plan for the community of James Bay, specifically the creation of a densely populated mixed-use neighborhood with a Large Urban Village (21.15.1). Compliance with strategic directions include: maintaining a variety of housing types and tenures for a range of age groups and incomes (21.16.1); maintaining an interesting diversity of land uses, housing types and character areas (21.16.3); and enabling the adaptation and renewal of the existing housing stock (21.16.4).

The property is designated Traditional Residential in the OCP and the proposal complies with many of the designation's guidelines. These include house conversions and ground oriented buildings as allowable uses, houses oriented to face the street with variable front and rear yards, on street parking and individual driveways, and density up to an FSR of approximately 1:1. As a house conversion in Development Permit Area 16 (General Form and Character) of the OCP, the proposal is exempt from the requirement of a Development Permit.

The subject property is in close proximity to James Bay Village where development is guided by the Large Urban Village Development Permit Area (DPA 5). James Bay Village is a mixed-use area made up of buildings of a variety of ages, types and forms accommodating commercial and community services, medium to high density housing, and a park. The existing and proposed development of the subject property is a natural complement to the Village.

The proposal adheres to the vision laid out in the James Bay Neighborhood Plan, which includes the preservation of existing community amenities that are of "special historical or community

importance, including existing housing stock and streetscapes”, and the provision of “appropriate and affordable housing that meets the needs of a rich diversity of residents”. The proposal also conforms to the goals and objectives listed under the Housing section of the Plan, including: providing a range of housing opportunities; supporting initiatives that house the elderly, disadvantaged and needy; and retention of significant buildings in the neighborhood.

The proposal offers social benefits to the James Bay community and the City by providing affordable housing in a city with an affordable housing shortage. The proposal fits in well with the intentions of the City's recently approved new Housing Strategy including: the reduction of parking requirements; the removal of minimum dwelling unit size regulations in multi-dwelling residential zones; and zoning that encourages a variety of housing forms including house conversion opportunities. The owner has agreed to keep the suites as rental accommodation in perpetuity should the rezoning be approved.

The property contributes to the neighborhood's unique character, sense of place and human scale, and is recognized by the City as having significant heritage value. The City's Heritage Planners held a meeting with James Bay residents in May of last year to go over a list of James Bay properties they'd like to have designated for their heritage value, which includes the subject property. The property's owner attended the meeting as well as a meeting at City Hall with the Heritage Planners. As a result of these meetings the owner has agreed to have the property designated as a heritage property if the rezoning is approved.

The property, with a number of suites and windows facing the street and no large trees blocking views to the street, provides excellent “eyes on the street” in keeping with CPTED policy. Previous incidents of members of the public using the building's front porch for illegal activities have been resolved with the enclosure of the porch. The provision of a live-in caretaker/building supervisor will provide additional security

With only one parking space on the property there is technically a deficiency of 7 parking spaces based on the proposed 10 dwelling units. In January of last year, the owner retained the services of a transportation consultant to conduct a parking review of the property. The study, done with the current 14 suites, concluded that the few vehicles associated with the building are comfortably accommodated with the existing on street parking and one on-site parking space. There's been only one complaint from neighbours regarding parking, and that was 20 years ago. Turnover of suites has been extremely low and prospective tenants are made aware of the lack of on-site parking.

The property is conducive to a car free lifestyle. The property's location, next to James Bay Village, has a walk score of 84 meaning it is in a very walkable location close to commercial, community and government services as well as amenities such as parks. There is good access to transit with the #3 Beacon Hill/Gonzales route on Menzies Street, in front of the subject property, providing quick access to downtown. The area, with its flat terrain, is good for cycling. The proposal includes storage for 10 bicycles in a secure location accessible to tenants. Cycling and pedestrian infrastructure improvements are planned for Menzies Street and will require a widening of the road right of way. These improvements, and the widened road right of way, have been considered and can be accommodated.

The building has a number of sustainability features. Rainwater from the eaves is collected via drain pipes into a series of rain barrels around the building, keeping rainwater from entering the storm sewers and providing water to the property's landscaping. Recycling and composting is provided for with a well-designed collection system. The collected compost is used to fertilize the property's raised garden beds. Vegetables grown in the gardens are for the use of tenants and neighbours. The suites include high efficiency appliances with low water flow, features which will be retained should the rezoning be approved.

In summary:

- The current development of the property, with 14 dwelling units, has been in place for over 20 years;
- A consultant has determined that the work undertaken, while in contravention of City bylaws, is largely in compliance with the BC Building Code and is safe for occupancy;
- The number of suites will be reduced from 14 to 10, including the decommissioning of the Garden Suite and converting it to an accessory use, likely storage space, to bring the proposal more in line with existing municipal policies;
- A caretaker's suite and adjacent office will provide ongoing security as well as maintenance of the building;
- The proposal contributes and conforms to most of the goals, objectives and policies contained in the OCP and James Bay Neighbourhood Plan as well as the City's new Housing Strategy;
- The property is in a very walkable location with good cycling and transit access, and parking has not been a problem;
- The current development contains a number of sustainability features that will be retained;
- The rezoning will ensure the preservation of a valuable heritage asset and streetscape by having the property heritage designated if the rezoning is successful;
- The property will continue to provide much needed affordable all-inclusive housing through a housing agreement with the City that will ensure the suites on site are rental in perpetuity.

Thank you for your consideration of this matter.

Yours Sincerely;

Harold Stanley M. Env. Design
Community Planning Consultant
Harold Stanley Consulting



James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

October 21st, 2016

Mayor & Council,
City of Victoria

Re: CALUC Community Meeting - 121 Menzies St

The community meeting to consider the proposal at 121 Menzies was held on October 12th (46 attendees). Attached please find an excerpt of the General Meeting minutes regarding the proposal.

A proposal for this property was presented at the April 8, 2015 JBNA meeting. The letter from that meeting is appended. The R-2 building was renovated in 1992 and subsequently given an occupancy permit for seven LHK suites. The owner soon thereafter completed additional renovations, added five others. The current proposal is for 11 units.

All but one meeting participant expressed strong negative responses to the proposal. The question and response period was quite extensive with further explanation and additional similar comments to the further points raised. The minutes capture some of these comments.

The one positive comment suggested that the units would be "affordable" and therefore the proposal should be supported.

The negative responses focused on the disrespect for the process and the precedent the proposal would set. This train of thought was expressed a few times, more so after the proponent said there are others in the neighbourhood who have done the same thing, meaning created suites beyond permissive zoning.

For your consideration,

Marg Gardiner,
President, JBNA
CALUC Co-Chair

Cc: Harold Stanley
CoV Planning

EXCERPT from JBNA October 12th, 2016 Minutes

JAMES BAY NEIGHBOURHOOD ASSOCIATION MINUTES - General Meeting October 12th, 2016 – 46 present

7. CALUC: 121 Menzies

Harold Stanley, Planning Consultant,
Charles Miller, Engineering Technologist, Duncan Valley Designs
John Ivison, John Ivison & Associates

Marg Gardiner reported on the Development Review Committee (DRC) pre-meetings:

On July 4th and September 12th JBNA Committee members, Tim VanAlstine, Wayne Shillington, and Marg Gardiner met with the proponents. Trevor Moat was at the July meeting and Tim Sommer at the September Meeting.

A proposal for this property was presented at the April 8, 2015 JBNA meeting. The letter from that meeting will be appended to the letter from this meeting as the issues remain.

The R-2 building was renovated in 1992 and subsequently given an occupancy permit for seven LHK suites. The owner soon thereafter completed additional renovations, added five more suites in the building and then converted a garage to stand-alone accommodation. With changes, there were 13or14 rental suites. The added suites were constructed without City permits or approval.

Since that time, the proponent has had consultations with the City and reworked the interior configuration and is now proposing 11 units.

At the pre-meetings, the items suggested to be contentious remained:

- 1) the precedent it might set and the message to other landowners who could make similar unapproved renovations or that this would set a precedent for the level of density and type of renovation permitted in the community.*
- 2) the parking shortfall which further frustrates residents who are searching for parking near 5-corners and especially Thrifty Foods.*

Community Meeting presentation:

John Ivison . . building constructed in 1906 was originally single family R-2 zoning. Owner G Osborne purchased in 1992. 1992 restoration started; house raised, windows/doors replaced, painting, roof and gutters. Interior changes 7 light housekeeping suites, 7 kitchenettes, 4 common washrooms. Additional work took place which increased units to 14, this was done without permit. Only 1 parking space. The current proposal has no plans to provide additional parking based on parking study. Has a secured area for bikes.

Questions/comments:

Q/A opportunity given to those proposal live within 100m of 121 Menzies, followed by invitation to any resident. (addresses not captured for all speakers)

C: resident – the approval of zoning for 7 units should never have been exceeded

C: Lewis St resident – take offense when you state there are other buildings which have suites greater than permitted and only reason you are here is that it was “*just the one found out*”. This insults those who follow the system and create suites legitimately.

Q: Lewis St - want 11 suites, an office, garden suite are they included in the 11

A: Yes

Q: What is rent range and suite size range

A: range of rent \$330 and \$1000 monthly. Currently 250 sqft, with reduction from 14 to 11 suites range will be 287 to 780 sqft

C – takes great exception to how this has been presented. Defies all zoning requirements. Crams in units.

Q: How many tenants currently in residence

A: 7

C: 17 yr resident, appreciates issue of affordability, worth supporting. 11 units not to be sneered at.

C: Don't support it -flies in face of by-laws, permits, what's the point of other community members following rezoning regulations if people flaunt regulations. Sets a bad precedent. Has had 24 yrs of revenue from the illegal suites. Restore back to original 7 suites. Proponent is trying to pull on heart-strings to rationalise his circumvention of bylaws. Others have followed the rules, and it cost them a lot.

Q: What are alternatives.

A: will have to restore back to original 7 units.

C: 1992 entitled to 7 suites – compromise 11 suites – need to go back to 7 suites. Currently occupied by 7 renters. No one would be displaced.

Q: if reduced to 7 suites won't be as affordable?

A: Yes, would have to revert back to light-housekeeping suites no individual bathrooms would be shared. That is the term of the covenant which was entered into – if proposal does not succeed then must revert.



James Bay Neighbourhood Association

234 Menzies St
Victoria, B.C.
V8V 2G7

www.jbna.org

April 20th 2015

Mayor and Council
#1 Centennial Sq.
Victoria BC

Re: Development Re-zoning: 121 Menzies from 7 to 13 units

Mayor and Council:

A proposal related to an application to re-zone a multi-unit building located at 121 Menzies Street was presented at the April 8, 2015 meeting of the James Bay Neighbourhood Association (JBNA). Approximately 80 people attended the meeting.

The presentation focussed on the fact that the building had been renovated in 1992 and subsequently given an occupancy permit for seven suites. The owner soon thereafter completed additional renovations, added five more suites in the building and converted a garage to stand-alone accommodation, bringing the total to thirteen rental suites. The owner acknowledges that the six added suites were constructed without City permits or approval. The owner now is requesting that the building "stays AS IS and modify the zoning to reflect the structure."

Re-zoning proposals frequently elicit strong reactions from residents in the immediate vicinity. This particular proposal brought forth comments from people who live in many different parts of James Bay.

In summary, there were those who thought that there is a need for small, affordable rental accommodation. Others stated that the exterior of the building and the lot were well-maintained and in keeping with the heritage look of James Bay and still others were not concerned about there being only a single parking space for the thirteen units. On the other hand, there were those who questioned whether all construction had been done to code and whether all suites were safe for tenants.

Some speakers were frustrated that they had met City standards, incurred permit costs and paid increased property taxes after renovating their property while this landlord had not. There were those who were concerned that approval of this application would be seen as either condoning the owner's actions and thus send a signal that other landowners could make similar unapproved renovations or that this would set a precedent for the level of density and type of renovation permitted in the community.

I have included below the minutes of our April 8th Neighbourhood Association meeting that relate to this rezoning application and a letter I received from a resident who could not attend this meeting.

Yours truly,
CALUC Chair, JBNA

JBNA CALUC - 121 Menzies

April 8th Meeting minutes

Development Re-zoning: 121 Menzies from 7 to 13 units

Charles Miller, Duncan Valley Designs, presenter
Richard Skene, Architectural Securities Inc,
Gordon Osborne, Owner
John Ivision, Structural Eng Alex Apotoli, P. Eng

A multi-unit apt since 1992, density from 7 units to 13. Building build in 1906, single family R2 zoning, owed by Mr. Osborne since 1992. Currently zoned for 7 suites, was over the current R2 zoning but City rezoned to permit 7 LHK suites in 1992. Renovated the house and raised 2 ft. for legal basement. Extensive restoration of exterior and interior in 1992. Likely 7 units in place when inspected. However, additional suites constructed around same time: Unauthorized construction.

Now requesting modified zoning for 12 suite and 1 garden suite, with 4 additional suite in basement, 1 addition al suite on main floor, and the garden suite – garage conversion.

Only 1 parking spot for building – garden suite tenant has this spot. 2 other people in apt who own cars of 13 suites. Building has secure bike location.

Q/A:

Q – Superior St resident who is also a landlord – questions regarding permits, was plumbing done with professionals, electricians etc.

A – Yes for original 7 suites, not conforming for additional suites that's why requesting rezoning. Had over-built (pipes etc) in 1992 so plumbing conformed to code.

Q – Superior Cont'd – As a landlord, one of the houses I manage has a larger footprint than the whole Menzies property and would not consider 13 units for it. This proposal is not supportable.

C - Pilot St resident – I've gone through the rezoning process, followed what was required. You are asking the community to support the rezoning. For 22 years you have benefited from 5 illegal suites and you're asking for forgiveness because you are now making it right. This is not acceptable, the building should be reverted back to the 7 suites that were allowed by the city in 1992. These actions are not acceptable.

C – Simcoe resident – support affordable housing, states tenants are safe

C – Montreal St resident – do I as a single dwelling owner get to do this? Not likely. You've done this before – this is not supportable.

C - San Jose resident – walks past building, likes it, collecting of rain water, clean, no garbage, building a good citizen for street.

Q – Menzie St resident – going through process today are you up to today's standards? You state you can't meet, are you asking for relax of requirements?

A – Want to present an alternate process for today's standards

Q – Kingston St – if city doesn't approve request does the building revert back to 7 units?

A – Reserves right to answer at this time – wants to bring back into standards.

C – You might be a good landlord and your tenants might be good; but the zoning stays with the building and this is too much for this site.

C – Residents may be good citizens, that's all laudable, but 22 years of benefit by the owner, don't know that the owner has been a good citizen.

A – Not here to condone Mr Osborne's conduct, states he was heavily fined by hydro, here trying to rectify situations

Q – What was the original parking requirement for the 7 units?

A – 7 units required 3 parking stalls, currently only 1 parking stall for the

Q – Parking requirement in 1992 was 3 – was garage used as a garage

A – Garage was used as a garage prior to conversion in 1992.

C – So from the beginning you never intended to comply with parking. The garden unit should revert to parking as additional parking is needed..

C – Resident - St James St project was turned down due to parking, I don't believe that a stall is always needed for every resident; but more is needed than being proposed. With the St James proposal the City insisted on a car share requirement, if the City unwisely proceeds with this proposal, there should be a requirement for a couple of car shares spots right there. C – Have major concern for this application as will open floodgates, can't support this.

C – Why is it not possible to consider something less than 13 units?

A – Want to legalize those existing since 1992

Q – Is there egress for all existing suites?

A – All suites have egress

C – Wrong approach taken, my concern what happens when property is sold, what if the next owner isn't as responsible as the current?

A – Can't answer at this time until know what city will do?

C – The rezoning application should be looked at as though the property was Greenfield. If that were the case, what would be permitted.

Q – What about water, plumbing?

A – Already up to code for 13 suites since 1992.

C – For the 7 units was there an occupancy inspection?

A – Yes, all plumbing was roughed in in 1992, and electrical but due to finances the 6 extras suites weren't done.

A – Was approved for occupancy in 1992.

C – Very concerned about the precedence this will set and subsequent owners, put city and this community in a very difficult situation.

Q – Was building up to code in 1992?

A – Yes

Q – What have you done since then? Current codes

A – Met and have gone beyond what is required as of 2012, need to find out from city what can and can't be relaxed.

Q – Are they up to 2012 codes?

A – Have just touched surface of 2012 codes and are reviewing with city.

C – Medana St res – until a week ago didn't know how many people lived in building – support.

Letter from resident on Medana St.

To: Tom Coyle,

I oppose the rezoning of this property to allow 12 units plus a Garden Suite even though this use has been illegally in place for some years. The zoning does not allow this and the fact the property has had so many units for so long does not make it right. The neighbouring house to the north also contains more units than the zoning allows. Parking problems spill over onto neighbouring streets as there is not enough parking on Menzies Street. Thirteen units is excessive for a zoning meant for two units, but permitted to have seven. The small size of the multiple units contributes to more neighbourhood/tenant turnover which affects the character of the neighbourhood.

Even though this is to be a site specific bylaw, a precedent will be set. I am unable to attend the Community Meeting due to a schedule conflict.

ATTACHMENT F



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Tinney & Associates
568 Victoria Avenue
Victoria BC V8S 4M6

January 22 2016
Our File: 1933

Attn: Roger Tinney

RE: 121 Menzies Street Parking Review

Boulevard Transportation, a division of Watt Consulting Group was retained by Tinney & Associates to undertake a parking review for the residential building at 121 Menzies Street in the City of Victoria. This high level review provides an informed professional opinion regarding parking supply and demand.

1.0 EXISTING BUILDING

The site is located at 121 Menzies Street in the City of Victoria. See **Map 1**. The site was converted into seven light house-keeping units approximately 20 years ago, and has since changed unit types and configuration which requires a rezoning process.

There are a total of 14 units with a mix of bachelor, studio, and one-bedroom units, and range from 134 sq.ft. to 484 sq.ft. Two of the units share a bathroom, the rest are self contained.

There is one off-street parking space and 12 bicycle parking spaces.

2.0 PARKING REQUIREMENT

The site is located in the R-2 Zone: Two Family Dwelling District which requires parking per the City of Victoria's Zoning Bylaw, "Schedule C". See **Table 1**. Total required parking for the site is 18 spaces.

TABLE 1. PARKING REQUIREMENT

Unit Type	# of Units	Parking Requirement	Applied to the Site	
Light House Keeping Units	2	Buildings converted to housekeeping units	1 space for the first unit + 0.5 space for every unit over 1	1.5
Bachelor / One-Bedroom Units	12	Multiple Dwellings located in zones other than R3-1 and R3-2	1.3 spaces / unit	16
		Total Required Parking		18

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MAP 1. SUBJECT SITE



3.0 RESIDENT PARKING DEMAND

Existing Site

The site has an existing vehicle ownership of 5 vehicles¹, a demand rate of 0.36 vehicles per unit. The parking space on site is currently being utilized by visitors or maintenance vehicles; residents currently park on-street. Residents regularly utilize bike parking and it is typically seen at high occupancy.

Representative Sites

Resident parking demand has been estimated based on vehicle ownership information obtained from previous studies. Sites shown in **Table 2** are located on the periphery of downtown and are market rental apartments which are expected to exhibit similar parking demand to the subject site. Average vehicle ownership among sites is 0.37 vehicles per unit and ranges from 0.19 vehicles per unit to 0.56 vehicles per unit. The average vehicle ownership rate applied to the subject site suggests residents will own five vehicles; supporting the existing parking demand.

¹ Information obtained on January 8 2015 from building landlord

TABLE 2. SUMMARY OF VEHICLE OWNERSHIP AT REPRESENTATIVE SITES²

Location	Units	Owned Vehicles	Demand Rate (vehicles/unit)
1118 Balmoral Road	24	10	0.42
1635 Cook Street	70	26	0.37
2549 Dowler Place	16	9	0.56
1110 Queens Avenue	16	3	0.19
2136 Ridge Road	32	12	0.38
1039 View Street	160	32	0.20
1147 View Street	22	10	0.45
2523 Wark Street	16	8	0.50
1158 Yates Street	18	4	0.22
		Average	0.37

The subject site consists of small units. The sites surveyed were typical rental apartment sites, but not necessarily small units. Smaller units tend to exhibit lower parking demand because of the fewer number of occupants and/or lower income residents.

4.0 VISITOR PARKING DEMAND

Visitor parking demand rates have been demonstrated in the range of 0.05-0.07 vehicles per unit for multi-family residential³. Using a conservative estimate of 0.1 vehicles per unit, visitor parking demand is expected to be 1 vehicle.

5.0 ON-STREET PARKING CONDITIONS

On-street parking utilization was observed in the area surrounding the site, including Menzies Street, Niagara Street and Simcoe Street. See **Map 2**. Observations were conducted over two periods to understand on-street parking conditions during weekday PM and weekend daytime; when resident demand is highest.

Residents of the site currently park on-street and it is assumed were accounted for in observations. The likeliest location residents seek parking is Menzies Street adjacent the site in the residential parking only area, which was seen at 88% occupancy with three spaces unoccupied. Total parking was observed at 70% occupancy with 24 spaces unoccupied. Parking that is available to residents was observed at 72% occupancy with 21 spaces unoccupied. Generally, parking is available within a one-block radius of the site.

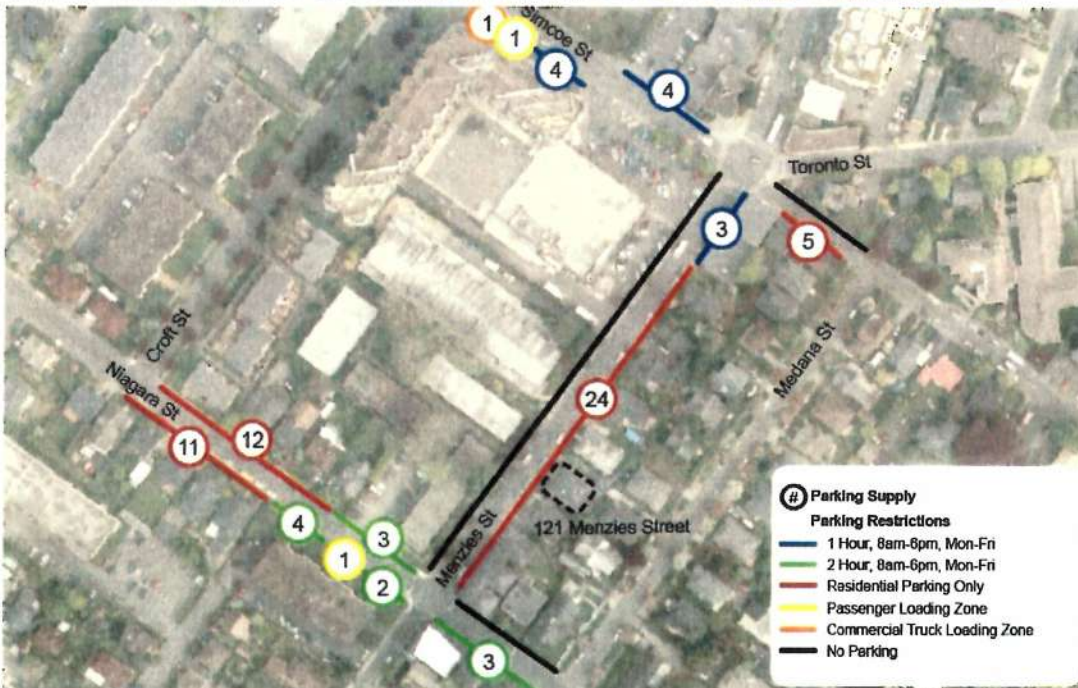
² Data was obtained from ICBC as of September 30, 2013

³ Based on observations of visitor parking demand conducted in 2015 for two studies of multi-family residential sites (one adjacent downtown Victoria, the other in Langford) and findings from the 2012 *Metro Vancouver Apartment Parking Study* (Table 31, pg50) available at: www.metrovancouver.org/services/regional-planning/PlanningPublications/Apartment_Parking_Study_TechnicalReport.pdf

TABLE 3. SUMMARY OF ON-STREET PARKING CONDITIONS

Street		Restrictions	Parking Supply (spaces)	Vehicles Observed	
				Sun. Jan. 10 @ 2pm	Thurs. Jan. 14 @ 9pm
Menzies St	Simcoe St – Niagara St (E)	1 hr, 8am-6pm, Mon-Fri	3	3	1
		Res Parking Only	24	21	20
	Simcoe St – Niagara St (W)	No Parking	-	-	-
Niagara St	Croft St – Menzies St (N)	Res Parking Only	12	6	7
		2 hr, 8am-6pm, Mon-Fri	3	2	2
		2 Hr, 8am-6pm, Mon-Fri	6	2	4
Menzies St	Croft St – Menzies St (S)	Pass. Loading Zone	2	0	0
		Res. Parking Only	11	7	8
	Menzies St – Medana St (N)	No Parking	-	-	-
Simcoe St	Menzies St – Medana St (S)	2 Hr, 8am-6pm, Mon-Fri	3	2	3
	Croft St – Menzies St (N)	1 Hr, 8am-6pm, Mon-Fri	4	1	2
		Pass. Loading Zone	1	0	1
	Croft St – Menzies St (S)	Comm. Loading Zone	1	1	0
		1 Hr, 8am-6pm, Mon-Fri	4	4	2
	Menzies St – Medana St (N)	No Parking	-	-	-
	Menzies St – Medana St (S)	Res. Parking Only	5	5	5
Total			79	54	55

MAP 2. SUMMARY OF ON-STREET PARKING SUPPLY AND RESTRICTIONS



6.0 SUMMARY

Site parking demand is six vehicles (five resident and one visitor) and is not accommodated on site. Site demand is already incorporated into on-street parking demand; suggesting that on-street parking supplies accommodate demand. There is no expected additional parking demand associated with the site.

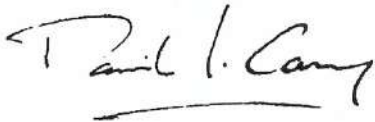
Please do not hesitate to contact the undersigned if you have comments or questions.

Sincerely,

BOULEVARD TRANSPORTATION

... a division of Watt Consulting Group

per,



Daniel Casey, MCIP, RPP, M.Plan
Senior Transportation Planner



Mairi Bosomworth, BA
Junior Transportation Planner