

REPORTS OF COMMITTEES

2. Committee of the Whole – July 27, 2016

9. Rezoning Application No. 00508, Development Variance Permit Application No. 00194, and Heritage Designation Application No. 000162 for 121 Menzies Street

Motion:

It was moved by Councillor Madoff, seconded by Councillor Alto:

Rezoning Application No. 00508

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00508 for 121 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:
 1. Preparation of the following documents, executed by the applicant:
 - a. Housing Agreement Bylaw to secure the 10 dwelling units as rental housing in perpetuity with a caretaker living on site to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Statutory Right-of-Way of 1.78 metres along Menzies Street to the satisfaction of the Director of Engineering and Public Works.

Development Variance Permit Application No. 00194

2. 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."

Heritage Designation Application No. 000162

3. That Council consider the following motion:

"That Council approve the designation of the property located at 121 Menzies Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

Carried Unanimously

6. LAND USE MATTERS

6.4 Rezoning Application No. 00508, Development Variance Permit Application No. 00194, and Heritage Designation Application No. 000162 for 121 Menzies Street

Committee received reports dated July 20, 2017, and July 11, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit a 10 dwelling unit house conversion and designate the property as heritage.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Loveday:

Rezoning Application No. 00508

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00508 for 121 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant:
 - a. Housing Agreement Bylaw to secure the 10 dwelling units as rental housing in perpetuity with a caretaker living on site to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Statutory Right-of-Way of 1.78 metres along Menzies Street to the satisfaction of the Director of Engineering and Public Works.

Development Variance Permit Application No. 00194

2. 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:
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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
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 - 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."

Heritage Designation Application No. 000162

3. That Council consider the following motion:
"That Council approve the designation of the property located at 121 Menzies Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW



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: Rezoning Application No.00508 for 121 Menzies Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00508 for 121 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant:
 - a. Housing Agreement Bylaw to secure the 10 dwelling units as rental housing in perpetuity with a caretaker living on site to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Statutory Right-of-Way of 1.78 metres along Menzies Street to the satisfaction of the Director of Engineering and Public Works.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning 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 Development Variance Permit Application, as well as a Heritage Designation Application, that are being processed concurrently with this application.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan, 2012* (OCP), which supports House Conversions. Although the existing building exceeds the height (3.5 storeys instead of 2 storeys) and density (1.12:1.0 instead of 1.0:1.0), the OCP includes policy to enable and support heritage conservation.
- the applicant is proposing a Housing Agreement with the City that would secure the 10 dwelling units as rental housing in perpetuity with a caretaker living on site.
- the site specific zone would be based on the existing R1-B Zone, Single Family Dwelling District, and House Conversion Regulations (Schedule G of the Zoning Bylaw) related to use and density. Other differences from the existing regulations would be addressed through variances so they do not become an entitlement that runs with the land in the event the building is ever destroyed or removed.

BACKGROUND

Description of Proposal

A new site specific zone based on the R1-B Zone, Single Family Dwelling District, and the House Conversion regulations of the Zoning Bylaw is being proposed in order to decrease the total floor area required to accommodate 10 dwelling units (minimum) from 1020m² to 544.15m². Other differences, primarily related to siting and parking, are discussed in relation to the concurrent Development Variance Permit Application. Essentially, the application would legalize the current built form and provide regulations to limit the number of dwelling units to a maximum of ten.

Affordable Housing Impacts

The applicant proposes the creation of three new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would secure the 10 dwelling units as rental housing in perpetuity, with a caretaker living on site.

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 Rezoning 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.

Land Use Context

The area is characterized by a broad range of land uses including single-family dwellings, duplexes, townhouses, apartments, and commercial uses.

Existing Site Development and Development Potential

The site is presently illegally developed as 11 dwelling units (with individual bathroom), 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 secondary suite or garden suite.

Data Table

The following data table compares the proposal with the R1-B Zone, Single Family Dwelling District, and the House Conversion Regulations under Schedule G of the Zoning Bylaw. An asterisk (*) is used to identify where the proposal is less stringent than the existing zone. A double asterisk (**) is used to identify existing legal non-conformities.

Zoning Criteria	Proposal	Zone Standard
Site area (m ²) - minimum	460.17	460.00
Lot width (m) - minimum	18.29	15.00
1 st & 2 nd storey floor area (m ²) - maximum	274.49	280.00
Combined floor area (m ²) - maximum	513.39**	300.00
Height (m) - maximum	10.40**	7.60
Storeys - maximum	3.50**	2.00
Setbacks (m) – minimum:		
Front (Menzies Street)	6.90**	7.50
Rear (east)	1.1** (to stairs) 3.9** (to building)	7.50
Side (north)	3.95	3.00
Side (south)	2.3 (to building) 1.1 (to stairs)**	1.83
Combined side yards	5.05	4.50
Site coverage (%) - maximum	42.30*	40.00

Zoning Criteria	Proposal	Zone Standard
Schedule G - House Conversion Regulations		
Required floor area (m ²) - minimum per dwelling unit	544.15*	1020.00
Minimum dwelling unit size (m ²)	28.98*	33.00
Landscape - total lot (%) - minimum	44.00	30.00
Parking - minimum	1*	8
Parking - location	Front Yard*	Behind Front Yard
Bicycle parking stalls (minimum) Class 1 Class 2	10 0	N/A
Schedule F - Accessory Building (Utility Building)		
Location	Side and Rear Yard*	Rear Yard
Combined Floor Area (m ²) -maximum	41.61*	37.00
Height (m) - maximum	4.41*	3.50
Setbacks (m) - minimum: Rear Side Separation space from principal building	0.50* 0.40* 1.00*	0.60 0.60 2.40
Rear yard site coverage (%) - maximum	29.80%*	25.00
Schedule F - Accessory Building (Shed and Bike Storage)		
Location	Side Yard*	Rear Yard
Setbacks (m) - minimum: Rear Side Separation Space	7.8 0.40* 2.48	0.60 0.60 2.40

Relevant History

The existing building is approved for seven housekeeping units (without a separate bathroom). At some point in the past, the building was converted to 11 self-contained dwelling units (each with a separate bathroom) and 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.

ANALYSIS

Official Community Plan

The proposal for a 10 dwelling unit House Conversion is consistent with the Traditional Residential Urban Place Designation contained in the *Official Community Plan, 2012* (OCP) which supports a diversity of housing types to create more home ownership options such as house conversion to create multi-unit residential developments.

Although the existing building exceeds the Traditional Residential height (3.5 storeys instead of 2 storeys) and density (1.12:1.0 instead of 1.0:1.0), the OCP includes policies to enable and support heritage conservation through incentives and allowances such as this. There is a concurrent Heritage Designation Application for this property.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Regulatory Considerations

This Rezoning Application is to rezone from the R1-B Zone, Single Family Dwelling District, to a site specific zone to allow a House Conversion with 10 dwelling units. The new zone would be based on the R1-B Zone except with decreased floor area per dwelling unit. The other differences from the existing zone (outlined in the table above) are reviewed in the concurrent Development Variance Permit Application staff report.

CONCLUSIONS

The proposal is to rezone the subject property from the R1-B Zone, Single Family Dwelling District, to a new site specific zone to permit a 10 dwelling unit House Conversion and is generally consistent with Traditional Residential Urban Place Designation and other OCP policy. The application includes a concurrent Heritage Designation and a Housing Agreement that would secure the 10 units as rental in perpetuity. Staff recommend that Council consider supporting the application.

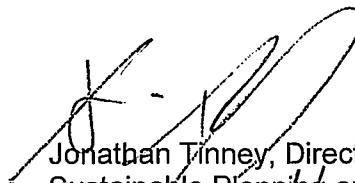
ALTERNATE MOTION

That Council decline Rezoning Application No. 00508 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

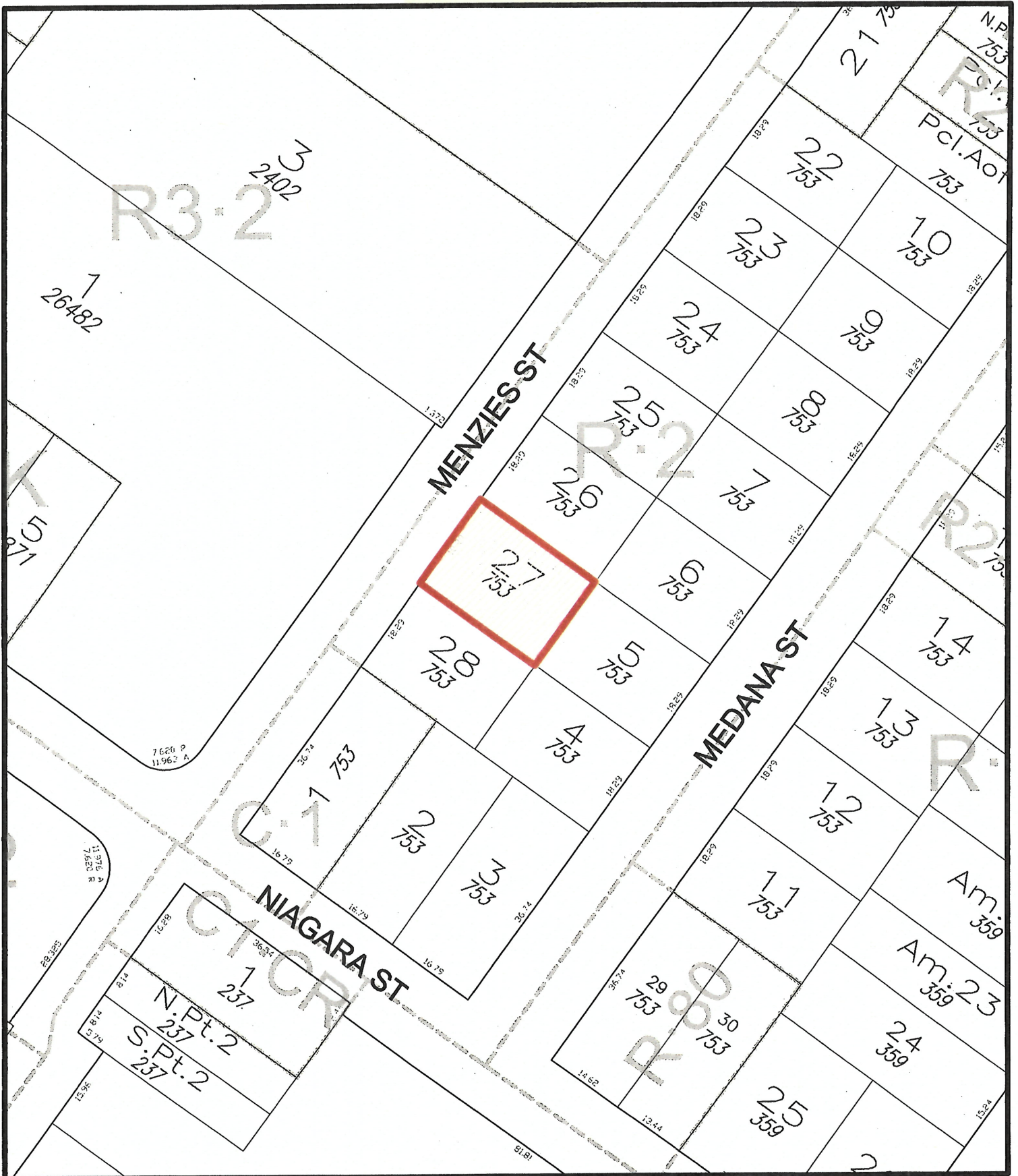
Report accepted and recommended by the City Manager:

Date: July 18, 2017

List of Attachments:

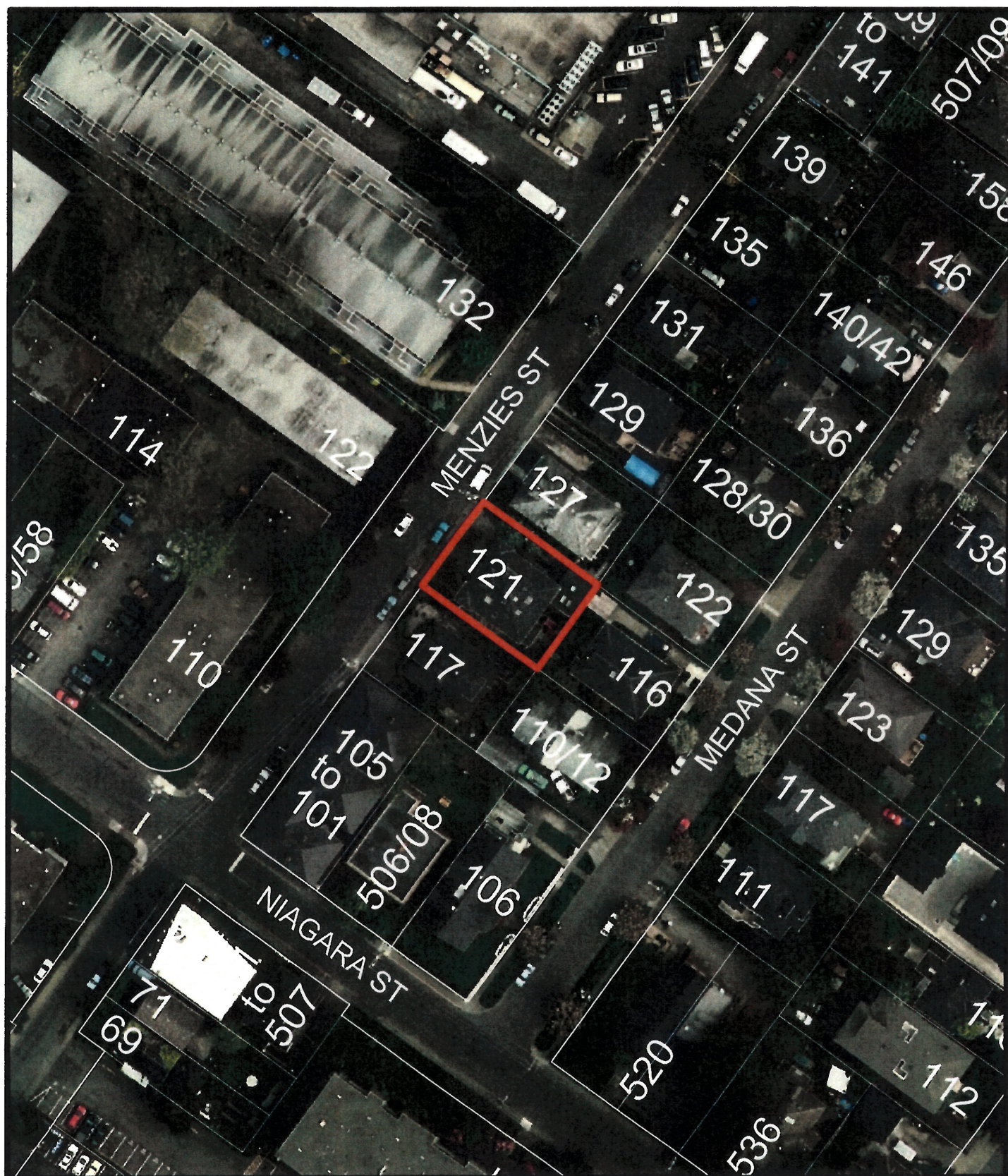
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 25, 2017
- Attachment D: Letter from applicant to Mayor and Council dated April 21, 2017
- Attachment E: Community Association Land Use Committee Comments dated October 21, 2016 and April 20, 2015
- Attachment F: Parking Review dated January 22, 2016.

ATTACHMENT A



121 Menzies Street
Rezoning No.00508





**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. 1-778-808-1009 jivison@jivison.com	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/JMA Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C. Rezoning Application Drawings Issue Date: APR 2017 EDIT VERSION 5	Drwg #: C1

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

20-60 1/2" - [1]	40-40 0" - [8]
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.

John T. Ison
 May 24th 2017
 JOHN T. ISON
 ENGINEER
 COLUMBIA

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

Received
 City of Victoria

MAY 25 2017

Planning & Development Department
 Community Planning Division

John Ivison & Associates Ltd.
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 john@ivison.com
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 Canada

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.

Table of Contents - Rezoning Dwgs

Issue Date: Jan 2017

EDIT VERSION

5

Drwg #:

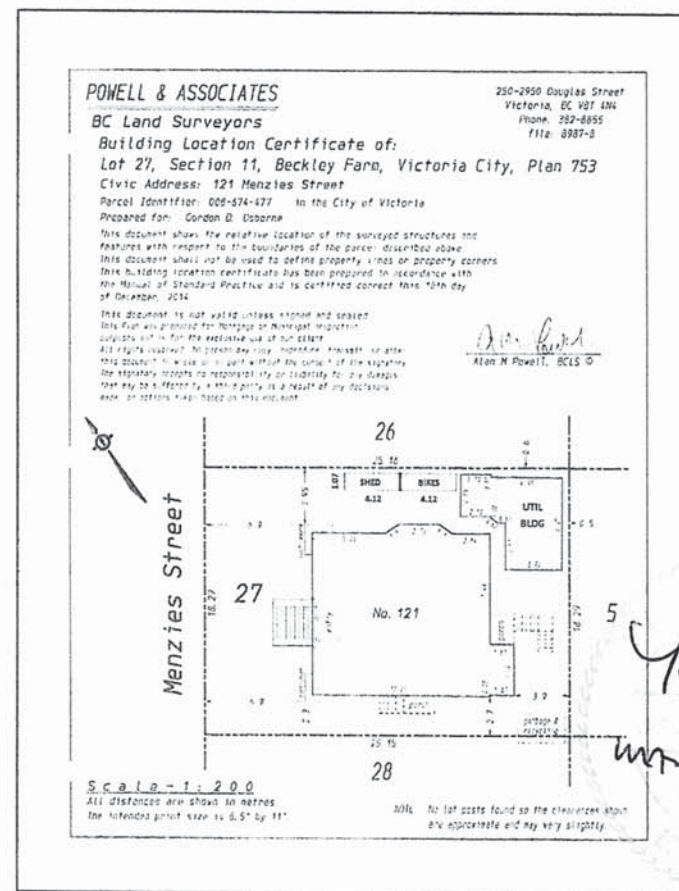
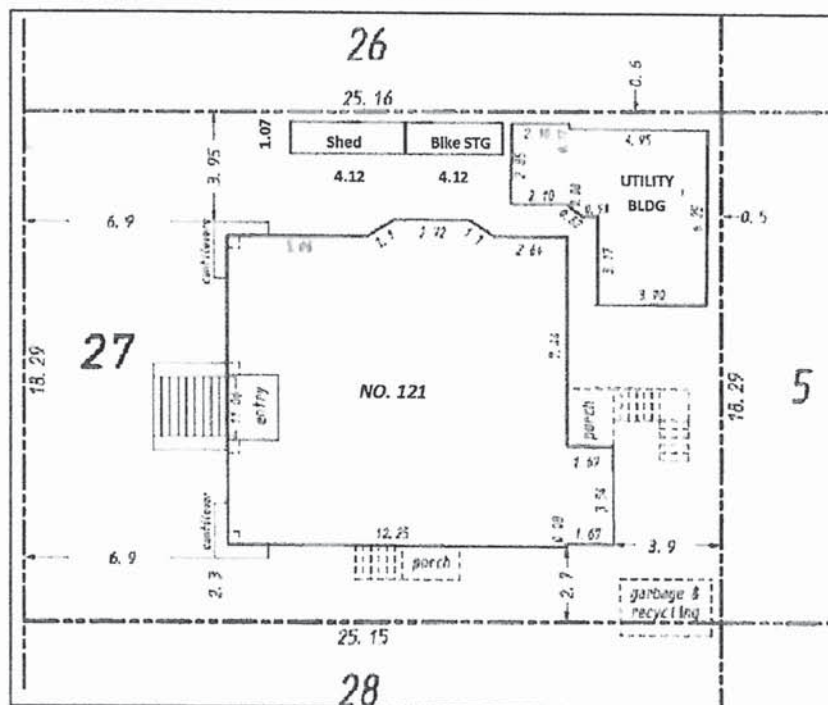
C2

Project Information Data Table	
Zone Existing	R-2 (DP16)
Proposed Zone	New Zone - Site Specific
Site Area	*5028.80 sf (467.19 m ²)
Total Floor Area	*5625.95 sf (522.67 m ²)
Commercial Floor Area	NA
Floor Space Ratio	*1.12
Site Coverage %	42.3
Open Site Space %	*44
Height of Building	39'-11 ³ / ₄ " (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 m ²)
Residential Floor Area	Refer to Suite Data Table - DWG C2



A Proposed Bike Parking - STG Area

Received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division

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SCALE: 1/8"=1'
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Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.
Site Plan and Data - Rezoning Dwgs

Issue Date: Apr 2017





EDIT VERSION

5

C3

Jan. 7. Tues
May 24th 2017

LEGEND :

-  4" PVC Street "Y"
 4" PVC "45°" Elbow
 4" PVC "90°" Elbow
 Rain Water Leader (RWL) or Clean Out (CO)

200 P ----- Domestic Pefrwater 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 3/4" Copper

225 D ----- City Sanitary - 9" | Domestic 4" PVC

• Iron Pin (IP)

Drwg #:

C4



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SCALE: 1/8"=1'	DRAWN: CDM
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Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.

Site Services - App'd 1992 - Alternate Plan

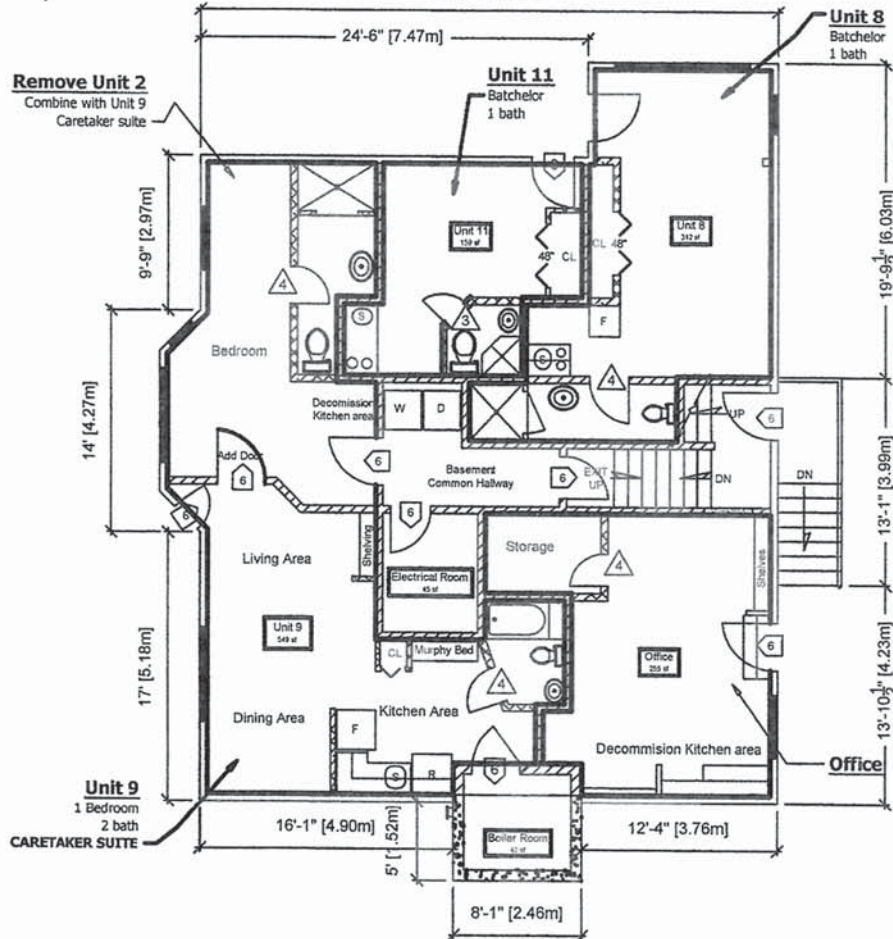
Issue Date: Apr 2017

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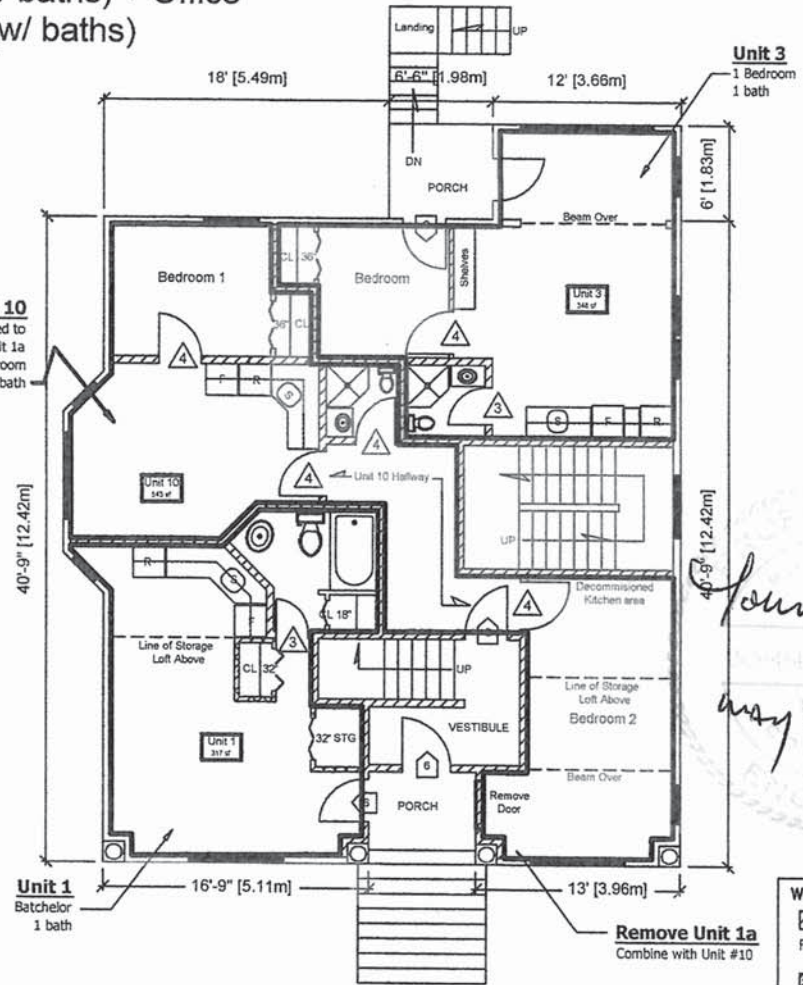
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Basement Floor = 3 Suites (w/ baths) + Office
Main Floor = 3 Suites (w/ baths)



A Basement Floor
1576.45 sf [146.49m²]



B Main Floor
1548.84 sf [143.89m²]

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

John. J. Jee
May 27th 2017

Received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division

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SCALE: 1/8"=1'
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Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.
Floor Plans House (Basement /Main)

Issue Date: Apr 2017

EDIT VERSION

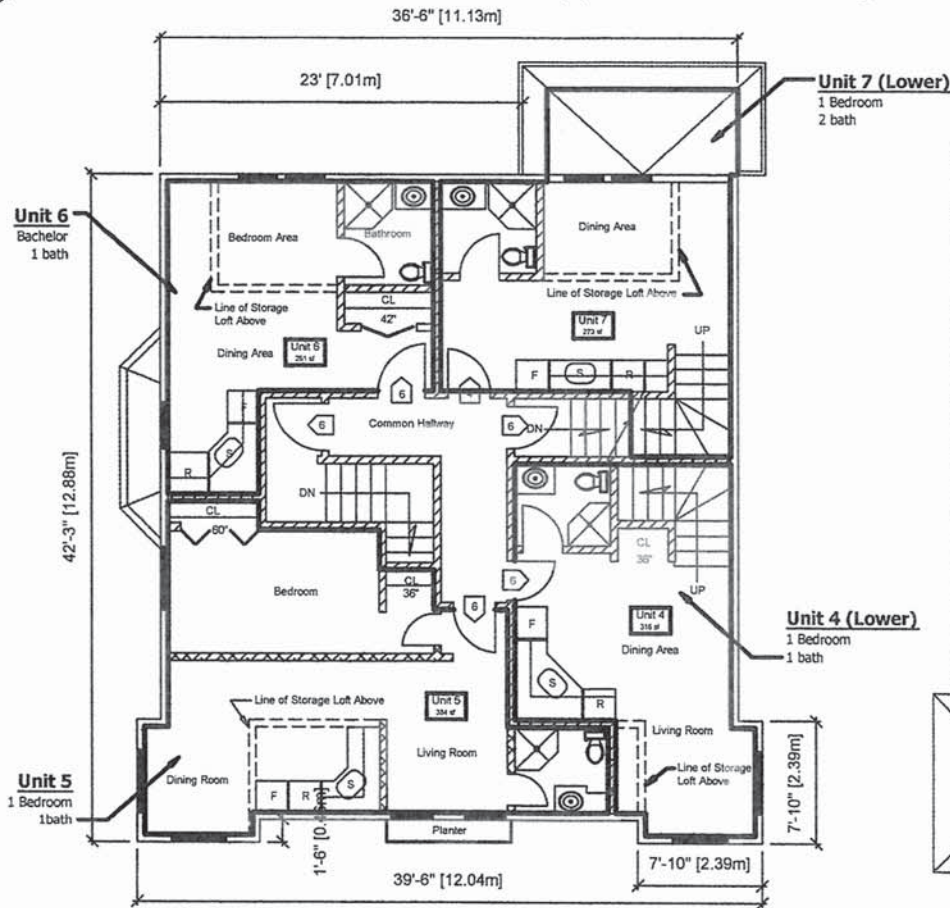
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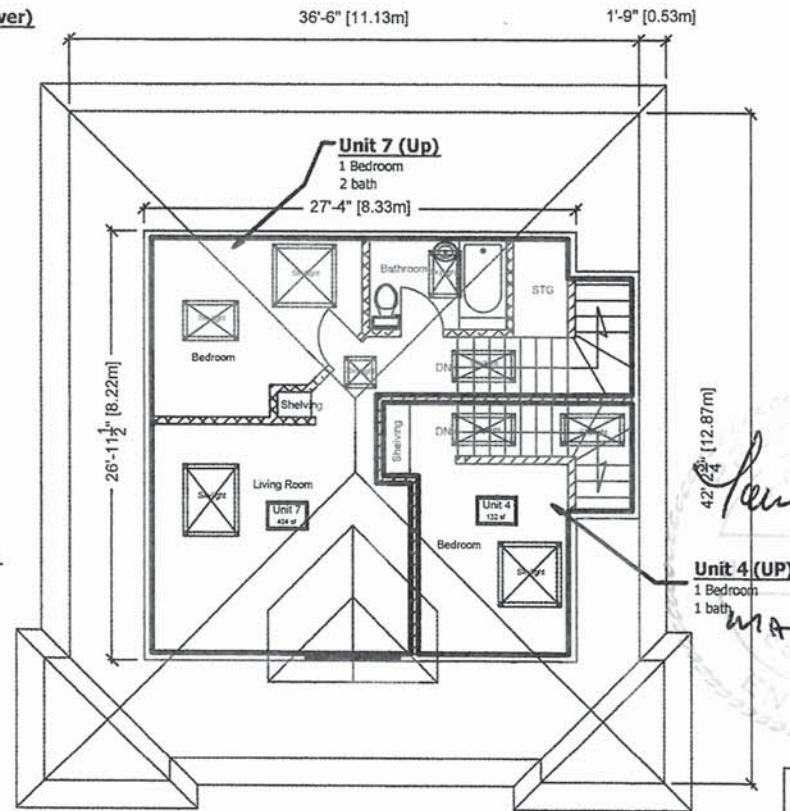
A1



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]

Wall Legend :

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

received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division



John Ivison & Associates Ltd.
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john@johnivison.com

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Canada

SCALE: 1/8"=1'
DATE: APRIL 15, 2017
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Approved for use in
Construction (Initials)
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Mr. Gordon Osborne (REZONING DRAWINGS)
121 Menzies Street, Victoria, B.C.

Floor Plans House (Second / Attic)

Issue Date: Apr 2017

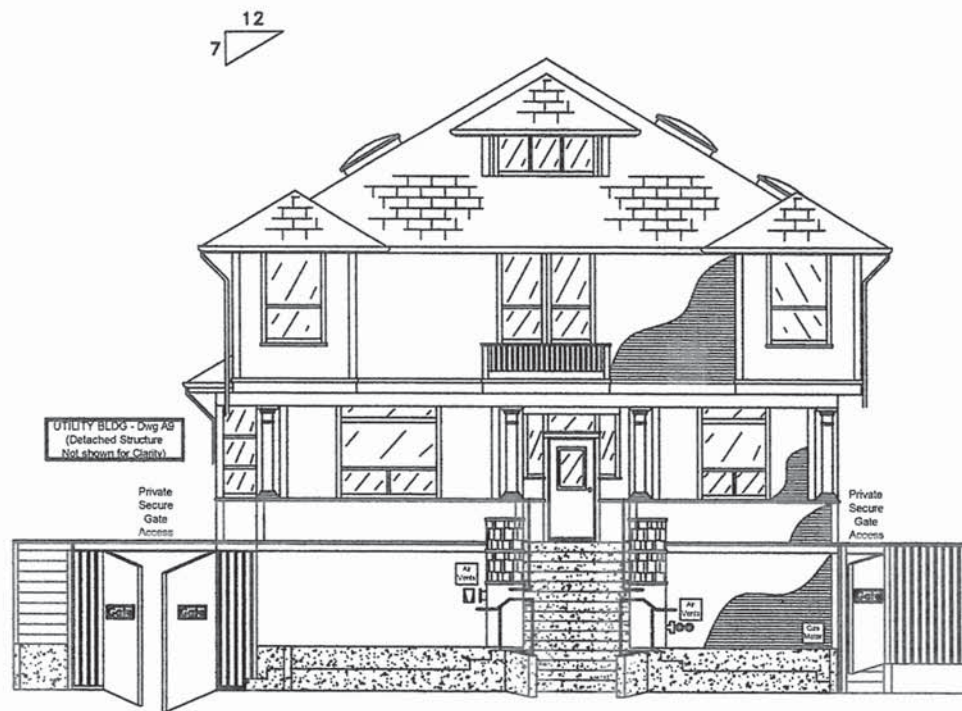
EDIT VERSION

5

Drwg #:

A2

Top Of Roof	+39'-11 $\frac{3}{4}$ " (12.183m)
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 Iverson
 May 24th 2017

Received
 City of Victoria

MAY 25 2017

Planning & Development Department
 Community Planning Division



John Iverson & Associates Ltd.
 1-778-608-1009
 John.Iverson@johniverson.com

Midland 2184 W. 8th Ave.,
 Vancouver, B.C. V5K 1X8
 Canada

Island 6291 Thomson Terrace,
 Maple Bay, Duncan, B.C.
 V9L 5Y1

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

DATE: APRIL 15, 2017 CHECKED: JTI/JIAA

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.

Elevation West - Rezoning Drawings

Issue Date: APR 2017

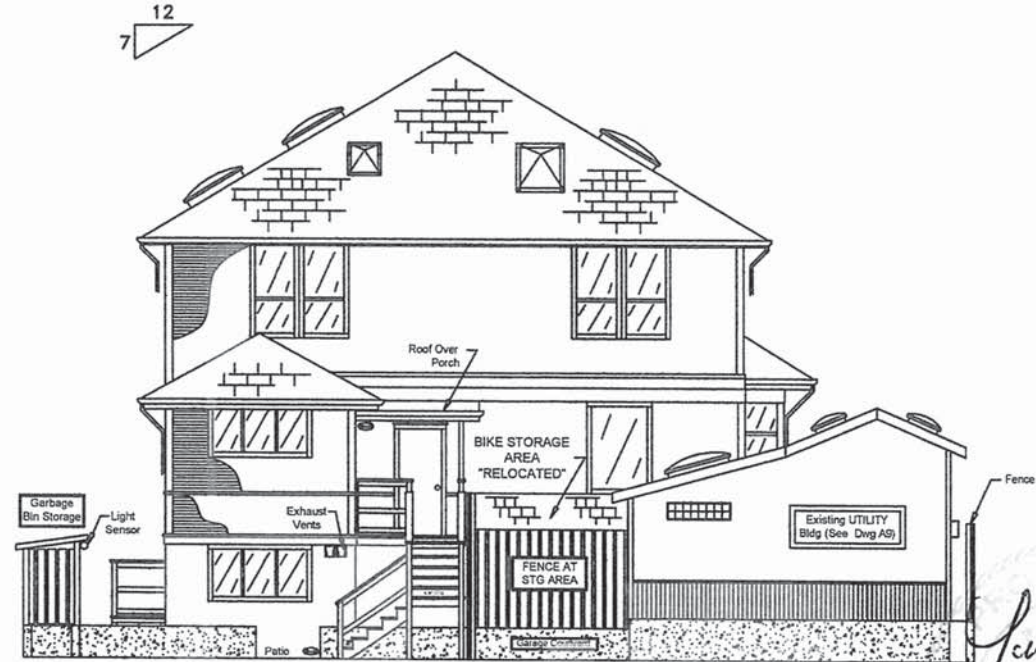
EDIT VERSION

5

Drwg #:

A3

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)



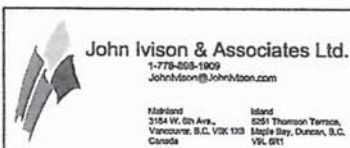
A Elevation - East

John Ivison
 MAY 24th 2017

Received
 City of Victoria

MAY 25 2017

Planning & Development Department
 Community Planning Division



SCALE: 1/8"=1' DRAWN: COM
 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.
 Elevation East - Rezoning Drawings

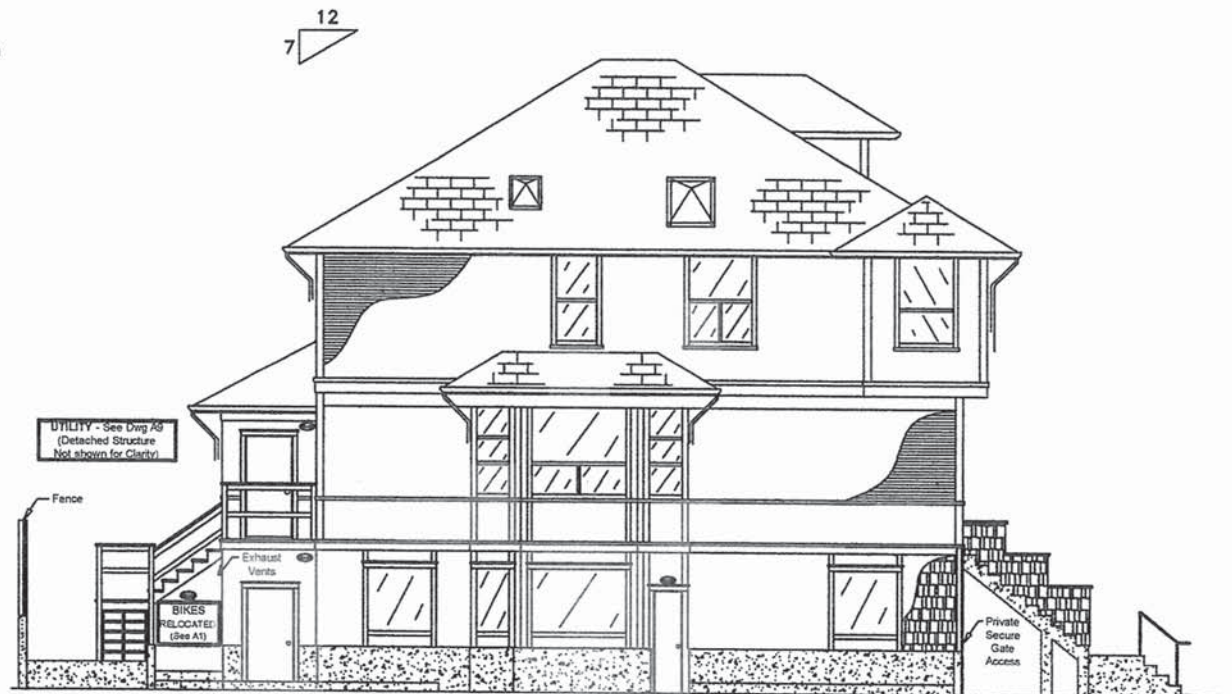
Issue Date: APR 2017 EDIT VERSION 5

Drwg #:

A4

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 - North

John. J. Fuld
May 24th 2017

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

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 Island 8251 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 6H1

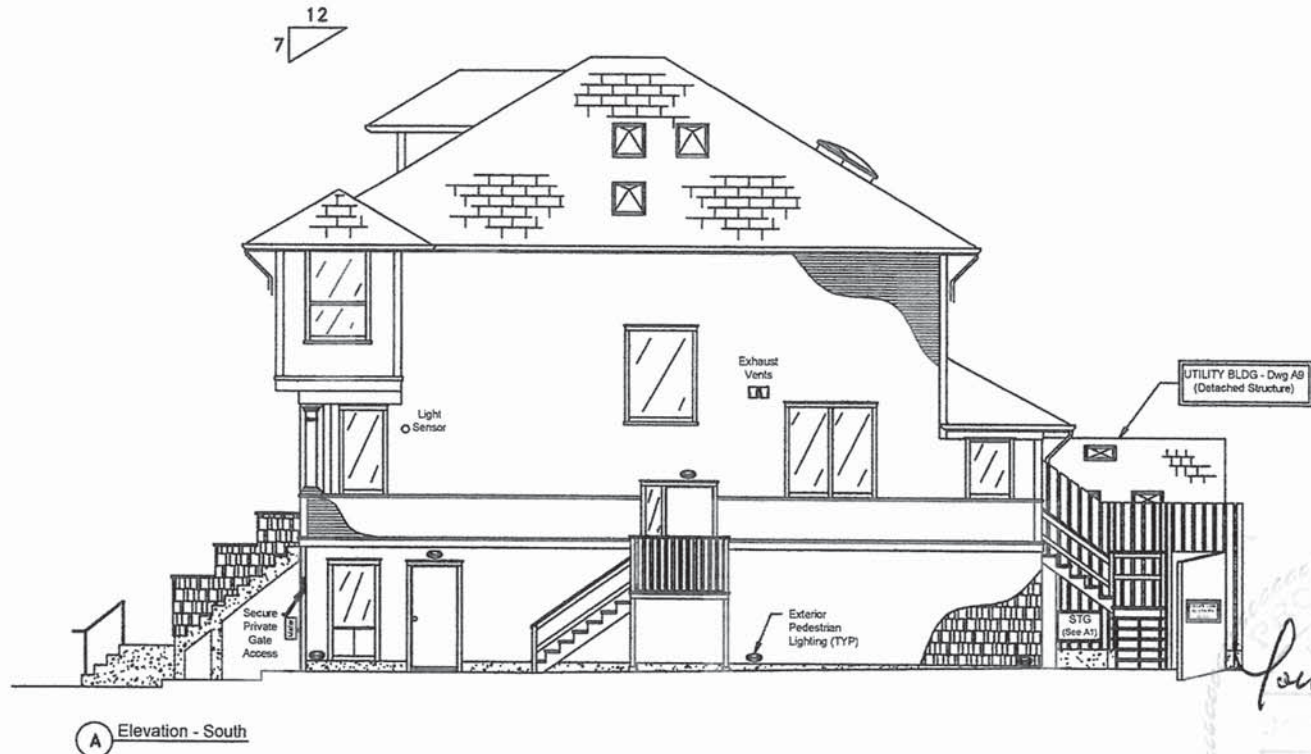
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 DATE: APRIL 15 2017 CHECKED: JTI/JIAA
 Approved for use in Construction (Initials)
 DISK NO. NA FILE No. GDO-001/0814

Mr. Gordon Osborne (REZONING DRAWINGS)
 121 Menzies Street, Victoria, B.C.
 Elevation North - Rezoning Drawings

Issue Date: APR 2017 EDIT VERSION 5

Drwg #:
A5

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" (0.535m)
Avg Grade	0
Street	~-15" (-0.381m)



A Elevation - South

form 7 fuse
may 24th 2017

Received
City of Victoria

MAY 25 2017

Planning & Development Department
Community Planning Division



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Canada

Midland 6251 Thomson Terrace
Maple Bay, Duncan, B.C.
V9L 5H1

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.
Elevation South - Rezoning Drawings

Issue Date: APR 2017

EDIT VERSION

5

Drwg #:

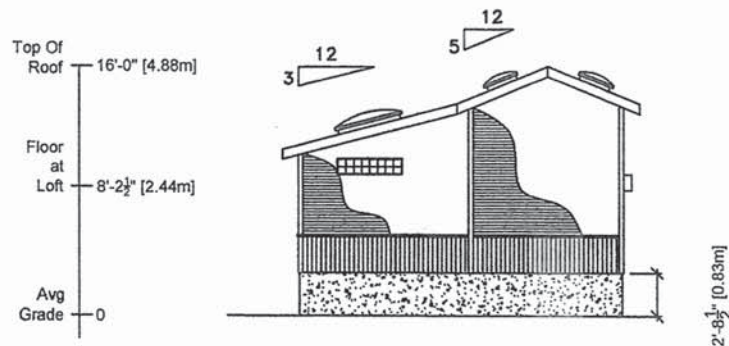
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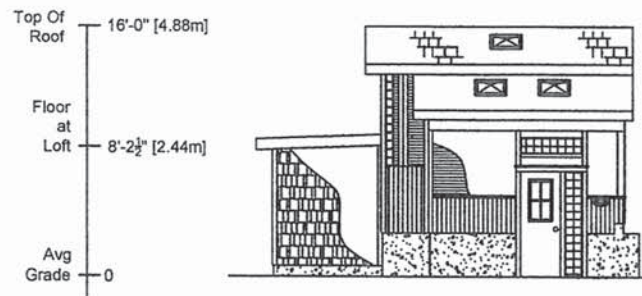
Planning & Development Department
Community Planning Division

10

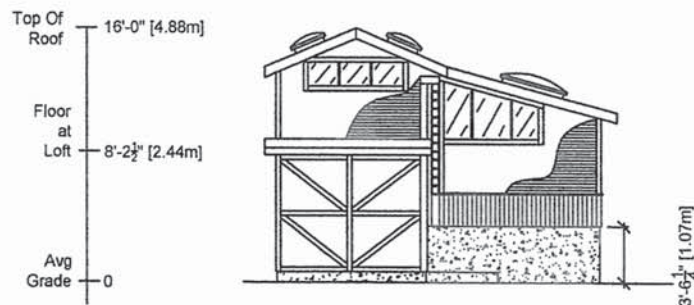
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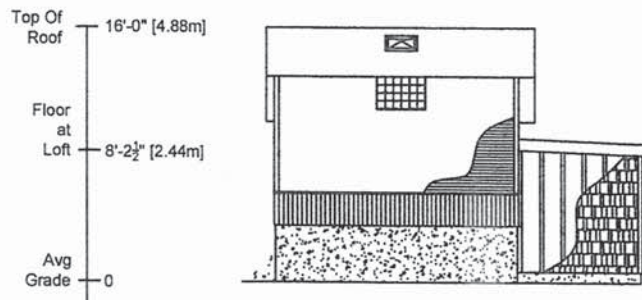
B UTILITY - East Elev
General Representation



D UTILITY - South Elev
General Representation

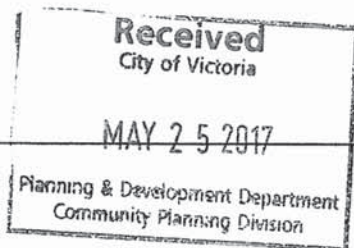



A UTILITY - West Elev
General Representation

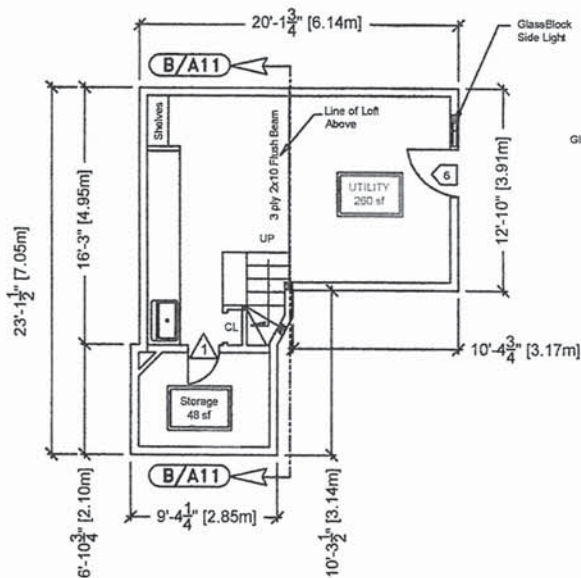


C UTILITY - North Elev
General Representation

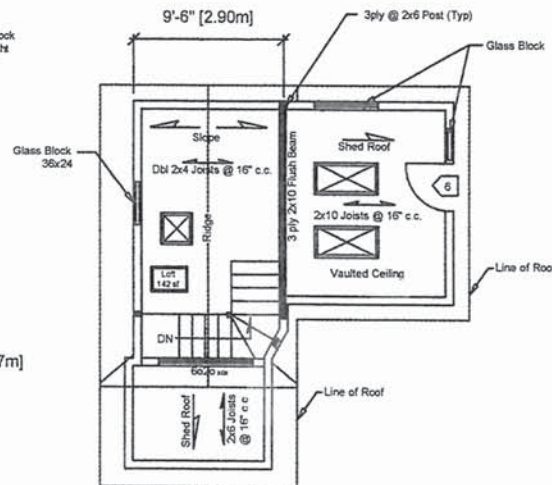
John. 7. 7. 18
may 24th 2017



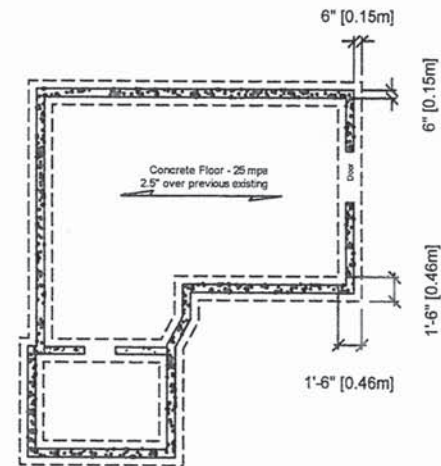
 John Ivison & Associates Ltd. 1-778-698-1909 John.Ivison@johnivison.com Mainland: 3184 W. 6th Ave., Victoria, B.C. V8K 1G5 Canada Island: 6091 Thomson Terrace, Maple Bay, Duncan, B.C. V9L 6R1	SCALE: 1/8"=1' DATE: APRIL 15, 2017 Approved for use in Construction (Initials) DISK NO. NA	DRAWN: CDM CHECKED: JTI/JAA FILE No. GDO-001/0814	Mr. Gordon Osborne (REZONING DRAWINGS) 121 Menzies Street, Victoria, B.C. UTILITY BLDG Elev - Rezoning Dwgs Issue Date: Apr 2017	Drwg #: A9 EDIT VERSION 5



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



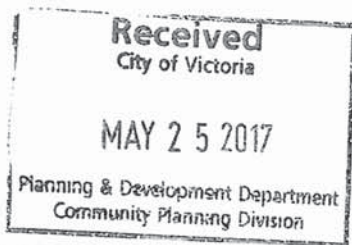
B UTILITY - Fir Plan - Upper Loft
142.33 sf [13.22m²]



C UTILITY - FND Plan

City of Victoria Note:

Jan. 2, 2017
May 24th 2017



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Mahlford 2104 W. 5th Ave.,
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Island 6081 Thomson Terrace,
Maple 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.

UTILITY BLDG - FND - Rezoning Dwgs

Issue Date: Apr 2017

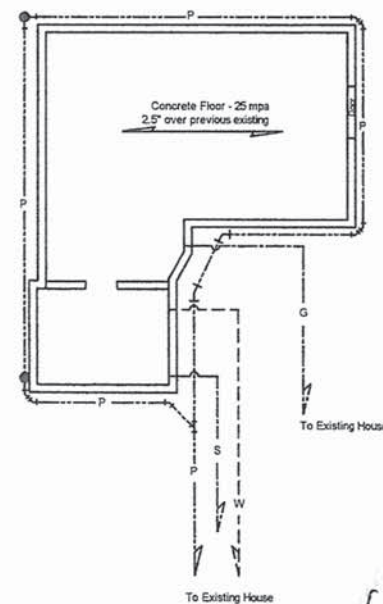
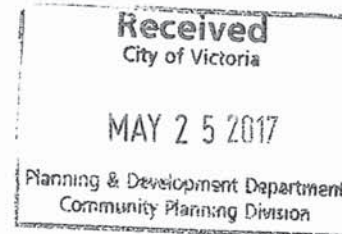
EDIT VERSION

5

Drwg #:

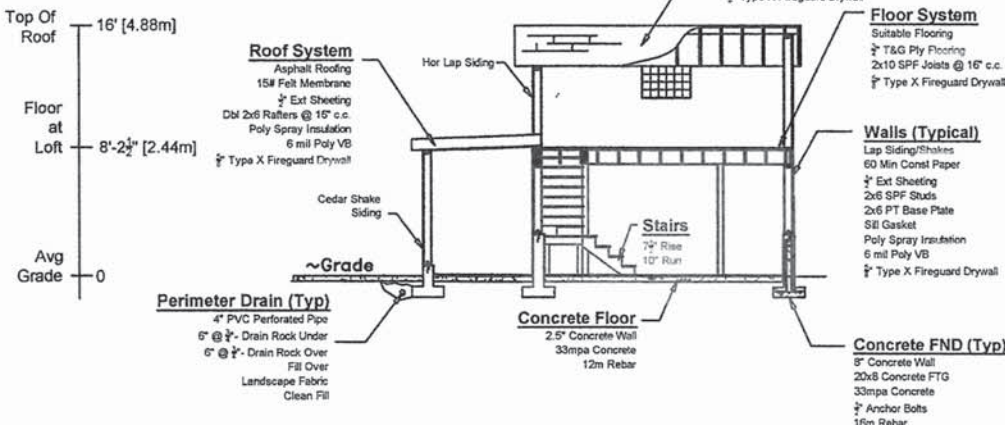
A10

City of Victoria Note:

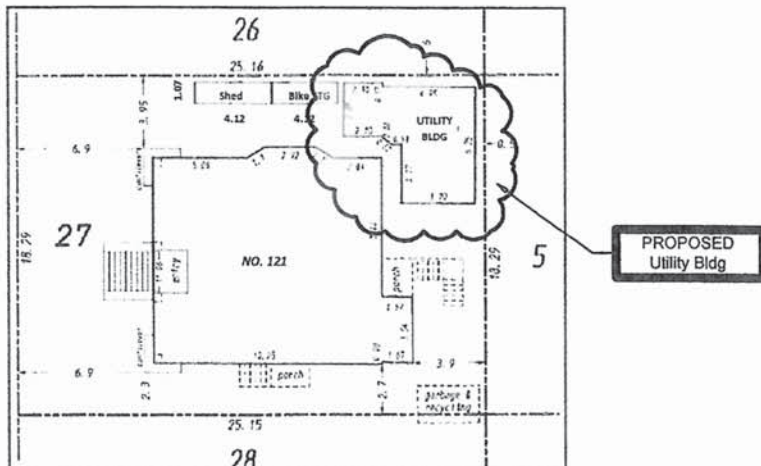


C UTILITY - Bldg Services

John. H. H. H.
MAY 24 2017



B UTILITY - Gen X Sec
General Representation



A LOT Survey - UTILITY

John Ivson & Associates Ltd.
1-778-658-1909
John.Ivson@JohnIvson.com

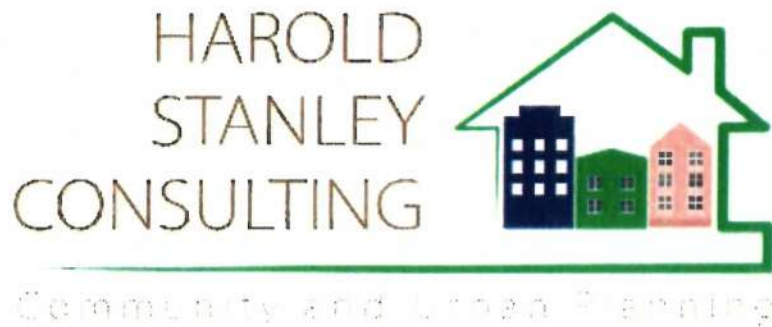
Headland 3154 W. 5th Ave.,
Vancouver, B.C. V6K 1X8
Canada

Island 4251 Thomson Terrace,
Maple Bay, Duncan, B.C.
V9L 6R1

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.
UTILITY BLDG - X Sec - Site & Services - Rez Dwgs
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.

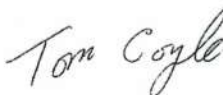
The presentation focussed on the fact that the building had been renovated in 1992 and subsequently given an occupancy permit for seven suites. The owner soon thereafter completed additional renovations, added five more suites in the building and converted a garage to stand-alone accommodation, bringing 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 Ivison, 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 additional 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



#201, 791 Goldstream Ave
Victoria, BC V9B 2X5
T 250.388.9877
F 250.388.9879
wattconsultinggroup.com
blvdgroup.ca

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
Bachelor / One-Bedroom Units	12	Multiple Dwellings located in zones other than R3-1 and R3-2	1.3 spaces / unit
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.

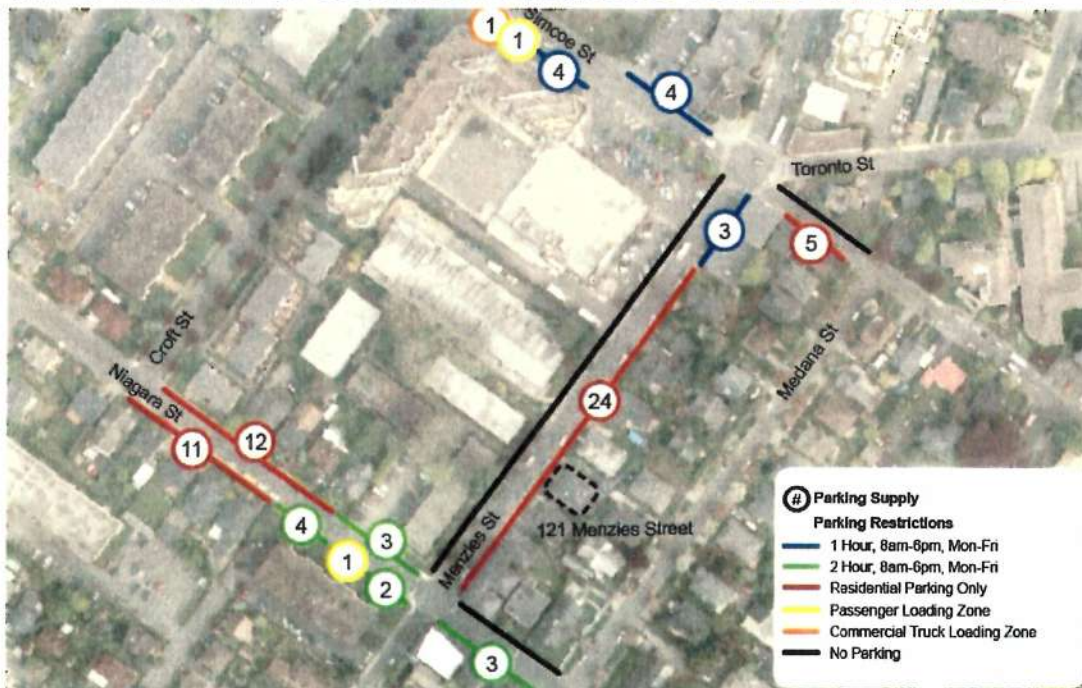
² Data was obtained from ICBC as of September 30, 2013

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	1
	Res Parking Only	24	21	20
	Simcoe St – Niagara St (W)	No Parking	-	-
	Croft St – Menzies St (N)	Res Parking Only	6	7
Niagara St	2 hr, 8am-6pm, Mon-Fri	3	2	2
	2 Hr, 8am-6pm, Mon-Fri	6	2	4
	Croft St – Menzies St (S)	Pass. Loading Zone	0	0
	Res. Parking Only	11	7	8
	Menzies St – Medana St (N)	No Parking	-	-
	Menzies St – Medana St (S)	2 Hr, 8am-6pm, Mon-Fri	3	3
Simcoe St	Croft St – Menzies St (N)	1 Hr, 8am-6pm, Mon-Fri	4	2
	Pass. Loading Zone	1	0	1
	Croft St – Menzies St (S)	Comm. Loading Zone	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
Total		79	54	55

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



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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.

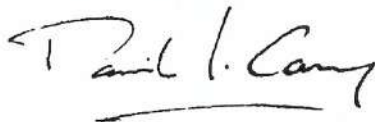
Please do not hesitate to contact the undersigned if you have comments or questions.

Sincerely,

BOULEVARD TRANSPORTATION

a division of Watt Consulting Group

per,

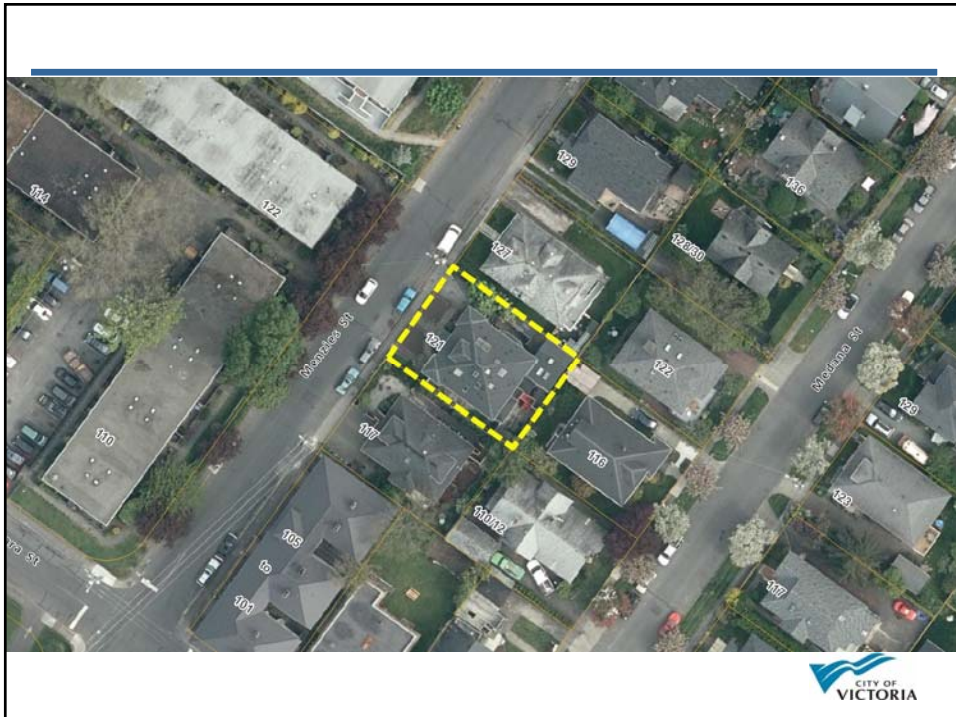


Daniel Casey, MCIP, RPP, M. Plan
Senior Transportation Planner



Mairi Bosomworth, BA
Junior Transportation Planner

Rezoning and Development Variance Permit Application for 121 Menzies Street



Existing Subject Building



Existing Adjacent Building (North)



Existing Adjacent Building (South)



Existing Side Yards



North



South



Existing Rear Yard



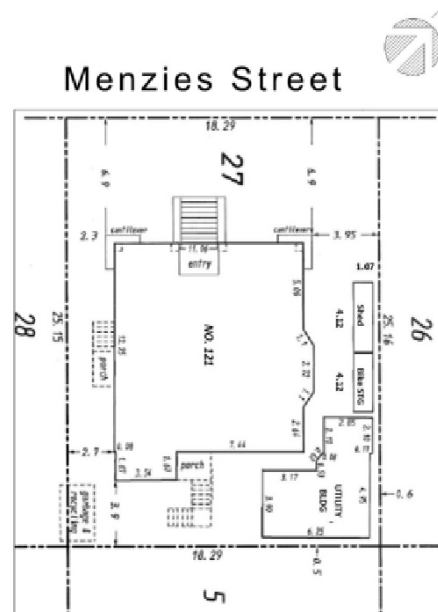
Looking South



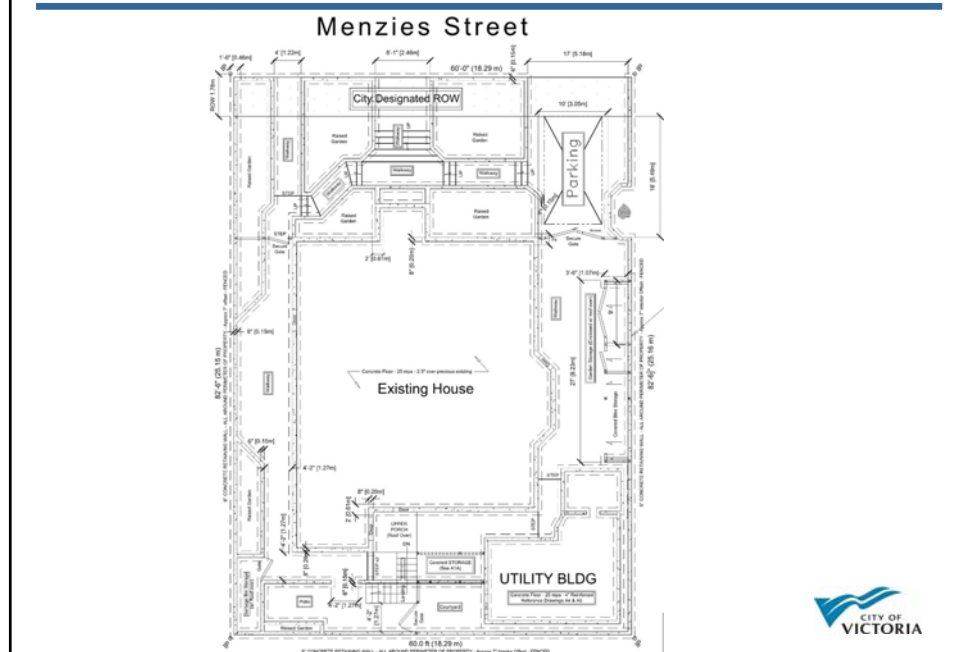
Looking North



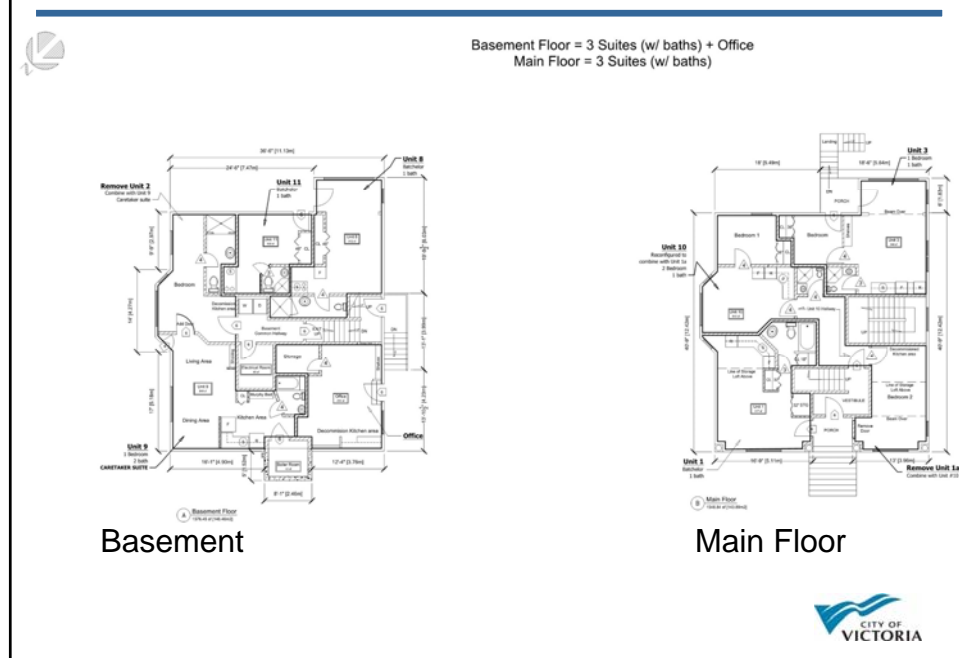
Site Layout



Site Foundations (showing parking & SRW)



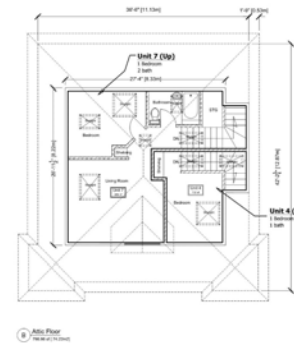
House Conversion: Floor Plans



House Conversion: Floor Plans



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



House Conversion: Elevations

12
 7
 +33'-11 1/2" (10.18m)
 +34'-0" (10.36m)
 +25'-3" (7.69m)
 +19'-6" (5.94m)
 +9'-6" (2.93m)
 +21" (0.53m)
 0
 +15" (0.38m)



A Elevation - East

Rear (East)

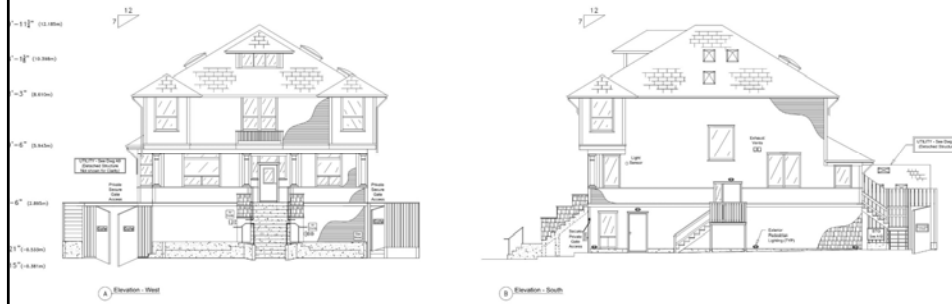


B Elevation - North

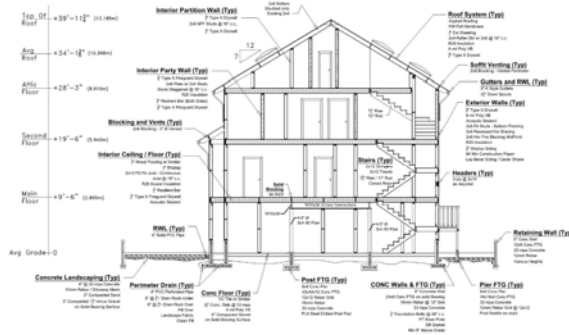
Side (North)



House Conversion: Elevations

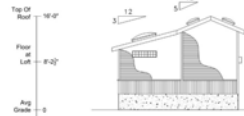


House Conversion: Section



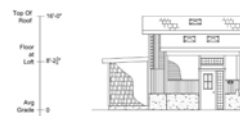
Accessory Building: Elevations

East



UTILITY - East Elevation
General Representation

South



UTILITY - South Elevation
General Representation

West



UTILITY - West Elevation
General Representation

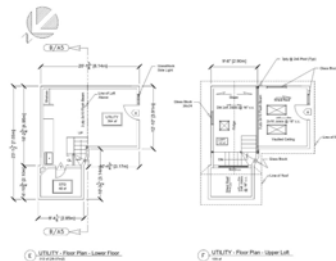
North



UTILITY - North Elevation
General Representation



Accessory Building: Floor Plans and Section

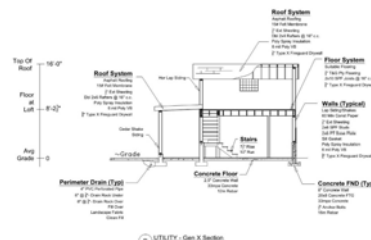


UTILITY - Main Floor - Lower Floor

UTILITY - Main Floor - Upper Floor

Main Floor Plan

Loft Floor Plan

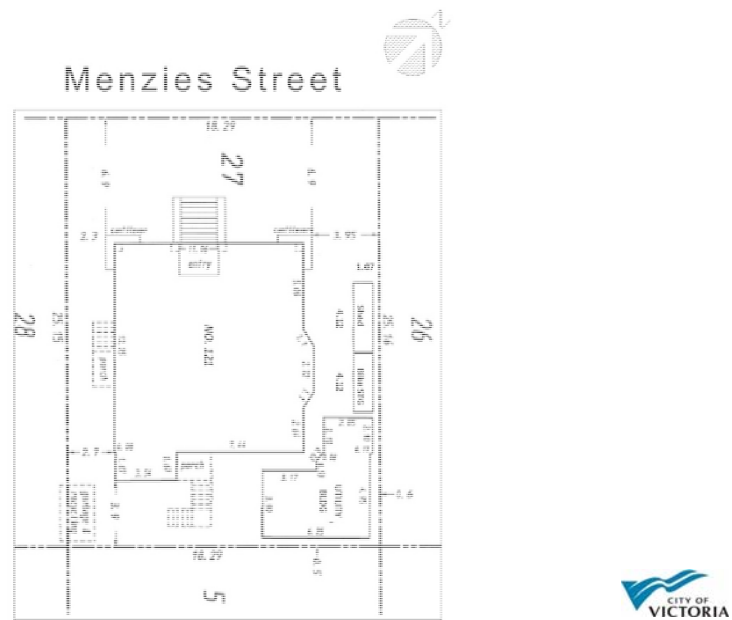


UTILITY - Gen. X Section
General Representation

Section



Site Layout



From: Laura Neil [REDACTED]
Date: October 24, 2016 at 9:20:18 PM PDT
To: <mwilson@victoria.ca>
Cc: <ccoates@victoria.ca>
Subject: Re: 121 Menzies St rezoning application

Hello

I am writing you today to register my opposition to the rezoning application being made by Mr. Gordon Osbourne, owner/landlord of 121 Menzie.

I first learned of the application at the James Bay Neighbourhood Association general meeting held in April 2015. During Mr. Osbourne's representatives presentation I and many of those in attendance took great exception to what was being proposed, the precedent that it had the potential to create and the insult to those of us who had abided by the by-laws and followed due process for our projects and rezoning applications.

The most recent presentation was conducted at the JBNA general meeting on October 12th and again the majority of those present did not support Mr. Osbourne's application, for most of the reasons that I have listed above.

What was even more aggressive was the comment by Mr. Osbourne's representative John Ivison, when he stated "if his client hadn't been caught" they wouldn't be before us, asking for our support to find a compromise to correct the wrong.

It is also my opinion that Mr. Ivison attempted to play on the good nature of those present stating Mr. Osbourne was providing a much necessary accommodation for the more marginalized in society, those with alcohol and addictions issues, who have challenges in securing rental accommodation.

Mr. Osbourne may have provided units to those individuals and he should be acknowledged however it should never have been done at the expense of those in this city who do their due diligence, respect due process and don't operate illegal suites.

Mr. Osbourne has had 24 years of revenue from the 7 illegal suites in his building without benefit of due process, he shouldn't be rewarded for his bad behaviour, and his building should be reverted back to the it's original capacity of 7 units from the current 14.

Thank you for your time.

Laura Neil
21 Pilot St
Victoria
[REDACTED]