



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