



## Planning and Land Use Committee Report

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**Date:** January 27, 2014      **From:** Murray G. Miller, Senior Planner  
**Subject:** **Development Permit Application with Variance for 230 Menzies Street #000341** - Application to vary the required parking from 26 to 25 stalls to permit the enclosure of the pedestrian breezeway and an alcove.

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### Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variance for the property located at 230 Menzies Street. This application is to enclose a pedestrian breezeway, an entrance alcove and reconfigure doors and windows on the lower floor level. The following points were considered in analyzing this application:

1. The subject property is within DPA 5: Large Urban Villages, James Bay Village, which encourages ground-oriented commercial and community services that reinforce the sidewalk.
2. The proposal satisfies the *Official Community Plan* and *Advisory Design Guidelines for Buildings, Signs and Awnings* where consideration of street relationship and access to the street is to be taken into account in the design.
3. While the proposal satisfies the above Guidelines in relation to the importance of entrances facing the street, the development does not meet the required parking for the proposed additional floor area that would be created by the enclosures and a variance to reduce the parking requirement from 26 stalls to 25 stalls is being requested.

Staff support the application.

This Development Permit Application has variances, therefore, it requires notification, sign posting and a hearing.

### Recommendations

That Council advance Development Permit Application with Variance #000341 for consideration at a Public Hearing in accordance with:

1. Revised plans date-stamped January 28, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance from Schedule C - number of parking spaces relaxed from 26 to 25.

Respectfully submitted,

  
Murray G. Miller  
Senior Planner, Urban Design  
Development Services

  
  
Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

MGM:aw

S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\DP\DP000341\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

  
Jocelyn Jenkyns

**1.0 Purpose**

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with a variance for the property located at 230 Menzies Street.

**2.0 Background**

**2.1 Description of Proposal**

This application is to enclose the pedestrian breezeway, which provides access to lower-level commercial-retail units. In addition, this application proposes to alter an existing recessed alcove fronting onto Menzies Street by making it flush with the existing exterior wall.

The above two areas of alteration will include the reconfiguration of existing openings and the installation of new doors. An existing covered area will be converted to Class 1 bicycle storage, with an ornamental chain link fence with a secure gate that is accessed from the upper-level sidewalk.

The proposed enclosures would create additional floor area that, in turn, would require an additional parking stall. The applicant requests a parking variance that would reduce the required number of parking stalls from 26 to 25.

**2.2 Existing Site Development and Development Potential**

**2.3 Data Table**

The following data table compares the proposal with the existing C-1 Zone. A double asterisk (\*\*) is used to identify an existing non-conforming condition.

Zoning Criteria	Proposal	C-1 Zone Standard
Density (Floor Space Ratio) – maximum	0.79:1 (existing) 0.80:1 (proposed)	1.4:1
Parking – minimum	25 **	63 (existing, required under C-1 Zone) 64 (proposed, required under C-1 Zone) 25 (established as legal non-conforming condition)
Bicycle storage (Class 1) – minimum	0** (existing) 6 (proposed)	6
Bicycle rack (Class 2) – minimum	0**	6



## 2.4 Land Use Context

The subject property:

- is zoned C-1, Limited Commercial District, and is bounded to the east by Menzies Street and to the south by Simcoe Street
- is situated in Development Permit Area 5: Large Urban Villages - James Bay Village, where ground-oriented commercial and community services are envisioned
- is flanked to the north by 234 Menzies Street, which is zoned R3-H, High Density Multiple Dwelling District
- abuts 450 Simcoe Street along its western boundary, which is zoned R3-H, High Density Multiple Dwelling District
- is across the street from 425-475 Simcoe Street, which is zoned C1-JB, James Bay Extended Commercial District
- is across the street from 201-211 Menzies Street, which is zoned C1-S, Limited Commercial Service Station District
- is across the street from 225 Menzies Street, which is zoned CR-M, Menzies Commercial Residential
- is diagonally opposite 141-159 Menzies Street, which is zoned C-1, Limited Commercial District.

## 2.5 Legal Description

Lot 1 of Lots 1850, 1851 and 1852, Victoria City, Plan 28096.

## 2.6 Relevant History

## 2.7 Consistency with City Policy

### *Urban Place Designations*

The subject property is within an area that is designated Large Urban Village. The OCP anticipates:

- *Built Form consisting of freestanding commercial and mixed-use buildings*
- *Place Character Features where ground-oriented commercial and community services reinforce the sidewalk*
- *Off-street parking underground, at the rear or otherwise screened.*

The proposed development responds to the built-form objectives of the OCP by being a low-rise freestanding ground-oriented commercial use. In relation to Place Character Features, the proposed development maintains pedestrian access from the Menzies Street sidewalk at the location of the proposed breezeway enclosure by relocating the door to the existing vacant commercial unit. The enclosure of the alcove to the existing vacant commercial unit will include a new door and will, therefore, continue to allow direct access from the Menzies Street sidewalk.

The property is included in Development Permit Area 5: Large Urban Villages, James Bay Village, which references the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981). These guidelines note the importance of ensuring a positive street relationship and including access to the street. The proposed number of entrances facing Menzies Street will maintain the building's street relationship and access to the street.

## **2.8 Community Consultation**

In compliance with the *Community Association Land Use Committee Procedures for Processing Variances*, this application was referred to the James Bay CALUC for a 30-day review period. No comments were received at the time of writing this report.

This Development Permit Application has variances, therefore, it requires notification, sign posting and a hearing.

## **3.0 Issues**

The key issue related to this application is parking.

## **4.0 Analysis**

### **4.1 Parking**

The requirement for an additional parking space that results from the floor area created by the two enclosures has been reviewed by the Engineering and Public Works Department. Staff consider that while the total required parking on the site does not satisfy Schedule C, a legal non-conforming condition permitting the existing 25 stalls instead of the 63 that would be required under Schedule C has been established. The requested variance of one additional parking space increasing the total required to 26 spaces will only have a minor impact on parking availability for residents and businesses in the area. It is also noted that with this application the applicant is introducing six Class 1 bicycle stalls.

## **5.0 Resource Impacts**

There are no resource impacts anticipated.

## **6.0 Options**

1. That Council advance the application for consideration at a Public Hearing (recommended).
2. That Council decline the application.

## **7.0 Conclusions**

The proposed enclosure of the pedestrian breezeway and the entrance alcove that fronts onto Menzies Street will generate a requirement for one additional parking space. Staff consider that the requested variance would be minor and, therefore, support the application.

## **8.0 Recommendations**

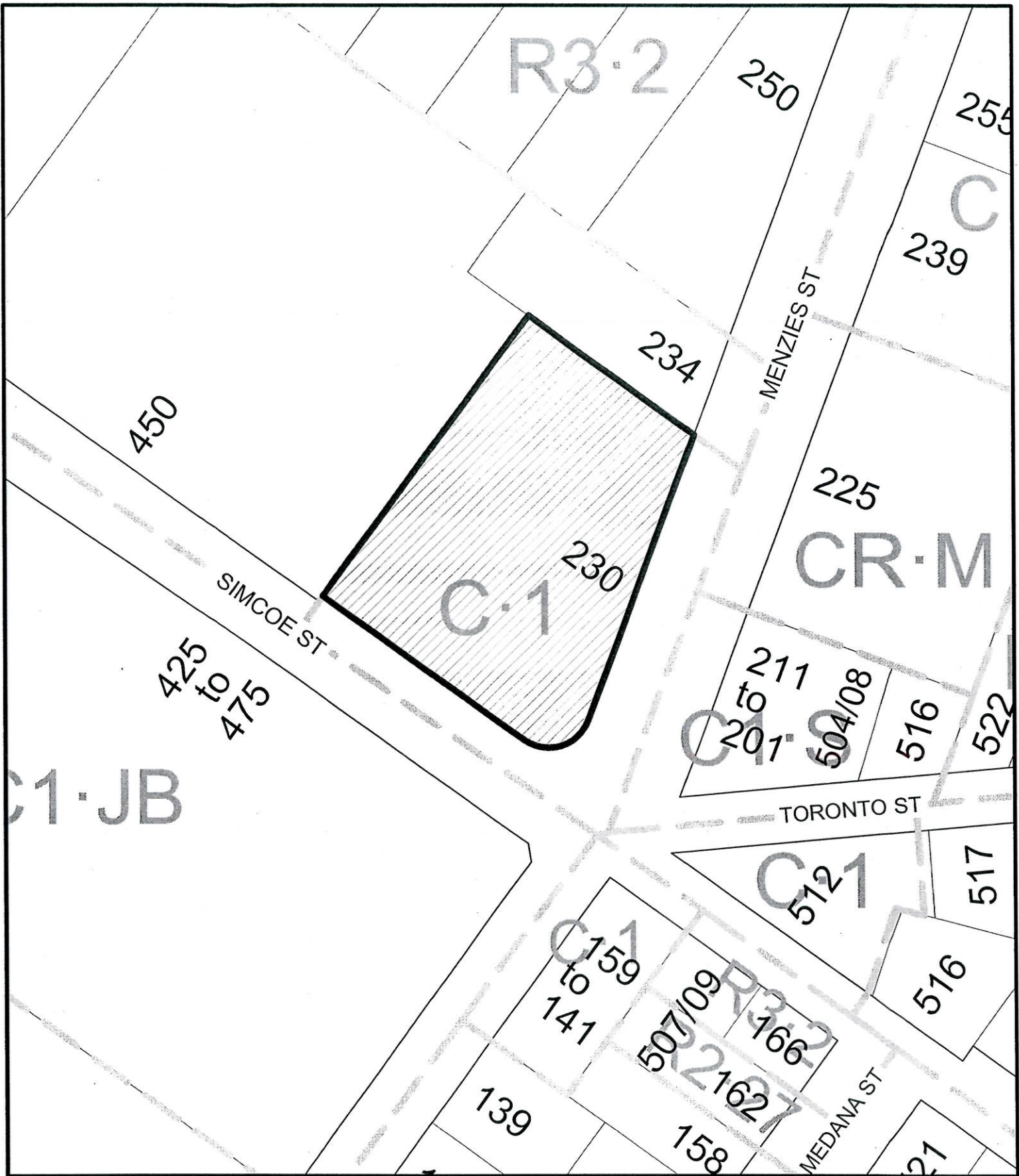
That Council advance Development Permit Application with Variance #000341 for consideration at a Public Hearing in accordance with:

1. Revised plans date-stamped January 28, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance from Schedule C - number of parking spaces relaxed from 26 to 25.

**9.0 List of Attachments**

- Zoning map December 10, 2013
- Aerial map
- Letter from applicant dated
- Revised plans date-stamped January 10, 2014.





230 Menzies Street  
 Development Permit #000341







230 Menzies Street  
Development Permit #000341







525 Pandora Ave.  
Victoria, BC, V8W 1N5  
t 250.360.1602  
f 250.360.1610  
info@kmp-arch.com  
www.kmp-arch.com

December 10, 2013

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

**Re: Development Permit Application – 230 Menzies Street**

Your Worship and Members of Council:

We are pleased to submit this Development Permit application for the proposed changes at the Parliament Mews located at 230 Menzies Street. This complex serves many functions and is a vital part of the inner urban village in the “Five Corners” of the James Bay neighbourhood. This proposal includes enclosing an existing lower level breezeway and moving an existing alcove entry to be flush with the existing exterior façade. These proposed changes provide a more efficient commercial retail unit (CRU) floor space while limiting potential crime activities from the covered area. Included in this development permit application is a parking variance addressing the non-conforming stall count by offering covered and secured bike storage for the employees of this complex.

The first component of this proposal is enclosing an existing below grade breezeway. This walkway is open 24 hours a day and allows public access from Menzies Street to the lower level store fronts on the east side of the parking area. In the breezeway there are 3 existing CRU entrances. Over time, these CRUs have had many tenancies. This covered walkway is dark and hidden from view off Menzies Street. This characteristic has made the CRUs difficult to lease and this area has been subject to repeat vandalism. By enclosing this space from both sides, the newly created interior space allows the connection of 5 of the 7





525 Pandora Ave.  
Victoria, BC, V8W 1N5  
t 250.360.1602  
f 250.360.1610  
info@kmp-arch.com  
www.kmp-arch.com

lower level CRUs, creating a larger and more inviting space. Currently 4 of the 5 CRUs affected by this proposal are vacant.

The modification required to enclose this breezeway is extremely limited in what would be visually observed by the public. The Menzies Street sidewalk is approximately 1.5m above the enclosed portion, and the inner storefront side is almost entirely hidden from view.

The second component of this proposal is the minor modification of an existing CRU exterior entrance alcove on Menzies Street. This alcove is set back approximately 1.0m from the remainder of the adjacent façade. The doorway is accessible from the street via 6 stairs. The modification of this entrance would make the exterior wall flush with the building's façade above. This change will also allow for a more useable interior CRU space with limited changes to the exterior.

The cladding material proposed is comprised of the same palette of cladding matching the existing adjacent facades. The enclosed breezeway cladding would include both a painted rusticated masonry brick (to match existing) and stained cedar. The altered alcove would be exactly the same in the elevation including windows matching what is existing, and therefore no visible change of materials than what is already visually seen.

The last item in this proposal is the parking variance. The Parliament Mews complex has 25 parking stalls that includes 2 handicap stalls. The current 25 vehicle count is 2 less than what was originally included in the 1976 building permit. The existing stall configuration has complied with the current vehicle stall sizes of the City of Victoria's Schedule 'C' parking requirements. In discussions with the zoning department, this project proposes to offer class-1 bicycle storage for the employees of the complex. The additional floor area proposed triggers an additional vehicle stall and as proposed this variance would be for this additional parking stall. The location of the bike storage is to be located under an existing covered and secured area in front of the upper level pharmacy at the corner of Menzies and Simcoe Streets.



525 Pandora Ave.  
Victoria, BC, V8W 1N5  
t 250.360.1602  
f 250.360.1610  
info@kmp-arch.com  
www.kmp-arch.com

This application is following the Advisory Design Guidelines for Buildings, Signs and Awning (1981) as part of the Development Permit Area 5, Large Urban Villages: James Bay Village.

The total floor area of the building would be increased by 38.98 sqm, to a total floor area of 2363.80 sqm. This will increase the floor space ratio (FSR) from 0.79 to 0.80. The allowable FSR is 1.4 to 1.

In conclusion, this Development Permit application, including one parking variance, is attempting to revitalize and strengthen commercial viability in the area by allowing a more efficient CRU space to be more leasable.

I trust this is satisfactory.

Sincerely,

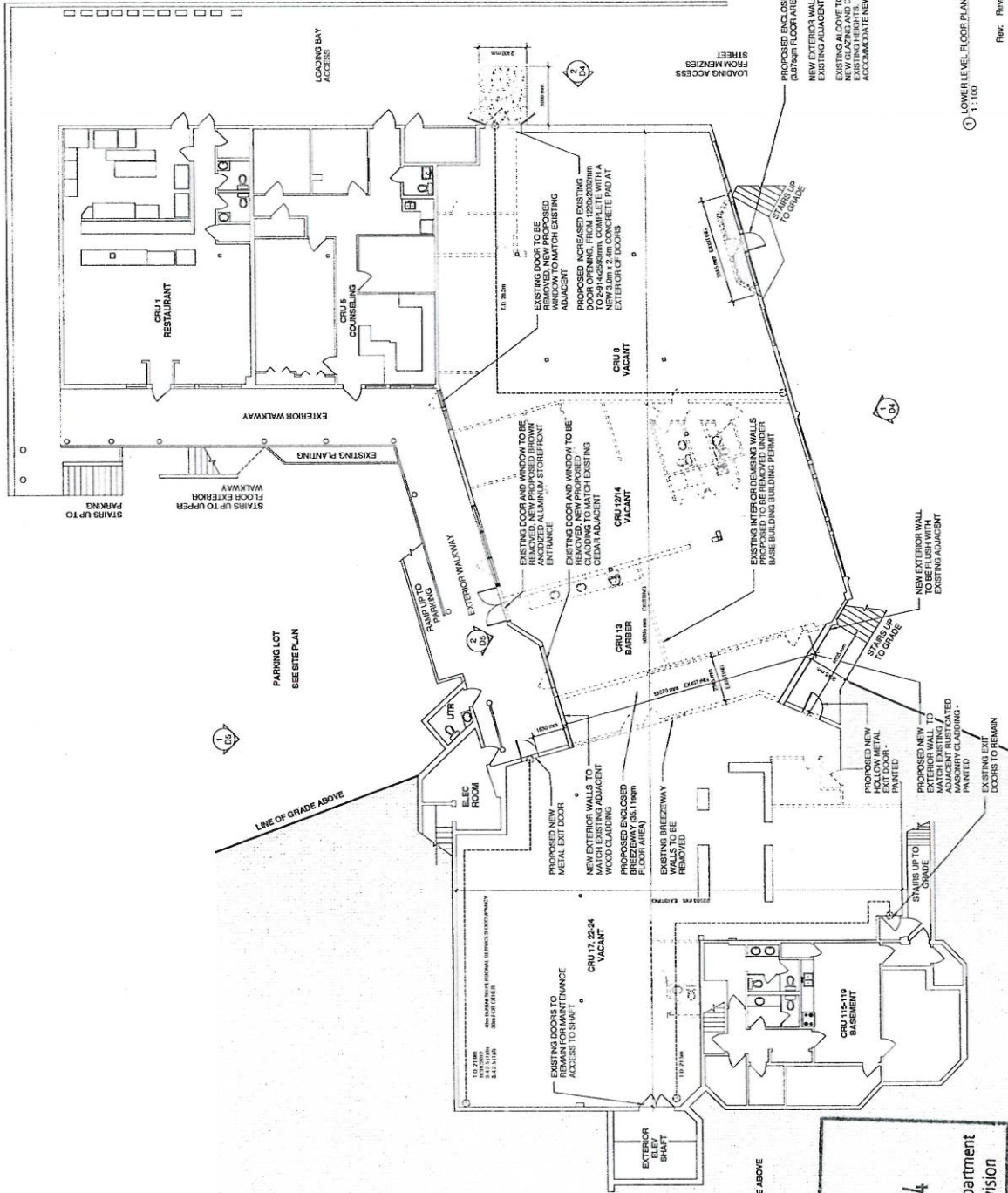
A handwritten signature in black ink, appearing to read 'Adam Gerber', is written over the typed name and extends to the right.

Adam Gerber  
Senior Technologist  
B.Sc. Dip.A.M.E. CTech LEED AP

cc: RJ







**Received**  
 City of Victoria  
**JAN 10 2014**  
 Planning & Development Department  
 Development Services Division

PARLIAMENT MEWS  
 DEVELOPMENT PERMIT APPLICATION  
 230 MENZIES STREET  
 VICTORIA, BC

YERNACON HOLDINGS LTD

# LOWER FLOOR PLAN

D2

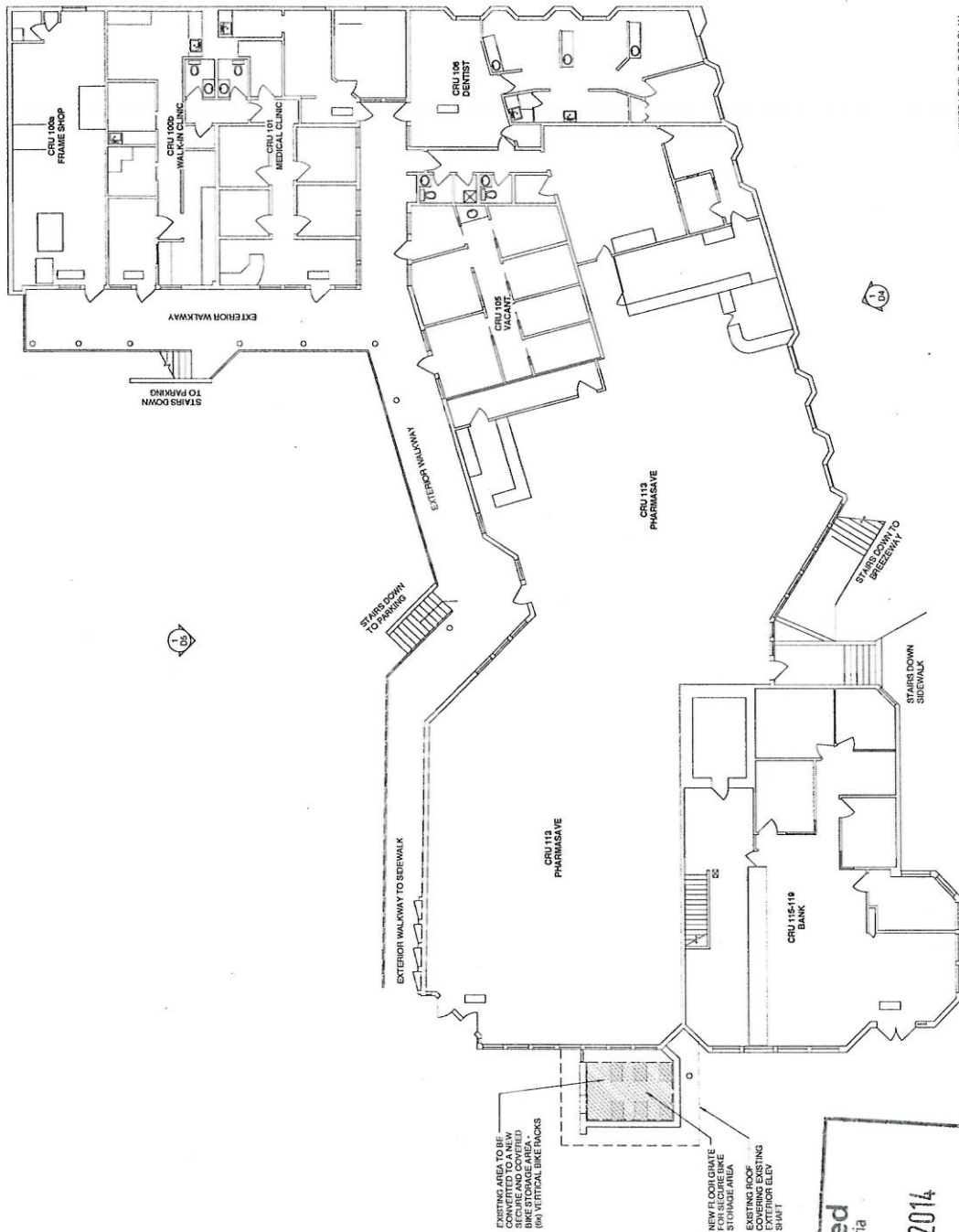


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 Description: Re-submit for DP - Above Door

① LOWER LEVEL FLOOR PLAN  
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UPPER LEVEL FLOOR PLAN  
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Victoria BC V8M 2C2  
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Fax: 250-383-1112

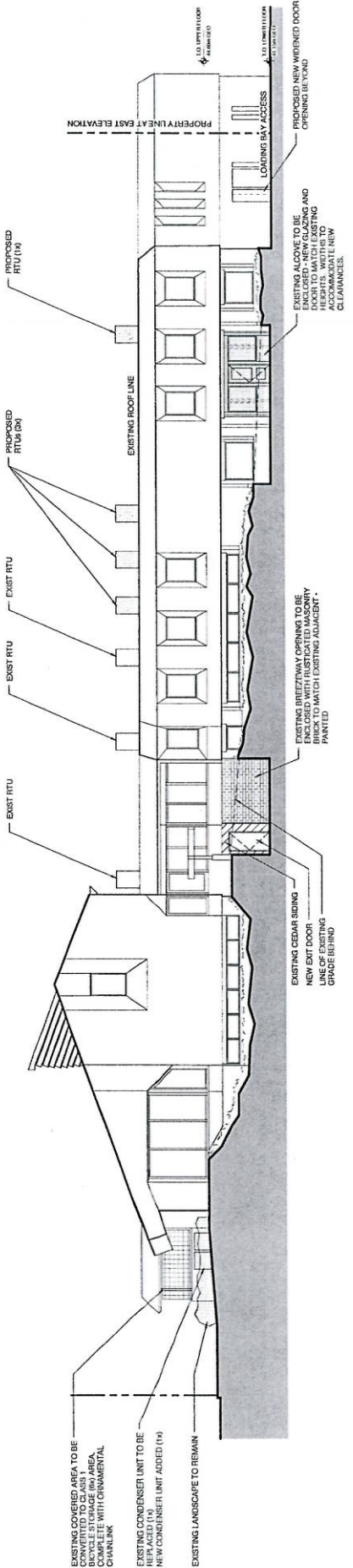
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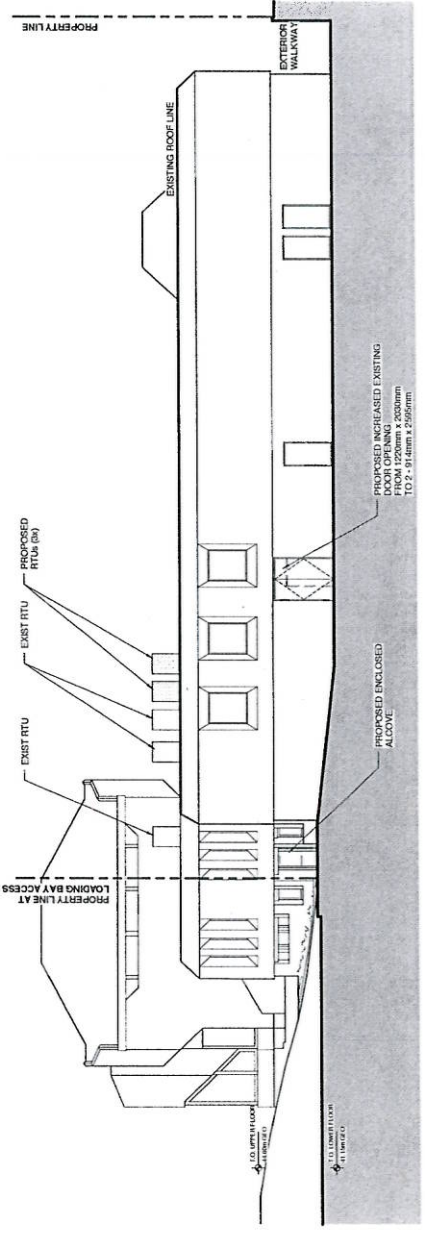
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DATE: 10 JAN 2014  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
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PROJECT: PARLIAMENT MEWS  
SHEET: D3



① EAST ELEVATION  
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② NORTH ELEVATION  
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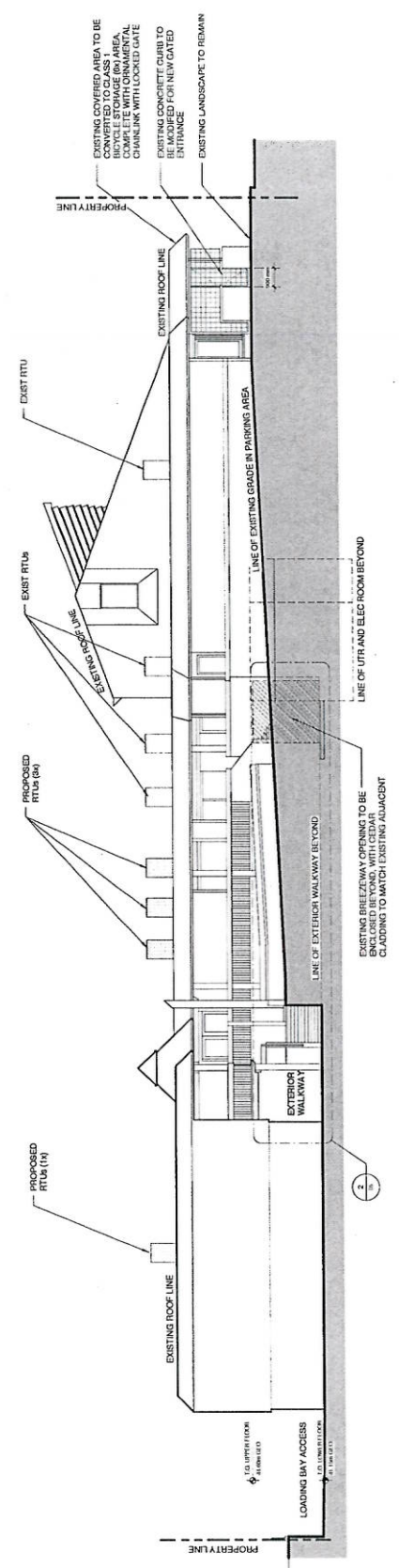
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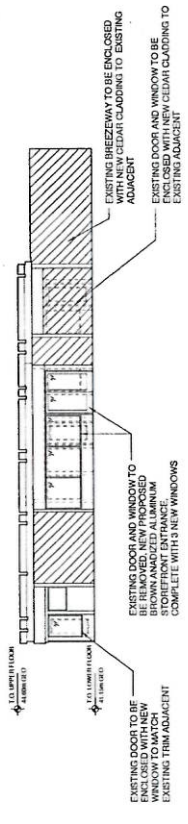
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① WEST ELEVATION  
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② PARTIAL WEST ELEVATION  
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Description: Reissued for DP - Above Door



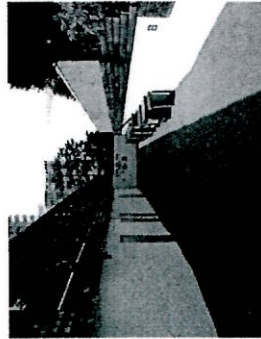
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ELEVATIONS

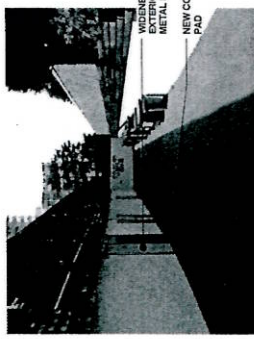
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PARLIAMENT MEWS  
DEVELOPMENT PERMIT APPLICATION  
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Project No: 14-011  
Client: Yennacon Holdings Ltd  
Architect: kmp architecture inc.  
Date: 10 JAN 2014  
Scale: 1:100  
Drawing No: D5



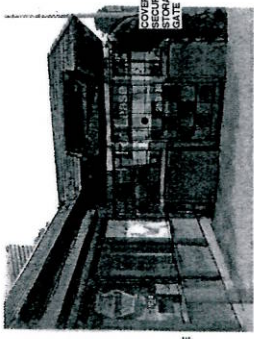
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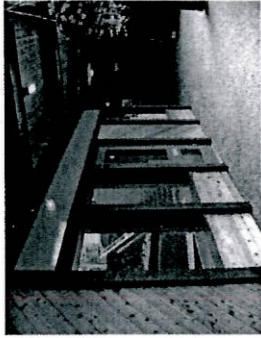
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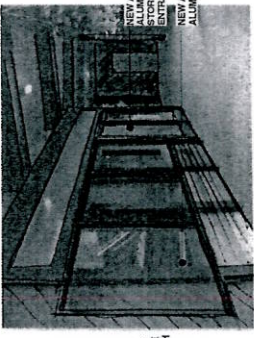
B1 - WEST ELEVATION OF EXISTING COVERED AREA - EXISTING



B2 - WEST ELEVATION OF EXISTING COVERED AREA - PROPOSED



C1 - WEST ELEVATION OF LOWER FLOOR STOREFRONT - EXISTING



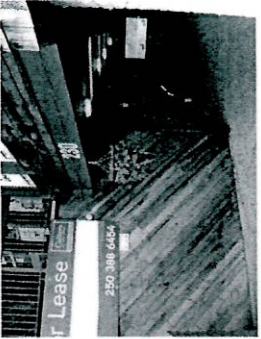
C2 - WEST ELEVATION OF LOWER FLOOR STOREFRONT - PROPOSED



D1 - WEST ELEVATION OF BREEZEWAY - EXISTING



D2 - WEST ELEVATION OF BREEZEWAY - PROPOSED



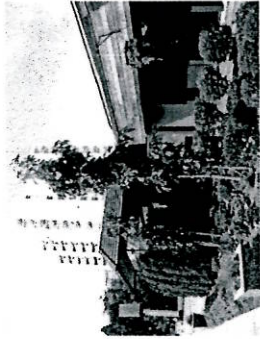
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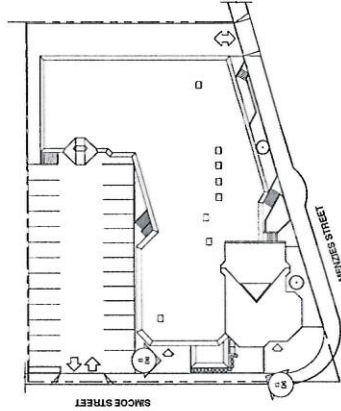
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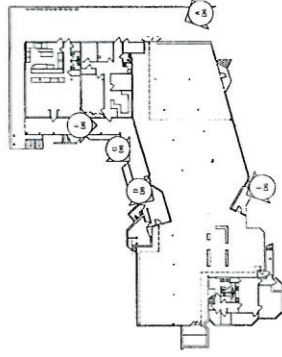
F - WEST ELEVATION AT STOREFRONT - EXISTING



G - EAST ELEVATION AT COVERED AREA - EXISTING



KEY PLAN - SITE  
1:400



KEY PLAN - LOWER LEVEL  
1:400

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# IMAGES AND RENDERINGS

D6

kmp  
architectural inc.

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