

## MEMORANDUM

April 4, 2012

TO: Mayor and Council

FROM: Y. McNeill, Rezoning Planner, Current Planning

CC: Penny Ballem, City Manager  
Sadhu Johnston, Deputy City Manager  
David McLellan, Deputy City Manager  
Janice Mackenzie, Acting City Clerk  
Peter Judd, General Manager - Engineering  
Jim De Hoop - Managing Director of Social Development

SUBJECT: CD-1 Rezoning - 228 -246 East Broadway and 180 Kingsway - staff response to community comments arising from the hearing proceedings

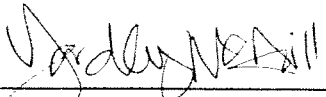
This memorandum brings forward staff responses to comments that have been made during the previous nights of the hearing for the above item.

1. The proposal does not comply with the Mount Pleasant Community Plan.
  - The MPC Plan discusses where additional height and density, beyond the C-3A zoning, are encouraged in several locations (e.g. on pages 5, 8, 9, 10, 23, 24 and 25).
  - The MPC Plan specifically notes this site as a site permitted to develop additional height and density on pages 10, 24 and 25, and it shows an image of a hypothetical rezoning proposal with added height and density on page 24.
2. The Community Amenity Contribution (CAC) will not stay within the Mount Pleasant Community.
  - The Recommendation for the CAC is as follows:  
“THAT the Managing Director of Cultural Services and the Managing Director of Social Development with approval of the Director of Finance be directed to identify opportunities for cultural amenities and affordable housing projects specifically within the Mount Pleasant community and that a report back to Council be provided thereafter to attain a Council decision for the use of CAC monies arising from this rezoning application, noting that \$4,500,000 is to be allocated towards cultural activities in the form of capital contributions and/or operating endowments within the

Mount Pleasant area and \$1,750,000 is to be allocated towards the affordable housing fund for use in affordable housing initiatives within the Mount Pleasant area.”

3. The proposal will make worse the existing traffic conditions and conflict with the 10th Avenue bikeway.
  - Conversion of 10th Avenue to a one-way street will reduce the overall traffic volume on 10th Avenue (even with the added traffic that is generated by the project). The reduction is from 210-220 vehicles per hour down to 130-170 vehicles per hour.
  - The provision of the left-turn bay on Kingsway at Broadway will provide a more direct route for the 50 or so vehicles per hour that short-cut on 10th Avenue to head west on Broadway. This will provide a further reduction in traffic. Note that the traffic study completed by the consultant did not include this reduction in their traffic volume estimates. A revised projection would take volumes below the 130-170 vehicles per hour.
  - The project provides for a separated bikeway on the south side of 10th Avenue that will reduce conflicts between motorists and cyclists.
  - The one-way operation of 10th Avenue between Watson and Kingsway will reduce the number of conflict points at both the intersection of 10th and Watson and at the intersection of 10th and Kingsway – two of those conflicts eliminate the right-turn-hook collision for eastbound cyclists at both intersections. This is the most common collision type for cyclist-vehicle collisions.
4. The neighbourhood does not want big-box retailers, as this will force out the smaller businesses in the area.
  - The retail area on the 2nd floor is 34,000 sq. ft. and there is an MOA in place between the Rize developer and the Mount Pleasant Food Co-Op. This is a locally run and operated Co-op which originated in the community. The other retail spaces on the main floor range in size from 1200 sq. ft. to 10,000 sq. ft., thereby providing a range of options for future tenants.
5. If approved the project would be precedent setting and encourage other developments like it.
  - The MPC Plan clearly states that additional density and height beyond the C-3A zone, is for “selected” sites only, and names only 3 locations: The Rize site, Kingsgate Mall and the IGA site at Main and 14th.
6. The proposal does not address the need for affordable housing in the area.
  - The public benefits offering for this rezoning includes a \$1.75 million contribution to the Affordable Housing Fund, to be combined with other funds as they become available and used in an affordable housing project in the Mount Pleasant Community.
  - Council asked that staff report back on the number of rental units that could be achieved using these funds, assuming the units would be affordable to the median income household in the neighbourhood (\$1,039 per month rent).
  - Housing and Real Estate Services staff modeled a development pro-forma assuming that additional funds would be leveraged through financing (i.e. a mortgage). Through financing, the total estimated capital funding available would be approximately \$3.6 million.

- The \$1.75 million contribution to the affordable housing fund could achieve approximately 15 units in concrete construction, or as many as 25 units in wood-frame construction, which has lower construction costs.
  - In practice, the City would seek to achieve a significantly larger number of affordable housing units in the Mount Pleasant Community by combining these funds with contributions from other rezonings, and by partnering with other levels of government, non-profits, private foundations and financial institutions.
7. The building does not have any architectural interest or pedestrian scale.
- The project is only at the Rezoning stage, where form and massing are determined. Staff have added form of development conditions to address the next stage of the project's development which call for a greater "pedestrian scale" to the facades.
  - The Urban Design Panel has supported the project and would see this again at the Development Permit stage, where detailed design development will occur.
8. The Planning department along with the developer have misled Council and the neighbourhood with inaccurate information on: the artist rendering, C-3A provisions for the site, Mount Pleasant Community Plan provisions for the site.
- Council received a yellow memo on staff's analysis of the artist rendering shown in Appendix E of the policy report. In essence staff determined that the image is an "artist" interpretation and not subject to scrutiny the way a measured drawing would be. Given the method by which these images are created, accurate reflections of the relationship between a hypothetical development and the real context are difficult and open to interpretation. Staff were not misled by the image as it was never used to calculate the technical information for the rezoning proposal. Only the architecturally stamped drawings submitted with the rezoning were used for this purpose.
  - As presented at the March 27th hearing, the C-3A zoning permits developments that proceed through a conditional stream to the Development Permit Board, to achieve up to 3.0 FSR and beyond 70 feet in height. The Board has routinely approved projects in the Mount Pleasant Community beyond 100 feet. For example the Stella Project at 2770 Sophia Street, which was approved at 3.0 FSR and 135.6 feet in height. It would not be unusual for the Board to consider a C-3A proposal on the Rize site of up to 3.0 FSR and upwards of 150 feet in height.
  - As stated under point # 1, the MPC Plan has identified this site in particular for additional height and density, beyond the provisions of the C-3A zoning
9. The proposal does not support the cultural needs of the community.
- The suggested CAC contribution of \$4.5 million, would be allocated towards cultural uses within the Mount Pleasant Community area, and could include uses such as artist production space. As noted earlier in the staff presentations, staff believe the cash contribution could produce a larger amenity than if this was developed on the Rize site, as the original rezoning proposes.

  
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