

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, October 28, 2013 9:18 AM
To: Grace MacKenzie
Subject: FW: Public Hearing - Rezoning Application - 2290 Main
Attachments: DISTRICT building.JPG; SOCIAL showing 3 and 4 storey portion across from development site at 2290 Main.JPG; SOCIAL Garden.jpg; SOCIAL on Scotia shows Garden.JPG

Thank you for your comments.

All public comments submitted for the public hearing that are received not more than 15 minutes after the close of the speakers list for that public hearing will be distributed to members of Council for their consideration. The public comments must include the name of the writer.

In addition, these public comments will also be posted on the City's website (http://vancouver.ca/ctyclerk/councilmeetings/meeting_schedule.cfm).

Please note that your contact information will be removed from the comments, with the exception of the writer's name. Comments received after the start of the public hearing should not exceed 1500 words.

Public comments submitted for the public hearing that are received more than 15 minutes after the close of the speakers list, will not be distributed until after Council has made a decision regarding the public hearing application and the related bylaw is enacted, if applicable.

For more information regarding Public Hearings, please visit vancouver.ca/publichearings.

Thank you.

From: Grace MacKenzie s 22(1) Personal and Confidential
Sent: Friday, October 25, 2013 10:43 PM
To: Correspondence Group, City Clerk's Office
Subject: Public Hearing - Rezoning Application - 2290 Main

To Whom it May Concern:

RE: 2290 Main Street Rezoning Application

I am opposed to this project. I am requesting that Council not approve this project for a rezoning.

This is Industrial/Commercial Land per the Zoning and Development by-law. This should remain industrial/commercial land until the entire area of Main Street from 2nd to 7th receives a new district zoning as directed in the Mount Pleasant Community Plan. Purely residential condos are not allowed and they don't fit with the existing industrial/commercial uses beside the project of a brewery and auto repair shop. The Mount Pleasant Community Plan says three times that this is industrial land.

The height and density are too much for the size of the site. The height should be 40 feet at the street level then set back on top of these 4 storeys with two 1/2 storeys up to a total of 6 storeys or 60 feet. By doing this sunlight will be on the street for the entire year and a building 40 & 60 feet will not be too unfriendly to the existing buildings. The density should be up to a maximum of 3.0 FSR. By doing this there will be space on the site to provide green space. Currently the form of this building is a block with no green space or walk through and does not fit well with the surrounding buildings.

This Staff Report says that the Rize received a density of 5.55 so that justifies this project receiving 4.92 FSR. Yet Mayor Robertson at the Rize re-zoning said, and I quote, "That said those are the 3 (Rize, IGA, Kingsgate Mall) and the rest of the development that will happen in Mount Pleasant will be much lower and modest scale." Councillor Louie said, and I quote, "So it (the Rize) would not set a precedent for the area?"

Why is the Planning department even considering building purely residential condos which is against the Law of Vancouver for industrial land here? Why is this building receiving so much more density than the maximum of 3.0 FSR? What is the community receiving as compensation to allow such a diversion from what is allowed on this site with regard to density and height? How has this site earned its additional height and density?

Why are the rules regarding providing amenities in exchange for more height and density different for the private developer than for the City taxpayer? For the City asset of One Kingsway it earn an additional 3 storeys and 2.0 FSR by providing the community with:

- civic uses of enlarged branch library, and
- community centre which contributes significantly to the general amenity of the area;
- a 49 child day care centre to serve the immediate neighbourhood;
- provision of 99 long term, secured, rental housing;
- usable general public open space;
- streetscape enhancement including extension of the Wellness Walkway;
- high quality building resolution and materials including brick masonry;
- reference to the Historic Brewery Creek; and
- sustainable building features including storm water retention and landscaped roofs.

The project does not follow the Mount Pleasant Community Plan and the following are more reasons why this project should not be approved.

1. The MPCP has not been properly implemented for the area of Main from 2nd to 7th Avenues. The MPCP is clear that when implementing the MPC Plan the entire area of Main Street from 2nd to 7th is to have a new planning program, this is on pages 30 and 31 of the MPC Plan. Until that happens this area is still Industrial Land and its rezoning policy is the Industrial Lands Policies, below are details on this policy. The MPC Plan does not recommend spot rezonings on Main Street from 2nd to 7th Avenues.
2. The MPCP says several times that this area, Main from 2nd to 7th, is industrial land.
3. The MPCP clearly describes residential in new developments could be the industrial use of artist live-work units. This building should be commercial with some artist live-work rental units. The Metro Core Jobs describes new residential development on Main Street from 2nd to 7th to be *compatible* with other uses. It also says create jobs in the area.
4. Residential artist live-work units provides work where people live. This would keep people off the overcrowded transit and keep people in the neighbourhood to shop locally. Allowing strictly residential here reduces the opportunity to produce job space. Here is the City link, Appendix A, for the Residential Compatibility Matrix for IC-
 2. <http://former.vancouver.ca/commsvcs/guidelines/B019.pdf>
5. Where are the commercial and office uses in this development? The Metro Core jobs desired future role for Main from 2nd to 7th is to become a vibrant commercial and shopping district.

The Industrial Lands Policies for this site say, <http://former.vancouver.ca/commsvcs/guidelines/I003.pdf>

“For any rezoning applications, the following conditions will be considered before land is released from industrial uses:

(a) Compatibility of Proposed Land Uses with Existing Industrial Activity

The proposed development should not affect the operations of adjacent existing and potential future industrial activity in the area. The proposed development should not increase land values of surrounding industrial land.

(b) Land Use Suitability for Alternate Land Uses

The proposed development should comply with relevant planning policies such as Central Area Plan, Artist "live/work" Studio Policy, etc.

(c) Environmental Impacts

The proposed development should comply with relevant legislation concerning environmental impacts and mitigation measures. “

I have read staff's rezoning Report for 2290 Main Street dated September 10, 2013 and have commented below on some of the incorrect or misleading statements in it. <http://former.vancouver.ca/ctyclerk/cclerk/20130924/documents/p4.pdf>

The Staff Report on page 5 says, “The floor space ratio would be 4.92”.

How can staff justify 4.92 FSR when 1.0 FSR is allowed for most uses in the zone and only manufacturing uses, transportation and storage uses, and Wholesaling - Class A are allowed 3.0 FSR? This rezoning site is in IC-2 zoning which says for Floor Space Ratio (FSR), **“The floor space ratio shall not exceed 3.0.”**

The Staff report on page 8 says, “b) Density — Recent developments in the surrounding area have generally achieved a density of 3.00 FSR, which is the maximum permitted in C-3A and IC-3 districts. A notable exception to this is the Rize development proposed at northwest corner of Kingsway and Broadway, with a density of 5.55 FSR. There is no policy direction in the Mount Pleasant Community Plan as to density achievable in a rezoning process.”

City Council, Is the City Planning Department seriously trying to use the Rize development as a precedent setting development to enable more FSR in other new developments in Mount Pleasant?

At the Rize rezoning Public Hearing the Mayor said, “That said those are the 3 and the rest of the development that will happen in Mount Pleasant will be much lower and modest scale.”

And, Councillor Jang said, “What would stop it from getting big? I mean if someone comes in with a rezoning on another parcel of land nearby. That’s what I think many of the residents are worried about is there’ll just be another one of these type of processes.”

In the Public Hearing for The Rize project at Kingsway and Broadway, Council stated emphatically that this project would not serve as a precedent. The Rize has not even been formally approved because it has not yet met Council’s conditions for rezoning so how can staff use this project as a precedent?

At the Rize Public Hearing for Broadway & Kingsway, City staff were asked “If approved the project would be precedent setting and encourage other developments like it”. Staff answered in a memo dated April 2012 which said, “The MPC Plan clearly states that additional density and height beyond what is permitted in the C-3A zone, is **“for selected sites only”**, and they specified three locations, “The Rize site, Kingsgate Mall and the IGA site at Main and 14th.”

The Staff report of on page 3 says,

a) To the south, at 1 Kingsway, is a 10-storey civic development containing the Mount Pleasant Community Centre on the ground floor and 98 market rental units on upper floors. Its height is 32.4 m (106.3 feet).

Per The City, 1 Kingsway *earned* its additional height above 70 feet and density above 1.0 FSR. The amenities that supported this additional density and height relaxations are summarized as follows:

- civic uses of enlarged branch library, and
- community centre which contributes significantly to the general amenity of the area;
- a 49 child day care centre to serve the immediate neighbourhood;
- provision of 99 long term, secured, rental housing;
- usable general public open space;
- streetscape enhancement including extension of the Wellness Walkway;
- high quality building resolution and materials including brick masonry;
- reference to the Historic Brewery Creek; and
- sustainable building features including storm water retention and landscaped roofs.

The Staff report of on page 3 says,

“b) To the east is a nine-storey development with 73 market condo units and 178 artist studios. Known as the District, this building is 25.7 m (84.3 ft.) in height.”

(see attached picture of The District building)

This picture was taken looking north from One Kingsway and shows the rezoning site and ‘The District’.

The District building to the east is not 9 storeys tall. The attached ‘DISTRICT’ picture shows the District on the right side of the picture. It is only 7 storeys tall and in the lane it is 6 storeys in some places. If the rezoning application site to the left in the picture was built to 4 storeys at street level and 6 storeys set back on top by a 45 degree angle then the views of the mountains would remain.

The District building ‘use’ is mostly residential units in conjunction with artist studios (artist live-work units).

The District is also in a different zone, IC-3 which allows a 60 foot building with 3.0 FSR. This building to the east is 84.3 feet and is a Heritage Revitalization Agreement development. The additional height and density (3.4 FSR) for this building was achieved because there was a 14,000 sq. ft. heritage building retained. There was 5000 sq. ft. of artist studio space promised in the HRA. Most of the 5000 sq ft of artist studio space has been rented to businesses.

The staff report also says on page 3,

“c) To the southeast is a nine-storey development with 119 market condo units. Known as the Social, the building is 30.2 m (96.8 ft.) in height.”

(see attached pictures of The Social building)

‘The Social’ building consists of 3, 4 and 9 storey portions. Most of this building is four storeys tall. To achieve 9 storeys the developer provided the south one-fifth of the site to an open stream park.

The Social is in a different zone, C-3A, which allows market residential condos.

The staff report on page 5 says, “3. Height, Density and Form of Development

The Mount Pleasant Community Plan outlines the key built-form and character principles that are relevant to this site. These include:

- *maintain a distinctive “hill town” identity (Section 3.3);”*

The MPC Plan at 3.3 says, “Hill town identity - Recognize that its slopes are natural form-makers on which a low profile for residential and commercial properties helps keep the sense of hill intact.”

The MPC Plan is clear that a LOW PROFILE is recommended for the Main Street hill. Here is the link to the MPC Plan. <http://vancouver.ca/files/cov/MP-community-plan.pdf>

The Staff report on page 6 says, “a) Height and Built Form — The nine-storey building is expressed in the form of a six-storey street wall with the remaining upper three levels having larger setbacks”.

The plan does not allow additional height above 6 storeys unless the MPC Plan is implemented with a rezoning of the entire area of Main Street from 2nd to 7th. And the current street wall allowed for this site is 40 feet, not 60 feet.

The staff report on page 8 says, “It is comparable to a density achievable under the base case scenario (i.e. a six storey building with no or minimal setback).”

Where does staff get this base case? The MPC Plan says “up to” 6 storeys which does not mean that buildings would be 6 storey tall blocks. The zoning calls for a 40 foot building at street level set back at a 45 degree angle above to 60 feet. That was also the intent of the MPC Plan, that’s why it says “up to” 6 storeys.

Page 10 of the Staff report says, “Public responses to this proposal have been submitted to the City as follows:

- *In response to the March 2013 open house, a total of 71 comment sheets were submitted from individuals (approximately 61% in favour/31% opposed/8% unsure or unspecified).”*

The FOI information received on this project with regard to the March 2013 open house forms show that the staff’s analysis of the forms is misleading. Of the 42 comments for the project, 20, or 47% of these comments came from people outside of Mount Pleasant. Whereas of the 23 people opposed to the project only 2 people or 8 % came from outside of Mount Pleasant. So the Staff information that 61% are in favor is misleading because staff did not take into consideration where the people who filled out the forms came from.

Page 2 of this rezoning Report says, “The proposed height is 30.0 m (98.5 feet), including nine storeys *plus* a partial mezzanine level that is contained in the ground floor.”

On page 5 of the Staff report it says, “The application proposes a nine-storey development *including* a partial mezzanine level that is contained within the ground-floor volume.”

And on page 7 the Report says, “While the proposal appears as a nine-storey building along Main Street as well as along the commercial frontage of 7th Avenue, a *10-storey portion along 7th Avenue is proposed* where the two-level townhouses are located.”

So it’s NOT 9 storeys but rather a 10 storey building or 67% taller than current zoning. And the street wall portion which is allowed to be a 40 foot building is proposed to be 50% taller than allowed at street level.

I hope that Council will consider all this information and send this project back to the drawing board to create a building that will create jobs in the area and provide housing that will be compatible with the current industrial/commercial uses on Main Street. If rental Artist live-work units of up to 6 storeys are built here this will provide cheaper construction costs and therefore more affordable housing.

Yours sincerely

Grace Mackenzie

Long time resident & Industrial land owner in Mt. Pleasant

Member of the former CLG & MPIC







