

Grandview-Woodland Area Council  
c/o Britannia Community Centre  
1661 Napier Street  
Vancouver  
BC V5L 4X4

Saturday 17 April 2010

Dear Mayor and Council:

Re: 2250 Commercial Drive

The staff report “CD-1 Rezoning — 2250 Commercial Drive” (<http://vancouver.ca/ctyclerk/cclerk/20100420/documents/p6.pdf>) is to be heard at the Regular Council Meeting on Tuesday 20 April 2010. The report is about a proposal to rezone 2250 Commercial Drive (the Far East building at East 7th Avenue) from C-2C (Commercial) District to CD-1 (Comprehensive Development) District.

The applicant proposes to convert the existing 3-storey retail and office building, which has the Van East Cinema and CCEC Credit Union among its tenants, into a 5-storey mixed-use building consisting of a commercial ground floor with four residential floors above, containing approximately 58 condominium apartments, according to the staff report.

Staff are recommending that the proposed rezoning be referred to a Public Hearing and approved subject to conditions.

On 9 November 2009, Grandview-Woodland Area Council (GWAC), the main community association of Grandview Woodland, sent a letter to the Mayor, Council, and planning staff (including Ian Cooper, who was in charge of the rezoning application at the time), opposing the proposed rezoning. That letter is available at [www.vcn.bc.ca/gwac/2250Commercial/09-11-09GWAC\\_2250CommercialDrive.pdf](http://www.vcn.bc.ca/gwac/2250Commercial/09-11-09GWAC_2250CommercialDrive.pdf); GWAC has a web page about the proposed rezoning at [www.vcn.bc.ca/gwac/2250Commercial/index.html](http://www.vcn.bc.ca/gwac/2250Commercial/index.html).

### GWAC’s main points

GWAC notes that the staff report fails to address the principal concern that GWAC raised in its November 2009 letter, plus at least six other concerns also raised in the same letter. GWAC would appreciate Mayor and Council asking of staff at minimum seven questions about those concerns at this Tuesday’s Council meeting.

GWAC continues to recommend rejection of the proposed rezoning, and hence would ask Mayor and Council to not accept staff’s recommendation to send the rezoning application to a Public Hearing.

What GWAC would recommend instead is presented at the end of this letter.

Below are the seven questions.

#### **Question (1): Applicant and staff report note that uses and density can be achieved without rezoning, so why rezone?**

Ankenman Marchand Architects, the architect for the proposed rezoning, have said they can achieve the uses and density they want for the site without rezoning. To quote the architects: “By demolishing the building, *we could achieve the same uses and density within the existing zoning*” (Ankenman Marchand et al., 2009, p. 3, italics ours). This was the main point of GWAC’s November 2009 letter.

The report only obliquely acknowledges this point in its penultimate paragraph. Here is the acknowledgement — and rapid dismissal — of GWAC’s main point in the staff report: “The proposal ... retains the majority of the existing structure. This is a better solution than demolishing the existing building, consigning its material to landfill

and building a new building *of the same density within the existing 45 foot height limit*" (italics ours). There is no other reference in the report to this very important point. Question (2) below addresses the argument used by staff against keeping the existing zoning: Not demolishing the building.

The staff report cites favourable commentary about the proposed design for 2250 Commercial by the Urban Design Panel at its 23 September 2009 meeting (<http://vancouver.ca/commsvcs/planning/udp/2009/Minutes/Sep23.html>). GWAC would point out that the Urban Design Panel also did not discuss GWAC's main point that, as Ankenman Marchand Architects have themselves said, the sought uses and density can be accommodated within the existing zoning.

GWAC would appreciate one or more Councillors asking staff why they are recommending referral to a Public Hearing when the existing zoning is, by the admission of Ankenman Marchand Architects, acceptable for the density the applicant is seeking for the site?

The next two subquestions pursue the same point of asking why rezoning is needed when Ankenman Marchand Architects say they can design a building that conforms to the heights and number of storeys allowed for C-2C zoning.

**Question (1.1): Staff report and applicant note that planned density and use can be achieved without exceeding allowable height, so why rezone?**

The staff report notes that "The primary difference between the proposal and what existing the zoning would permit would be an increase in the maximum permitted height from 13.72 m to 19.2 m (45 ft. to 63 ft.)" (page 2).

A very considerable change in allowable height is being requested. The absolute height allowed under C-2C zoning is 35 feet; the C-2C District Schedule allows 45 feet at the discretion of the Director of Planning; the proposal is for a building height of 63 feet. See point 1 in GWAC's November 2009 letter.

GWAC would appreciate one or more Councillors asking staff why they are recommending referral to a Public Hearing when the existing allowable height is, by the admission of the architect, acceptable for the density that is being sought for the site?

**Question (1.2): Staff report fails to note that five storeys exceeds C-2C zoning; why allow an extra storey when density can be achieved without it, so why rezone?**

The staff report fails to point out that C-2C zoning allows four storeys; the applicant is asking for five storeys, in violation of the zoning.

Ankenman Marchand Architects has said: "we could achieve the same uses and density within the existing zoning" (Ankenman Marchand et al., 2009, p. 3) — in other words, within the four storeys allowed by the existing C-2C zoning. See point 6 in GWAC's November 2009 letter.

GWAC would appreciate one or more Councillors asking staff why they are recommending referral to a Public Hearing when the existing number of storeys is, by the admission of the architect, acceptable for the density that is being sought for the site?

**Question (2): Staff report fails to examine the sustainability of the proposed design in comparison to a design that conformed to the existing zoning**

Point 4 of GWAC's 2009 letter noted that the applicant claims environmental and sustainable benefits for the proposed new building design, but not for a design that conforms to the zoning. The staff report states "The majority of the existing structure (applicant estimates 98%) including two floors of underground parking would be retained" (page 3).

GWAC requests that Mayor and Council ask for an impartial assessment as to how much of the existing structure could be retained with a design that achieved the applicant's desired density and uses within the existing zoning, which Ankenman Marchand Architects acknowledge is possible.

One question here is: How much of the existing structure is in the two floors of underground parking that presumably would also be retained if an environmentally-sensitive design was produced that conformed with the existing zoning?

Another question is: Why can't the existing structure also be retained above ground for a design that conforms to the existing zoning?

A third question is: What of the environmental impact of the extra materials required to build the applicant's proposed 63-foot, five-storey structure versus a zone-conforming 45-foot, four-storey one?

**Question (3): Staff report fails to note that current safety concerns could also be addressed by a design that conforms to the existing zoning**

According to Ankenman Marchand Architects (2009, p. 4), "The façade of the [existing] retail [at grade] is set back approx. 6' with a continuous colonnade that makes the retail spaces dark, hidden, illegible and unsafe." (The staff report summarizes some safety concerns about the existing design of 2250 Commercial Drive on pages 6-7.)

As noted in point 5 of GWAC's November 2009 letter, it is not clear what Ankenman Marchand Architects mean by "illegible" in this context. Also, can the applicant supply evidence to support the contention that the retail spaces are indeed "unsafe" as a result of the existing building design? (No evidence appears to be supplied by the applicant.)

This issue of safety is important because it is one of the justifications that the applicant is making for redesigning the building.

GWAC would add that even if the applicant can demonstrate with evidence that safety is a concern, then why doesn't the applicant fill in the colonnade, making it interior space with better lighting and access to the street? It is not necessary to propose a completely redesigned building to solve this issue, if it is indeed an issue.

**Question (4): Staff report fails to note that C-2C Guidelines on "Street Character" could also be addressed by a design that conforms to the existing zoning**

The staff report quotes C-2C Guidelines Section 2.2 on "Street Character" (pages 7-8) and notes approvingly that "The proposed form of development ... would secure small varied store fronts to implement the intent of the policies encouraging retail vitality at the street level" (page 8).

However, the report does not consider that a new building that conformed to C2-C zoning could also provide the same varied store fronts.

**Question (5): Staff report on 2250 Commercial Drive states that proposed development contains 58 units, City web pages say 66. Which number is correct?**

GWAC would appreciate Mayor and Council clarifying whether the proposed development will contain 58 condominium apartments (page 2 of the staff report) or 66? Sixty six is the number that has been reported since last November on the City of Vancouver's web page about the rezoning application (<http://vancouver.ca/commsvcs/planning/rezoning/applications/2250commercial/index.htm>), and was still being reported the day this letter was prepared. This difference of almost 14% is important when it comes to analyzing the traffic study that accompanied the rezoning application (see below).

**Question (6): Staff report fails to address flawed traffic study as part of rezoning application**

The applicant claims the proposed building will generate less traffic, and the staff report accepts the applicant's claims (page 8).

Point 6 of the November 2009 GWAC letter described in detail some serious flaws with the traffic study attached to the applicant's rezoning application. The letter pointed out that, in the study commissioned by Ward Consulting Group for the applicant, the statistics for trip generation from "Residential" in Table 7 was based on 58 units. If that is indeed the number as recorded in the staff report (page 2), and not the 66 units reported for many months on the City of Vancouver website, then this particular criticism disappears.

Three other flaws in the traffic study were also noted in GWAC's 2009 letter that, as far as GWAC can see, have not been addressed. Point 6 of GWAC's letter concludes with the following paragraph:

So the effect of the points we are making is that (1) trip generation due to the existing building is *too high* because it is likely to fall shortly — possibly in quite a major way — when VCH [Vancouver Coastal Health] moves out, whereas (2) estimated trip generation due to the proposed building is *too low* because it has been calculated using 58 residential units (not 66) and does not seem to include trip generation due to commercial use (other than the proposed bank).

The staff report perhaps contains an oblique reference to GWAC's concerns about the traffic study in the following statement: "Some correspondents did not believe the consultant's study. The City's Engineering staff have reviewed the study submitted and concur with the traffic consultant's report" (page 10).

GWAC would encourage Mayor and Council to look at its detailed arguments and judge for themselves. See also point 8 in GWAC's 2009 letter for additional criticisms of the applicant's proposed parking requirements.

GWAC would appreciate one or more Councillors asking staff why they are recommending referral to Public Hearing for a rezoning application with a flawed traffic study when those flaws have been pointed out to staff, but those flaws have not been addressed in the report?

### **Question (7): Staff report fails to note that the design does not fit with the neighbourhood**

The staff report, when discussing criticism from the public about the proposed height increase (pages 9–10), fails to note that the height of the proposed building does not fit with the height of buildings in the local streetscape. The staff report also does not acknowledge that the appearance of the proposed building, with its proposed five storeys and penthouses and general exterior design, does not fit with the aesthetics of the local streetscape. See point 11 of GWAC's November 2009 letter for more on this.

GWAC would appreciate one or more Councillors asking staff about the proposed design not fitting with the height of nearby buildings and the neighbourhood streetscape.

### **GWAC's Recommendation**

The Directors of GWAC would urge Mayor and Council to:

- (1) Not support the recommendations in the staff report that the proposed rezoning of 2250 Commercial Drive be referred to Public Hearing, and
- (2) Encourage the applicant to produce a new design that in particular:
  - a) achieves the same uses and density within the existing C-2C Schedule (which both the applicant and staff say is perfectly possible),
  - b) minimizes demolition work by preserving as much of the building's concrete and steel frame as possible,
  - c) minimizes rebuilding work by, ideally, avoiding drastically changing the appearance of the building (especially its appearance facing Commercial Drive and East 7th Avenue).

### **Conclusion**

The staff report states in its conclusion that “The proposal is consistent with the intent of ... and the C-2C Guidelines applicable in this area” (page 11). That “intent” is “to provide for a wide range of goods and services” as described on page 5 of the report.

The report does not state in its conclusion that the proposal is inconsistent with what C-2C zoning allows with respect to allowable height and number of storeys.

GWAC reminds Mayor and Council that the architects have said “we could achieve the same uses and density *within the existing zoning*” (Ankenman Marchand et al., 2009, p. 3, italics ours) and the staff report says it is possible to construct a building on the site “of the same density *within the existing 45 foot height limit*” (page 11, italics ours). However, the staff report fails to address this alternative that conforms to the C-2C zoning. The report approvingly describes the sustainability, treatment of safety concerns, and “street character” of the applicant’s proposed design without considering the same issues within a zone-conforming design. GWAC asks Mayor and Council to not support the staff report and to instead ask the applicant to produce a zone-conforming design that provides thorough consideration of the same issues.

Sincerely,

Dan Fass on behalf of

The Directors of Grandview-Woodland Area Council (GWAC)

(Graham Anderson, Selena Couture, Annwen Davies, Tom Durrie, Dan Fass, Bing Jensen, Brenda “Poesy” Koch, Craig Ollenberger, Richard Penneway, Petronella Vander Valk)

GWAC website: [www.vcn.bc.ca/gwac](http://www.vcn.bc.ca/gwac)

GWAC web page about 2250 Commercial Drive: [www.vcn.bc.ca/gwac/2250Commercial/index.html](http://www.vcn.bc.ca/gwac/2250Commercial/index.html)

### References

Ankenman Marchand et al (2009). 2250 Commercial Drive ... adaptation & re-use. Twenty-six page Powerpoint presentation at Neighbourhood Workshop held at 2250 Commercial Drive on 20 October 2009. Powerpoint presentation produced by Ankenman Marchand Architects and Image Development Inc. (The first four pages of the presentation were made available to workshop participants as a handout.)