Refers Item No. 6
Public Hearing of November 3, 2009

MEMORANDUM

October 15, 2009

TO: Mayor Robertson and Councillors

COPY TO: P. Ballem, City Manager
M. Coulson, Acting City Clerk
L. Best, Director of Communications
J. Young, Assistant Director, Corporate Communications
D. McLellan, General Manager of Community Services
B. Toderian, Director of Planning
F. Connell, Director of Legal Services
T. Timm, General Manager of Engineering Services
M. McGuire, Rezoning Planner

FROM: K. Munro, Assistant Director of Planning

SUBJECT: CD-1 Rezoning – 2304 West 8th Avenue

On October 6, 2009, Council referred to Public Hearing a rezoning application by Integra Architecture, to rezone 2304 West 8th Avenue from RT-8 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District. At the time of referral, staff were continuing to meet with adjacent neighbours to refine an understanding of local concerns and to explore changes and/or conditions that might respond to issues.

This memo provides Council with information regarding the results of this further meeting with immediate neighbours and the resulting recommendations for conditions of approval.

Recommendation

To amend Appendix B of the policy report, "CD-1 Rezoning – 2304 West 8th Avenue," to replace the following conditions:

PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

(b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

(ii) Revision to the design of the rooftop open space to reduce the apparent height of the building as seen from 8th Avenue;

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Note to Applicant: The overhead trellis located on the 8th Avenue side should be removed. If an enclosure or defining boundary for the seating area is desired, this could be accomplished by a 3 - 4 ft. (0.9 – 1.2 m) high semi transparent screen or other landscape feature which are set well back from the edge.

(x) Refinement of the plans and elevations to reflect the use of CPTED principles;

Note to Applicant: Revised drawings should detail how the garage, the path on the west side, and building lighting will be designed to provide for the security of occupants and visitors to the site. Lighting should create even illumination on the property without glare or light trespass to nearby residences.

(xii) removal of public seating and reduction of hard surface along 8th Avenue;

Note to Applicant: The semicircular sidewalk should be redesigned to create walkways from Units A and B that run in a straight line from the patios to the public sidewalk.

Discussion

On September 21, 2009, staff met with nine immediate neighbours and the applicants to further discuss the proposed development.

Additional concerns and/or clarifications of issues identified at this meeting that are not already included in the Council report include:

- the potential use of the proposed seating area by loud and disruptive patrons from nearby licensed establishments;
- the potential for vehicle pick-up and drop-off activity on West 8th Avenue and the resultant congestion and conflicts with cyclists (West 8th Avenue is a bike route at this location) due to the proposed location of the residential building entrance;
- the precedent that would be set for higher density and height if the rezoning were approved;
- a desire to have ongoing contact with building managers to ensure that neighbours have a forum to provide feedback regarding building operations;
- concern about Kitsilano Neighbourhood House and their experience and expertise regarding the ongoing operation of a residential building;
- ongoing maintenance of the proposed "landscaped wall" on the south elevation; and
- the privacy of roof decks located across the street on West 8th Avenue with the potential for overlook from the rooftop garden of the proposed building;

As well, neighbours reiterated their concerns about the overall height of the building and its effect on shadowing and privacy and they voiced their persepective that the proposal does not "fit" within the neighbourhood. Neighbours suggested that the building be pushed down to reduce the height and some suggested that a pitched roof expression would provide a more appropriate character for the neighbourhood.

Staff have further analyzed the proposed development and are recommending revised design development conditions to respond to these concerns:

- Removal of the rooftop trellis to reduce the apparent height of the building as seen from West 8th Avenue;

- Removal of the proposed public seating area; and
- Further design development (using CPTED principles) to semi-public areas surrounding the building to provide for the security of occupants and visitors to the site.

Staff have reviewed the neighbours' suggestion to push the building down to further reduce the general shadow or daylight impact on their properties. While sinking the building down into existing grade would benefit neighbouring properties and make the building better conform to the RM-4 zoning height nearby, it would also create a negative impact to the future occupants of the facility by introducing or increasing ramps and stairs along Eight Avenue and Vine Street, which would negatively affect accessibility. Considering the building is designed specifically to serve tenants who have a spinal cord injury, are senior citizens, or both, staff do not recommend a reduction in height for this particular building.

Neighbours also suggested that the floor to ceiling height for the underground parkade could be reduced to facilitate lowering the overall building. The BCPA Housing Society has responded that the nine foot height clearance in the parkade is required in order to accommodate vans that are equipped for full accessibility and include a wheelchair lift. Staff do not recommend a reduction in the parkade ceiling.

With respect to specific concerns expressed by neighbours on the north side of West 8th Avenue about shadowing in the winter months, the applicant has provided a shadow analysis showing that the building shadow on the shortest day of the year would not reach the main floor windows of a house on the other side of West 8th Avenue. All other times of the year the shadowing that is produced by the building is less. With respect to the concern regarding potential overlook from the rooftop deck to the neighbour's rooftop deck on the north side of the avenue, staff feel that these impacts will be mitigated by the intervening distance, the height of the neighbouring house, the mature trees on both sides of the street, and the design of the proposed roof top. Staff do not recommend a change in this regard.

Some neighbours felt that a pitched roof should be added to the proposal to create a better visual fit with the older style of homes in the RT-8 district. Adding a pitched roof without also lowering the building into grade would require reduced interior headroom in the dwelling units, additional structure above the units, or some combination thereof, which would create significant tradeoffs for the occupants and neighbours respectively. Staff also considered the support of the Urban Design Panel for this particular form. Given the tradeoffs involved, the quality of the design proposed, and the number of flat roofed buildings in the nearby context, staff do not feel that a pitched roof should be a requirement of development this case.

Neighbours have indicated that they are concerned about the potential for congestion on West 8th Avenue and the potential for conflicts with cyclists due to vehicle pick-up and drop-off activity at the residential building entrance. Staff are satisfied that the addition of Engineering signage to create a pick-up and drop-off area on Vine Street will encourage vehicle activity to access the site from the east side.

Regarding the concern about ongoing maintenance of the landscaped wall along the south elevation, BC Housing have indicated that they will oversee management and maintenance of the building. Given that this landscaping feature provides visual amenity and screening for the neighbours to the south, staff do not recommend the removal of the landscaped wall.

With regard to the request from neighbours for ongoing contact with building managers to ensure that neighbours have a forum to provide feedback regarding building operations, Kitsilano Neighbourhood House has indicated that they will establish an advisory committee for the programming of the building that would include building tenants. As well, the seniors' resource centre will have at least one staff member available during regularly scheduled hours throughout the week and Kitsilano Neighbourhood House has indicated that they will also hold an initial open house for the seniors resource centre. BC Housing also maintains a contact line for enquiries about building maintenance and management.

Conclusion

As was indicated in the Council report, staff have continued to meet with immediate neighbours to further understand concerns. As a result of these discussions, further changes and/or conditions are recommended. With these additional recommended conditions of approval, staff contend that the proposal achieves a suitable balance between addressing the concerns of neighbours and serving the needs of the new residents of the building.

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