

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

Brent Toderian
Director of Planning
VanCity Building
#406-515 West 10th Avenue
Vancouver
BC V5Z 4A8

Thursday 17 December 2009

Dear Mr. Toderian:

Re: 1667 Kitchener Street:

Grandview-Woodland Area Council (GWAC), the main community association of Grandview Woodland, is writing to express its concern about revised Development Permit No. DE412468 for 1643 and 1649 Kitchener Street. The proposed development is to be known as 1667 Kitchener.

A conversation with the new Project Coordinator, Joe Bosnjak, on 12 December 2009, established that eight relaxations are being sought as part of the revised development application.

GWAC presents reasons below why the relaxation should not be granted but, before presenting those reasons, GWAC lists some general concerns about the 8 December 2009 notification letter from the City and then about the proposed development.

1. Concerns about the 8 December 2009 notification letter from the City

The City's notification letter, sent 8 December, gives the impression that the developer is asking for only one relaxation, of the maximum building height from 35.10 feet to "approximately 38 feet." However, on closer examination of the letter, it says "In reviewing your application, we are seeking your comments on ..." and doesn't specify the relaxations that are being sought.

Mike Chu, the original Project Coordinator for DE412468, sent a letter on 2 March 2009 that specified the relaxations that were being sought in the original development application. Those were:

- A relaxation of the allowable building envelope height from 23.95 feet to 36.04 feet.
- A relaxation of the maximum building height from 35.10 feet to 36.04 feet.
- A relaxation of the rear yard setback from 25.10 feet to zero.
- A relaxation of the west side setback from 6.89 feet to 6 feet.
- A relaxation of the east side setback from 6.89 feet to 0.75 feet.
- Containment angle from 135 degrees to non-compliant.
- Horizontal angle of daylight from "all habitable rooms" to non-compliant.

A conversation with the new Project Coordinator, Joe Bosnjak, on Monday 12 December, established that the following relaxations are being sought as part of the revised development application:

- A relaxation of the allowable building envelope height from 23.95 feet. A look at the diagrams accompanying the City's 8 December letter suggests that the height relaxation sought is the same as before (36.04 feet) or very close to it. (About the same as before.)
- A relaxation of the maximum building height from 35.10 feet to "approximately 38 feet." (This is an increase from the 36.04 feet in the original application).
- A relaxation of the rear yard setback from 25.10 feet to "approximately ten feet" according to Mr Bosnjak. (This is a decrease from the zero feet in the original application).
- A relaxation of the west side setback from 6.89 feet to "approximately three feet" according to Mr Bosnjak. (This is an increase from the 6 feet in the original application).
- A relaxation of the east side setback from 6.89 feet to "approximately three feet" according to Mr Bosnjak. (This is a decrease from the 0.75 feet in the original application.)
- Containment angle from 135 degrees to non-compliant. (The same as before.)
- Horizontal angle of daylight from "all habitable rooms" to non-compliant. (The same as before.)
- A relaxation of the front yard setback from 20 feet to "approximately seven feet to the balcony and 11 feet to the building." (This is a new relaxation being sought.)

So of the eight relaxations being sought:

- One is brand-new (front yard setback),
- Two are an increase (maximum building height, west side setback),
- Three are the same or roughly the same (allowable building envelope height, containment angle, horizontal angle of daylight), and
- Two are a decrease (rear yard setback, east side setback).

It would have been helpful to have had this information in the 8 December letter because this information is really necessary to properly evaluate the revised application.

2. General concerns about Development Permit No. DE412468

2.1. Five buildings/ten units. Putting five buildings (ten units) on the site is **out of character** with the residential developments to the west and south of the site, and does not conform to the Britannia/Woodland RM-4 AND RM-4N Guidelines (Adopted by City Council November 21, 1989; Amended February 4, 1992). 1667 Kitchener falls within "Sub-area 1" in the Guidelines. Section 2.1 "Neighbourhood Character" in those guidelines states that in Sub-area 1:

"New developments should:

"(a) Respect the existing streetscape and adjacent buildings by designing new buildings to complement their character.

"(b) Retain groupings of original houses to help maintain the existing streetscape character through infill and conversion schemes. Infill should be compatible in scale and character with the existing houses."

Putting five buildings on the site does not "Respect the existing streetscape and adjacent buildings." Putting five buildings on the site is providing infill that is not "compatible in ... character with the existing houses."

2.2. *Twelve parking spots.* The developer is now seeking twelve parking spots instead of the sixteen he was seeking before. GWAC maintains that putting in parking on the site commensurate with five buildings (ten units), even for 12 parking spots rather than 16, would continue to produce **unacceptable levels of traffic** along the lane to the north, and especially the lane to the east. This would exacerbate the problem of the unusually high level of vehicular traffic along the lane from the east due to people visiting the businesses that have off-street parking on that lane, notably the laundrette and dry cleaner at 1315 Commercial Drive (William's Coin Laundry & Dry Cleaning) and the café at 1321 Commercial Drive (Caffe Abruzzo). There is also appreciable pedestrian traffic in the lane because both the preceding businesses can be accessed by foot from the lane, and people cut through from Grandview Park to Kitchener.

2.3. *Fir tree on Kitchener.* The proposed development would call for the removal of the large, attractive fir tree on Kitchener Street. One characteristic of the streets off this part of Commercial Drive is their trees, therefore it would be **out of character** to remove this tree.

3. Reasons for not relaxing the building envelope height

3.1. *Non-conformance with specification of "Neighbourhood Character" in Britannia/Woodland RM-4 and RM-4N Guidelines.* Allowing this relaxation (and maximum building height and non-compliant containment angle) would create buildings that would not conform to these Guidelines. Granting the relaxation would create buildings taller than any nearby RM-4 residential dwellings, and **out of character** with them. Section 2.1 "Neighbourhood Character" of those guidelines states that

"New developments should:

"(a) Respect the existing streetscape and adjacent buildings by designing new buildings to complement their character.

"(b) Retain groupings of original houses to help maintain the existing streetscape character through infill and conversion schemes. Infill should be compatible in scale and character with the existing houses."

Permitting buildings that are three feet over the allowable height does not "Respect the existing streetscape and adjacent buildings" and is providing infill that is not "compatible in ... character with the existing houses" along Kitchener.

3.2. *Considerable shadow.* The combination of the proposed relaxations of building envelope height, maximum building height, west side setback, and non-compliant containment angle will cast a **considerable shadow** on the yards of 1642 Charles and 1646 Charles to the north, 1639 Kitchener (rear) and 1637 Kitchener (front) to the west.

3.3. *Four-storey "wall" to north.* The proposed relaxation of building envelope height, maximum building height, and rear yard setback would create an unfriendly streetscape with a **visually unacceptable, out-of-character**, four-storey "wall" along the lane to the north.

3.4. *Potential "canyon" to north and east.* The proposed relaxation would create a **precedent** along the lane to the north and east, so that if someone wanted to develop another property along the same lane to the north or east, then s/he could argue for the same relaxation. If developments were allowed along both sides of the lane, the effect would be a **narrow, tall canyon**.

3.5. *Non-conformance with specification of "Views" in Britannia/Woodland RM-4 and RM-4N Guidelines.* Section 2.4 "Views" of the Guidelines states that

"New development should:

"(a) Take advantage of potential private views while ensuring that private views of adjacent buildings are not unduly compromised."

Permitting buildings that are three feet over the allowable height will unnecessarily compromise the views of those living on the south side of Kitchener, across from the site.

3.6. *Non-conformance with specification of “Topography” in Britannia/Woodland RM-4 and RM-4N Guidelines.* Section 2.5 “Topography” of the Guidelines states that

“New development should:

“(a) Respond to the topography by stepping the building massing down the hill (Figure 3).”

The proposed relaxation of building envelope height, maximum building height, and west side setback, will create a marked “stepped” and unbalanced effect to building massing in relation to the buildings to the west of the site, and hence does not conform to the Guidelines.

4. Reasons for not relaxing the maximum building height

4.1. *Non-conformance with specification of “Neighbourhood Character” in Britannia/Woodland RM-4 and RM-4N Guidelines.* Granting this relaxation would create buildings taller than any nearby RM-4 residential dwellings, and **out of character** with them. The developer has given no rationale or community benefit for this proposed relaxation. See 3.1.

4.2. *Considerable shadow.* See 3.2.

4.3. *Four-storey “wall” to north.* See 3.3.

4.4. *Potential “canyon” to north.* See 3.4.

4.5. *Non-conformance with specification of “Views” in Britannia/Woodland RM-4 and RM-4N Guidelines.* . See 3.5.

4.6. *Non-conformance with specification of “Topography” in Britannia/Woodland RM-4 and RM-4N Guidelines.* . See 3.6.

5. Reasons for not relaxing the rear yard setback

5.1. *Considerable shadow.* See 3.2.

5.2. *Four-storey “wall” to north.* See 3.3.

5.3. *Potential “canyon” to north.* See 3.4.

5.4. *Blind corner.* Relaxing the rear yard setback and east side setback continues to raise concerns about the creation of a **blind corner** at the intersection of the lane to the north and lane to the east.

5.5. *Vehicle/pedestrian hazard.* The unacceptable levels of traffic, combined with the blind corner, would create a **hazard for vehicles and pedestrians** using the lanes, especially the lane to the east of the site.

6. Reasons for not relaxing the west side setback

6.1. *Inadequate protection.* The proposed west side setback, in combination with the proposed non-compliant containment angle, will **not provide adequate protection** for the neighbouring properties, especially the property at 1639 Kitchener (the rear townhouse to the immediate west).

6.2. *Considerable shadow.* See 3.2.

6.3. *Non-conformance with specification of “Topography” in Britannia/Woodland RM-4 and RM-4N Guidelines.* See 3.6.

7. Reasons for not relaxing the east side setback

7.1. *Four-storey “wall” to east.* The proposed relaxation of building envelope height, maximum building height, and east side setback would create an unfriendly streetscape with a **visually unacceptable, out-of-character**, four-storey “wall” along the lane to the east.

7.2. *Blind corner.* See 5.4.

7.3. *Vehicle/pedestrian hazard.* See 5.5.

8. Reasons for not allowing the non-compliant containment angle

8.1. *Non-conformance with specification of “Neighbourhood Character” in Britannia/Woodland RM-4 and RM-4N Guidelines.* See 3.1.

8.2. *Considerable shadow.* See 3.2.

8.3. *Four-storey “wall” to north.* See 3.3.

8.4. *Potential “canyon” to north.* See 3.4.

8.5. *Inadequate protection.* See 6.1.

9. Reasons for not relaxing the front yard setback

9.1. *Non-conformance with specification of “Neighbourhood Character” in Britannia/Woodland RM-4 and RM-4N Guidelines.* See 3.1.

9.2. *Loss of fir tree on Kitchener.* See 2.3.

GWAC notes that Development Planner Patrick Sullivan, in an e-mail message to GWAC on 2 September 2009, said that the developer’s original proposal was turned down because of “the current design’s incompatibility with the neighbouring context.” GWAC would like to point out that the developer’s new proposal continues to be incompatible with “the neighbouring context” and does not conform with Section “Neighbourhood Character”, “Views” or “Topography” sections of the Britannia/Woodland RM-4 and RM-4N Guidelines.

GWAC would further note that the developer has given no rationale or community benefit for the proposed relaxations or proposal to put five buildings on the site.

For all the reasons given, GWAC would ask the Director of Planning to reject the revised Development Application.

Sincerely,

The Directors of Grandview-Woodland Area Council

(Max Addington, Selena Couture, Annwen Davies, Tom Durrie, Dan Fass, Bing Jensen, Brenda (Poesy) Koch, Susinn McFarlen, Craig Ollenberger, Richard Penneway, Petronella Vander Valk)

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Cc: Joe Bosnjak, Project Coordinator, City Hall, City of Vancouver