



*(These Minutes to be adopted at the Regular Council meeting on September 8, 2009)*

REPORT TO COUNCIL  
SPECIAL COUNCIL MEETING MINUTES  
JULY 21 AND 23, 2009

A Special Meeting of the Council of the City of Vancouver was convened on Tuesday, July 21, 2009, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed zoning and heritage by-law and official development plan amendments. Subsequently, the meeting was recessed, and reconvened in the Council Chamber at 7:38 p.m. on July 23, 2009. The minutes have been consolidated for ease of reference.

**PRESENT:** Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Andrea Reimer  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth

**CITY CLERK'S OFFICE:** Pat Boomhower, Meeting Coordinator

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed zoning and heritage by-law and official development plan amendments.

CARRIED UNANIMOUSLY

**1. TEXT AMENDMENT: C-2C and C-2C1 District Schedules Amendments**

An application by Director of Planning was considered as follows:

Summary: To amend the C-2C and C-2C1 Commercial District Schedules of the Zoning and Development By-law to resolve issues with building height and front yard setbacks.

The Director of Planning recommended approval.

**Summary of Correspondence**

No correspondence had been received on this application since referral to Public Hearing.

### Speakers

The Mayor called for speakers for and against the application and none were present.

### Council Decision

MOVED by Councillor Deal

- A. THAT the application to amend the C-2C and C-2C1 District Schedules of the Zoning and Development By-law to revise height and front yard regulations generally in accordance with Appendix A, to the Policy Report *"Amendments to the C-2C and C-2C1 District Schedules and Guidelines"*, dated June 1, 2009, be approved;
- B. THAT, subject to approval of the by-law to amend the C-2C and C-2C1 District Schedules, the by-law be accompanied at the time of enactment by the amended C-2B, C-2C and C-2C1 Guidelines generally as outlined in Appendix B, to the Policy Report *"Amendments to the C-2C and C-2C1 District Schedules and Guidelines"*, dated June 1, 2009, for adoption by resolution of Council.

CARRIED UNANIMOUSLY

### 2. TEXT AMENDMENT: 555 West 12<sup>th</sup> Avenue (City Square)

An application by Tim Barton, Bunt & Associates, was considered as follows:

Summary: To amend the parking section to CD-1 #187 (By-law No. 6072) for 555 West 12<sup>th</sup> Avenue to introduce a new parking standard for commercial land uses.

The Director of Planning recommended approval, subject to conditions as set out in the Agenda of the Public Hearing.

### Applicant Comments

Tim Barton, Bunt & Associates, was present to respond to questions.

### Summary of Correspondence

No correspondence had been received on this application since referral to Public Hearing.

### Speakers

The Mayor called for speakers for and against the application and none were present.

## Council Decision

MOVED by Councillor Deal

THAT the application by Bunt & Associates to amend the parking section of CD-1 #187 (By-law No. 6072) for 555 West 12th Avenue (PID: 008-897-557; Block 380, Plan 21466, DL 526 NWD) to introduce a new parking standard for commercial uses generally as presented in Appendix A to Policy Report dated June 2, 2009, "*CD-1 Text Amendment - 555 West 12<sup>th</sup> Avenue*", be approved subject to the following conditions:

### PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- a) THAT, prior to enactment of the by-law to amend the CD-1 By-law, the registered owner (the "owner") shall:
  - i) make arrangements, to the satisfaction of the Director of Legal Services, in consultation with the General Managers of Engineering Services and Community Services, for the provision, operation, and maintenance of four car-share vehicles for five years and the provision and maintenance on site of two permanent parking spaces for use exclusively by car-share vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law;  
  
*Note to Applicant:* Subject to coordination and agreement with the car-share organisation, the car-share vehicles and their designated parking spaces are to be provided as follows:
    - 1) One car-share vehicle is to be located in the City Square underground parking in a space permanently designated for a car-share vehicle, secured by a covenant;
    - 2) One car-share vehicle is to be located in a space permanently designated for a car-share vehicle in place of one of the Class A loading spaces in the Ash Street auto court, secured by a covenant, and the loading space moved to the underground parking;
    - 3) Two car-share vehicles are to be located within a four-block radius of City Square in the Resident Parking Permit (RPP) zone and the owner is to be responsible for the monthly/yearly cost of parking the vehicle in the RPP zone as set by the General Manager of Engineering Services, for five years; and
    - 4) All four car-share vehicles are to be maintained by the owner for five years, or the cost of this maintenance is to be paid by the owner to the car-share organisation for five years.
  - ii) provide adequate Class A and Class B bicycle spaces as required by the Parking By-law or to the satisfaction of the General Manager of Engineering Services; and

- iii) provide, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, a durable barrier in the Ash Street auto court to prevent vehicles from parking on the adjacent property to the north.

*Note to Applicant:* The barrier should be designed with a durable access that opens to sufficient width to permit access by trucks manoeuvring into Safeway's loading bay and is locked at other times. Because of the width of the auto court at this location, the barrier may be comprised of a gate, posts or other durable elements to effectively prevent vehicles from driving onto the strata property at 2628 Ash Street. The owner is strongly advised to hire a landscape architect to work with their transportation consultant in the design of the barrier and any other improvements proposed for the auto court and the strata property.

CARRIED UNANIMOUSLY

### **3. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA): 3589 Commercial Street**

An application by Bob Worden, Ramsey Worden Architects, was considered as follows:

**Summary:** To add the existing building to the Vancouver Heritage Register in the 'C' evaluation category and designate it as protected heritage property. In exchange for the designation, the proposed Heritage Revitalization Agreement (HRA) will grant zoning variances to allow a separate parcel at the rear of the site where a five-unit townhouse development may be constructed.

The Director of Planning in consultation with the Director of Legal Services, recommended approval.

#### **Summary of Correspondence**

No correspondence had been received on this application.

#### **Speakers**

The Mayor called for speakers for and against the application and none were present.

#### **Council Decision**

MOVED by Councillor Woodsworth

- A. THAT the building located at 3589 Commercial Street, listed in the Vancouver Heritage Register in the 'B' evaluation category, be designated as protected heritage property.

- B. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for the building located at 3589 Commercial Street to:
- secure the protection and long-term preservation of the building; and
  - grant variances in excess of that permitted in the Zoning and Development By-law.
- C. THAT the Director of Legal Services be instructed to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and a by-law to designate the building located at 3589 Commercial Street as protected heritage property.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed, registered, and given priority, to the satisfaction of the Director of Legal Services and the Director of Planning.

CARRIED UNANIMOUSLY

**4. HERITAGE DESIGNATION: 2356 West 5<sup>th</sup> Avenue**

An application by Alexandre Ravkov, Alexandre Ravkov Inc., was considered as follows:

Summary: To add the building to the Vancouver Heritage Register in the 'B' evaluation category and designate the building as a protected heritage property.

The Director of Planning, in consultation with the Director of Legal Services, recommended approval.

**Summary of Correspondence**

No correspondence had been received on this application.

**Speakers**

The Mayor called for speakers for and against the application and none were present.

**Council Decision**

MOVED by Councillor Stevenson

- A. THAT 'The Blair House' at 2356 West 5<sup>th</sup> Avenue be added to the Vancouver Heritage Register in the 'B' evaluation category, and be designated as protected heritage property.
- B. THAT the Director of Legal Services bring forward for enactment a by-law to designate the building as protected heritage property.

CARRIED UNANIMOUSLY

**5. TEXT AMENDMENT: Secondary Suites within Apartments**

An application by Director of Planning was considered as follows:

**Summary:** To amend the Zoning and Development By-law and the Southeast False Creek Official Development Plan By-law to enable secondary suites within apartment units in C-2, C-2B, C-2C, C-2C1 and C-3A Commercial Districts, residential areas of the Downtown District and in Southeast False Creek.

The Director of Planning, in consultation with the Managing Director of Social Development and the Chief Building Official, recommended approval subject to conditions as set out in the Agenda of the Public Hearing.

**Staff Comments**

Brent Toderian, Director of Planning, and Joanne Baxter, Planner, Regulation Policy and Projects, explained the application and responded to questions.

**Summary of Correspondence**

One email in support and one email in opposition to the application were received since referral to Public Hearing.

**Speakers**

The Mayor called for speakers for and against the application.

The following delegations spoke in support of the application:

Michael Geller  
Oliver Lang  
Leslie Stern

The following spoke neither for nor against the application but expressed concerns:

Ruth Hamilton

**Council Decision**

MOVED by Councillor Anton

A. THAT, the application:

- (i) to amend Section 2 of the Zoning and Development By-Law to introduce land use definitions for a "principal dwelling unit combined with a secondary dwelling unit", "secondary dwelling unit", and amend Section 10 of the Zoning and Development By-law to specify a minimum dwelling unit size for a secondary dwelling unit (combined with a principal dwelling unit), a maximum of one kitchen and a minimum of one complete bathroom for a secondary

dwelling unit (combined with a principal dwelling unit), both generally in accordance with Appendix A, to Policy Report *"Enabling Secondary Suites within Apartments in Commercial Districts, the Downtown District and Southeast False Creek"*, dated June 10, 2009;

- (ii) to amend the C-2, C-2B, C-2C, C-2C1 and C-3A District Schedules to enable a secondary dwelling unit combined with a principal dwelling unit in multiple dwellings (apartments) and in mixed-use developments, generally in accordance with Appendix A to the above noted Policy Report; and
- (iii) to amend the Southeast False Creek Official Development Plan By-law to encourage secondary dwelling units combined with principal dwelling units in multiple dwellings (apartments) and in mixed-used developments, generally in accordance with Appendix B to the above noted Policy Report;

be approved.

- B. THAT subject to approval of the by-laws at the Public Hearing, the by-laws be accompanied at the time of enactment by the Principal Dwelling Unit combined with a Secondary Dwelling Unit Guidelines, generally as outlined in Appendix D, to Policy Report *"Enabling Secondary Suites within Apartments in Commercial Districts, the Downtown District and Southeast False Creek"*, dated June 10, 2009, to be adopted by resolution of Council.
- C. THAT subject to approval of the amending by-laws, the Parking By-law be amended generally in accordance with Appendix C, to Policy Report *"Enabling Secondary Suites within Apartments in Commercial Districts, the Downtown District and Southeast False Creek"*, dated June 10, 2009;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amendments to the Parking By-law, generally in accordance with Appendix C to the above noted Policy Report.

CARRIED UNANIMOUSLY

#### 6. TEXT AMENDMENT: Laneway Housing in Single-Family Areas

An application by Director of Planning was considered as follows:

Summary: To amend Single-Family District Schedules RS-1 and RS-5 of the Zoning and Development By-law to permit the development of laneway housing (LWH). The proposed amendments would regulate the location, height, and unit size of the laneway house.

The Director of Planning, in consultation with the General Manager of Engineering Services, Director of Development Services, Manager of Sustainability, and Chief Building Official, recommended approval, subject to the conditions as set out in the Agenda of the Public Hearing.

Also before Council were the following:

- Memorandum dated July 9, 2009, from Heike Roth, Senior Planner, City-Wide and Regional Planning, which outlined improvements, clarifications, and corrections that have been incorporated into the by-law as posted at the Public Hearing.
- Memorandum dated July 9, 2009, from Heike Roth, Senior Planner, City-Wide and Regional Planning, which provided a revised draft of the Laneway Housing Guidelines.

### Staff Opening Comments

Brent Toderian, Director of Planning, Heike Roth and Kat Isaac, Regulation Policy and Projects Planners, City-Wide & Regional Planning, and Pat St. Michel, Major Projects Group, Current Planning, presented the application, and along with Ronda Howard, Assistant Director, City-Wide & Regional Planning, Carli Edwards, Parking Management Engineer, and Ryan Thé, Projects, Engineering, responded to questions.

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*At this point in the proceedings it was*

*MOVED by Councillor Deal*

*THAT, under Section 6.8 of the Procedure By-law, Council suspend Section 2.3(e) of the Procedure By-law with regard to meeting end time.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

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### Summary of Correspondence

Council received the following correspondence since the date the application was referred to Public Hearing:

- 35 emails and letters in general support
- 26 emails and letter in opposition
- 15 other emails and letters

### Speakers

The Mayor called for speakers for and against the application.

On July 21, 2009, the following spoke in general support of the application and provided comments:

Mary Kibbe  
Brian Palmquist

Brennan Cook  
Michael Geller  
Jake Fry  
Pineby Fong  
Michael Woodman  
Paul Barriscale  
Ramona Mar  
Martin Cassels  
Colin Grey  
Robbie Stewart  
David Vogt  
Milinda Schulz  
Nicki Glave  
Paul Norton  
Akua Schatz  
Curtis R. Curtis  
Maureen Fountain (and July 23, 2009)  
Helen O'Toole, Principal, Hot Architecture  
Robert Miller (and July 23, 2009)  
Bob Williams, Vancity Saving Credit Union

On July 21, 2009, the following spoke in opposition to the application:

Katherine Reichert, Arbutus-Ridge-Kerrisdale-Shaughnessy Group (ARKS)  
Ruth Hamilton (and July 23, 2009)  
Susan Chapman, Dunbar Residents Association  
Colleen McGuinness, Dunbar Vision Implementation Committee

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*At this point in the proceedings, Council agreed to continue hearing speakers on July 23, 2009, with regard to Item 6. The Mayor advised the reconvene time would be between 7:00 p.m. and 7:30 p.m. and the time would be posted on the City of Vancouver's meeting schedule website.*

\* \* \* \* \*

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Woodsworth  
SECONDED by Councillor Cadman

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments with respect to Items 1 through 5.

CARRIED UNANIMOUSLY

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*Council recessed at 11:40 p.m. on July 21, 2009, and reconvened on Thursday, July 23, 2009, at 7:38 p.m. with all members of Council present.*

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**COMMITTEE OF THE WHOLE**

MOVED by Councillor Reimer  
SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to reconvene the Public Hearing to consider proposed amendments to zoning and other related by-laws.

CARRIED UNANIMOUSLY

**Speakers**

On July 23, 2009, the following spoke in general support of the application and provided comments:

Munna Prasad  
Gordie Forrest  
Rick Smith  
Felipe Zahr  
Dirk Duivesteyn  
George Pahud  
Robert Chester  
Bryn Davidson  
Joseph MacKinnon  
Barry Garfield  
Terry Pyper  
Leslie Stern  
Zayvin Haqq  
Jon Stovell

Murat Erbatur  
William Stroet  
Monica Britton

On July 23, 2009, the following spoke in opposition to the application:

Richard Nantel  
Linda MacAdam  
Ned Jacobs, Neighbourhoods for a Sustainable Vancouver  
David Cuan, Shaughnessy Heights Property Owners Association  
Heiko Van Eijnsbergen  
Charles Hamilton  
Elizabeth Thomas  
Elizabeth Murphy  
Dan Murray  
Dennis Baxendale  
Sarah Thomas

The following spoke neither in favour nor opposed to the application but provided comments or concerns:

Josh Thurston  
John McNamara

\* \* \* \* \*

*During the hearing of speakers on July 23, 2009, it was*

*MOVED by Councillor Louie*

*THAT, under Section 6.8 of the Procedure By-law, Council suspend Section 2.3(e) of the Procedure By-law with regard to meeting end time.*

*CARRIED AND  
BY THE REQUIRED MAJORITY  
(Councillor Anton opposed)*

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## Council Decision

MOVED by Councillor Louie

THAT, due to time constraints, decision and decision regarding Item 6, the application by the Director of Planning to amend Single-Family District Schedules RS-1 and RS-5 of the Zoning and Development By-law to permit the development of laneway housing, be referred to the Council meeting immediately following the Special Standing Committee on City Services and Budgets meeting on July 28, 2009, as Unfinished Business.

CARRIED UNANIMOUSLY

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Stevenson  
SECONDED by Councillor Deal

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

**BY-LAWS**

MOVED by Councillor Cadman  
SECONDED by Councillor Louie

THAT Council enact the by-law before them for this meeting as number 9 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. **A By-law to designate a building at 2356 West 5<sup>th</sup> Avenue as protected heritage property (By-law No. 9909)**

The Special Council  
recessed at 11:40 p.m. on July 21, 2009,  
and adjourned at 11:25 p.m. on July 23, 2009.

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