



REPORT TO COUNCIL

SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 3, 5, 17 AND 24, 2009

A Special Meeting of the Council of the City of Vancouver was convened on Tuesday, November 3, 2009, at 7:30 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning, Official Development Plan, and Heritage By-laws. Subsequently the meeting was recessed and reconvened in the Council Chamber at 7:30 pm on November 5, 2009, 7:45 pm on November 17, 2009, and 7:33 pm on November 24, 2009.

**PRESENT:** Mayor Gregor Robertson\*  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow\*  
Councillor Heather Deal, Acting Chair (November 5, 17 and 24)  
Councillor Kerry Jang\*  
Councillor Raymond Louie\*  
Councillor Andrea Reimer\*  
Councillor Geoff Meggs  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth

**ABSENT:** Mayor Gregor Robertson (Leave of Absence - Civic Business - November 5, Item 5, and November 17 and 24)  
Councillor Andrea Reimer (November 3, Items 1, 2, 3, 4 and 6)  
Councillor Raymond Louie (Leave of Absence - November 5, Item 5, and November 17 and 24)  
Councillor George Chow (November 5, 17 and 24, Item 5)  
Councillor Kerry Jang (Leave of Absence - November 17, portion of Item 5, and November 24)

**CITY MANAGER'S OFFICE:** Sadhu Johnston, Deputy City Manager (November 3 and 5)

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

\* Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Deal  
SECONDED by Councillor Stevenson

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the Zoning, Official Development Plan, and Heritage By-laws.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

\* \* \* \* \*

### **VARY THE AGENDA**

*MOVED by Councillor Stevenson*

*THAT the Committee vary the order of the agenda to deal with Item 6 prior to Item 5, due to the number of speakers and transportation issues for delegations for Item 6, and*

*FURTHER THAT Item 5 be postponed to the re-convened Public Hearing on November 5, 2009, at 7:30 pm in Council Chamber.*

*CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)*

*NOTE FROM CLERK: For ease of reference, the Minutes are recorded chronologically, with Item 6 dealt with on November 3, and Item 5 dealt with November 5, 17, and 24, 2009.*

\* \* \* \* \*

### **1. HERITAGE DESIGNATION: 2426 East 23<sup>rd</sup> Avenue**

An application by Rita G. Lou-Hing, Owner, was considered as follows:

Summary: To designate the C-listed heritage building as protected heritage property as part of the Vancouver Heritage Foundation's *True Colours* grant program.

The Director of Planning recommended approval.

#### **Summary of Correspondence**

No correspondence has 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 Deal

- A. THAT Council approve the designation of the Pidruchny House at 2426 East 23<sup>rd</sup> Avenue, listed on the Vancouver Heritage Register in the "C" category, as Protected Heritage Property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment the heritage designation by-law.

- C. THAT Council commend the building owner for designating this property on a voluntary basis and for participating in the Vancouver Heritage Foundation's *True Colours* program.

CARRIED UNANIMOUSLY

**2. HERITAGE DESIGNATION: 335 West 11<sup>th</sup> Avenue**

An application by Gen Yada, Architect, was considered as follows:

Summary: To add the existing building to the Vancouver Heritage Register in the "C" evaluation category and to designate the existing heritage building at 335 West 11th Avenue as protected heritage property.

The Director of Planning recommended approval.

**Summary of Correspondence**

No correspondence has 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 Deal

- A. THAT the "Condie Residence" at 335 West 11th Avenue, listed in the "C" evaluation category on the Vancouver Heritage Register, 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

**3. TEXT AMENDMENT: Downtown Official Development Plan (DODP) Amendment**

An application by Director of Planning was considered as follows:

Summary: To amend the building height regulations in the Downtown Official Development Plan to convey Council's current policies more clearly. This does not propose any change to the existing height limits. The proposed amendment would consolidate the criteria that the Development Permit Board must consider before it may allow a height increase.

The Director of Planning recommended approval.

### Summary of Correspondence

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

### Speakers

The Mayor called for speakers for and against the application.

Jack Salmon expressed concern about tower height and increased population in the West End.

Michael Gordon, Central Area Planner responded to questions.

### Council Decision

MOVED by Councillor Stevenson

THAT the application to amend the Downtown Official Development Plan by clarifying the building height limits, generally as set out in Appendix A, to the Policy Report, *“Improvements to Clarity of Height Limits in Downtown Official Development Plan to Express Council’s Original Intent”*, dated September 23, 2009, be approved.

CARRIED UNANIMOUSLY

### 4. REZONING: 538-560 West Broadway

An application by Director of Planning was considered as follows:

Summary: To rezone from C-3A (Commercial District) to CD-1 (Comprehensive Development) District. An increase in the maximum floor space ratio from 3.00 to 4.84 is proposed. Rezoning would allow development of a six-storey building with a mixture of commercial uses.

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

### Applicant Comments

Tomas Wolf, Studio One Architecture, Kal Bachra, Orca West Developments Ltd. of the Applicant Team, and Damien Crowell, Environmental Scientist, responded to questions regarding building height and meeting LEED (green building rating system).

### Staff Comments

Brent Toderian, Director of Planning, along with Anita Molaro, Urban Design and Development, Current Planning, responded to questions regarding building heights, LEED standards and enhanced roof treatments.

### Summary of Correspondence

No correspondence has 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 by Studio One Architecture, to rezone 538-560 West Broadway (Lots 3, 4, 5 and 6, Block 360, D.L. 526, Plan 590; PID:015-183-629, PID:003-723-071, PID:007-723-097, PID:008-899-215) from C-3A to CD-1, to permit development of a six-storey commercial building, over three levels of underground parking, generally as presented in Appendix A to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009, be approved, subject to the following conditions:

### PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Studio One Architecture Inc., Architect, and stamped "Received City Planning Department, February 25, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (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:

#### Design Development

- (i) design development to improve the detailing and articulation of the materials treatment of the Broadway façade and canopy elements to enhance pedestrian visual interest;

Note to Applicant: Provision of high quality materials and detailed large-scale (1:50) architectural plans, sections and elevations describing the exterior finishes and articulation, including location of signage, weather protection, landscaping and soil depth is required.

- (ii) design development to enhance the roofscape to improve its visual quality as well as its environmental performance through the provision of a green roof treatment, either intensive or extensive, with modest areas for active uses as outdoor amenity;

Note to Applicant: A green roof treatment is an important component of sustainability for reducing heat island effects. In addition, coordination and screening of mechanical equipment should be undertaken. Access to the roofs outdoor amenity areas should be located to minimize any view impacts of City Hall from False Creek.

- (iii) design development to minimize the impact of mechanical vents;

Note to Applicant: Vents servicing the below-grade parking structure should be located to minimize their impact of the pedestrian environment.

### Sustainability

- (iv) compliance with EcoDensity Action Item A-1 with regard to the specific point requirements and identification on the building plans and elevations of all sustainable design features;

Note to Applicant: Clarification and demonstration of the sustainable features establishing a minimum LEED™ Silver equivalent, with a minimum of 3 optimize energy performance points, 1 water efficiency point and 1 storm water point must be shown on the final approved permit drawings.

### Landscape Design

- (v) provision of greater coverage for the planters on the third and fifth level deck, in order to provide larger soil volumes for the proposed trees;
- (vi) design development to provide a greener lane edge by setting back part of the ground level in order to provide a 2.0 ft.-wide planter against the blank wall between the gas meters and the recycling area;
- (vii) design development to enhance the pedestrian experience by providing street trees where space permits;

Note to Applicant: Contact Eileen Curran, Streets Engineering, (604.871.6131) to confirm tree planting locations and Park Board staff (604.257.8587) for tree species selection and planting requirements.

- (viii) provision of a full Landscape Plan;

Note to Applicant: The Landscape Plan should illustrate the proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- (ix) provision of large scale sections (1/4"=1' or 1:50) illustrating the soil depth for all deck planters;

Note to Applicant: The sections should include any guardrails that are attached to the outside edges of the planters.

### Engineering

- (x) design development to:
1. provide Class A bicycle spaces on the first parking level;
  2. provide Class B loading spaces that will serve the largest truck intended to serve the site (confirmation of truck size from tenants is required);  
  
Note to Applicant: Loading bays are to be independently accessible and a consultant's study showing this operation and associated turning swaths is required. Note the current study confirms that the loading bay design requires modifications.
  3. modify the design of the parking entry to enable vehicles travelling in either direction on the lane to enter and exit simultaneously and for cars to exit westbound in the lane to Ash Street;  
  
Note to Applicant: A "jug handle" design set deeper into the building to position cars perpendicular to the lane for improved turning may be required.
  4. provide separate facilities to contain the proposed garbage compactor outside of the required Class B loading spaces.  
  
Note to Applicant: The compactor can be located at the back of the loading bay but not within the bay itself.

### PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, complete the following on terms and conditions satisfactory to the Director of Legal Services:

### Engineering

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the following:
1. consolidate Lots 3, 4, 5 and 6, Block 360, D.L. 526, Plan 590 into a single parcel;
  2. provision of a surface right of way over that portion of the site along Broadway between the northerly property line and the above-grade building setback, measuring 1.9 m at the east property line, tapering to a 0.55 m at the west property line;
  3. undergrounding of all utility services from the from the closest existing suitable service point;  
  
Note to Applicant: All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the

development will require review and approval by the Utilities Branch. Early contact with the Utilities Branch is recommended.

4. removal or relocation of the wooden utility poles in the lane to ensure adequate two-way traffic flow in the lane and to ensure unobstructed access into the loading bays; and
5. provision of a concrete lane crossing at the intersection of Ash Street and the lane south of Broadway.

#### Community Amenity Contribution

- (ii) secure the purchase and transfer of heritage density with value of \$603,400 from a suitable donor site.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (C-3A), as set out in Appendix C to the Policy Report, *"CD-1 Rezoning - 538-560 West Broadway"*, dated September 22, 2009, be approved; and
- C. THAT, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law following approval and enactment of the CD-1 By-law to establish regulations for this Comprehensive District in Schedule B, as set out in Appendix C to the Policy Report, *"CD-1 Rezoning - 538-560 West Broadway"*, dated September 22, 2009; and
- D. THAT, the registered property owner shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner of a suitable donor site for the purchase of heritage density as described in this report.

CARRIED  
(Councilor Anton opposed to A(b)(ii))

## 6. REZONING: 2304 West 8<sup>th</sup> Avenue

An application by Duane Siegrist, Integra Architecture, was considered as follows:

Summary: To rezone from RT-8 (Two Family Dwelling) to a CD-1 (Comprehensive Development) District to construct a 30-unit, four-storey, multiple-dwelling project with 10 units for people with disabilities and 20 for seniors on low incomes. The proposal also includes a small seniors' resource centre located on the ground floor of the residential building.

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

### Staff Opening Comments

Michelle McGuire, Rezoning Centre, explained the application and advised the Memorandum dated October 15, 2009, from Kent Munro, Assistant Director of Planning, provided recommendations for conditions of approval resulting from the meeting with neighbours to respond to issues.

### Applicant Comments

Duane Siegrist, Principal, Integra Architecture Inc., reviewed the application design and amenities, and submitted a summary of revisions (*distributed - on file*).

### Summary of Correspondence

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

- 32 letters and emails and one petition with 283 signatures (unaudited) in opposition,
- 32 letters and emails and one petition with 13 signatures (unaudited) in support, and
- 1 other letter.

### Speakers

The Mayor called for speakers for and against the application.

\* \* \* \* \*

*At 9:59 pm, during the hearing of speakers, it was*

*MOVED by Councillor Deal*

*THAT, under Section 2.6 of the Procedure By-law, Council extend the meeting in order to continue to hear from speakers.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

The following spoke in support of the application and provided comments:

Nancy Butler  
Charlotte Roth  
Pat McIntosh  
Laura Stannard, Jewish Family Services Agency  
Rob Fenton, BC Association of Neighbourhood Houses  
Dellie Lidyard  
Regina Bueno Renko  
Julia DeWinter on behalf of Joanna Turner  
Paul Caune  
Craig Langston, Co-chair, Persons With Disabilities Advisory Committee  
Trish McKay, Vice-President, The Cerebral Palsy Association of BC  
John O'Idym, President, International Society of the Handicapped of Greater Vancouver  
Paul Gauthier, Community Capacity Coordinator, BC Paraplegic Association  
Catherine Leach, Executive Director, Kitsilano Neighbourhood House  
Edward Milligan, Director, BC Paraplegic Housing Society  
Beryl Wilson

The following spoke against the application and expressed concerns with regard to the project in its current form and requested it be sent back for re-design, noting issues with the building height, entrance, set backs and traffic.

Joanne Naiman  
Neil Naiman  
Sadine Mabardi  
Ralph Stanton  
Adam Policzer  
Jean Gordon  
Guy Mayson  
Julie Keatley  
Hoshang Eslamboli  
Leila Khodarahmi  
Janet Bruce  
Mark Vaughan  
Barbara Smith  
Warren Hiebert  
Michael Vogel  
Barbara Caelles

### **Applicant Closing Comments**

Duane Siegrist, Principal, Integra Architecture Inc., advised of studies done for the project, amenities for liveability, and responded to questions regarding the entrance for Handyart.

### **Staff Comments**

During speakers' and Applicant's remarks, Ms. McGuire, along with Brent Toderian, Director of Planning, responded to questions.

## Council Decision

### REFERRAL MOVED by Councillor Deal

THAT discussion and decision on the application, by Integra Architecture on behalf of the Provincial Rental Housing Corporation, to rezone 2304 West 8th Avenue (PID 014-864-134, 014-864-151, Lots 9 & 10, Block 322, Plan 1058, DL 526, NWD) from RT-8 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to allow development of a four-storey multiple dwelling for seniors and individuals with spinal cord injuries, generally in accordance with Appendix A to the Policy Report, "CD-1 Rezoning – 2304 West 8th Avenue", dated September 22, 2009, be referred to a Regular Council meeting on November 5 or 17, 2009, as Unfinished Business.

CARRIED UNANIMOUSLY

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*Note from Meeting Coordinator: Subsequently, discussion and decision on this matter was referred to the Council meeting immediately following the City Services and Budgets Committee meeting on November 5, 2009.*

\* \* \* \* \*

*Council recessed at 11:38 pm November 3, 2009, and re-convened at 7:30 pm on November 5, 2009, with Deputy Mayor Deal in the Chair. All members were present except for Mayor Robertson (Leave of Absence -Civic Business), Councillor Louie (Leave of Absence) and Councillor Chow.*

\* \* \* \* \*

### 5. REZONING/HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA): 3205-3221 West 41<sup>st</sup> Avenue and 5590 Balaclava Street

An application by Laurie Schimdt, Brook and Associates Planning Consultants, was considered as follows:

Summary: To rezone from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to allow development of a 4-storey multiple dwelling designed for seniors; to designate, rehabilitate and preserve the heritage B-listed Knox Church; and to replace the church annex building.

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

### Staff Opening Comments

Michelle McGuire, Rezoning Centre, explained the application and responded to questions. Ms. McGuire also advised the Memorandum dated October 15, 2009, from Kent Munro, Assistant Director of Planning, provided amendments to Appendix A of the Policy Report entitled "CD-1 Rezoning/Heritage Revitalization Agreement/Heritage Designation: 3205-3221

West 41st Avenue and 5590 Balaclava Street" with regard to Church height, north property line set back, and electric scooter parking spaces.

Council also had before it a Memorandum dated November 3, 2009, from Marco D'Agostini, Senior Heritage Planner, Heritage Group, which clarified the timeline for enactment of the Heritage Revitalization Agreement By-law.

### Applicant Comments

Maurice Ouellet, EMAAR Canada, noted the residential building design was approved by the Urban Design Panel and commented on the process for developing the design, the Dunbar Vision document, Ecodensity Charter, and demographic need for alternative housing choice in the Dunbar area for seniors.

### Summary of Correspondence

Since referral to Public Hearing, Council received the following correspondence:

- 52 letters and emails and one petition with 127 signatures (unaudited) in opposition;
- 2 letters and emails in support; and
- 2 letters as "other" correspondence.

### Speakers

The Deputy Mayor called for speakers for and against the application.

\* \* \* \* \*

*Note from Meeting Coordinator: For clarity, the summary of speakers from the November 5, 17 and 24, 2009, Public Hearing has been amalgamated.*

\* \* \* \* \*

Ms. McGuire, along with Brent Toderian, Director of Planning, Rob Whitlock, Senior Housing Officer, Sailen Black, Development Planner - Current Planning, and Wali Memon, Parking Management Engineer, as well as the Applicant, responded to questions during the hearing of speakers.

\* \* \* \* \*

*During proceedings on November 5, 2009, it was*

*MOVED by Councillor Cadman*

*THAT, under Section 2.3(e) of the Procedure By-law, Council extend the meeting to 11:00 pm.*

*LOST  
(Councillors Jang and Stevenson opposed)*

\* \* \* \* \*

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman

THAT, on November 5, 2009, the Committee of the Whole rise and report on Items 1, 2, 3, 4, and 6.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
SECONDED by Councillor Jang

THAT on November 5, 2009, the report of the Committee of the Whole for Items 1, 2, 3, 4, and 6 be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

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*On November 5, 2009, Council recessed at 10:00 pm and re-convened at 7:45 pm on November 17, 2009, with Deputy Mayor Deal in the Chair.  
All members were present except for Councillor Jang (Leave of Absence), and Mayor Robertson and Councillors Chow and Louie.*

\* \* \* \* \*

MOVED by Councillor Woodsworth  
SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Deal in the Chair, for the re-convened public hearing to consider proposed amendments regarding Item 5.

CARRIED UNANIMOUSLY

\* \* \* \* \*

*Council recessed at 10:00 pm on November 17, 2009, and re-convened on November 24, 2009, at 7:33 pm with the same members present.*

\* \* \* \* \*

*At this point in the proceedings two delegations who previously spoke requested to speak again at the end of the list.*

*MOVED by Councillor Meggs  
SECONDED by Councillor Cadman*

*THAT in accordance with the speaking guidelines outlined by the Chair, Council not allow the two delegations to speak again at the end.*

*CARRIED UNANIMOUSLY*

\* \* \* \* \*

The following spoke in support of the application and provided comments:

Reverend Sally McShane, Knox United Church  
Gillian Fullerton  
Douglas Graham  
Alan MacKenna  
Bill Goodsir, Co-chair, Knox United Church Planning Committee  
David Cass  
Joanne Melville  
Sharon Copeland

The following spoke against the application and expressed concerns with regard to building height, the seniors supportive housing and market housing component, and design with respect to the Dunbar Vision.

Peter Sven  
Colleen McGuinness  
Alec Robertson, Dunbar Vision Implementation Committee  
Amar Shan  
Nancy Hanna on behalf of Brad Zembic  
Stephen Rybak, Dunbar Steering Committee  
Anna Gilmore, PAC, Kerrisdale Elementary School  
Bill Rapanos, Dunbar Housing Trust  
Morgan Allan  
Robert Kraljii  
Don Marquardt  
Elizabeth Thomas  
Bernice Trigg  
George Strazicich  
Hazel Boxall  
Tacjana Saunders  
Linda MacAdam  
James Croteau  
Nancy Hanna on behalf of Hsingyuan Tsao  
Amar Shan on behalf of Hart Price  
Jake DeHann  
Jane Ingram-Baker, Chair, Dunbar Implementation Committee  
Pervis Rawji  
Ellen Hockin  
Jean Barbeau-Allen on behalf of Raj Katta  
Paul Hildebrandt

Edwin Chang  
Elizabeth Thomas on behalf of Phil Wong  
Don Marquardt on behalf of Trena Marquardt  
George Stratazicich Sr.  
Jean Barbeau-Allen  
Susan Schoenhals  
Susan Chapman  
Eva Grunfield  
Nancy Hanna on behalf of Andre Rowland  
Jim Allen  
Ellen Hockin on behalf of Caroline Astell  
Nancy Hanna

The following spoke neither for nor against the application but noted the shortage of pre-schools in the Dunbar area, and the need for safety to be addressed and support for aging in place:

Elizabeth Reid, Head Teacher, Little People Preschool  
Chris Morrissey, Chair, Seniors Advisory Committee

\* \* \* \* \*

*On November 24, 2009, it was*

*MOVED by Councillor Anton*

*THAT, under Section 2.6 of the Procedure By-law, Council extend the meeting in order to continue hearing from speakers.*

*CARRIED UNANIMOUSLY*

*Council recessed at 10:00 pm for five minutes, and reconvened with same members present.*

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### **Staff Closing Comments**

Staff provided closing comments supporting the proposal with additional conditions and responded to issues raised.

### **Applicant Closing Comments**

Mr. Oulette responded to questions regarding the complex for seniors, public process, demongraphics, community space, connectivity between buildings and property line set backs.

## Council Decision

REFERRAL MOVED by Councillor Stevenson

THAT discussion and decision on the application by Brook and Associates on behalf of Emaar Canada and the Trustees of the Knox United Church, to rezone 3205-3221 West 41st Avenue and 5590 Balaclava Street (PID 013-006-797, 010-297-723, 007-352-735, 010-297-766, 003-500-233, Lot A, Plan 3269 and Lots 1-4, Plan 7918, of Block 12, DL 2027, NWD and that portion of lane north of 41st Avenue, east from Balaclava Street and dedicated by Plans 4098 and 7918) from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, generally in accordance with Appendix A to the Policy Report, "CD-1 Rezoning/ Heritage Revitalization Agreement/Heritage Designation: 3205-3221 West 41st Avenue and 5590 Balaclava Street", dated September 22, 2009, be referred to the Regular Council meeting on December 1, 2009, as Unfinished Business.

CARRIED UNANIMOUSLY

## RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

THAT, on November 24, 2009, the Committee of the Whole rise and report on Item 5.

CARRIED UNANIMOUSLY

## ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Reimer  
SECONDED by Councillor Cadman

THAT, on November 24, 2009, the report of the Committee of the Whole on Item 5 be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

The Special Council  
recessed at 11:38 pm on November 3, 2009,  
10:00 pm on November 5, 2009, and  
10:00 pm on November 17, 2009,  
and adjourned at 12:09 am on November 25, 2009.

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