



REPORT TO COUNCIL
SPECIAL COUNCIL MEETING MINUTES

JANUARY 26, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, January 26, 2010, at 9:47 am, in the Council Chamber, Third Floor, City Hall, for the purpose of dealing with Unfinished Business Items from the Special Standing Committee on Planning and Environment meeting on Friday, January 22, 2010.

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 MANAGER'S OFFICE: Penny Ballem, City Manager
Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE: Bonnie Eng, Meeting Coordinator (Minutes)
Lori Isfeld, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair.

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VARY THE AGENDA

Council agreed to vary the agenda in order to deal with Item 2 first. For clarity, the minutes are recorded in chronological order.

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2. Historic Area Height Review: Conclusion and Recommendations January 4, 2010

At the Special Standing Committee on Planning and Environment meeting on January 22, 2010, Vancouver City Council concluded hearing from speakers and referred discussion and decision on the above-noted matter to the Special Council meeting on January 26, 2010, as Unfinished Business.

Planning staff responded to questions.

MOVED by Councillor Louie

- A. THAT Council affirm the importance of the "Historic Area" as defined in the Historic Area Height Review (HAHR), including its distinctive sub-areas, for its social, cultural, economic and built form value contributing to Vancouver's civic identity, and affirm that building height and scale for the Historic Area should generally continue to reinforce the prevailing heritage context, including the existing heritage buildings, fine grain character and generally low to mid-rise development scale.
- B. THAT the appropriate building heights for the Historic Area be generally between 50' to 120' based on respective sub-areas' zoning, design guidelines and rezoning policies, noting the existing maximum building height range is 50'-100';

FURTHER THAT mid-rise development continues to be the primary form for new developments complementing heritage building rehabilitation in the Historic Area, considering its existing building scale, public realm, smaller lot pattern and the fragmented property ownership pattern; and

FURTHER THAT Council direct staff to prepare and report back with amendments to the Zoning and Development By-law, Design Guidelines and the Vancouver Building By-law and related by-laws and policies in order to provide a more supportive regulatory framework to facilitate development on smaller frontages (75' frontage or less) and mid-rise development scale (up to 120' in height) in the Historic Area.

- C. THAT Council endorse a moderate height increase in Chinatown and Downtown Eastside Oppenheimer District Sub-Area 1 (Main and Hastings) to support and enhance existing policy objectives in these sub-areas.

FURTHER THAT Council direct staff to:

- C.1. Prepare and report back on the following zoning and policy changes in Chinatown as part of the residential intensification strategy as identified in the Chinatown Community Plan:

- (i) amendments to the HA1 and HA1A District Schedules of the Zoning and Development By-law and Design Guidelines to increase maximum heights:
 - HA1: maximum height increase from 50' - 65' to 50'-75'
 - HA1A: maximum height increase from 70' to 90'
 - (ii) a Rezoning Policy for HA1A with a maximum height up to 120' in order to consider innovative heritage, cultural and affordable housing projects in Chinatown; and
 - (iii) options to the Transfer of Density Policy and Procedure to allow density to be transferred into or within the HA1A and the higher building sites in recommendation D, only.
- C.2. Prepare and report back on an interim Rezoning Policy for Downtown Eastside Oppenheimer District Official Development Plan (DEOD ODP) Sub-Area 1 with a maximum height up to 120' in order to consider special opportunities for affordable housing projects before completion of the DEOD ODP Review; and
- C.3. That a social impact study be conducted to assess the effect on the existing low-income community of new developments in the historic area and where opportunities for enhanced affordability and live-ability may be achieved.
- D. THAT two additional higher buildings (sites 1 and 2 in Figure 2, appendix E of the Policy Report dated January 4, 2010, entitled "Historic Area Height Review: Conclusion and Recommendations") as 'high points of the pattern' be proposed to provide additional strategic new development with resulting public benefits, within height limits that still reflect the prevailing mid-rise development pattern;

FURTHER THAT for the specific purpose of economic revitalization of Chinatown while also considering heritage values, staff report back on options for a limited number of carefully and strategically located additional higher building sites generally in the range of 150 feet to be further identified specifically in Chinatown South (HA1A);

FURTHER THAT Site 3 in Figure 2 of Appendix E of the above-noted Policy Report, known as the Keefer Triangle Site, is not supported by Council as a higher building site, and further that heights above the base zoning height of 90 feet on this site would be of concern due to potential impacts;

FURTHER THAT Council endorse that the maximum of the two higher buildings (sites 1 and 2 in Figure 2, appendix E of the above-noted Policy Report) above the prevailing height of 50'-120' may be considered with heights generally in the range of 150', having considered urban design and other performance

factors including View Corridors Policy, shadowing considerations, compatibility with adjacent heritage building context and provision of public benefits;

FURTHER THAT Council adopt the Draft Urban Design Criteria for any Higher Buildings in the Historic Area as attached in the Appendix E of the above-noted Policy Report, and direct staff to prepare and report back with a Rezoning Policy for all Higher Buildings in the Historic Area, based on the adopted Criteria; and

FURTHER THAT for every supported higher building, a significantly higher standard of architectural and urban design excellence will be required.

- E. Subject to the approval of A, B and C1, staff update the Chinatown Community Plan to incorporate the approved changes. (see RTS 6478 "Chinatown Community Plan: summary of Council policies and directions")
 - E.1. THAT Council as a priority directs staff to report back on a Chinatown Economic Revitalization Plan with a focus on near term action strategies, building upon existing revitalization initiatives (Hastings Street Façade Program, Chinatown Awning Program, Heritage Incentive Program and various initiatives under "Great Beginnings") and heritage values, to immediately support Chinatown.
 - E.2. THAT the resources and expertise of the Vancouver Economic Development Commission be engaged, in consultation with the Chinatown BIA, Chinatown Merchants Association and other expert organizations as needed, to support the creation of the Chinatown Economic Revitalization plan.
- F. THAT, subject to a diverse array of community groups agreeing to a facilitated planning process, staff report back on methods and budget for all relevant city departments to be engaged to achieve an integrated community strategy for the DTES. This process would consider all existing plans and strategies for the area and would include a robust community engagement process. This effort should be coordinated through the City Mangers Office.
- G. THAT staff report back to Council with any suggested refinements or adjustments based on identified opportunities for improvement to economic development, heritage retention and/or social infrastructure.

carried

AMENDMENT MOVED by Councillor Anton

THAT paragraph 4 of D be amended by striking the following phrase:

“with heights generally in the range of 150’”

LOST

(Councillors Cadman, Chow, Deal, Jang, Louie, Meggs, Reimer, Stevenson and Woodsworth and the Mayor opposed)

AMENDMENT MOVED by Councillor Woodsworth

THAT the Motion be amended as follows:

Add the following at the end of to C.3:

“That this study be done before height study recommendations are approved.”

Add the following to F, before the last sentence:

“That this strategy should include a steering committee made of low income DTES residents and their representative in proportion to their population.”

Add the following at the end of G:

“THAT staff come back with new wording for a definition of affordability which is in accordance with Carnegie Community Action Project.”

LOST

(Councillors Anton, Chow, Deal, Jang, Louie, Meggs, Reimer and Stevenson and the Mayor opposed)

The Amendments having lost, the Motion was put and CARRIED. Subsequently Council agreed to separate the vote on the components of the Motion.

- A. THAT Council affirm the importance of the “Historic Area” as defined in the Historic Area Height Review (HAHR), including its distinctive sub-areas, for its social, cultural, economic and built form value contributing to Vancouver’s civic identity, and affirm that building height and scale for the Historic Area should generally continue to reinforce the prevailing heritage context, including the existing heritage buildings, fine grain character and generally low to mid-rise development scale.

CARRIED UNANIMOUSLY

- B. THAT the appropriate building heights for the Historic Area be generally between 50' to 120' based on respective sub-areas' zoning, design guidelines and rezoning policies, noting the existing maximum building height range is 50'-100' ;

FURTHER THAT mid-rise development continues to be the primary form for new developments complementing heritage building rehabilitation in the Historic Area, considering its existing building scale, public realm, smaller lot pattern and the fragmented property ownership pattern; and

FURTHER THAT Council direct staff to prepare and report back with amendments to the Zoning and Development By-law, Design Guidelines and the Vancouver Building By-law and related by-laws and policies in order to provide a more supportive regulatory framework to facilitate development on smaller frontages (75' frontage or less) and mid-rise development scale (up to 120' in height) in the Historic Area.

CARRIED
(Councillor Woodsworth opposed)

- C. THAT Council endorse a moderate height increase in Chinatown and Downtown Eastside Oppenheimer District Sub-Area 1 (Main and Hastings) to support and enhance existing policy objectives in these sub-areas.

FURTHER THAT Council direct staff to:

- C.1. Prepare and report back on the following zoning and policy changes in Chinatown as part of the residential intensification strategy as identified in the Chinatown Community Plan:
- (i) amendments to the HA1 and HA1A District Schedules of the Zoning and Development By-law and Design Guidelines to increase maximum heights:
 - HA1: maximum height increase from 50' - 65' to 50'-75'
 - HA1A: maximum height increase from 70' to 90'
 - (ii) a Rezoning Policy for HA1A with a maximum height up to 120' in order to consider innovative heritage, cultural and affordable housing projects in Chinatown; and
 - (iii) options to the Transfer of Density Policy and Procedure to allow density to be transferred into or within the HA1A and the higher building sites in recommendation D, only.

- C.2. Prepare and report back on an interim Rezoning Policy for Downtown Eastside Oppenheimer District Official Development Plan (DEOD ODP) Sub-Area 1 with a maximum height up to 120' in order to consider special opportunities for affordable housing projects before completion of the DEOD ODP Review.

CARRIED
(Councillor Woodsworth opposed)

- C.3. That a social impact study be conducted to assess the effect on the existing low-income community of new developments in the historic area and where opportunities for enhanced affordability and live-ability may be achieved;

CARRIED UNANIMOUSLY

- D. (Paragraphs 1 and 2)

THAT two additional higher buildings (sites 1 and 2 in Figure 2, appendix E of the Policy Report dated January 4, 2010, entitled "Historic Area Height Review: Conclusion and Recommendations") as 'high points of the pattern' be proposed to provide additional strategic new development with resulting public benefits, within height limits that still reflect the prevailing mid-rise development pattern;

FURTHER THAT for the specific purpose of economic revitalization of Chinatown while also considering heritage values, staff report back on options for a limited number of carefully and strategically located additional higher building sites generally in the range of 150 feet to be further identified specifically in Chinatown South (HA1A);

CARRIED
(Councillor Woodsworth opposed)

- D. (Paragraph 3)

FURTHER THAT Site 3 in Figure 2 of Appendix E of the above-noted Policy Report, known as the Keefer Triangle Site, is not supported by Council as a higher building site, and further that heights above the base zoning height of 90 feet on this site would be of concern due to potential impacts;

CARRIED UNANIMOUSLY

D. (Paragraph 4)

FURTHER THAT Council endorse that the maximum of the two higher buildings (sites 1 and 2 in Figure 2, appendix E of the above-noted Policy Report) above the prevailing height of 50'-120' may be considered with heights generally in the range of 150', having considered urban design and other performance factors including View Corridors Policy, shadowing considerations, compatibility with adjacent heritage building context and provision of public benefits;

CARRIED

(Councillors Anton and Woodsworth opposed)

D. (Paragraphs 5 and 6)

FURTHER THAT Council adopt the Draft Urban Design Criteria for any Higher Buildings in the Historic Area as attached in the Appendix E of the above-noted Policy Report, and direct staff to prepare and report back with a Rezoning Policy for all Higher Buildings in the Historic Area, based on the adopted Criteria; and

FURTHER THAT for every supported higher building, a significantly higher standard of architectural and urban design excellence will be required.

CARRIED UNANIMOUSLY

E. Subject to the approval of A, B and C1, staff update the Chinatown Community Plan to incorporate the approved changes. (see RTS 6478 "Chinatown Community Plan: summary of Council policies and directions")

E.1. THAT Council as a priority directs staff to report back on a Chinatown Economic Revitalization Plan with a focus on near term action strategies, building upon existing revitalization initiatives (Hastings Street Façade Program, Chinatown Awning Program, Heritage Incentive Program and various initiatives under "Great Beginnings") and heritage values, to immediately support Chinatown.

E.2. THAT the resources and expertise of the Vancouver Economic Development Commission be engaged, in consultation with the Chinatown BIA, Chinatown Merchants Association and other expert organizations as needed, to support the creation of the Chinatown Economic Revitalization plan.

CARRIED UNANIMOUSLY

- F. THAT subject to a diverse array of community groups agreeing to a facilitated planning process, staff report back on methods and budget for all relevant city departments to be engaged to achieve an integrated community strategy for the DTES. This process would consider all existing plans and strategies for the area and would include a robust community engagement process. This effort should be coordinated through the City Mangers office.

CARRIED UNANIMOUSLY

- G. THAT staff report back to Council with any suggested refinements or adjustments based on identified opportunities for improvement to economic development, heritage retention and/or social infrastructure.

CARRIED UNANIMOUSLY

“IN CAMERA” MEETING

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT Council will go into a meeting later this day, which is closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:

- (c) labour relations or other employee relations; and
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [disclosure harmful to business interests of a third party] of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

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Council recessed at 11:43 am and reconvened at 1:11 pm with Mayor Robertson in the Chair and all members present.

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**1. Vancouver Views: Downtown View Corridors and Capacity Study
January 5, 2010**

At the Special Standing Committee on Planning and Environment meeting on January 22, 2010, Vancouver City Council concluded hearing from speakers and referred discussion and decision on the above-noted report to the Special Council meeting on January 26, 2010, as Unfinished Business.

Planning staff responded to questions.

MOVED by Councillor Louie

- A. THAT Council affirm the View Protection Guidelines and the critical role that they have played for the past 20 years in protecting public views that enhance Vancouver's world-renowned image of a vibrant city in a unique mountain and ocean setting.
- B. THAT in order to strengthen and improve existing protected public views, Council approve the *View Strengthening* for existing View Corridors from Granville Bridge to Grouse Mountain (views 12.1.1, 12.1.2, 12.1.3), Charleson Park to the Lions (view B1), and Alder Terrace to Mount Seymour (view A), generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study".
- C. THAT in order to protect additional important views as the city grows, Council approve in principle the *New Views*, generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study", and direct staff to report back on implementation following further technical analysis and Council's decision on the Heritage Area Height Review.
- D. THAT staff assess and report back to Council detailing available higher building opportunities within existing policies and past practices that considers potential community and economic benefits.
- E. THAT Council affirm the current, rigorous application of Cambie Street and Cambie Bridge view corridors (views 9.1, 9.2, E.1) and allow "build out" to occur up to the existing, flat plimsoil line, generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study" - Varied Building Line - MAINTAIN CURRENT POLICY.
- F. THAT Council direct staff to report back with an amended *General Policy For Higher Buildings* that expands requirements for potential higher building sites to include the "demonstration of green building design performance (in particular energy performance) that significantly improves local knowledge and results in green design beyond prevailing policy" and "that establishes a significant and recognizable new benchmark for architectural creativity and excellence, while making a significant contribution to the beauty and visual power of the City's skyline".

AMENDMENT MOVED by Councillor Anton

THAT the Motion be amended by striking the Motion and replacing it with the following:

- A. THAT in order to strengthen and improve existing protected public views Council approve the *View Strengthening* for existing View Corridors from Granville Bridge to Grouse Mountain (views 12.1.1, 12.1.2, 12.1.3), Charleson Park to the Lions (view B1), and Alder Terrace to Mount Seymour (view A), generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study",

EXCEPT THAT Council direct City staff to consider additional height above existing View Corridor Guideline limitations and current zoning provisions on the St Paul's Hospital site.

- B. THAT in order to provide an opportunity for taller buildings in the downtown skyline that exhibit exceptional architectural excellence and superior environmental performance while still maintaining important views to the mountains, Council approve in principle a *Limited Expansion of the Higher Building Policy*, generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study", and direct staff to report back with a revised "General Policy for Higher Buildings."

FURTHER that staff report back with a proposal for additional taller buildings on the NEFC site in order to increase public open space.

- C. THAT Council approve in principle a carefully and strategically applied *Varied Building Line* for the Cambie Street and Cambie Bridge view corridors (views 9.1, 9.2, E.1) by seeking opportunities through discretionary design review to allow limited and strategic increases in height above the existing plimsoil line (and/or increases and decreases where site size permits), generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study" - Varied Building Line - OPTION ONE; AND THAT, Council direct staff to report back on implementation of this approach following additional analysis and considerations.

LOST

(Councillors Cadman, Deal, Jang, Louie, Meggs, Reimer, Stevenson and Woodsworth and the Mayor opposed)
(Councillor Chow absent for vote)

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Council recessed at 2:00 pm and reconvened at 2:05 pm with Mayor Robertson in the Chair and all members present.

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Council agreed to separate the vote on components of the Motion.

- A. THAT Council affirm the View Protection Guidelines and the critical role that they have played for the past 20 years in protecting public views that enhance Vancouver's world-renowned image of a vibrant city in a unique mountain and ocean setting.
- B. THAT in order to strengthen and improve existing protected public views, Council approve the *View Strengthening* for existing View Corridors from Granville Bridge to Grouse Mountain (views 12.1.1, 12.1.2, 12.1.3), Charleson Park to the Lions (view B1), and Alder Terrace to Mount Seymour (view A), generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study".
- C. THAT in order to protect additional important views as the city grows, Council approve in principle the *New Views*, generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study", and direct staff to report back on implementation following further technical analysis and Council's decision on the Heritage Area Height Review.
- D. THAT staff assess and report back to Council detailing available higher building opportunities within existing policies and past practices that considers potential community and economic benefits.
- E. THAT Council affirm the current, rigorous application of Cambie Street and Cambie Bridge view corridors (views 9.1, 9.2, E.1) and allow "build out" to occur up to the existing, flat plimsoll line, generally as described in Appendix A of the Policy Report dated January 5, 2010, entitled "Vancouver Views: Downtown View Corridors and Capacity Study" - Varied Building Line - MAINTAIN CURRENT POLICY.

CARRIED
(Councillor Anton opposed)

- F. THAT Council direct staff to report back with an amended *General Policy For Higher Buildings* that expands requirements for potential higher building sites to include the "demonstration of green building design performance (in particular energy performance) that significantly improves local knowledge and results in green design beyond prevailing policy" and "that establishes a significant and recognizable new benchmark for architectural creativity and excellence, while making a significant contribution to the beauty and visual power of the City's skyline".

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

The Special Council adjourned at 2:24 pm

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