

SPECIAL COUNCIL MEETING MINUTES

JUNE 22 AND 24, AND JULY 6, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 22, 2010, at 7:35 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, sign, and heritage by-laws. Subsequently, the meeting was recessed and reconvened on Thursday, June 24, 2010, at 7:39 pm, and on Tuesday, July 6, 2010, at 7:36 pm.

**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, Acting Chair (June 24, 2010)
- Councillor Ellen Woodsworth

**ABSENT:**

- Mayor Gregor Robertson (Civic Business - June 24, 2010 - portion of Item 8)
- Councillor Tim Stevenson (Sick Leave - June 22 and July 6, 2010 - Items 1-7, and portion of Item 8)

**CITY CLERK'S OFFICE:**

- Terri Burke, Meeting Coordinator (Minutes)
- Lori Isfeld, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Woodsworth  
SECONDED by Councillor Louie

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, sign, and heritage by-laws.

CARRIED UNANIMOUSLY  
(Councillors Chow, Deal, and Louie absent for the vote)

**1. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):  
435 Helmcken Street**

An application by Dan Civiero, Dantom Holdings, was considered as follows:

**Summary:** To add the existing building to the Vancouver Heritage Register to designate it as protected heritage property, and to seek Council's approval of a Heritage Revitalization Agreement (HRA) which will create a small amount of transferable density and grant a zoning variance.

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

**Summary of Correspondence**

The following correspondence was received regarding the application:

Support - 1

**Speakers**

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

**Council Decision**

MOVED by Councillor Deal

- A. THAT the building located at 435 Helmcken Street be added to the Vancouver Heritage Register in the 'C' evaluation category, and that it 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 property located at 435 Helmcken Street to:
  - secure the protection and long-term preservation of the proposed heritage building; and
  - grant a density bonus equal to 1,231 square feet of floor area available for transfer off-site, and a zoning variance to allow the building to be converted from residential use to certain commercial uses, and vice versa.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and a by-law to designate the building located at 435 Helmcken 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  
(Councillor Chow absent for the vote)

**2. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):  
356 West 11<sup>th</sup> Avenue**

An application by Robert Lemon, Robert Lemon Architect Inc., was considered as follows:

**Summary:** To designate the existing heritage building as protected heritage property and to seek Council's approval of a Heritage Revitalization Agreement (HRA) which will grant additional on-site density and other variances.

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

**Summary of Correspondence**

The following correspondence was received regarding the application:

Support - 4

**Speakers**

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

**Council Decision**

MOVED by Councillor Deal

- A. THAT the building currently located at 356 West 11<sup>th</sup> Avenue, listed in the 'A' evaluation category on the Vancouver Heritage Register, 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 356 West 11<sup>th</sup> Avenue to:
  - secure the rehabilitation and long-term preservation of the building; and
  - grant variances in excess of those permitted in the Zoning District Schedule applicable to the site and variances of the Zoning and Development By-law.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and a by-law to designate the building located at 356 West 11<sup>th</sup> Avenue 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  
(Councillor Chow absent for the vote)

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*At this point in the proceedings Council agreed to vary the order of the agenda in order to deal with By-laws 1 to 4.*

\* \* \* \* \*

#### **RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

#### **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 related to items 1 and 2.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

#### **BY-LAWS**

MOVED by Councillor Deal  
SECONDED by Councillor Woodsworth

THAT Council enact the by-laws before them for this meeting as numbers 1 to 4 and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

1. A By-law to designate certain real property as protected heritage property (453 Helmcken Street) (By-law No. 10078)
2. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property at 453 Helmcken Street (By-law No. 10079)
3. A By-law to designate certain real property as protected heritage property (356 West 11<sup>th</sup> Avenue) (By-law No. 10080)
4. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property at 356 West 11<sup>th</sup> Avenue, The McLean Residence (By-law No. 10081)

## COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman  
SECONDED by Councillor Jang

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 sign by-laws.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

### 3. TEXT AMENDMENT: Demolition of Residential Rental Buildings Text Amendment

An application by the Director of Planning was considered as follows:

Summary: To amend Section 10.12 of the Zoning and Development By-law to extend to commercial "C" zones the requirement to have a development permit and an issuable building permit before a demolition permit can be issued for rental housing units.

The Director of Planning recommended approval.

#### Summary of Correspondence

No correspondence had been received regarding the 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 Louie

THAT the application, to amend section 10.12 of the Zoning and Development By-law, generally as set out in Appendix A of the Policy Report dated January 26, 2009, entitled "Demolition of Rental Housing at 4550 Fraser Street and 701 East 30<sup>th</sup> Avenue", to extend commercial zones the requirement that a development permit be issued and a building permit issuable before issuance of a demolition permit for rental housing units, be approved.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

#### 4. REZONING: 2967 Grandview Highway (JR Furniture)

An application by David Eaton, David Eaton Architect Inc., was considered as follows:

Summary: To rezone from I-2 (Light Industrial) to CD-1 (Comprehensive Development) District to permit an existing large format retail use and some I-2 uses in an existing building.

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

#### Summary of Correspondence

No correspondence had been received regarding the 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 David Eaton Architect Inc., to rezone 2967 Grandview Highway (PID 010-166-343; Lot 2; Block A; Southwest corner Section 36; Town of Hastings Suburban Land, Plan 8292) from I-2 (Light Industrial) District to CD-1 (Comprehensive Development) District to permit Large Format Retail use in an existing building, generally as presented in Appendix A of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2967 Grandview Highway (JR Furniture)", 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 represented by plans prepared by David Eaton Architect Inc., and stamped "Received City Planning Department, September 14, 2009" and by addendum plans stamped "Received City Planning Department, November 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 consider the following:

#### Landscape

- (i) Add notation on the Landscape Plan to clearly indicate that the existing street tree at the west edge of the development site is to be retained;

Note to Applicant: Part of the drawing has been cut off.

- (ii) Maintain the existing greenery as screening between parking areas, at the west property line, if possible;
- (iii) Add durable curb edges, with a minimum height of 6 inches, to protect planted areas from moving vehicles in drive aisles and parking areas (illustrated on the Landscape Plan);

**Engineering**

- (iv) Delete 2 parallel parking spaces adjacent to the proposed landscaping area to provide the required manoeuvring aisle; and
  - (v) Provide a landscape plan directly to Engineering Services showing in detail the proposed street tree locations along the Grandview Highway boulevard.
- B. THAT a consequential amendment to the Sign By-law, to establish regulations for the CD-1 in accordance with Schedule "B" (I-2), generally in accordance with Appendix C of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2967 Grandview Highway (JR Furniture)", be approved.

FURTHER THAT the Director of Legal Services be instructed to prepare bring forward the consequential amendment to the Noise Control By-law to establish regulations for this CD-1 in accordance with Schedule "A" (Activity Zone), as set out in Appendix C of the above noted Report, for enactment by Council following approval and enactment of the CD-1 By-law.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

**5. REZONING: 1142 Granville Street**

An application by Richard Bernstein, Chris Dikeakos Architects Inc., was considered as follows:

Summary: To rezone from DD (Downtown District) to CD-1 (Comprehensive Development District) to permit a 10-storey mixed-use residential development with rental housing under the STIR (Short Term Incentives for Rental Housing) Program.

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

Council also had before it a Memorandum dated June 22, 2010, from Kent Munroe, Assistant Director of Planning, Current Planning Division, which recommended a minor wording change to Appendix B of the Policy Report dated May 3, 2010, entitled "CD-1 Rezoning - 1142 Granville Street", to provide greater clarity regarding the requirement, as follows:

THAT the conditions of zoning by-law enactment, (C)3, as presented in Appendix B of the Policy Report dated May 3, 2010, entitled "CD-1 Rezoning - 1142 Granville Street", be replaced with the following:

### **“Engineering**

(C)3. provision of four shared vehicles and shared vehicle parking spaces as per Section 3.2.2(b) of the Parking By-law. This will require the owner to make a one-time cash contribution of \$100,000 to enable the purchase of four new car share vehicles and \$38,000 as a contribution towards the cost of insuring, operating, repairing and maintaining them;”

### **Summary of Correspondence**

The following correspondence was received regarding the application since referral to Public Hearing:

Opposition - 2

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Jutta Ahmed  
Mohamed Ahmed

### **Applicant Closing Comments**

Richard Bernstein, Chris Dikeakos Architects, provided closing comments and responded to questions.

### **Council Decision**

MOVED by Councillor Louie

- A. THAT the application by Chris Dikeakos Architects Inc., to rezone 1142 Granville Street, (PID: 027-581-527, Block 93, Plan BCP37419, D.L. 541 NWD, Parcel C, Group 1) from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the density from 3.5 to 5.72 FSR to permit construction of a ten-storey market rental residential building with commercial uses at grade, generally as presented in Appendix A of the Policy Report dated May 3, 2010, entitled “CD-1 Rezoning - 1142 Granville Street”, 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 Chris Dikeakos Architects Inc., and stamped “Received City Planning Department, January 13, 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:

#### **Urban Design**

1. design development to increase the number of private open spaces;

(Note to Applicant: Incorporating decks to the 2nd floor units facing Granville Street and providing more balconies, including French balconies, particularly on the sunny lane side should be pursued.)

2. introduction of narrow, slit windows in blank south and north walls of Units 10 and 13 respectively, in a varied pattern, to improve facade interest and livability to these end units;
3. design development to add visual interest to party walls, particularly the fully exposed south wall, through a more dynamic pattern of reveals and colour, taking into account the Granville Street context;
4. design development to provide a more exuberant colour palette adding more contemporary colour accents;
5. identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least 3 optimize energy performance points, 1 water efficiency point and 1 storm water point;

(Note to Applicant: Provide a LEED® checklist confirming LEED® Silver equivalency and a detailed written description of how the above-noted points have been achieved with reference to specific building features in this development. Both checklist and description should be incorporated into the drawing set. The use of electric baseboard heating should be reconsidered.)

6. design development to improve the overlook of the roof level by providing an extensive green roof;
7. consideration to relocate the laundry room to level 9, adjacent to the amenity space;

#### **Environmental Health**

8. the City's acoustical criteria shall form part of the Zoning By-law, and an Acoustical Consultant's report shall be required which assesses noise impacts on the site and recommends noise mitigating measures.

#### **PROPOSED CONDITIONS OF BY-LAW ENACTMENT**

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall:

### Social Development

1. make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure the designated units as rental for 60 years or life of the building, whichever is greater, subject to a no-separate-sales covenant and a non-stratification covenant, and subject to such rentals being made available as rental housing units pursuant to the Short Term Incentives for Rental Housing (STIR) Program;

### Engineering

Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

2. undergrounding of all new utility services from the closest existing suitable service point. 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 Management Branch. Early contact with the Utilities Management Branch is encouraged;
  3. provision of four shared vehicles and shared vehicle parking spaces as per Section 3.2.2(b) of the Parking By-law, together with a one-time cash contribution of \$100,000 to enable the purchase of four new car share vehicles and \$38,000 as a contribution towards the cost of insuring, operating, repairing and maintaining them; and
  4. provision of a shared loading agreement allowing for residential and retail tenants access to and use of the Class B loading facility.
- B. THAT the application to amend Schedule E of the Sign By-law to add the CD-1 and to assign regulations in accordance with Schedule "G1" (DD), generally in accordance with Appendix C of the Policy Report dated May 3, 2010, entitled "CD-1 Rezoning - 1142 Granville Street", be approved.
- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this Comprehensive Development District in Schedule A to the Noise Control By-law generally in accordance with Appendix C of the Policy Report dated May 3, 2010, entitled "CD-1 Rezoning - 1142 Granville Street", for enactment by Council following the approval and enactment of the CD-1 By-law.
- D. THAT, to provide greater clarity, section C(3) of Appendix B of the Policy Report dated May 3, 2010, entitled "CD-1 Rezoning - 1142 Granville Street", be amended to read as follows:

### Engineering

(C)3. provision of four shared vehicles and shared vehicle parking spaces as per Section 3.2.2(b) of the Parking By-law. This will require the owner to make a one-time cash contribution of \$100,000 to enable the purchase of four new car share vehicles and \$38,000 as a contribution towards the cost of insuring, operating, repairing and maintaining them.

E. THAT the following be added after A.(b).8. above:

9. to improve light access to the adjacent neighbour building through the use of light, color, materials and treatments; and
10. to improve neighbourliness and privacy between the buildings shared lightwell by introducing a security fence including landscape treatment if appropriate.

carried

AMENDMENT MOVED by Councillor Woodsworth

THAT section E.9 be amended by adding the words "and enhanced setbacks" at the end.

LOST

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

The amendment having lost, the motion was put and CARRIED with Councillor Anton opposed and Councillor Chow absent for the vote.

### 6. REZONING: 2665 Renfrew Street

An application by Craig Birston, Musson Cattell Mackey Partnership, was considered as follows:

Summary: To rezone from I-2 to CD-1 to allow a phased development with a retained vocational school (Phase 1), an 8-storey office/retail building at the corner of 12th Avenue and Renfrew Street (Phase 2); and two additional office buildings (Phases 3 and 4) on the northwest portion of the site. An overall density of 3.0 FSR (floor space ratio) and a maximum building height of 110 ft. (Phase 2) are proposed.

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

\* \* \* \* \*

*At 9:05 pm Councillor Anton declared Conflict of Interest on Item 6 as she has a family member associated with the applicant. Councillor Anton left the meeting, did not participate in discussion or voting on this item, and returned when the item was completed at 9:45 pm.*

\* \* \* \* \*

### Summary of Correspondence

The following correspondence was received on this application since referral to Public Hearing:

Support - 1

### Speakers

The Mayor called for speakers for and against the application.

The following expressed concerns regarding the impacts on parking:

Jenn Anderson  
Tony Kosovic

### Applicant Closing Comments

Craig Birston, Musson Cattell Mackey Partnership, provided closing comments and responded to questions.

### Staff Closing Comments

Planning staff responded to questions and provided closing comments.

### Council Decision

MOVED by Councillor Jang

- A. THAT the application by Musson Cattell Mackey Partnership, to rezone 2665 Renfrew Street (PID: 011-126-779 - Lot 2, Exc. Pt. in Ex. Plan 20386 and Pt. Now Road LMP46557, South ½ of Section 35, THSL, Plan 21736) from I-2 (Industrial) District to CD-1 (Comprehensive Development) District, generally as presented in Appendix A of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2665 Renfrew Street", 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 Musson Cattell Mackey Partnership, and stamped "Received City Planning Department, June 11, 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 the mass of Phase 3 and 4 buildings, to substantially reduce the shadow cast on residential properties as measured at the equinox;
- (ii) design development to improve the amenity of the open spaces for pedestrians to provide:
  - a) at least 75% transparency in the building walls at grade where they face significant open spaces;
  - b) continuous weather protection along main pedestrian routes;
  - c) better separation from Renfrew Street of the open area located to the south and east of the Art Institute entrance;
  - d) more pedestrian fixtures such as benches, low walls, art work and trees to the area in c);
  - e) extension of small scale commercial uses along the north side of Phase 2 at grade;
  - f) separation of at least 70 ft. between Phase 2 and the Art Institute;
  - g) removal of the parkade access from the north side of Phase 2;
  - h) consideration to provide balconies and roof decks facing the main open spaces of Phases 3 to 5; and
  - i) consideration to better constrain vehicle travel with vertical features such as curbs and bollards, and to better mark their extents through surface treatments readily perceived by road users;

Note to Applicant: As a part of meeting conditions (ii) a) and (ii) e), the solid walls on the north elevation should be replaced with glazing which provides a view to active uses inside. Item (ii) b) should include a protected route from Renfrew Station to the Art Institute. Where feasible, weather protection should provide horizontal protection comparable with its height above grade. For example, the café canopy on sheet L2.01 is about 12 feet wide and 12 feet above grade. Condition (ii) d) can be accomplished by reference to the spaces further west and south. The intent of condition (ii) h) is to encourage more 'eyes on the street.' Condition (ii) i) is intended to reduce vehicle-pedestrian conflicts and should be reviewed in consultation with Engineering Services staff. See also Landscape conditions.

- (iii) design development to provide setbacks as follows:
  - a) minimum 4.9 m [16 ft.] from east property line measured to the face of the building, for the first three storeys and a minimum 7.3 m [24 ft.] for the remaining storeys, except that the Director of Planning may permit limited portions of the Phase 2 building to reduce the setback to 2 m [6.6 ft.];
  - b) minimum 2.4 m [8 ft.] from west property line;
  - c) minimum 12.2 m [40 ft.] from north property line, except that for new development in sub-area 1 the minimum shall be 10.4 m [34 ft.];

- (iv) design development to the north façade of the Phase 2 building to break up the horizontality of the storeys nearest to grade;

Note to Applicant: The intent is to create a more pedestrian scale. This can be accomplished by varying the façade with indentations or projections in plan and in elevation.

- (v) design development to provide a maximum 50% site coverage, except that for the life of the Arts Institute building, the site coverage may be 60%;

Note to Applicant: Canopies and sunshades may be excluded from the calculation of site coverage at the discretion of the Director of Planning.

- (vi) design development to provide a east-west public open space with the following minimum dimensions:
  - a) 9.4 m [30 ft.] within 30.5 m [100 ft.] of the west property line;
  - b) 24.4 m [80 ft.] for the remainder of the site, except that it may be reduced to 21.4 m [70 ft.] in sub-area 1 for the life of the Art Institute building;

- (vii) design development to the mechanical penthouses of all buildings to minimize their effects on views and daylight to the north;

Note to Applicant: Consider re-orienting the enclosures in a north-south direction and the use of translucent materials.

- (viii) confirmation and notation on the plans that all new electric transformers to be located indoors;

#### **Landscape Design**

- (ix) design development to increase pedestrian safety by paving the parkade entrance driveways in a distinct paving pattern from the street curb-cut to the building façade;

Note to Applicant: All other surfaces could feature special paving.

- (x) design development to step the lane-edge planter, adjacent to the north property line, down as the grade decreases from west to east, in order to keep the visual screening provided by the trees at the same level as the adjacent residential rear yards;

Note to Applicant: The north elevation of Phases 3 and 4 [Dwg. A331] shows the lane-edge planter raised on the northeast corner of the Phase 4 building to a height of 8 ft. Unless there is a parking garage below, the lane-edge planter should follow the grade down the slope of the lane.

- (xi) provision of adequate growing conditions for site trees, in order to achieve the LEED® point for reducing the heat island effect by providing tree shade cover within five years of construction;

Note to Applicant: Trees planted in paved plazas are often stunted by lack of water and growing space. The development permit documents and plans should provide a written discussion and cross-sections to illustrate and describe strategies such as adequate soil volumes, continuous trenching, soil cells and low water use irrigation.

- (xii) provision of a phasing plan indicating which sections of the public realm will be constructed with each stage of development;
- (xiii) provision of a continuous paving treatment for the public sidewalk;

Note to Applicant: Remove the specialty paving shown beyond the property line at the Renfrew Street and 12th Avenue corner and replace it with standard city treatment.

- (xiv) provision of a complete 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 materials 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.

- (xv) provision of a Lighting Plan;

### Engineering

- (xvi) Arrangements to be made, to the satisfaction of the General Manager of Engineering Services for the following:

- a) design development to reflect the following vehicular access requirements:
- no outbound vehicle movements permitted onto Renfrew Street (in-only permitted);
  - all vehicle movements permitted to and from the site via Kaslo Street; and
  - no left-out vehicle movements are permitted onto 12th Avenue (right-in, right-out and left-in only are permitted);
- b) submission of a revised Traffic Demand Management Plan which includes data for the Art Institute of Vancouver.

## PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the General Manager of Engineering Services and Approving Officer as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

- (i) upgrading of the existing sanitary sewer main from the site to the Nootka pump station;  
Note to Applicant: The existing downstream sewer mains are currently at capacity. All sewer connections will be directed to 12th Avenue. The estimated cost of this sites' proportion of the upgrade is \$360,000.

- (ii) provision of adequate water service to meet the fire flow demands of the project;

Note to Applicant: The rezoning application lacks the level of detail needed to determine if water main upgrading is required. Please supply project details including projected fire flow demands for each and all phases. Should upgrading be necessary, arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure the works.

- (iii) modification of the existing public utility right-of-way at the northeast corner of the site;

Note to Applicant: The right-of-way need not be amended if the proposed stairs/exit shown encroaching into that area is deleted.

- (iv) provision of traffic calming measures on 10th Avenue, from Kaslo Street to Renfrew Street to ensure that traffic travelling to and from the site does not negatively impact the neighbourhood;

Note to Applicant: The measures could include bulges, traffic circles, diverters and speed humps or other measures deemed appropriate.

- (v) provision of Resident Permit Parking (RPP) for the 2800 block of 10th Avenue, between Kaslo Street and Renfrew Street;

Note to Applicant: All fees for the installation and ongoing operation of the RPP on this block are to be fully funded by the development for a period of ten years. The obligation must be fully secured prior to occupancy of the Phase 2 development and would be subject to approval by City Council.

(vi) provision of pedestrian bulges on both sides of Kaslo Street at the Central Valley Greenway, prior to occupancy of the Phase 2 development;

(vii) provision of traffic features on 12th Avenue to prevent left-out vehicle movements and to facilitate right-in, right-out and left-in vehicle movements;

Note to Applicant: A small traffic island and/or traffic signage and paint markings may be necessary to achieve this access configuration.

(viii) provision of a semi-actuated traffic signal at the Broadway and Kaslo Street intersection, including all street/road/utility modifications necessary to accommodate the signal installation;

Note to Applicant: The necessity of installing the traffic signal will be determined within five years of occupancy of the Phase 2 building. The applicant will provide an updated transportation study in advance of the five-year window, in order for staff to analyze the data and to determine the need for the signal.

(ix) undergrounding of all new utility services 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 Management Branch. Early contact with the Branch is recommended.

(x) provision of concrete sidewalks on Kaslo Street, adjacent to the site, as part of development of Phase 3;

(xi) provision of a standard concrete lane entry at the lane south of 10th Avenue, on Kaslo Street;

(xii) provision of street trees adjacent to the site, where space permits;

### Planning

(xiii) registration of a subdivision plan to create three parcels in accordance with the sub-areas illustrated in the draft CD-1 by-law;

(xiv) registration of a Section 219 Covenant providing for the design and construction, and thereafter the repair, maintenance and insurance, of the public open spaces as illustrated on Drawing A102, and detailing the extent of the open space system to be delivered at each phase of development; and

- (xv) registration of a statutory right-of-way to secure public access, both pedestrian and vehicular, over the entirety of the internal road system and over the public open spaces as illustrated on Drawing A102.

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 are 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT the application to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E [assigning Schedule "B" (1-2)], generally in accordance with Appendix C of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2665 Renfrew Street", be approved.
- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2665 Renfrew Street", for enactment following the approval and enactment of the CD-1 By-law.

CARRIED UNANIMOUSLY

\* \* \* \* \*

*At this point in the proceedings on June 22, 2010, it was*

*MOVED by Councillor Deal*

*THAT, under Section 2.3(e) of the Procedure By-law, Council extend the meeting end time until 12:00 am, or until Council has heard from thirteen speakers on Item 8.*

**CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY**

\* \* \* \* \*

## **7. REZONING: 606 Powell Street**

An application by Wanda Felt, Neale Staniszkis Doll Adams, was considered as follows:

**Summary:** To rezone from DEOD (Downtown Eastside/Oppenheimer District) to CD-1 to permit a 10-storey building with commercial at-grade; RainCity Housing and Support Society offices on the second floor; and 146 social housing units. A maximum density of 5.05 Floor Space Ratio and a maximum height of 35.3 meters are proposed.

The Director of Planning, in consultation with the Managing Director of Social Development, recommended approval subject to the conditions as set out in the Public Hearing agenda.

### **Staff Opening Comments**

Planning staff reviewed the application and responded to questions.

### **Applicant Comments**

Larry Adams, Neale Staniszkis Doll Adams Architects, reviewed the application.

### **Summary of Correspondence**

The following correspondence was received on this application since referral to Public Hearing:

Support - 7

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Sara Slack  
Jean Swanson  
Genesa Wheaton  
Laura Stannard

The following expressed concerns regarding the rezoning application:

Patrick Doran

The following spoke in opposition to the application and provided additional comments:

Joji Kumatri, Strathcona Business Improvement Association

### **Applicant Closing Comments**

Amelia Ridgeway, RainCity Housing and Support Society, provided closing comments.

## Staff Closing Comments

Planning staff responded to questions and provided closing comments.

## Council Decision

MOVED by Councillor Louie

- A. THAT the application by NSDA Architects on behalf of RainCity Housing and Support Society to rezone 606 Powell, (Lots 1, 2, 3, 4, 5, 6 and 7, Block 52, District Lot 196, Plan 196, PID 015-370-089, PID 015-370-101, PID 015-370-135, PID 015-370-160, PID 015-370-194, PID 015-587-126, PID 015-587-134) from DEOD (Downtown Eastside Oppenheimer District) to CD-1 (Comprehensive Development District), to permit a 10-storey residential building with commercial at grade and office on the second floor, with a total floor space ratio of 5.05, generally as set out in Appendix A of the Policy Report dated May 7, 2010, entitled "CD-1 Rezoning - 606 Powell Street", 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 NSDA Architects and stamped "Received City Planning Department, November 16, 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

1. design development to improve the distinction between the Princess Avenue and Powell Street massing components while also addressing the proposed building scale relationship with the neighbouring context;

Note to Applicant: This should be achieved by reducing the Powell Street massing component by one floor to a maximum height of 100 ft. in conjunction with a reduction in total floor area of approximately 500 m<sup>2</sup>.

2. design development to further strengthen the integration of the Powell Street massing with the neighbouring context;

Note to Applicant: This should be achieved by emphasizing a 75 ft. street wall expression as part of the massing and façade composition.

3. design development to improve the overall residential architectural character of the building through improved material variety and high quality material treatments;

Note to Applicant: Design development should consider more variety and lighter architectural treatments to reduce the proposed heavy and institutional expression.

4. design development to maximize the use of roof spaces as outdoor amenity space, and where possible, including green roof treatments and/or urban agriculture;
5. consideration to improve access to outdoors for the dwelling units through the provision of balconies or French balconies;

#### **Operations Management Plan (OMP)**

6. provision of an operations management plan to augment the sponsor profile, to the satisfaction of the Managing Director of Social Development, prior to issuance of an Occupancy Permit, to include the following:
  - (i) identification of a community liaison who will work with the community to resolve day-to-day issues if they arise, along with a prescribed protocol for responding to issues;
  - (ii) 24-hour emergency contact;
  - (iii) a liaison with the local community policing operations; and
  - (iv) a commitment to establish a Community Advisory Committee, if the need for such involvement is determined by the Managing Director of Social Development;

#### **Crime Prevention through Environmental Design (CPTED)**

7. design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for reducing opportunities for theft in the underground parking, mischief in alcoves, etc.;
8. design development to reduce opportunities for graffiti particularly on the lane;

Note to Applicant: Graffiti is prevalent in the downtown and its removal is an expense to building owners. Opportunities for graffiti can be mitigated by reducing areas of exposed wall, by covering these walls with vines in pockets on lane property, hedges, rough finish material such as brick or by using a protective coating material.

#### **Landscape**

9. design development to provide a greener, more residential appearance to the Princess Avenue public realm between the residential entry and the lane. This can be achieved by deleting the paving from the inside boulevard and by adding a mixed shrub border to under plant the inside row of three trees;
10. relocation of the inner row of trees along Princess Avenue closer to the property line, in order to provide adequate growing room for the trees;

Note to Applicant: The COV Engineering Guidelines for Canopy Setbacks requires a distance of 1.2 m (for columnar trees) or 1.8 m (for spreading trees) between the edge of the tree trunk and the outer edge of the canopy.

11. provision of a more decorative appearance to the concrete wall at the lane edge. Consideration should be given to constructing the upper half of the wall of a transparent material such as decorative metal work. This would maintain a high degree of security while allowing more light to reach the garden plots;

12. provision of garden plots that meet the standards of the Urban Agriculture Design Guidelines;

Note to Applicant: See Section 3.1 Shared Garden Plots, specifically the requirement for tool storage, composting and hose bibs.

13. provision of a written rationale describing a rain water management strategy. Details of rain water collection, storage and secondary use should be included in the rationale;

14. provision of a high efficiency irrigation system for all planters on slab, including the courtyard planters and the 2<sup>nd</sup> level deck planter. Hose bibs shall be provided for the garden plots in the courtyard. Notations to that effect should be added to the drawings;

Note to Applicant: The LEED® point for 'no irrigation' may not be achievable for this site without compromising the intent of the landscape design. The plants, particularly the shrubs and trees in planters over slab, will not survive without some irrigation. In addition, hose bibs containing potable water will be required adjacent to the garden plots.

15. provision of new street trees and sidewalk improvements to the approval of the General Manager of Engineering Services. The public realm should be a child and pedestrian friendly environment;

Note to Applicant: A separate application to the General Manager of Engineering Services must be made for new street trees, public benches, special paving and other sidewalk improvements. Please submit a copy of the Landscape Plan directly to Engineering for review.

16. provision at the time of development permit application of a full Landscape Plan. The Landscape Plan should illustrate 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;

17. provision at the time of full development permit application of large scale sections (1/4"=1' or 1:50) illustrating the soil depths of the courtyard planters, and the second level deck planters;
18. design development to the landscape strategy for Princess Avenue to include opportunities to exhibit and feature customized art projects, in conjunction with the Princess Avenue Interpretive Walk Program;

#### Engineering

19. Following acquisition of the 7' portions of road adjacent lots 6 and 7 revised building grades will be required;
20. Clarification of garbage/recycling pick up operations is required. Please confirm that a waste hauler can access and pick up from the location shown;
21. A canopy application will be required. Note canopies must be fully demountable and drained to the buildings internal drainage system;
22. Street tree sidewalk application is required. Please revise the landscape plan as noted below and submit the revised copy to Engineering Services for review:
  - (i) Sidewalks are to be standard 4 ft. wide exposed aggregate strip at the curb with 4 piece exposed aggregate tree surrounds with the balance of the sidewalk to be broomed finished concrete,
  - (ii) Exposed aggregate banding aligned with street trees or building columns are acceptable,
  - (iii) Unit pavers on public property should be deleted,
  - (iv) Rock feature at the Princess/Powell corner should be removed from public property,
  - (v) Benches and bike racks should be noted as requiring a separate application to the City Engineer,
  - (vi) The correct lane curb return and concrete lane crossing should be shown,
  - (vii) Show correct curb ramps at the lane and street corners,
  - (viii) The following statement should be shown on the landscape plan;

"This plan is *Not for construction* of any public property facilities, prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services and be issued as "*For construction*" 8 weeks notice is requested. No work on public property may begin until plans receive "for construction" approval and related permits are issued. Please contact Frank Battista at 604-873-7317 or Kevin Cavell at 604-873-7773 for details."

#### Sustainability

23. compliance with and identification on the plans and elevations of the built elements contributing to the building's sustainability

performance in achieving LEED® Gold equivalency, including at least 3 optimize energy performance points, 1 water efficiency point and 1 storm water point;

Note to applicant: Provide a LEED® checklist confirming LEED® Gold equivalency and a detailed written description of how the above-noted points have been achieved. Both checklist and description should be incorporated into the drawing set.

24. design development to the west facades to address solar gain for the singularly oriented dwelling units.

Note to Applicant: Design development should incorporate passive design techniques, such as the horizontal sunshades provided on the south elevation.

#### PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) Prior to enactment of the CD-1 By-law, the registered owner shall enter into arrangements, or otherwise make arrangements, on terms and conditions satisfactory of the Director of Legal Services, for provision of the following:

##### Engineering

1. Prior to enactment of the CD-1 By-law, the registered owner shall enter into arrangements, or otherwise make arrangements, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for provision of the following:
  - (i) closure and sale of the north 7 ft. of Lots 6 & 7, which are currently established as road;
  - (ii) consolidation of the lots 1-7 and the acquired portions of road into a single parcel;
  - (iii) provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required;
  - (iv) provision of a shared use loading agreement ensuring all users have access to the class B loading space;
  - (v) provision of a standard concrete lane entry at the lane south of Powell east side of Princess; and
  - (vi) undergrounding of all new utility services from the closest existing suitable service point. 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

Management Branch. Early contact with the Utilities Management Branch is encouraged.

**Soils**

2. Prior to enactment of the CD-1 By-law, the registered owner shall do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion.

AND FURTHER THAT a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Appendix C of the Policy Report dated May 7, 2010, entitled "CD-1 Rezoning - 606 Powell Street", be approved.

- B. THAT the Director of Legal Services be instructed to bring forward the consequential amendment to the Noise Control By-law to establish regulations for this CD-1 generally as set out in Appendix C of the Policy Report dated May 7, 2010, entitled "CD-1 Rezoning - 606 Powell Street", for enactment by Council following approval and enactment of the CD-1 By-law.
- C. THAT Section A.(b).1 above be amended by striking the following paragraph:  
  
Note to Applicant: This should be achieved by reducing the Powell Street massing component by one floor to a maximum height of 100 ft. in conjunction with a reduction in total floor area of approximately 500 m<sup>2</sup>.
- D. THAT Section 4.2 of the posted by-law be amended by striking 4.82 and substituting it with 5.05.

CARRIED UNANIMOUSLY

**8. REZONING: 675-691 East Broadway**

An application by Larry Adams, Neale Staniszki Doll Adams, was considered as follows:

Summary: To rezone from C-2C (Commercial) to CD-1 (Comprehensive Development) District to permit an 11-storey building with commercial at grade; Broadway Youth Resource Centre on the first and second floors; 103 social housing units; and 24 market rental units. A maximum density of 3.66 FSR (floor space ratio) and a maximum height of 40.4 m are proposed.

The Director of Planning, in consultation with the Managing Director of Social Development, recommended approval subject to the conditions as set out in the Public Hearing agenda.

**Staff Opening Comments**

Planning staff reviewed the application and responded to questions.

## Applicant Comments

Larry Adams, Neale Staniszkis Doll Adams Architects, David Eddy, Executive Director, Vancouver Native Housing Society, Michael White, Youth Services Manager, Provincial Director - Youth Justice, Ministry of Children and Family Development, and, Ian Mass, Executive Director, Pacific Community Resources Society, reviewed the application and responded to questions.

## Summary of Correspondence

The following correspondence was received since referral to Public Hearing:

Support - 10  
Opposed - 69  
Other - 6

## Speakers

The Mayor called for speakers for and against the application.

\* \* \* \* \*

*During the hearing of speakers on Wednesday, June 23, 2010, Council recessed at 12:25 am and reconvened on Thursday, June 24, 2010, at 7:39 pm with the same members present, except Mayor Robertson who was attending to Civic Business, and Deputy Mayor Stevenson who was Acting Chair.*

\* \* \* \* \*

*During the hearing of speakers on June 24, 2010, it was*

*MOVED by Councillor Deal*

*THAT, under Section 2.3 (e) of the Procedure By-law, Council extend the meeting until 11:30 pm in order to continue hearing from speakers.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

*During the continuation of hearing from speakers on Thursday, June 24, 2010, Council recessed at 11:13 pm and reconvened on Tuesday, July 6, 2010, at 7:36 pm with the same members present except for Mayor Robertson who was also present and Councillor Stevenson who was on sick leave.*

\* \* \* \* \*

The following spoke in support of the application:

Carolyn Tuckwell, Chief Executive Officer, Boys and Girls Club of Greater Vancouver  
Laura Stannard  
Sian Madoc-Jones  
Derrick Harder  
Bill Briscoe  
Cate Akinson  
Spencer Lindsay  
Letizia Waddington  
Britt Fluevog  
Nathan Crompton  
Tristan Markle  
Danielle Levine, Vancouver Native Housing Society  
Stewart Anderson  
Sean Antrim  
Robert Wilmot, Broadway Youth Resource Centre  
Vera Jones, Vancouver Native Housing Society  
Michael Kierszenblot, Regional Operations Manager, BC Housing  
Irene Jensen  
Ed Starkins  
Simon Davis  
Shiela Phipps, Broadway Youth Resource Centre  
Sarah Stevenson, VAN.ACT!  
Lauren Gill, Vancouver Coastal Health  
Sharron Stone  
Stewart McGillivray  
Richard George, Vancouver Native Housing Society

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

Peter Marcus  
Annabell Vaughn

The following spoke in opposition to the application or certain aspects of it:

Andrea Jerome  
Greg Scarborough  
John Colenutt  
Shelly Saltzman  
Megan Reiter  
Stuart Alcock  
Ed Handerson  
Grace MacKenzie  
Lee Chapelle  
Megan Lilley  
Chris Forest  
Jaydene Cormier  
Sal Vetro  
Sadie Kuehn  
JM Toriel

Darcy Riddell  
Dave Willms  
Megan Willms  
Maryse de la Giroday  
Raine Forbes  
Ian Weniger  
Nancy Cameron  
Jonathan Jebwab  
Fred Ramsay  
Robert Andrew  
Dave Roberts  
Ross Lyle  
Art Hildebrandt  
Mary Cleaver  
Dave Markham  
Steven Jung  
Lila Bujold  
Donald Livingstone  
Betty Rowland  
John Malusa  
Toni Massey  
Ron Gurr  
Beverly Shipley

\* \* \* \* \*

*During the hearing of speakers on July 6, 2010, it was*

*MOVED by Councillor Louie*

*THAT under Section 2.3 (e) of the Procedure By-law, Council extend the meeting until Council has heard from all speakers and has heard closing comments from staff and the applicant.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY  
(Councillor Jang absent for the vote)*

\* \* \* \* \*

### **Applicant Closing Comments**

Larry Adams, Neale Staniszkis Doll Adams Architects, provided closing comments.

### **Staff Closing Comments**

Planning staff responded to questions and provided closing comments.

**Council Decision**

MOVED by Councillor Louie

THAT questions to staff, discussion and decision regarding the rezoning application at 675 - 691 East Broadway (Item 8) be referred to the next Regular Council meeting on Tuesday, July 20, 2010, as Unfinished Business.

CARRIED UNANIMOUSLY  
(Councillor Jang absent for the vote)

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman

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 Woodsworth

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.

CARRIED UNANIMOUSLY

The Special Council Meeting  
recessed at 12:25 am on June 23, 2010, and  
11:13 pm on June 24, 2010, and  
adjourned at 11:47 pm on July 6, 2010.

\* \* \* \* \*