

SPECIAL COUNCIL MEETING MINUTES

MAY 17 AND 19, 2011

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, May 17, 2011, at 7:39 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, May 19, 2011, at 7:37 pm. The Minutes are consolidated for ease of reference.

PRESENT:

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

CITY CLERK'S OFFICE:

- Terri Burke, Meeting Coordinator (Minutes)
- Tina Hildebrandt, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: By-law Amendments for Passive Design

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

Summary: To amend the Zoning and Development By-law and several Official Development Plan (ODP) By-laws to promote the implementation of passive design approaches, which would make it easier to build and renovate in Vancouver using energy conservation strategies. The proposed approaches would provide opportunities for thicker walls, green walls, increased overhangs, natural ventilation, and limit bay windows. ODP By-laws that would be amended are:

- the First Shaughnessy Official Development Plan By-law
- the Downtown District Official Development Plan By-law
- the Downtown Eastside Oppenheimer Official Development Plan By-law, and
- the Southeast Granville Slopes Official Development Plan By-law.

Summary of Correspondence

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

Other - 1

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Bryn Davidson
Nick Sully

Council Decision

MOVED by Councillor Louie

THAT the application by the Director of Planning to amend the following by-laws be approved:

- a) the Zoning and Development By-law
- b) the First Shaughnessy Official Development Plan By-law
- c) the Downtown District Official Development Plan By-law
- d) the Downtown Eastside Oppenheimer Official Development Plan By-law
and
- e) the Southeast Granville Slopes Official Development Plan By-law

generally in accordance with Appendix B of the Policy Report dated March 31, 2011, entitled "By-law Amendments for Passive Design", to help implement passive design approaches which provide opportunities for thicker walls, green walls, increased overhangs, natural ventilation, and limit bay windows, all of which will make it easier to build and renovate using energy conservation strategies in Vancouver.

CARRIED UNANIMOUSLY

2. TEXT AMENDMENT: 99 West 2nd Avenue

An application by Vito De Cotiis, Pinnacle International, was considered as follows:

Summary: To amend the existing CD-1 (Comprehensive Development) District (464) By-law to allow a revised form of development which adds two floors to the residential tower portion of the development and one floor to the residential mid-rise building. The additional floor area would be 21,120 square feet, which increases the total permitted floor area by 5.7 per cent. The height of the tower would increase from 12 to 14 storeys and the height of the mid-rise would increase from seven to eight storeys. The maximum permitted density now proposed is 4.08 FSR (floor space ratio).

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

Council also had before it a Memorandum dated May 9, 2011, from Kent Munro, Assistant Director, Current Planning, which informed Council of a revision to the Community Amenity Contribution (CAC) amount originally contained in (c)3 of Appendix B of the Policy Report dated April 5, 2011, entitled "CD-1 Text Amendment - 99 West 2nd Avenue". This revision has been made in the Summary and Recommendation for the above item, as follows:

"3. Community Amenity Contribution

The agreed Community Amenity Contribution of ~~\$2,028,576~~ \$2,343,264 is to be paid to the City and such payment is to be made prior to enactment of the by-law to amend CD-1 (464), at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services."

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 Pinnacle International to amend CD-1 (464) (By-law No. 9600) for 99 West 2nd Avenue, to allow an increase in the maximum height permitted in sub-area 2 from 35.63 m to 41.2 m and a 1 962 m² increase in the maximum permitted floor area in sub-area 2, generally as presented in Appendix A of the Policy Report dated April 5, 2011, entitled "CD-1 Text Amendment: 99 West 2nd Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the revised form of development be approved by Council in principle, generally as prepared by Bingham Hill Architects, and stamped "Received City Planning Department, August 30, 2010", 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:
1. design development to the architectural expression, better integrating the southwest corner with floors 10 to 13, through more consistent material application, detail and colour;

Note to Applicant: The intent of the massing is to visually link the vertical expression of the southwest corner expression with the upper massing of floors 10 to 13. This can be achieved through greater emphasis of the horizontal elements such as floor slab projections, balconies and railings in terms of greater similarity of form, detail and colour.
 2. design development to all exterior roof access stairs, providing details;

Note to Applicant: These architectural appendages located at the rooftop level are highly visibility and require detailed resolution to better understand their intended effect.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the amended CD-1 By-law, the registered owner shall, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services, to the Director of Planning and to the General Manager of Engineering Services, as necessary, make arrangements for the following:

Engineering Services

1. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:
 - (i) Provision of appropriate legal agreements for the proposed solar louvers shown at the 10th level and above that encroach over public property. An application directed to the City Surveyor is required and should include rationale supporting the request to encroach.
 - (ii) Updating of the existing car share agreement to provide:

- Car share vehicles and spaces as follows: one vehicle and designated parking space are to be provided for 50 to 149 dwelling units, two vehicles and designated parking spaces are to be provided for 150 or more dwelling units.
- For future car sharing, at least one additional designated car share parking space must be provided per 100 dwelling units (but no less than one for the site)

Note to Applicant: Car share spaces must be provided on-site in an area with 24-hour accessibility (e.g. within visitor parking.)

Note to Applicant: The current CD-1 By-law allows for relaxations and reductions in the Parking By-law. The provision of less than the minimum parking may occur, subject to approval by the Director of Planning in consultation with the General Manager of Engineering Services and of a site-specific Transportation Demand Management (TDM) plan that restricts residents' car ownership and supports other means of mobility. Guarantee of zero-based unbundled parking assignment shall result in a 10% reduction in the minimum requirement.

Public Art

2. Revise the public art agreement to increase the public art contribution by \$38,227, satisfactory to the Directors of Legal Services and the Managing Director of Cultural Services.

Community Amenity Contribution

- a) The agreed Community Amenity Contribution of \$2,343,264 is to be paid to the City and such payment is to be made prior to enactment of the by-law to amend CD-1 (464), at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

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 sites 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-laws.

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 consequential amendments to the Southeast False Creek Official Development Plan to increase the floor area limits for maximum total floor area and for maximum residential floor area for the whole of the Southeast False Creek area and for Area 2B, as set out in Appendix C of the Policy Report dated April 5, 2011, entitled "CD-1 Text Amendment: 99 West 2nd Avenue", be approved.

CARRIED UNANIMOUSLY

3. REZONING: 104-150 East 1st Avenue

An application by Jason Turcotte, Cressey Quebec Street Holdings Ltd. was considered as follows:

Summary: To rezone from M-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit the development of a 12-storey residential tower with a 6-storey mid-block building, together containing a total of 170 residential units, with such development being consistent with the Southeast False Creek Official Development Plan. Density is proposed at 3.5 FSR (floor space ratio) and maximum height at 38.1 m.

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

Staff Opening Comments

Planning staff reviewed the application and responded to questions.

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 Stevenson

- A. THAT the application by Cressey Quebec Street Holdings Ltd. to rezone 104-150 East 1st Avenue Lots 1,2,3, all of Block 7, DL 200A, Plan 197(PID: 015-531-597, 015-531-619, 015-531-635) and Lots 4,5,6, all of Block 7 DL 200A Plan 17529 (PID: 007-273-002, 007-273-011, 007-273-029) from M-2 Industrial to CD-1 (Comprehensive Development District) to permit a 12-storey residential building and a 6-storey residential building with a total floor area of 11,792 m²

(126,928 sq. ft.), generally as presented in Appendix A of the Policy Report dated April 1, 2011, entitled "CD-1 Rezoning: 104-150 East 1st Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Rafii Architects Inc. and stamped "Received Planning Department, July 30, 2010", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning or Development Permit Board, who shall consider the following conditions:

Design Development

1. Clarification on the drawings of the following information:

- (i) a detailed context plan and reflected elevations of adjacent development;

Note to Applicant: Provide a detailed analysis of the shared side-yard and floor plan configuration of the lower levels of the adjacent building to the east, currently under construction.

- (ii) all building elevations; and

Note to Applicant: A complete unobstructed east elevation of the tower and west elevation of the mid rise is required.

- (iii) dwelling unit layouts:

Note to Applicant: Provide floor layouts with particular regard to the liveability of the south facing units of the tower and mid rise. Confirm on the drawings that the ground access units noted as "city homes" are two storey units and that a minimum of 25 percent of the dwelling units are two bedrooms or larger, suitable for families, in conformance with the SEFC Official Development Plan. (See also Housing condition)

2. Design development to relieve the blankness and enhance the pedestrian scale of the tower base, south elevation and mid-rise, east elevation;

Note to Applicant: Add windows on the 1st and 2nd level of the corner townhouse, tower base and further integrate material expression to both elevations to provide scale and texture. Consider a green wall treatment.

3. Design development to address neighbourliness and overlook of the parking ramp from both the mid-rise building and the adjacent site, providing a trellis screen and vine treatment;
4. Design Development to locate the 2 required shared vehicles and associated parking stalls within a publically accessible location that can be accessed by the general public on a 24 hr basis, 7 days a week.

Note to Applicant: This can be achieved within the "Visitor Parking" area shown on level P1 of the parking plans. Staff suggestion is to locate these stalls at the bottom of the ramp to level P1, in case future owners in the building propose to change the location of the security gate in order to limit vandalism or loitering in this area.

5. Design development to improve the prominence of the main entry;

Note to Applicant: Enhance the clarity of the entry without distracting from the overall expression of the building.

6. Design development to the use and access of the tower roof, providing either an intensive green roof, urban agriculture or roof-mounted energy technologies and means of common access;

Note to Applicant: The penthouse structure exceeds the maximum size excludable from height. In accordance with Section 10.11.1, the Zoning and Development By-Law permits height exclusions for intensive green roofs, roof top urban agriculture, or roof mounted solar technologies. Common roof area should be equal approximately to the length of the penthouse structure, east side of the roof. Alternatively reduce the size of penthouse structure to comply with Section 10.11.1 of the Zoning and Development By-Law.

7. Design development to day-light east end of internal corridor, mid-rise and consideration to provide a 2nd entry, east end of the mid-rise;

Note to Applicant: As per comments by the Urban Design Panel to improve day-lighting and to shorten the circulation path.

Crime Prevention through Environmental Design (CPTED)

8. Design development to take into consideration the principles of CPTED, having particular regard for reducing opportunities for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft;
 - (iv) mischief in alcoves and vandalism, such as graffiti;

Landscape Design

9. A full Landscape Plan to be submitted. 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 and the Landscape Plan should comply with the SEFC Public Realm Plan objectives for this area;
10. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate proposed landscape elements including planters on building structures, benches, fences, gates, arbors and trellises, posts and walls and water features. Planter section details must confirm depth of proposed planting on structures;
11. A high-efficiency irrigation system to be provided on all planted rooftops, in all landscape common areas on structure and hose bibs in patio areas as needed (illustrated on the Landscape Plan);
12. New street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Amit Gandha (604-257-8587) of Park Board regarding tree species;
13. A Landscape Lighting Plan to be provided for security purposes;

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown).
14. Trellis and vines to be provided over the underground garage access ramp;
15. Large scale sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street;

Note to applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

16. Any emergency generators, transformers, and gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm;
17. Design development to include relationship of semi-public and semi-private open spaces and comply with the SEFC Public Realm;

Note to Applicant: Aspects to consider include paving, lighting, planting, pedestrian entrances, seating and other elements to complement and enhance public realm.)

18. Design development to provide clear resident wayfinding and access through the entire open space system;
19. Design development to provide clear resident bicycle access through the development site and connection to 1st Avenue Greenway.

Engineering

The following is to be addressed at the development permit stage:

20. Provision of the following details for the ETS room. The ETS room shall be located at the basement or ground level, preferably at or adjacent to an outside wall with suitable space for the installation of the NEU system ETS equipment, and with adequate provision for connection to outside NEU distribution piping and communications conduit all to the satisfaction of the General Manager of Engineering Services. The developer shall make available use of sewer and potable water piping in each ETS room. The ETS room shall be ventilated as required by the Vancouver Building By-law and heated during the winter to minimum 15° C. The developer must provide a dedicated 15 amp 120V, 60 Hz single-phase electrical service for operation of the ETS, all to the satisfaction of the General Manager of Engineering Services. Please contact Kieran McConnell of the NEU office at 604-871-6981;
21. Column setback is to comply with the requirements of the Engineering Parking and Loading Design Supplement;
22. Parking spaces 49 & 51 on parking level P3, 64 on P2, have structural columns within the parking space;

23. Provision of correctly dimensioned disability parking spaces;

Note to Applicant: disability spaces must be a minimum of 18' in length.
24. Clarify if there is a wall between parking spaces 34-50 and 49-64, and if not provide wheel stops for all spaces in this area;
25. Provision of an unobstructed vertical clearance of a minimum 3.5 m (11.5 ft.) in the Class B loading space is required;
26. Provision of detailed lane lighting design is required;
27. Provision of details of the extent of overhead electrical infrastructure that can be removed or under grounded in the lane is required;
28. Provision of three streams of waste collection for the site, regular garbage, recycling and future organics collection including outfitting of the spaces for future use.
29. Provision of a minimum 20% of residential parking stalls with 120 V AC single phase outlets (per section 86 of the Canadian Electrical Code);

Housing

30. Ensure that a minimum of 25 percent of the dwelling units contain two bedrooms;
31. Design development to ensure that all indoor amenity rooms comply with the High Density Housing for Families with Children Guidelines;

Note to Applicant: Each of the indoor amenity rooms should have an accessible washroom, a kitchenette and adequate storage area.

Universal Design

32. Applicant to work with a Universal Design consultant to achieve the objectives for Universal Design in reference to "The Safer Home Certification Criteria" and submit a "The Safer Home Certification Check-list";

Environmental Sustainability

33. Applicant to meet the SEFC Green Building Strategy and the EcoDensity Rezoning Policy for Greener Buildings (Action A-1), through identification on the plans and elevations of the built

elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, with a minimum of 36 points and including at least 3 optimize energy performance points, one water efficiency point, and one 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 the development. Both the checklist and description should be incorporated into the drawing set. A letter from the Mechanical consultant shall be submitted outlining how the minimum of three [3] energy points will be achieved.

Urban Agriculture

34. Design development to confirm the viability of the proposed gardening plots, such as providing an area for composting, non-potable water/irrigation systems, and suitable soil volumes.

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 and on terms and conditions satisfactory to the Director of Legal Services, and to the Director of Planning, the General Manager of Engineering Services and the Approving Officer as necessary, make arrangements for the following:

Rezoning Fee

1. As permitted under the Zoning and Development By-Law Appendix E Zoning and Development Fee By-Law No.5585, section 4, half of the required rezoning fee was submitted at the time of application. In accordance with this provision, the applicant is directed to pay the City the remainder of the fee (\$65,400) within 30 days of Council's approval in principle of the CD-1 by-law.

Engineering

2. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:
 - (i) Dedication of the west 11.6 m of the site for road purposes,
 - (ii) Dedication of the north 1.5 m of the site for road purposes,

- (iii) Dedication of a 1.5 m by 1.5 m truncation of the ultimate northwest corner of the site for road purposes,
- (iv) Provision of a statutory right of way over a 0.5 m wide portion of the site along 1st Avenue measured from the ultimate 1st Avenue property line to accommodate the future 1st Avenue road design. No building permitted within the SRW area. See Figures 1 and 2 in Appendix H,
- (v) Consolidation of the six lots into a single parcel,

Note to Applicant: To allow the existing building to remain on the westerly portion of the site and be used as a sales and marketing centre for the project until issuance of the first occupancy permit for the project, an Option to Purchase and Statutory Right of Way Agreement, prepared to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, may be registered over the west 11.6 m and corner cut that are to be dedicated for road purposes pursuant to conditions 2(i), 2(ii), and 2(iii) above. The Option to Purchase Agreement must contain provisions to ensure that soil remediation and road construction are completed prior to issuance of the first occupancy permit for the project. The subdivision of the site would need to occur in two steps as shown on Figures 1 and 2 of Appendix H,

- (vi) Provision of a surface statutory right of way over the south 1.5 m of the site for landscaping and lighting purposes. Note to Applicant: Delete portions of building and structure proposed at and above grade and within the proposed 1.5 m right of way,
- (vii) Release of Easement & Indemnity Agreements 170428M (utility purposes), F5216 (commercial crossing), and Covenants F89517 and G98873 (off-site parking), all prior to issuance of the first occupancy permit for the project,
- (viii) Upgraded storm and sanitary mains are required to serve the site. Upgrading of the sewer and sanitary mains from the south/eastern portion of SEFC to the Terminal pump station is required; this development is to pay their share of the upgrading of the sewer mains which is estimated at \$100,000.00,
- (ix) The applicant is to supply the fire flow rate for this development (maximum GPM to meet fire protection needs as supplied by their mechanical consultants),

- (x) Once a review of this information is completed Engineering will determine if water system upgrading is necessary for this project if so, an appropriate servicing agreement will be necessary. If the applicant does not or cannot supply this information prior to by-law enactment then a servicing agreement will be necessary that allows for upgrading as determined by the City Engineer as being necessary to be fully funded by the developer with appropriate security being supplied prior to the start of any work by the City,
- (xi) Provision of a servicing agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the installation of public realm treatments adjacent to the site (along 1st. Ave, Quebec St. and the lane south of 1st Ave.) between the curb and property lines and within the laneway including curb relocations where necessary, all in keeping with the SEFC Public Realm Plan and SEFC Public Realm Enhancement Guidelines (PREG). Work to include design and installation of SEFC street and lane lighting, street trees, structural soils, landscaping, specialty paving, concrete lane crossings, granite sets and pavers and treatments identified in the SEFC public realm plan and PREG. All existing utilities, electrical, street lighting, traffic signals and related infrastructure are to be relocated where curb adjustments are necessary,
- (xii) Undergrounding of all new and existing utility services from the closest existing suitable service point will be required. All electrical services to the site must be primary with all electrical plant which includes but is not limited to junction boxes, switchgear (vista switches) and pad mounted transformers to be located on private property. In addition, any above ground kiosks required to service the area must be located on private property. The development is not to rely on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged,

Note: Preliminary plans show the requirement for a Low Profile Transformer (LPT) on this site.
- (xiii) Provision of car-share vehicles and car-share parking spaces as set out in the parking standards for this rezoning. Calculation is based on both buildings

combined. Provision of shared vehicles and shared vehicle parking spaces as outlined below:

<i>Dwelling Units</i>	<i>Shared Vehicle</i>	<i>Shared Vehicle Parking Space</i>	<i>Future Converted Shared Parking Space</i>
<i>1 - 49</i>	<i>None</i>	<i>None</i>	<i>1</i>
<i>50 - 149</i>	<i>1</i>	<i>1</i>	<i>1</i>
<i>150 - 249</i>	<i>2</i>	<i>2</i>	<i>2</i>
<i>250 - 349</i>	<i>2</i>	<i>2</i>	<i>3</i>
<i>Each additional 100 units or portion thereof</i>	<i>+0</i>	<i>+0</i>	<i>+1</i>

Note: car-share vehicles must be operated by a professional car share company and are to be fully accessible to car share members 24/7.

Flood Plan Covenant

- Execute a Flood Plain Covenant to the satisfaction of the Director of Legal Services and the Chief Building Official;

Cultural Services: (Public Art Program)

- Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide a preliminary public art plan to the satisfaction of the Public Art Program Manager;

(Note to Applicant: To discuss your application please call Bryan Newson, Program Manager, 604.871.6002.)

Community Amenity Contribution

- Pay to the City, prior to the enactment of the rezoning by-law, the Community Amenity Contribution of \$1,459,672 which is to be allocated towards affordable housing in SEFC;

Soils

- Submit a site profile to the Environmental Protection Branch (EPB);
- As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter;

8. Execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance satisfactory to the City, for the on-site and off-site contamination, has been provided to the City by the Ministry of Environment;
9. In respect to the road dedications and the existing roads, as applicable, the applicant is to provide confirmation that all road dedications and existing roads are covered by numerical based Certificates of Compliance or other instruments for contamination attributable to past uses of the site, acceptable to the City in its sole discretion. The Certificates of Compliance or other instruments, if applicable, shall be issued by the Ministry of Environment and must confirm that the soils in the roads meet residential land use numerical standards for the top 3 m and commercial land use numerical standards below 3 m and that the groundwater meet drinking water criteria or if proven the groundwater does not support the drinking water criteria, then the aquatic life standards will apply, all as prescribed by the Environmental Management Act and to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and if the applicant is not able to provide Certificates of Compliance or other instruments, as described above, to the City prior to enactment, then the applicant will enter into such agreements on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deem necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the road dedications and existing roads, have been remediated to the standards described above;

Note to applicant: If any road dedications have contamination attributable to historical filling of the area, and is supported by the Ministry of Environment, the Applicant is to provide confirmation that these contaminants are covered by Certificates of Compliance acceptable to the City in its sole discretion. The Certificates of Compliance shall be issued by the Ministry of Environment and must confirm, at a minimum, that the contamination meets risk-based standards, all as prescribed by the *Environmental Management Act* and to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services. If the Applicant is not able to provide Certificates of Compliance, as previously described, to the City prior to enactment, then the Applicant will enter into such agreements on terms and conditions that the General Manager of Engineering Services and the Director of Legal

Services deem necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the road dedications have been remediated to the standards previously described.

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 rezoning 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 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 of the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated April 1, 2011, entitled "CD-1 Rezoning: 104-150 East 1st Avenue", for enactment following the approval and enactment of the CD-1 By-law.

CARRIED UNANIMOUSLY

**4. REZONING/HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
639 Commercial Drive (York Theatre)**

An application by Gregory Henriquez, Henriquez Partners Architects was considered as follows:

Summary: To rezone from RM-4N (Multiple Dwelling Residential) District to CD-1 (Comprehensive Development) District to allow restoration of the existing York Theatre building with upgrades and additions necessary for it to become a modern cultural performing arts theatre. Included are a new eastern façade enclosing a foyer and heritage designation of the building. The height of the building will remain the same and the floor space will be comparable to the existing floor space. A development application (DE413915) has also been received for the site.

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

Staff Opening Comments

Planning staff reviewed the application and responded to questions.

Applicant Comments

Gregory Henriquez, Henriquez Partners Architects, reviewed the application.

Summary of Correspondence

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

Support - 2
Opposed - 2

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Katey Wright
Colin Miles

The following spoke in general support of the application and noted concerns:

Nick Miller
Nick Sully

Staff Closing Comments

Planning staff responded to questions and provided closing comments.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Henriquez Partners Architects on behalf of Wall Financial Corporation to rezone 639 Commercial Drive (Lots A and B of Lot 12, Block D, District Lot 183, Plan 3137; PID: 013-108-506 and PID: 013-108-514, respectively, and Lot C, Except part in Reference Plan 1808, of Lot 12, Block D, District Lot 183, Plan 3137; PID: 013-108-531) (the "Property") from RM-4N (Multi-Family Residential District) to CD-1 (Comprehensive Development District), to permit the renovation of the historic York Theatre building (the "Building") situated on the Property, the addition to the Building of a two-storey foyer and the use of the renovated Building as a performing arts theatre, generally as presented in Appendix A of the Policy Report dated April 5, 2011, entitled "CD-1 Rezoning and Heritage Revitalization Agreement at 639 Commercial Drive (York Theatre)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Henriquez Partners Architects, and stamped "Received Planning Department, May 14, 2010", provided that the Director, may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to final 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 conditions:

Design Development

1. Design development to the east elevation to better complement the scale and architectural components of the existing theatre;

Note to Applicant: This can be achieved by reducing the overall height of the addition to match the principle parapet height of the heritage theatre. Further the head of the curtain-wall glazing should align with the facade panelling on the existing theatre.

2. Design development to incorporate high quality weather protection along the Commercial Drive and Georgia Street elevations of the addition;

Note to Applicant: At a minimum, canopies must be a minimum of 5.0 ft. in depth and 9.0 ft. from grade, and of light, high-quality construction. They should be continuous along Commercial Drive, and on Georgia Street to Grid Line C.

3. Design development to the lane elevation take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for reducing opportunities for nuisances such as graffiti;

Note to Applicant: Large blank walls adjacent to the lane should be treated with a paint-type graffiti treatment.

4. Notation on the Site Plan describing the treatment of the public realm, including, but not limited to, existing and proposed street trees, sidewalk paving and location of bicycle parking;

Note to Applicant: Please consult with Kevin Cavell of Engineering Services, at 604.873.7773, and Ann McLean, Development Planner, at 604.873.7387 regarding possibilities for curb relocation and adjustments before any detailed design work is undertaken.

5. Provision of enlarged-scale sectional drawings at a scale of 1:10 or better describing significant architectural elements, including, but not limited to, the proposed canopies, and the glass screen at the roof level;

Note to Applicant: All details must be fully notated and dimensioned. Provide reference for detail sections on the elevation drawings.

6. Inclusion on the elevation of a conceptual signage proposal noting compliance with the Sign By-law, except that variances may be indicated for the proposed replication of the "Marquee" and associated projections (see Conditions of By-Law Enactment (c) on page 5 of 9);

Note to Applicant: Show proposed locations and size of proposed signage on the building for reference, including areas for playbills. Signage should be integrated with, but not detract from architectural elements. The development permit does not approve signage. Add notation to drawings: "All signage is shown for reference only and is not approved under this Development Permit. Signage is regulated by the Sign By-law and requires separate approvals. The owner[s] assumes responsibility to achieve compliance with the Sign By-law and obtain the required sign permits"; The Sign By-law Coordinator should be contacted at 604.871.6714 for further information.

7. provision of additional information on elevations illustrating the location of exterior lighting and its specification;

Note to Applicant: Specified lighting must sensitive to nearby residential areas. Lighting should be focused up or down fixtures, or those that have a limited projection of illumination.

Heritage

8. Additional notes to fully describe the materials and elements of the replicated "Art Deco" façade, consistent with the Conservation Plan approved by the City;

9. Large-scale section details showing typical construction and/or rehabilitation notes for the following areas/assemblies:

- The replicated Art Deco façade, including the parapet condition;
- The "marquee", including lighting (note: the signage will likely need to be approved under separate Sign Permit(s) but the details of the design of the proposed signage are to be provided for reference.); and
- The theatre's existing concrete and block wall, including a parapet condition;

10. Notation on plans and elevations indicating all sustainable/design features consistent with the City's Rezoning Policy for Greener Buildings;

Note to Applicant: The policy requires developments of this scale to achieve a minimum equivalent of LEED® Silver, with a minimum of 3 optimize energy points, including 1 water efficiency point and 1 storm water point, or an equivalent achievement in green design, and registration in the LEED® program. The policy allows for exemptions for heritage components provided reasonable design efforts are made to improve green performance where appropriate, while respecting heritage aspirations and promoting heritage retention. In the case of the York Theatre, alterations which would adversely affect the heritage building and its maintenance should not be employed, including a green roof on the existing roof of the heritage building. The LEED® Checklist, as well as documentation confirming registration in the LEED® program, are to be submitted, and the drawings revised where applicable to reflect details or materials which are proposed as part of the response to the policy requirements.

Cultural Services

11. Design development to consider options for the relocation of the elevator on the stage;

Note to Applicant: The need for accessibility to the stage is noted but does compromise the usefulness of the stage for performances. Applicant is encouraged to explore design options to the current proposal.

12. Provision of wardrobe maintenance room with washer/dryer hookups associated with the dressing rooms;

13. Clarification of specification for HVAC, electrical and sound system conduit;

Note to Applicant: These items are expected to form part of the building permit application however the applicant is encouraged to provide information regarding these infrastructure items and their impact on theatre design with particular attention to potential loss of seating capacity.

14. Submission of an outline written specification on the design features of the theatre, to the satisfaction of the Managing Director of Cultural Services.

Note to Applicant: The applicant is to consult with the Director of Civic Theatres and collaborate with the Vancouver East

Cultural Centre regarding the building program, installed equipment and performance requirements necessary to ensure agreement within the financial framework of the project on aspects of the fit and finished theatre.

Engineering

15. Consideration to provide additional on site Class A bicycle parking;
16. Provision of additional Class B bike parking at or near the main entry to the building, including consideration of on-street space;
17. Consideration to secure off-site parking for use during event times;

Note to Applicant: The nearby City owned lot, at 800 Commercial Drive, currently supplies parking for a nearby building. Should that parking not be required in off-business hours, the York Theatre is requested to explore the possibilities of securing the parking for their use.

18. Clarification of garbage pick up operations;
19. Clarification of loading operations and a review of measures to reduce impacts of truck routing through the neighborhood;

Note to Applicant: Measures to include reduced truck sizes and/or loading from the lane north of Georgia Street, west of Commercial Drive.

20. Revision to the transportation study to reflect the traffic management measures anticipated to reduce impacts of the theatres operations;

Note to Applicant: The measures are as noted in the transportation study supplied for the project prepared by Bunt & Associates dated May 6, 2010.

21. Confirmation that the existing fire escape assembly is to be removed as part of the project;

Note to Applicant: Engineering Services does not support retention of the fire escape.

CONDITIONS OF BY-LAW ENACTMENT

- (c) THAT, prior to enactment of the CD-1 By-law, at no cost to the City, the registered owners shall make arrangements for the following, on terms and conditions satisfactory to the Director of Legal Services:

Engineering

Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for:

1. All existing and proposed encroachments, including the restoration of the original encroaching York Theatre canopy/sign (referred to as the "Marquee"), to be reviewed and encroachment agreements put in place for them;

Note to Applicant: A BCLS location certificate will be required after the exterior improvements have been completed. Subsequent to confirmation of the extent of the encroachments, a new encroachment agreement with the City will be necessary.

2. Consolidation of the lots into a single site;
3. Relocation of existing overhead utility lines in the lane to avoid conflict with the Building's redevelopment including undergrounding of any portion of the overhead network where possible. 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;
4. Provision of adequate water service to meet the fire flow demands of the project;

Note to Applicant: 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 of the General Manager of Engineering Services and the Director of Legal Services will be required;

Heritage

5. Council approves the designation of the Building as a protected heritage property;
6. Council approves and the owner enters into a Heritage Revitalization Agreement (HRA), substantially in the form attached in Appendix D, which, among other things, authorizes the amount of transferable bonus density agreed to by the City and which ensures the rehabilitation and long-term protection of the Building, to the satisfaction of the Director of Planning and the Director of Legal Services, including the following:
 - (i) That all heritage rehabilitation work is to be carried out in compliance with, among other things, a heritage Conservation Plan approved by the City;

- (ii) That the transferable bonus density may not be used on the Property and may be transferred only to a site or sites owned by the owner-developer of the Property and as approved by the City, except with the provision of adequate security for the rehabilitation as provided for in the agreement;
- (iii) That the Building not be occupied until the rehabilitation work associated with the HRA is completed;
- (iv) That the Building be secured from vandalism during construction and that the appropriate professional or professionals experienced in rehabilitation and restoration work be retained to provide services to all aspects of the rehabilitation work;
- (v) That the rehabilitation of the Building be completed in a timely manner to the satisfaction of the Director of Planning and the Director of Legal Services;

Note to Applicant: The HRA will be required to be signed by the owner in advance of Council's consideration of the approval of any heritage or CD-1 by-laws at a public hearing, or as otherwise agreed to by the City.

- 7. The Designation and Heritage Revitalization Agreement By-laws are enacted by Council and the Heritage Revitalization Agreement is completed, given priority to, and registered in the Land Titles Office to the Satisfaction of the Director of Legal Services and the Director of Planning;
- 8. An "Assurance of Retention of Existing Portions of Buildings" letter and colour-coded detailed elevation drawings from a Registered Architect or Engineer are to be submitted, in triplicate, verifying that the portions of the Building shown as being retained can in fact be retained, and that he/she will supervise the construction to ensure the retention occurs;
(Notes are to appear on the retention drawings indicating the following:
 - i) that all parts of the Building shown as being retained will be retained in place, and not removed from their original location within the Building at any time;
 - ii) that "retained wall" means the retention of the existing studs and sheathing, and/or block/concrete walls as applicable;
 - iii) that "retained floor" means the retention of the existing floor joists and sub-floor; and
 - iv) that "retained roof" means the retention of the existing roof rafters, beams, and trusses.

In review of the submission, if the Director of Planning is of the opinion that further information is required, the submission of a letter, in triplicate, signed by the Registered Architect or

Engineer, indicating the sequence of construction, is to be submitted in order to ensure that the construction is carried out in a manner that retains the Building on the site at all times. All work is to be in compliance with the Conservation Plan approved by the City and forming a part of the permit.)

Note to Applicant: Retention of the Building is required. The above information is to be submitted to ensure that the Building will be retained. If significant structural change is proposed, then a full set of drawings, including plans and sections, will be required. A copy of the approved retention drawings will form part of any approved Building Permit drawings.

9. The City is in receipt of a final colour scheme, to the satisfaction of the Director of Planning;

And further, confirmation, to the Satisfaction of the Director of Planning and the Director of Legal Services, that the Heritage Revitalization Agreement is completed and registered on title in the Land Titles Office;

Cultural Services

[Per Administrative Report RTS 9150 from the Director of Real Estate Services, dated April 5, 2011, entitled "Option to Purchase 639 Commercial Drive (York Theatre) and Lease of 639 Commercial Drive to the Vancouver East Cultural Centre"]

10. To the satisfaction of the Director of Legal Services and the Director of Planning, the owner enter into an agreement with the City by which the City may purchase the Property from the Owner for the nominal sum of ten dollars (\$10), with the transfer of ownership not to take place before the renovation and restoration is complete to the satisfaction of the City;

Soils

11. The property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.

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

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances effecting 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 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-2), as set out in Appendix C of the Policy Report dated April 5, 2011, entitled "CD-1 Rezoning and Heritage Revitalization Agreement at 639 Commercial Drive (York Theatre)", 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 District in Schedule B of the Noise Control By-law, as set out in Appendix C of the Policy Report dated April 5, 2011, entitled "CD-1 Rezoning and Heritage Revitalization Agreement at 639 Commercial Drive (York Theatre)", for enactment following enactment of the CD-1 By-law.
- D. THAT Council approve the designation of the Building under the provisions of the Vancouver Charter as a protected heritage property.
- E. THAT Council authorize the City to enter into a Heritage Revitalization Agreement with the owner of the Property, generally as described in the Policy Report dated April 5, 2011, entitled "CD-1 Rezoning and Heritage Revitalization Agreement at 639 Commercial Drive (York Theatre)", and substantially in the form of Appendix D of the aforementioned Policy Report, for the following:
 - (i) to secure the timely rehabilitation and long-term protection and conservation of the Building and, in consideration therefor, to assign to the Property 106,793 sq. ft. of transferable bonus density and, by way of covenant on title to the Property, restrict the transfer of this bonus density to other properties owned by the Wall Financial Corporation group of companies or persons, which transfer or transfers must be approved by the City;
 - (ii) vary the Vancouver Development Cost Levy By-law No. 9755 to waive payment of the Development Cost Levy otherwise payable in connection with the project contemplated by the Heritage Revitalization Agreement; and
 - (iii) to provide that once:
 - (a) the renovation and restoration of the Building is completed to the satisfaction of the Director of Planning, the Managing Director of Cultural Services and the Director of Facilities Design and Management;

- (b) all occupancy permits for full occupancy and use of the Building have been issued; and
- (c) completion of the purchase of the Property by the City (which purchase shall be subject to a separate report to Council);

the City will pay the following amounts to the owner of the Property as City contributions towards the cost of restoring the Building:

- (a) the amount of \$1,280,720 with such funds collected for the rezonings of 1133 West Georgia Street (\$1,130,000) and 490 Commercial Drive (\$150,720); and
- (b) the amount of \$1,000,000 as a contribution from the 2011 Capital Budget for Cultural Infrastructure;

- F. THAT, subject to the approval of the rezoning at Public Hearing, Council approves that, as a matter of policy, the transferable heritage bonus density to be assigned to the Property under the Heritage Revitalization Agreement may be transferred to more than one receiver site, in accordance with the Heritage Revitalization Agreement and through the normal Transfer of Density processes, and that such receiver sites may be in different zoning, use, density and height districts than that of the Property.

CARRIED UNANIMOUSLY

**5. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
1245 Harwood Street**

An application by Bing Thom Architects, on behalf of 5253 Investments Ltd. 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 which will grant bonus floor area for use in the proposed 18 storey residential tower on this site.

The Director of Planning recommended approval.

Staff Opening Comments

Planning staff reviewed the application and responded to questions.

Applicant Comments

Michael Heeney, Bing Thom Architects, on behalf of 5253 Investments Ltd., reviewed the application.

Summary of Correspondence

The following correspondence was received regarding the application:

Support - 3
Opposed - 72
Other - 2

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Janet Leduc, Heritage Vancouver Society
André Lessard
Jim Balakshin
Alyssa Schwann

The following spoke neither for nor against the application:

Shaun Wong
Hugh Soulis

The following spoke in opposition of the application:

Stephen Bohus
Michelle Mathias, West End Neighbours
Joel Oger
Simon Robinson
Darrell Treiber
Paulette Caille
Donna Waite
Georgia Pomaki
Drew Dickinson
Rein Vasara
Arne Mooers
Michael Reeve
Carol Jerde
Terence Dawson
Denis Bouvier
Marie-Louise Miginiac
Terry Mckenzie
Roberta Hosegood
Laurent Farley
Louise Fellstrom
Brendan Wright
Cleve Foster
Maria Geffroy
Susan Olafson
Sinisa Vujockvic

Elizabeth Carney
Moshe Rosenfeld (Michael Reeve reading on her behalf)
Carmen Mathes
Sarah Isaacs
Sarah Marty
Carol Walker
Ralf Kelman
Sophie Aubugeau
Keith O'Brien
Jason Lamarche
Edward Johansson

* * * * *

On May 17, 2011, at 10:00 pm, it was

MOVED by Councillor Cadman

THAT, under Section 2.3 (e) of the Procedure By-law, Council extend the meeting by one hour or less in order to continue hearing from speakers.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT the report for items 1 through 4 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

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The Special Council recessed at 11:03 pm on May 17, 2011, and reconvened on May 19, 2011, at 7:37 pm with the same members present.

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COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
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 and development and heritage by-laws.

CARRIED UNANIMOUSLY

* * * * *

On May 19, 2011, at 10:00 pm, it was

MOVED by Councillor Deal

THAT, under Section 2.3 (e) of the Procedure By-law, Council extend the meeting by one hour or less in order to continue hearing from speakers.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

On May 19, 2011, at 11:00 pm, it was

MOVED by Councillor Deal

THAT, under Section 2.3 (e) of the Procedure By-law, Council extend the meeting by one hour or less in order to continue hearing from speakers.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

Council Decision

MOVED by Councillor Louie

THAT closing comments from staff and applicant as well as questions to staff and discussion and decision regarding Heritage Designation/Heritage Revitalization Agreement (HRA): 1245 Harwood Street be referred to the next Regular Council meeting on Tuesday, May 31, 2011, as Unfinished Business.

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 Stevenson

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

CARRIED UNANIMOUSLY

The Special Council recessed at 11:03 pm on May 17, 2011, and
adjourned at 11:06 pm on May 19, 2011.

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