

Date: Monday, January 26, 2009
Time: 3:00 p.m.
Place: Committee Room No. 1, City Hall

PRESENT:**Board**

C. Warren Director of Development Services (Chair)
B. Toderian Director of Planning
J. Ridge Deputy City Manager
T. Timm General Manager of Engineering Services

Advisory Panel

J. Wall Representative of the Design Professions (Urban Design Panel)
N. Shearing Representative of the Development Industry
M. Braun Representative of the General Public
H. Hung Representative of the General Public
C. Nystedt Representative of the General Public
K. Maust Representative of the Vancouver Heritage Commission

Regrets

D. Chung Representative of the General Public
J. Stovell Representative of the Development Industry
S. Tatomir Representative of the Design Professions

ALSO PRESENT:**City Staff:**

B. Boons Assistant Director of Processing Centre - Development
Projects Branch
P. Storer Projects Branch
K. Magnusson Projects Branch Manager
A. Molaro Development Planner
D. Autiero Project Facilitator
J. Bailey Planner

9150 BENTLEY STREET - DE412081 - ZONE M-2

M. Blake TransLink - Director, Engineering & Project Services
M. Minson TransLink - Manager, Engineering & Project Management
Y. Smith TransLink - Manager, Acquisition & Development
S. Samujh TransLink - Stakeholder Relations Advisor
B. Orr TransLink - Project Manager
J. Prokop TransLink - Director of Planning

Recording Secretary: L. Harvey

1. MINUTES

The Minutes were moved via email and it was the decision of the Board:

THAT the Minutes of the Development Permit Board and Advisory Panel Meeting of November 17, 2009 be approved with the following amendments:

Minor typographical errors were noted for correction after signature of the minutes.

2. BUSINESS ARISING FROM THE MINUTES

None.

**3. 9150 BENTLEY STREET - DE412081 - ZONE M-2
(COMPLETE APPLICATION)**

Applicant: TransLink

Request: To develop a 5-acre portion of this 15.77 acre site as a Parking Area to serve the adjacent Vancouver Transit Centre (VTC) at 9149 Hudson Street, in order to provide additional employee and bus parking to serve the Centre.

Development Planner's Opening Comments

Anita Molaro, Development Planner, introduced the application for a parking area to serve the Vancouver Transit Centre on the south side of West 75th Avenue and the west side of Hudson Street. The parking area will provide additional parking for employees and transit buses. The site is a portion of a much larger site and will be leased by TransLink. Immediately west of the lease area is a barge loading facility. Ms. Molaro noted that there are two main issues; the landscape off the water's edge and pedestrian access. Ms. Molaro also noted that the proposed parking is a conditional use and staff support the use. The guidelines seek a landscape treatment as a condition of approval (Condition 1.1) to enhance the shoreline landscape treatment. The design of the area should be undertaken with the Park Board staff. The issue of public access to the waterfront would be provided through a condition of subdivision should the property be rezoned. Ms. Molaro noted that public access was not a requirement of the development application. However, the applicant is willing to extend the existing public access through the new required landscape area and TransLink have provided a letter of intent (Appendix F). Ms. Molaro added that they are aware that TransLink will provide public access when staff are able to do so.

Ms. Molaro reviewed the recommendations contained in the Staff Committee Report dated January 14, 2009. The recommendation was for support of the proposal, subject to the conditions contained in the Staff Committee Report.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by Ms. Molaro:

- The property is owned by Southgate Holdings.

Applicant's Comments

Mr. Orr, TransLink - Project Manager, further described the application and noted that at the end of 2007, TransLink Directors made the decision to order 74 more trolley buses. A study of existing transit centres determined that additional land for bus parking was required. With minor upgrades to the VCT facility, maintenance for 50 more buses could be done on the site but there would not be enough parking. As a result of the study, the Real Estate division of TransLink started negotiations with the land owner of the adjacent property. Mr. Orr added that the application is a key project for TransLink to provide for additional bus service.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by the applicant team:

- The property owner will not allow public access across their land.
- TransLink's intention is to purchase the land from Southgate Holdings; however their original offer was not successful.
- It will be up to the current owner to decide if they would sell the property to TransLink.
- There is an existing shortfall for staff parking. Additional parking is needed for maintenance and operating staff as many of their employees live on the outskirts of the lower mainland.
- TransLink employees receive transit passes. Of the 600 staff about one-third travel by transit.
- With the additional parking, staff will be able to park in the lot rather than on the nearby residential streets. This will also offer additional security for staff vehicles as there have been some complaints regarding break-ins.
- The fence will be replaced with the same type of fencing that is currently around TransLink's property.
- Regarding the Traffic Demand Management (TDM) Plan, employees: receive free transit passes, 20 parking stalls for car pools (no car pool process in place), no reserved parking stalls, end of trip to encourage employees to walk or cycle, 16 bike lockers, guaranteed ride home at end of shift, bulletin board on the 3rd floor with information for employees. There is no transportation administrator in place.
- 35% of employees walk or take transit to the Vancouver Transit Centre (VTC).
- Applicant would commit to completing the TDM before issuance of the development permit.
- There are remnants of the Marpole Midden west of the site.

Comments from other Speakers

Claudia Laroye, Board of Directors, Marpole BIA, wanted the development permit to be conditional on TransLink being able to provide public access to the waterfront. She would also like TransLink staff to be shuttled from the current Oakridge station to the VTC. Ms. Laroye also requires a moratorium on development until the study of the Marpole industrial waterfront is completed this spring.

Gudrun Langolf, who lives in Marpole, would like to see a Transportation Management Plan. She noted that bicycle parking is not being provided.

Art Cowie, Metro Vancouver Planning Coalition, thought that heavy industry didn't work on the Fraser River. He said he would like to see the river edge be used for parks and residential uses. Mr. Cowie said he would also like to see a walk-way along the river edge. Mr. Cowie also left some conceptual designs for staff perusal.

Wendy Turner is involved in many groups regarding the rehabilitation of the Fraser River. Ms. Turner said she would like to see more public interest before the project is approved. She noted that the Official Development Plan (ODP) for Marpole was done 30 years ago.

Isabel Minty asked the Board to not approve the application until TransLink can provide public access to the waterfront.

Daniel Lipetz, representing Southgate Holdings, asked the Board to consider that as a requirement of the development permit, the permit should terminate when TransLink surrenders the lease to the owner. There is a study that could determine other uses for the site, and the owners of the land don't want to be in a position to be bound by an existing landscaped area that may or may not be compatible with what is determined to be appropriate for the site. Mr. Lipetz noted that the site has the only deep water access on the north arm of the Fraser River and that the rest of Southgate's waterfront was not useable because the water is shallower.

Terry Slack, volunteer for the City of Vancouver Riverfront Public Greenway, noted that Marpole is deficient in park space and said he would like to see a plan for the area. Mr. Slack gave an overview of the history of Marpole.

Mike Sywulich, who lives near the site, said that according to the Land Title Act, if the lease is longer than three years, then it is considered a subdivision and consequently the Board has the right to place some requirements on the application. He said he would like to see the public access walkway be one of those requirements.

Norman Zottenberg, Secretary, Marpole Bridge Community Association, noted that in the previous application from TransLink, the Director of Planning said there was a greater good for the community by having public transportation. The public thought TransLink didn't have enough space at the time and now TransLink are coming back and asking for more space for parking. Mr. Zottenberg thought there were greater rights for the larger community and that those rights should include the right of access to the waterfront.

Questions/Discussion

In response to questions raised by the Board and Panel, the following clarification was provided by staff and the applicant team:

- Staff can ask for public access only in a rezoning or a request for subdivision. All that can be asked for in this application is landscape treatment.
- TransLink didn't apply for a subdivision on the property but there is some discussion between them and staff for the provision of public access.
- If TransLink achieves ownership of the land, they have agreed to allow public access to the waterfront.
- Southgate Holdings owns 16 acres.
- TransLink's lease is for 5 years and they will not be registering the lease at Land Titles.
- The Development Permit Board doesn't have the authority to apply a condition contrary to Council Policy.
- The public doesn't have access to the waterfront now.
- TransLink does have the power to expropriate but would rather not.
- The first trolley bus has already been shipped from Winnipeg. Some of the new buses will be run through Oakridge, but after the first eleven buses TransLink will have difficulty parking any more on that site.

- TransLink is actively looking at other sites for the long term. They will know within three years if this site will become permanent.
- TransLink is building a heavy fleet in Maple Ridge.
- The Vancouver Transit Centre is going to remain the only trolley centre for the future.
- Expropriating the property by TransLink would trigger a subdivision and TransLink would be required to allow public access to the waterfront.
- The additional parking is required for maintenance staff but will be primarily used for the new buses.
- The existing use can't be stopped to wait for the conclusion of the Marpole study. Parking is part of the existing uses under the zoning for the site.
- It is important to recognize the industrial uses along the waterfront.

Panel Opinion

Mr. Wall thought there was a need to provide space for transit to expand in the city. He thought it was alarming that TransLink was not clear on how they will expand. Mr. Wall thought it was an important piece of property and city staff are only beginning a planning vision for Marpole. He thought it was unfortunate that public access can't be provided at this time to the waterfront. Mr. Wall added that he believed that TransLink would provide that access as they have done on their own property when they become the owner of the site. He added that it falls to City staff to make sure TransLink lives up to their word and provides that access at that time. Mr. Wall also thought there should be long term planning for the site. Mr. Wall thought that staff parking was one of the more contentious issues on the site noting that it would be increased by 235 stalls. He thought it was easy for the public to ask TransLink how they could justify the extra parking stalls. He added that it would have been helpful if TransLink had provided the numbers showing the need because of a shortfall in parking and identified the benefit to the neighbourhood. Mr. Wall suggested the applicant look carefully to see what opportunities there were to work with the community.

Mr. Shearing thanked the public for their comments. He thought proceeding with the dedication of public access at this point prior to the larger Marpole study was premature. He noted that in the planning of the lands, City staff would be addressing issues on how to treat the waterfront. Mr. Shearing said the immediate need for the new buses and TransLink's review of the situation in three years was reasonable. Mr. Shearing added that he was in support of the application.

Ms. Maust thanked the public for their comments and said that from a heritage point of view she would like to see community comments included in the Marpole study. Ms. Maust said she thought adding a traffic demand management plan was import. Ms. Maust added that she recommended support for the application.

Ms. Nystedt thanked the public for their comments. She noted that Marpole has an important role to play in the development of the river in the future. She also thought it was important there be more consultation on the uses on the water throughout the city and would like to see public access east of the Fraser Lands be considered. Ms. Nystedt hoped that as we move forward a different approach could be taken and she would ultimately like to see rail uses from Marpole east through to New Westminster. Given the short term nature of the lease, Ms. Nystedt recommended approval for the application.

Mr. Braun thanked the public for their important comments regarding the river. He recommended approval for the application noting that it was an improvement over the current use and would take parking off the neighbouring streets.

Board Discussion

Mr. Timm noted that he was a member of the Board when TransLink's original application was approved. He said he was thankful to the community for coming to the meeting and expressing their concerns. He added that he was a strong supporter of maintaining industrial lands in the city and this was one of the only large parcels where this kind of facility could be built. He said he was disappointed that TransLink had taken such a short term view of their needs regarding buses and was not planning on expanding their fleet. He thought they could be moving towards other alternative transportation and should take a longer term view. He added that TransLink was barely keeping up with the needs for transportation in the city. Mr. Timm noted that a longer term vision for the lands was important but there would continue to be industrial uses along the river. He added that he didn't believe having another look at the uses for the land was strong enough to stop the application. Mr. Timm moved approval of the application with amendments.

Mr. Toderian thanked the public for coming to the Board meeting. Mr. Toderian noted that the city is running out of the space that would provide for this kind of uses. There are only a few areas that had been planned for impactful uses and Council would be challenged with that when they consider uses across the city. He added that the work program currently isn't contemplating pushing these kinds of uses out of the area and the expansion of the VTC is not out of character with the evolving staff thinking for the area. Mr. Toderian noted that in principle, the city believes in eventual public ownership of the waterfront. City staff doesn't have the tools to demand public access to the water through the Development Permit application at this point, but will be able to at subdivision stage in the future. Mr. Toderian noted that there is a broader public interest to keep up with transit which is a critical aspect of a sustainable region and a green city. He said he supported TransLink's efforts but was disappointed that they weren't keeping their agreement regarding the TDM. Mr. Toderian said he was counting on TransLink regularizing the existing fencing and didn't want to see a barbed wire expression. He said he hadn't realized that the green shielding of the fence was meant to block the view of the buses from the river's edge and encouraged TransLink to think about being able to see the water's edge through the fence for a more interesting public realm.

Mr. Ridge said he supported the application somewhat reluctantly. He thought there were some legitimate concerns and he was most concerned that the conditions hadn't been dealt with from the previous DE. He said he felt that the Board's back was up against the wall as the new buses were already on their way. Mr. Ridge added that he thought the tone the land owner had created was not helpful. He thanked the other Board members for their sensible amendments.

Motion

It was moved by Mr. Timm and seconded by Mr. Toderian, and was the decision of the Board:

THAT the Board APPROVE Development Application No. DE412081, in accordance with the Staff Committee Report dated January 14, 2009, with the following amendments:

Amend Condition 1.1 Note to Applicant to read:

Note to applicant: The landscaped area should maximize the width of the lease area, south of the Parking Area and provide a seamless transition with the adjacent landscaped edge of the Vancouver Transit Centre. The design of the area should be undertaken in consultation with Park Board staff and interested members of the public, as was done for the VTC waterfront walkway area. Confirmation that the existing barge vehicle circulation area will not impact/reduce the proposed landscape

treatment area and provision of a fence to separate the landscaped area from the vehicle maneuvering area is also required (See also Standard Condition A.1.1 and A.2.2). *The applicant and property owner are encouraged to continue to explore the opportunity to provide public waterfront access during the lease period, acknowledging that this cannot be made a requirement of the application.*

Amend Condition A.2.4 to read:
arrangements to be made for completion of all outstanding items and documentation of progress on ongoing items from the applicant's previous development permit on the adjacent site (DE407997), *including confirmation of implementation of all of the outstanding elements of the Transportation Demand Management Plan detailed in the Coast Mountain Bus Company letter to the General Manager of Engineering Services dated June 21, 2004, as well as additional measures to expand this Transportation Demand Management Plan proportionally to reflect the additional number of employees being proposed for the site to the satisfaction of the General Manager of Engineering Services;*

4. OTHER BUSINESS

None.

5. ADJOURNMENT

There being no further business, the meeting adjourned at 5:36PM.

L. Harvey
Assistant to the Board

C. Warren
Chair