



PUBLIC HEARING MINUTES

MAY 13, 2014

A Public Hearing was held on Tuesday, May 13, 2014, at 6:10 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT:	Mayor Gregor Robertson Councillor George Affleck Councillor Elizabeth Ball Councillor Adriane Carr Councillor Heather Deal Councillor Kerry Jang Councillor Geoff Meggs Councillor Andrea Reimer* Councillor Tim Stevenson* Councillor Tony Tang*
ABSENT:	Councillor Raymond Louie (Leave of Absence - Civic Business)
CITY MANAGER'S OFFICE:	Mukhtar Latif, Chief Housing Officer
CITY CLERK'S OFFICE:	Wendy Stewart, Deputy City Clerk Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

1. ZONING AMENDMENT: Marpole Community Plan Zoning Amendments

Councillor Tang declared a Conflict of Interest on this item as he has an interest in property in the Marpole area. He therefore left the meeting at 6:12 pm, and did not return until after the vote on the matter.

An application by the General Manager of Planning and Development was considered as follows:

Summary: To amend the Zoning and Development By-law to add Districts Schedules for the newly created RM-8, RM-8N, RM-9 and RM-9N Districts, and to support density bonusing in certain areas of Marpole. The proposed amendments would rezone several areas of Marpole from RS-1 (One-Family Dwelling) District and RT-2 (Two-Family Dwelling) District to the new districts, enabling the development of townhouses/rowhouses and four-storey apartments in these areas. The Marpole Community Plan was approved by Council on April 2, 2014. These amendments are proposed as part of the implementation of the plan.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff presented the application and responded to questions.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 3 emails in support
- 7 emails and letters in opposition
- 4 emails and letters regarding other matters

Speakers

The Mayor called for speakers for and against the application.

The following spoke in general support of the application; some expressed concerns or offered additional suggestions about specific aspects of the application:

Mike Burdick, Marpole Residents Coalition
Gudrun Langolf
Ignatius Bud

The following spoke in general opposition or expressed concerns about specific aspects of the application:

Murray Forster
Paul Dean
Don Larson, Crab - Water for Life Society
Wendy Cosby
Christina Tang
Amanda Chan

Jillian Skeet
James Mo
Annie Hun
Ian Chen
Melissa Choi
Janice Ruby

The speakers list closed at 8:03 pm.

Staff Closing Comments

Planning and Development Services staff provided closing comments, addressed points raised by speakers, and responded to questions from Council.

Council Decision

MOVED by Councillor Deal

- A. THAT the application to amend the Zoning and Development By-law, generally as set out in Appendix D of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan", as follows:
- (i) to amend the general regulations in the by-law in order to support density bonusing in certain areas of Marpole;
 - (ii) to amend the by-law to create a new RM-8 and RM-8N Districts Schedule;
 - (iii) to amend the by-law to create a new RM-9 and RM-9N Districts Schedule;
 - (iv) to amend the by-law to rezone certain areas of Marpole from RS-1 and RT-2 to RM-8 and RM-8N; and
 - (v) to amend the by-law to rezone certain areas of Marpole from RS-1 to RM-9 and RM-9N,
- be approved.
- B. THAT the application to amend Schedule A of the Sign By-law to establish regulations for the new Districts Schedules, generally as set out in Appendix E of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan", be approved.
- C. THAT, at the time of enactment of the amending by-law described in A above, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix F of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan".

- D. THAT, at the time of enactment of the amending by-law described in A above, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally in accordance with Appendix G of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan".
- E. THAT, at the time of enactment of the amending by-law described in A above, the General Manager of Planning and Development Services be instructed to bring forward for approval new RM-8 and RM-8N Guidelines, generally in accordance with Appendix H of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan".
- F. THAT, at the time of enactment of the amending by-law described in A above, the General Manager of Planning and Development Services be instructed to bring forward for approval new RM-9 and RM-9N Guidelines, generally in accordance with Appendix I of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan".
- G. THAT, at the time of enactment of the amending by-law described in A above, the General Manager of Planning and Development Services be instructed to bring forward for approval related amendments to the Strata Title Policies for RS, RT and RM Zones, generally in accordance with Appendix J of the Policy Report dated March 3, 2014, entitled "Marpole Community Plan".

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

* * * * *

Councillor Tang returned to the meeting at 8:48 pm.

* * * * *

2. TEXT AMENDMENT: 100 West 49th Avenue (Langara College)

Councillor Stevenson declared a Conflict of Interest on this item as he teaches at Langara College. He therefore left the meeting at 8:49 pm, and did not return until after the vote on the matter.

An application by Brook Pooni Associates Inc., on behalf of Langara College, was considered as follows:

Summary: To amend CD-1 (55) By-law No. 4412 for 100 West 49th Avenue (Langara College) to permit rooftop mechanical appurtenances to exceed one-third of the width of the proposed Science and Student Services Building. The need for this amendment has arisen through the detailed architectural design stage for the building. If approved, it would not result in a substantive change to the form of development that was approved by Council on February 18, 2014.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence had been received on this application since referral to public hearing and prior to the close of the speakers list.

Speakers

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

The speakers list closed at 8:50 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Brook Pooni Associates Inc. on behalf of Langara College, to amend CD-1 (Comprehensive Development) District (55) By-law No. 4412 for 100 West 49th Avenue [*PID: 008-775-842; Lot 1 (Reference Plan 9821) of Lot A Block 1165 District Lot 526 Plan 12842*] to permit rooftop mechanical appurtenances to exceed one-third of the width of the building in Sub-Area 1, generally as presented in Appendix A of the Policy Report dated April 1, 2014, entitled "CD-1 Text Amendment: 100 West 49th Avenue (Langara College)", be approved.
- B. THAT A above be adopted on the following conditions:
 - i. THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - ii. THAT any approval that may be granted following the public hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - iii. THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillors Reimer and Stevenson absent for the vote)

3. TEXT AMENDMENT: 1351 Continental Street (725 Neon Street)

An application by Cressey Drake Holdings Ltd. was considered as follows:

Summary: To amend CD-1 (503) By-law No. 10249 for 1351 Continental Street to increase the permitted floor space ratio (FSR) from 7.00 to 7.03 to allow for an additional 68 square metres (735 square feet) for covered canopies over already-permitted rooftop patios on the penthouse levels. The building is currently under construction and is nearing completion. The amendment would not result in a substantive change to the form of development approved by Council on May 3, 2011.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence had been received on this application since referral to public hearing and prior to the close of the speakers list.

Speakers

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

The speakers list closed at 8:53 pm.

Council Decision

MOVED by Councillor Jang

- A. THAT the application by Cressey Drake Holdings Ltd. to amend CD-1 (Comprehensive Development) District (503) By-law No. 10249 for 1351 Continental Street (725 Neon Street) [*Strata Lots 1 to 212 District Lot 541 Group 1 New Westminster District Strata Plan EPS1290*] to increase the permitted floor space ratio from 7.00 to 7.03 to allow for an additional 68 m² (735 sq. ft.) of floor area for covered canopies at the penthouse levels, generally as presented in Appendix A of the Policy Report dated April 1, 2014, entitled "CD-1 Text Amendment: 1351 Continental Street (725 Neon Street)" be approved, subject to the following conditions:

CONDITIONS OF BY-LAW ENACTMENT

- a) 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 General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Cultural Services and the Approving Officer, as necessary, and at the

sole cost and expense of the owner/developer, make arrangements for the following:

Heritage Density Transfer

1. Secure the purchase and transfer of 68.3 m² (735 sq. ft.) of heritage density (which has a value of \$47,775) from a suitable donor site.

Note to applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

- B. THAT A above be adopted on the following conditions:
 - i. THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - ii. THAT any approval that may be granted following the public hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - iii. THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

* * * * *

Councillor Stevenson returned to the meeting at 8:54 pm.

* * * * *

4. REZONING: 2806 and 2850 Cambie Street, 454 West 12th Avenue, and 465 West 13th Avenue, and Heritage Designation of the Wilcox House

An application by IBI/HB Architects Inc., on behalf of Shato Holdings Ltd., was considered as follows:

Summary: To rezone 2806 Cambie Street and 2850 Cambie Street from C-2C (Commercial) District, and 454 West 12th Avenue and 465 West 13th Avenue from RT-6 (Two-Family Dwelling) District, all to CD-1 (Comprehensive Development) District and including that portion of lane, south of 2806 Cambie Street (if closed and conveyed to the registered owner of the above lands). The application is for a mixed-use development in two buildings, including a new eight-storey building with ground-level retail and restaurant uses, 148 residential strata units and eight rental housing units, and a four-storey heritage building, with three residential strata units.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff presented the application and, along with Engineering Services staff, responded to questions.

It was noted that Recommendation A in the Summary and Recommendation for this item contains the following typographical error:

“and building height from 13.7 (45 ft.) to 27.0 m (58.58 ft.)”

should read

“and building height from 13.7 (45 ft.) to 27.0 m (88.58 ft.)”.

It was also noted the posted draft by-law contained the correct figure.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list.

- 7 emails in support
- 3 emails in opposition

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Brian Lougheed
Winston Chan

The following spoke in general opposition or expressed concerns regarding specific aspects of the application:

Alyssa Brownsmith
Justine Greer
Marian Greer
John Hedemark
Ken Koscielski

* * * * *

At 9:55 pm, during the hearing of speakers, it was

MOVED by Councillor Deal

THAT the meeting be extended to complete hearing from speakers on this item.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

The speakers list closed at 10:10 pm.

Applicant Closing Comments

Peter Joyce, Bunt and Associates, addressed points raised by speakers regarding traffic and the proposed laneway.

Brent MacGregor, Shato Holdings, addressed points raised by speakers and provided closing comments.

Staff Closing Comments

Planning and Development Services staff addressed points raised by speakers and along with Engineering Services staff, responded to questions from Council.

* * * * *

At 10:30 pm, it was

MOVED by Councillor Stevenson

THAT discussion and decision on this matter be referred to the Regular Council meeting on May 27, 2014, as Unfinished Business.

CARRIED UNANIMOUSLY

* * * * *

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Tang
SECONDED by Councillor Ball

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

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:32 pm.

* * * * *