

LATE DISTRIBUTION FOR COUNCIL - JUNE 28, 2005

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CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
JUNE 14, 20 & 21, 2005

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 14, 2005, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the CD-1, Zoning and Development, Heritage, and Sign By-laws. Subsequently, the meeting was recessed after completion of Item No. 1, and reconvened in the Council Chamber at 7:30 p.m. on Monday, June 20, 2005, and at 7:30 p.m. on Tuesday, June 21, 2005. The Minutes have been consolidated for ease of reference.

PRESENT: Mayor Larry Campbell
Councillor Fred Bass (Leave of Absence - Item 1)
Councillor David Cadman
Councillor Jim Green
Councillor Peter Ladner
Councillor Raymond Louie (Leave of Absence - Item 1)
Councillor Tim Louis
Councillor Anne Roberts
Councillor Tim Stevenson
Councillor Sam Sullivan
Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE: Judy Rogers, City Manager (June 20 & 21, 2005)

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Roberts

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the CD-1, Zoning and Development, Heritage, and Sign By-laws.

CARRIED UNANIMOUSLY
(Councillors Bass and Louie not present for the vote)

MOVED by Councillor Cadman

THAT Councillor Bass be granted leave of absence from proceedings on June 14, 2005.

CARRIED UNANIMOUSLY
(Councillors Bass and Louie not present for the vote)

1. Rezoning and Heritage Designation: 26 SW Marine Drive (Canadian Tire)

An application by Kasian Architecture, Interior Design and Planning, was considered as follows:

Summary: The proposed rezoning would permit highway oriented retail uses on the site. In addition there is a heritage designation and consequential amendments to the Zoning and Development By-law and Sign By-law.

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

Also before Council were the following:

- Memorandum dated June 10, 2005, from Pat Wotherspoon, Assistant Director of City Plans, which provided information regarding existing City policies related to large format retail and other large non-industrial uses in industrial areas, policies related to sustainability, as well as broad city policies;
- Memorandum dated June 14, 2005, from Lynda Challis, Rezoning Planner, which put forward a revised condition of rezoning regarding LEED certification to replace the current recommended condition (b) (xiii); and
- Memorandum dated June 14, 2005, from Tom Timm, General Manager of Engineering Services, which provided information regarding proposed ways to deal with increased traffic resulting from this application. The memo also noted that with emerging transit issues there is an expectation of significantly increased numbers of busses on this section of Marine in the future and therefore suggested wording for another condition of approval was put forward should Council wish to seek assurance that transit will not be negatively impacted by this application.

Staff Opening Comments

Pat Wotherspoon, Assistant Director of City Plans, provided an overview of his June 10th memorandum on the existing policy framework related to highway oriented retail as it relates to this application.

Lynda Challis, Planner, City Plans, drew Council's attention to her memo dated June 14, 2005, which put forward an additional staff recommendation to replace the existing recommended condition (b) (xiii) with the following:

- (b) (xiii) The applicant to work with staff to pursue LEED Gold as a minimum standard, including full registration, documentation and certification of the building through the Canadian Green Building Council.

Ms. Challis briefly explained the proposed rezoning and heritage designation and introduced various staff members present to respond to questions on the application.

Jerry Dobrovolny, Assistant City Engineer - Transportation, provided a summary of the memorandum from the General Manager of Engineering Services regarding transportation requirements for this proposed rezoning. He noted the memo put forward proposed wording for a Council motion for an additional condition of rezoning, should Council wish to provide greater assurance that future transit improvements are not compromised by increased traffic associated with the Canadian Tire development.

Paul Ardagh, Development Consulting Group, retail consultant for the City, provided an overview of the retail study which was undertaken to assess potential impacts of the proposed development to clothing retail outlets in the shopping catchment area. He noted the study focused on the Marks Work Wearhouse component of the proposal, and it was found that the impacts on existing retailers would be very modest.

Applicant Comments

Michael McDonald, Kasian Architecture, provided an overview of the application and a brief history of Canadian Tire, noting it is a successful, caring and responsible organization which is striving to remain relevant in today's society. He advised the proposed development respects the policies and guidelines for highway oriented retail, responds to the need for careful and strategic growth, will be a model of sustainable design, and will contain appropriate facilities to encourage cycling to the development by both customers and staff. He further advised the application has the support of the Urban Design Panel and the Vancouver Heritage Commission.

Peter Joyce, Bunt & Associates, transportation consultant, reviewed the Parking and Traffic study which was submitted with this application and provided detailed information of the analysis, such as projected added vehicles trips and length of trips. Mr. Joyce advised several traffic improvement measures are proposed with this project, such as traffic signal upgrades, which Canadian Tire is contributing toward the cost of. He further noted measures will be implemented to encourage employees to use modes of travel other than private auto, and to strive toward an appropriate modal split of bicycle, transit, walking and driving trips.

Robert Lemon, heritage consultant, reviewed the heritage aspects of this application, noting the heritage elements, which include the former Chrysler building and expansive front lawn, represent 20% of the site. He advised the existing building is representative of the post-war building boom and will be retained in its present location.

Summary of Correspondence

Council received the following correspondence since the date the application was referred to Public Hearing:

- 14 letters in support
- 31 letters in opposition
- 2 "other" letters.

Speakers

The Mayor called for speakers for and against the application.

The following people spoke in opposition to the application:

Deming Smith, Society Promoting Environmental Conservation
Louise Seto
Dr. Margaret MacGregor
Munna Prasad
Richard Campbell, Better Environmentally Sound Transportation (BEST) (brief filed)
Thomas Price (materials filed)
Susan Faehndrich-Findlay
Lynn Van Meer
Eric Doherty
Gudrun Langolf
Doug Warkentin
Tara Ivanochko, Civic Society Development Project
Paul Keeling
Carol Bomke
John Irwin
Greg Booth

A summary of comments provided by the foregoing speakers follows:

- concern expressed regarding increased number of vehicle trips which will be generated; feel the number will be greater than that projected by the applicants;
- the impact of increased traffic will be felt significantly by residents adjacent the proposed development;
- the large scale of the proposal is inappropriate in this setting;
- City's policies and guidelines do not support this type of development;
- residents worked with City Plans in the visioning process for this neighbourhood and opposition to big box retail was very clearly set out in the visions document;
- urge Council to make their decision based on CityPlan Vision principles;
- suggest Canadian Tire go into the existing heritage building, and keep the development on a smaller, neighbourhood-friendly scale;
- studies demonstrate a link between respiratory illnesses and high traffic arteries with people living nearby; this proposal will add thousands more vehicle trips to an already busy street;

- there are already many businesses near this site which contribute significantly to air pollution levels; this application will add to that problem;
- many elderly persons live in the neighbourhood and are unable to move elsewhere; also many families with children;
- studies show links of air pollution to asthma in children;
- proposal will have a negative impact on the Ontario Greenway, which is a major cycling connection to downtown Vancouver;
- Vancouver should join a growing number of communities and place a cap on retail store sizes;
- there are already many empty storefronts on Fraser Street - we don't need more;
- a thriving neighbourhood centre cannot co-exist with a big box store;
- regardless of how "green" the building is, people will still be driving to it; the project does not meet any of the livability or sustainability policies of the City;
- this proposal seems to be a major contradiction to initiatives underway to improve transit services in the area;
- big box retailers are never fair competition to other retailers;
- City's own survey shows majority of people do not support big box retailing;
- much data is available to show that highway oriented retail is not sustainable and is not appropriate in terms of the need to reduce overall greenhouse gas emissions; it is an old model and is not the way to the future;
- the volume of goods sold and stocked at these stores requires a lot of freight and shipping - has the volume of potential truck traffic been measured?
- opposition expressed in regard to using existing industrial lands for big box retail.

The following people spoke in support of the application:

James Burton, Vancouver Heritage Commission
Tom Boyle
Cindy Thomas
Gloria Cuccione
Domenic Cuccione
Chris Bayliss, Lower Mainland Christmas Bureau
Jay Byfield, South Vancouver Mini Public Storage
Vern Campell, Boys and Girls Clubs of Greater Vancouver Foundation
Margaret Hewlett, Richmond Food Bank Society
Joe Rocanelli, Burnaby Minor Hockey Association
Suzanne Tabata, Vancouver Minor Hockey Association
Karen Duddy, Camp Fircom
Paul Czene
Frank Kamiya, National Nikkei Museum & Heritage Centre Society
Roger Lemire, Vancouver Giants
Danilo Balarin
Bob Lenarduzzi, Vancouver White Caps
Chris Wood
Mitch Hamilton
James Parker, BC Lions
Dan Clark

A summary of comments provided by the foregoing speakers follows:

- Heritage Commission supports the proposal, given that the Chrysler building façade will be kept largely intact; however, do have some concerns regarding signage; hope the usual large signage used to attract customers not be allowed to mar the great lawn at the front of the site;
- people have been using this area as a dumping ground in last few years; Canadian Tire will be instrumental in helping to keep the area clean;
- Canadian Tire helps low-income families at Christmas time;
- Canadian Tire provides support to many charities and non-profit organizations, such as food banks, Christmas Bureau, amateur sports, children's aid organizations, and cultural societies;
- project will provide many long-term, secure jobs in a healthy work environment;
- proposal will result in reduced car trips due to densification of many retail outlets on one site; and
- many people cannot "boutique shop" and need stores such as is being proposed.

Michael Bartel spoke in support of the application but expressed concern with regard to the size the proposed building, noting there will be significant shadowing of adjacent properties. He also expressed concern regarding increased traffic, and the loss of parking on one side of Ontario Street.

Tracy Jager advised that if the application is approved, she would like to see the rest of the area retained as an industrial use, for as many small businesses as possible to be given approval to operate here, and for preference to be given to businesses involved in recycling.

Council Decision

Council concluded the hearing of the public on this application at 11:05 p.m. on June 14, 2005, and agreed to refer the staff summation and Council's discussion and decision on this matter to the regular Council meeting to be held on June 28, 2005.

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The Special Council meeting was recessed at 11:05 p.m. and reconvened on June 20, 2005, at 7:30 p.m. in the Council Chamber, with the same Council members present with the addition of Councillors Bass and Louie.

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2. Rezoning: 86 SE Marine Drive (Wal-Mart)

An application by Busby Perkins + Will was considered as follows:

Summary: The proposed rezoning would permit highway oriented retail uses on the site. In addition there are consequential amendments to the Zoning and Development By-law and the Sign By-law.

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

Also before Council was a Memorandum dated June 14, 2005, from Tom Timm, General Manager of Engineering Services, which provided information regarding proposed ways to deal with increased traffic resulting from this application. The memo also noted that with emerging transit issues there is an expectation of significantly increased numbers of busses on this section of Marine in the future and therefore suggested wording for another condition of approval was put forward should Council wish to seek assurance that transit will not be negatively impacted by this application.

Staff Opening Comments

Lynda Challis, Planner, City Plans, provided an overview of the application and briefly reviewed the development's sustainable features, traffic and parking issues, and the findings of the retail study which was carried out. Ms. Challis also introduced other staff in attendance to answer questions on various aspects of the proposal.

Jerry Dobrovlny, Assistant City Engineer - Transportation, referred to the memorandum from the General Manager of Engineering Services regarding transportation requirements for this proposed rezoning. He noted one issue not contained within the Policy Report referring this application to Public Hearing was the potential impacts to transit, as there were emerging issues that staff were not aware of at the time. Therefore, proposed wording for a Council motion for an additional condition of rezoning was put forward should Council wish to seek greater assurance that future transit improvements are not compromised by increased traffic associated with the Wal-Mart development.

Thomas Osdoba, Manager, Sustainability Program, provided information regarding the potential range of increased greenhouse gas emissions and common air contaminants which could result from the increased traffic in relation to this proposal. He noted this information was very preliminary and he also reviewed the City's goal in terms of greenhouse gas emissions reduction as well as current levels of common air contaminants released in the city as a whole in order to provide some context to this information.

Mr. Osdoba and Mr. Dobrovlny, along with Paul Pinsker, Parking and Development Engineer, and Trevor Ward, Transportation Consultant for the applicant, responded to questions concerning the traffic modeling which was conducted and whether there was an expectation of repatriated shopping trips. Staff and Mr. Ward also responded to questions concerning expected truck deliveries, where the goods will be coming from, impacts to the Ontario bike route, and impacts to the City's stated goal in regard to air quality.

Applicant Opening Comments

Darren Kwaitkowski, First Pro Shopping Centres, reviewed the lengthy rezoning process which was undertaken for this application. He noted that in response to direction from the Urban Design Panel, which has given its full support to the application, the proposal will be a showcase landmark in terms of environmental design and will serve as a catalyst for positive change to future large format retail development across North America. Mr. Kwaitkowski advised the retail study has shown a reduced outflow of Vancouver shoppers to other jurisdictions, and also noted proximity to a bike route and transit means shoppers can arrive by alternative modes to the private automobile.

Trevor Ward, Transportation Consultant, provided an overview of the traffic study and noted the site's strategic location on Marine Drive between two bridges allows it to intercept traffic which is currently headed out of the city. The site is easily accessible by all modes of transportation and the implementation of Transportation Demand Management measures will encourage the use of alternative modes of transportation by both employees and customers.

Peter Busby, Architect, provided information regarding the environmental sustainability design features of the proposed project, which includes daylighting skylights, windmills, recycled materials, rain water collection, a demonstration garden, and other sustainability strategies such as a significant commitment to the Kent Avenue bikeway and ways to get transit access to the site. This proposal is already making a change in how Wal-Mart is thinking about their other stores.

Mr. Pinsker and Ms. Challis responded to questions regarding parking, proposed traffic improvement measures, bike routes and bicycle parking, long term economic impacts, and social impacts in terms of labour and employment in the city. The applicants responded to questions concerning the traffic analysis and proposed Transportation Demand Management plan.

Summary of Correspondence

Council received the following correspondence since the date the application was referred to Public Hearing:

- 66 letters in support
- 101 letters in opposition
- 6 "other" letters.

Speakers

The following people or groups expressed opposition to the application:

Deming Smith, Society Promoting Environmental Conservation
Jim Edmondson (brief filed)
Louise Seto
Vancouver Raging Grannies
Mary Sherlock (brief filed)

Sally Teich
Solidarity Notes Choir
Emilie Sion
Tracy Jager
Donald Burton
May Price
Andrea Rolls
Mable Elmore, Vancouver and District Labour Council
Susan Faehndrich-Findlay
Murray Dobbin, Council of Canadians
Ann Grant
Eric Doherty
Gudrun Langolf (brief filed)
Kelly Quinn, Vancouver and District Labour Council
Doug Warkentin
Margaret Mackenzie
Isabel Minty
Sharon Saunders, East Fraserlands Committee (materials filed)
Peter Marcus
Carol Bomke
Suzanne Smithe
Barbara Dill
Shane Koscielniak
Stan Jang
Ingo Brieg
Catherine Douglas (materials filed)
Ian McLeod
Sheri Ash
Harvey McKinnon
Tom Janiewicz (materials filed)
Tomothy Welsh
Liza Bautista
Helen Beer
Richard Campbell, Better Environmentally Sound Transportation
Carter Maitland (materials filed)
Kathrine Ruffen
Am Johal

Comments provided by the foregoing speakers included the following:

- traffic impacts of this proposal are more than what any city should be asked to take on;
- there are no credible figures to show how many Vancouverites currently travel outside of the city to shop, or how many of those trips would actually be “repatriated” with this proposal;
- shopper repatriation theory does not take into account all the walking, cycling or transit trips which will be reduced when the local neighbourhood shops are lost;

- putting the large “destination shopping” nearer means people will make more, shorter trips, rather than fewer, longer trips;
- other large format stores, such as the Bay and Toys ‘R’ Us, fit into the existing local street environment, unlike the Wal-Mart proposal;
- situation for small businesses will be bleak if this proposal is approved; small retailers are unable to compete with Wal-Mart’s prices or long opening hours; Wal-Mart has unrivalled buying power in the global supply chain;
- proposal is in direct conflict with current Highway Oriented Retail (HOR) and other City policy directives;
- City Visions document show a majority of residents are opposed to this type of development;
- Wal-Mart has been accused of unfair labour practices, discrimination, and has opposed unionization of its workers; it has also been accused of obtaining its merchandise at extremely low prices from overseas sweatshop labour operations; major components of its success have been its anti-union stance, low wages and benefits, low prices to customers and long opening hours;
- this area is developing in a way that will support densification which will in turn support neighbourhood centres;
- the proposed site is huge and offers up many possibilities; suggest the community be involved in coming up with ideas, for example a light industrial park, a Granville Island-like market, or a major recycling area;
- local shopping centres and high streets provide a social community connection which is not part of the big box shopping experience; a healthy street has a variety of shops and people walking to them;
- big box retail in this area will deter future industries from setting up and will impact existing industrial uses;
- no consideration has been given to the site’s proximity to the Fraser River;
- traffic in the area is already excessive; traffic short-cutting through the neighbourhood is already a concern;
- if approved, Vancouver will be the first major city on the west coast with a Wal-Mart; all other major cities have recognized the need for a size cap;
- this proposal will nullify the positive aspects of the proposed “showcase” initiative for Main Street, which is a federally funded initiative to show other cities how the effectiveness of transit can be maximized;
- for every two Wal-Mart jobs created, another 3 or 4 better paying jobs are lost elsewhere;
- support expressed for “green” buildings, but not when it is proposed simply to mitigate all the other negative impacts of a development;
- livable region strategies do not include big box stores in residential neighbourhoods;
- studies show that residents in urban centres where people can walk and cycle to do their daily activities are thinner and healthier than their suburban counterparts who have to drive to purchase a carton of milk;
- this proposal would be a drain on the local economy and tax-payers of BC and will only benefit the shareholders of Wal-Mart;
- Wal-Mart does not come close to other companies in terms of donations to charitable organizations;

- concern expressed this project will attract downtown residents as the downtown core is becoming increasingly residential with inadequate amenities to support it, thus further increasing the traffic on Main and Fraser Streets; and
- the proposed green building design and LEED certification will do little to offset the overall increase in carbon dioxide emissions which would result from this project.

The following people spoke in support of the application:

Brent McCallum, Redle Sports
Bella Maud (photo submitted)
Ram Narain
Liviana Puppini
Rochelle Segal
Helen Holden
Bev Ellingson
Kurt Amundson
Roberto Valente
Erin Davidson
Mirtle Knull
Tim Ball
Valerie Chin

Comments provided by the foregoing speakers included the following:

- Redle Sports has been a supplier of Wal-Mart since 1994; in that time do not believe that any of our other clients, which are mostly independent, have gone out of business due to Wal-Mart;
- Wal-Mart buys from local suppliers;
- other retailers, including those which are located near the proposed Wal-Mart, are non-unionized and sell products which are manufactured outside of Canada;
- more shopping is required in the area;
- Fraser Street is in need of clean-up, which is not being carried out by the existing merchants;
- jobs will be created by this project;
- South Vancouver has seen a huge increase in population but no shops to support it;
- support expressed for both neighbourhood shops and big box retail; there are enough shoppers to support both types;
- proposed design of building is very attractive and would serve as a tourist draw;
- people deserve to have the choice whether to shop at big box stores or not;
- Wal-Mart is an equal opportunity employer; it also provides a comfortable environment for shoppers and employees alike;
- the proposed Wal-Mart could actually help to bring more shoppers to the existing smaller shops in the area;
- support the green initiatives and creative nature of this project, which can serve as a role model for other retail developments;
- Fraser Street hasn't any hardware or clothing stores; Wal-Mart will fill that need;
- as a low-income student, would like an alternative to high Vancouver prices;

- Wal-Mart will provide jobs to students and others requiring employment;
- project will have a positive effect on the environment;
- do not believe Wal-Mart will negatively impact Oakridge or Main Street retailers, who sell different products;
- area has many senior citizens and young families with children who will be well-served by this project; and
- once the novelty of the store has worn off, the traffic will revert to what it was before.

Ken Mason, South Hill Fraser Street Merchants Association (materials filed), suggested the Wal-Mart project should include mitigation funds to subsidize a Fraser Street Business Improvement Association to better enable Fraser Street merchants to deal with the impacts of the proposed development. In response to a question from Council, Mr. Mason noted the Merchants Association support for the application would be contingent on receiving the requested funds.

During the hearing of speakers, staff responded to questions from Council regarding issues raised.

On June 21, 2005, during the hearing of speakers, Andrew Pelletier, Director of Corporate Affairs for Wal-Mart Canada, responded to questions concerning Wal-Mart's employment and purchasing practices.

Applicant Closing Comments

Mr. Busby advised the rezoning application was supported by staff with a strong set of conditions which the applicants have agreed to. He made reference to the independent retail study, noting the applicants have agreed to pay \$1 million for impact mitigation. Mr. Busby also reminded Council this is a decision about land use, noted that transportation and traffic issues which have been raised can be of assistance to all concerned in that area, and concluded by saying it is a very progressive proposal which is before Council for consideration.

Council Decision

MOVED by Councillor Sullivan

THAT the staff summation, as well as Council's discussion and decision on this matter, be referred to the Regular Council meeting to be held on June 28, 2005.

CARRIED UNANIMOUSLY
(Councillor Louis absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Louis absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Bass

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

CARRIED UNANIMOUSLY
(Councillor Louis absent for the vote)

The Special Council recessed at 11:05 p.m. on June 14, 2005,
recessed at 10:30 p.m. on June 20, 2005,
and adjourned at 12:15 a.m. on June 22, 2005.

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