



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
APRIL 18, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, April 18, 2006, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development and Heritage by-laws.

PRESENT: Mayor Sam Sullivan
 Councillor Suzanne Anton
 Councillor Elizabeth Ball
 Councillor David Cadman
 Councillor Kim Capri
 Councillor George Chow
 Councillor Heather Deal
 Councillor Peter Ladner
 Councillor B.C. Lee
 Councillor Tim Stevenson

ABSENT: Councillor Raymond Louie (Sick Leave)

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
 SECONDED by Councillor Ladner

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair, to consider proposed amendments to the Zoning and Development and Heritage by-laws.

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 2111 West 11th Avenue

An application by Chris Block, Chandler Architects, was considered as follows:

Summary: To amend the CD-1 By-Law to permit Parking Garage use, to allow the provision of three parking spaces for a dentist's office on an adjacent C-8 zoned site at 2680 Arbutus Street.

The Director of Current Planning recommended approval.

Staff Comments

Grant Miller, Planner, was present to respond to questions.

Applicant Comments

Kim Maust, Vice President, and Celeste Chamberlain, Lease Administrator, Bastion Development, were present to respond to questions.

Summary of Correspondence

No correspondence was received on this 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

THAT the application by Chris Block, Chandler Architects, to amend CD-1 By-law No. 7879 for 2111 West 11th Avenue (Lot 1 - 41, Plan LMS 4356, DL 526) to add Parking Garage as a permitted use, generally as presented in Appendix A to Policy Report "CD-1 Text Amendment: 2111 West 11th Avenue" dated March 20, 2006, be approved.

CARRIED UNANIMOUSLY

2. TEXT AMENDMENT: 806 West 10th Avenue

An application by Jonathan Rider, Musson Cattell Mackey Partnership, was considered as follows:

Summary: To amend the CD-1 By-Law to accommodate Architectural features of the ICORD (International Collaboration on Repair Discoveries) building, in Sub Area B of the VGH precinct, which projects over the building setback lines.

The Director of Current Planning recommended approval.

Staff Comments

Tom Phipps, Planner, provided brief comment on the application.

Applicant Comments

Jonathan Rider, Architect, Musson Cattell Mackey Partnership, was present to respond to questions.

Summary of Correspondence

No correspondence was received on this 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

THAT the application by Jonathan Rider, Musson Cattell Mackey Partnership, to amend CD-1 By-law No. 4472 for Vancouver General Hospital to accommodate architectural features of the ICORD building, generally in accordance with Appendix A to Policy Report "CD-1 Text Amendment Vancouver General Hospital ICORD Building Setbacks" dated March 2, 2006, be approved.

CARRIED UNANIMOUSLY

3. HRA/HERITAGE DESIGNATION: 73-91 East 27th Avenue

Withdrawn from this Agenda.

4. HERITAGE REVITALIZATION AGREEMENT: 40 Powell Street

An application by West 8th Holdings, Property Owner, was considered as follows:

Summary: Heritage Revitalization Agreement to secure rehabilitation and conservation of this building in exchange for Heritage Building Rehabilitation Program incentives.

The Director of Current Planning recommended approval.

Staff Comments

Zlatan Jankovic, Planner, Heritage Group, was present to respond to questions.

Applicant Comments

Jim Lehto, Urban Design and Development Consulting Ltd., was present to respond to questions.

Summary of Correspondence

No correspondence was received on this application.

Speakers

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

Council Decision

MOVED by Councillor Capri

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement (HRA) for the site at 40 Powell Street, to rehabilitate and restore the "B" listed heritage building and to grant a density bonus of 76,595 sq. ft. available for transfer off-site. The HRA will be registered on title as a legal notation.
- B. THAT Council require a covenant providing that the density bonus not be available for transfer until the rehabilitation is complete, unless the owner secures completion of the rehabilitation by a separate agreement which must be registered on title.
- C. THAT, subject to approval of Recommendation A, Council instruct the Director of Legal Services to prepare a Tax Exemption By-law for 40 Powell Street for a property tax exemption which is not to exceed a value of \$741,805 or a period of ten (10) years, which ever comes first.
- D. THAT, if the Tax Exemption By-law receives the assent of electors, or is deemed approved by the electors under the Vancouver Charter, the Director of Legal Services bring forth a Tax Exemption By-law providing that:
 - If issuance of an occupancy permit for the heritage rehabilitation work authorized under Development Application Number DE 409700 occurs before October 31st, the tax exemption period for 40 Powell Street will begin on January 1st of the next calendar year;
 - If issuance of an Occupancy Permit for the heritage rehabilitation work authorized under Development Application Number DE 409700 occurs after October 31st, the tax exemption period for 40 Powell Street will

begin on January 1st of the calendar year after the next calendar year;
and

If the owner of the property does not fulfill all requirements necessary to obtain an Occupancy Permit within sixty (60) months after the enactment date of the Tax Exemption By-law, it will have not further force or effect.

- E. THAT, subject to the approval of Recommendation A Council authorize one façade grant for a total of \$50,000 with funding to be provided from the 2005 Capital Budget.
- F. THAT the agreements covenants and by-laws shall be prepared, registered and given priority to the satisfaction of the Director of Legal Services in consultation with the Director of Planning.
- G. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

5. HRA/INTERIOR DESIGNATION: 736 Granville Street

An application by R.E. Littman, Orbis Architecture Inc., was considered as follows:

Summary: Heritage Revitalization Agreement and interior Designation allowing bonus density for transfer off site, to secure the restoration and conservation of the lobby and exterior awning.

The Director of Current Planning recommended approval.

Staff Comments

Yardley McNeill, Heritage Planner, was present to respond to questions.

Applicant Comments

Ray Littman, Orbis Architecture (for proponent), was present to respond to questions.

Summary of Correspondence

No correspondence was received on this application.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement for the building at 736 Granville street with the historic name of the Vancouver Block, to secure the rehabilitation and long term protection of the interior lobby in exchange for 20,174 sq. ft. of bonus density for transfer off site.
- B. THAT Council approve the Interior Designation of the lobby of 736 Granville Street, listed in the "A" category of the Vancouver Heritage Register, as municipally protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment the by-laws to authorize the Interior Designation and the Heritage Revitalization Agreement;

FURTHER THAT the Director of Legal Services be instructed to prepare a side agreement for the timely restoration of the Lobby and to describe provisions by which the density may be transferred off site.

CARRIED UNANIMOUSLY

6. HRA/HERITAGE DESIGNATION: 1285 West Pender Street

An application by John Laxton, Evergreen Building Ltd., was considered as follows:

Summary: Heritage Revitalization Agreement and Designation allowing bonus density for transfer off site, to secure the restoration and conservation of the building.

The Director of Current Planning recommended approval.

Staff Comments

Yardley McNeill, Heritage Planner, with the aid of posted elevation diagrams, provided an overview of the application, and requested Council designate the building, and approve both options B.(i) (residential use conversion, 5-storey addition to roof) and B.(ii) (commercial use retention, no addition to roof) as recommended in staff's report. Ms. McNeill noted Mr. Laxton, the applicant and owner of the property, had requested additional bonus density to make the commercial use retention option viable and advised Real Estate Services staff have concurred with the figure of 177,000 square feet, as requested by Mr. Laxton.

Applicant Opening Comments

John Laxton, noted he had earlier expressed concern regarding the amount of bonus density put forward by staff on the commercial option, and subsequently provided additional information to Real Estate Services staff, who are now willing to accept the 177,000 square foot bonus for that option. Mr. Laxton urged Council to approve both options B.(i) and B.(ii) with the amended bonus density figure.

Summary of Correspondence

Council was advised one letter opposed to the 5-storey addition option was received on this application.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in general support of the application:

Cheryl Cooper, Vancouver Heritage Commission
John Gracey
Susan Boissonneault, Heritage Vancouver

The foregoing speakers offered support for staff's conservation options B(i) and/or B(ii) to preserve this unique building, but expressed a preference for the commercial use retention option, with no roof addition, as this would be the simplest and most practical form of preservation, and retain the building in its purest form.

John Hansen noted the Evergreen is an outstanding building in the community and ought to be preserved as an office building, in its current form.

During the hearing of speakers, Larry Beasley, Director of Current Planning, Rob Jenkins, Assistant Director, Current Planning Initiatives Branch, and Ms. McNeill responded to questions from Council regarding transfer of density issues.

Applicant Closing Comments

In response to comments from Council, Mr. Laxton advised he has some sympathy toward the commercial option, with no roof addition, but noted economics must also be considered in his decision.

Council Decision

MOVED by Councillor Deal

- A. THAT Council add the building at 1285 West Pender Street with the historic name of the Evergreen Building, to the Vancouver Heritage Register in the "A" category and designate the building as municipally protected heritage property.
- B. THAT Council authorize the City to enter into a Heritage Revitalization Agreement for the building at 1285 West Pender Street, to secure the rehabilitation and long term protection of the building for either of the following two options:
 - (i) Residential use conversion, 5-storey addition to the roof and 129,000 sq. ft. of bonus density for transfer; AND/OR
 - (ii) Commercial use retention, no additions to the roof and 177,000 square feet of bonus density for transfer.
- C. THAT Council instructs the Director of Legal Services to bring forward for enactment the by-laws to authorize the designation and the Heritage Revitalization Agreement;

FURTHER THAT the Director of Legal Services be instructed to prepare a side agreement for the timely restoration of the building and to describe provisions by which the density may be transferred off site, to the satisfaction of the Director of Legal Services and the Director of Planning.

CARRIED UNANIMOUSLY

7. REZONING: 5455 Fraser Street (Mountain View Cemetery)

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

Summary: To rezone from RS-1 to CD-1 to regulate the phased redevelopment of Mountain View Cemetery in accordance with the Council-adopted Master Plan.

The Director of Current Planning recommended approval, subject to conditions.

Staff Opening Comments

Glen Hodges, Manager, Mountain View Cemetery, provided historic background on the cemetery and an overview of the application, and together with Cameron Gray, Director, Housing Centre, responded to questions on the cemetery's Financial Plan and intended location of street access to the Operations Centre and noted cremation will be the future focus of the cemetery.

Summary of Correspondence

No correspondence was received on this application since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

Lisa Schwabe (brief filed) and Tom Krane, Family Funeral Home Association, spoke in general support of the application. Ms. Schwabe requested Council investigate the problem of off-leash dogs in the cemetery, and Mr. Krane noted the work happening at the Cemetery is very important, and further noted Mountain View allows his Association to hold services in that property, in contrast to Vancouver's other cemeteries that do not allow services in their chapels unless the clientele use their services.

Kia Salomons and Katerina Vakakis spoke in opposition to the application and noted building construction at the cemetery will have major noise and traffic impacts on the neighbourhood and the extra buildings will also have a major impact on existing green space - there is no need for a 4,000 sq. ft. celebration hall. Rather than a mausoleum, memorial trees, benches and art works should be considered to add to the use of the cemetery. This site should be designated a heritage site, not rezoned for more buildings.

During the hearing of speakers, Mr. Hodges responded to questions from Council regarding methods used at the cemetery to address dog related issues.

Staff Closing Comments

In response to speakers' comments, Mr. Hodges advised this proposal and money required to build out the infrastructure of the cemetery is a loan from the Capital Financing Fund and there will be no taxpayers' subsidy involved.

Council Decision

MOVED by Councillor Cadman

- A. THAT the application by the Director of Current Planning to rezone Mountain View Cemetery at 5455 Fraser Street from RS-1 to CD-1 to permit cemetery uses and development, generally in accordance with Appendix A of the Policy Report dated March 6, 2006, entitled "CD-1 Rezoning - 5455 Fraser Street - Mountain View Cemetery" be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) That the proposed form of development for the first phase of development at Mountain View Cemetery be approved by Council in principle, generally as prepared by Birmingham and Wood Architects and Planners, and stamped "Received, Community Services Group, Development Services, September 15, 2005" (DE409845), 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.
 - (c) That the Mountain View Master Plan as amended by Council on July 8, 2004, be used to guide the preparation and review of development applications for each phase of future development.
- B. THAT, subject to approval of the rezoning following a Public Hearing, the Subdivision By-law No. 5208 be amended to remove the cemetery CD-1 site from the RS-1 Subdivision Sectional Maps attached to the Schedule.

CARRIED UNANIMOUSLY

8. REZONING: 3200 West 41st Avenue (Crofton House School)

An application by Crofton House School was considered as follows:

Summary: To rezone from RS-1 to CD-1 in accordance with the school's long-range master plan by permitting a new dining hall, an athletics facility, an Early Childhood Education Centre and underground parking. Retention, upgrading and Heritage Designation of the "Old Residence" is included in the rezoning proposal.

The Director of Current Planning recommended approval, subject to conditions.

Staff Comments

Michael Naylor, Planner, Rezoning Centre, with the aid of posted form of development drawings and an overhead, provided an overview of the application, and outlined the benefits to rezoning the site. Mr. Naylor advised Crofton House School has offered to pay for installation of a pedestrian signal at 41st and Balaclava, and recommend Council accept this offer and it be added to the conditions of the rezoning.

Applicant Comments

Pat Dawson, Head of School, related the history of her stay at Crofton House, and the strong sense of community that has been created. Ms. Dawson requested Council approve the long-range master plan for the school which will address the need for facilities and high tech infrastructure to allow the school to continue to achieve its standard of excellence. Ms. Dawson advised the school wants to maintain the original "Old Residence", is committed to preservation of the forest, and will work with the neighbourhood and City on traffic issues.

Larry Beasley, Director of Current Planning, and Mr. Naylor responded to questions from Council related to the traffic management plan and options for preserving the wooded forest.

Summary of Correspondence

No correspondence was received on this application since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

Dick Hibbard, area resident, expressed concern with the application and noted not enough thought had been given to the conceptual drawings regarding key elements for future phases. Mr. Hibbard noted the type of calming intended on Balaclava and adjoining streets was vague in the rezoning conditions, and also suggested a portion of the wood lot could be used to widen Balaclava to address drop-off issues.

Council Decision

MOVED by Councillor Ladner

- A. THAT the application by Crofton House School to rezone 3200 West 41st Avenue (Lot C, Block R, DL 321, Plan LMP6571) from RS-1 to CD-1 to permit replacement of and additions to student facilities, including a new Senior School building, a new Dining Hall and Athletic Facility, below-grade parking and an Early Childhood Education Centre, generally as presented in Appendix A of the Policy Report dated February 24, 2006, entitled "CD-1 Rezoning - 3200 West 41st Avenue (Crofton House School)" be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Cornerstone Architects, and stamped "Received by the City Planning Department", February 23, 2005, 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 final form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to, among other things, the following:

Design Development

- (i) provide design development that addresses additional detail of the proposed expansion and all subsequent phases;

Note to Applicant: The drawings are conceptual and lack information regarding key defining elements for future phases including:

- landscaping and site character;
- pedestrian spaces, circulation and linkages;

- roof forms;
- building scale.

(ii) design development to the scale of the Senior School;

Note to Applicant: Provide more articulation to massing so it is less undifferentiated and continuous in form.

(iii) design development to the siting and plan resolution of the Early Childhood Education Centre;

Note to Applicant: The relationship to adjacent buildings and overall campus needs better integration.

(iv) design development to the gymnasium's height, linkages to the heritage building and scale as it presents itself to the street;

Note to Applicant: Linkages between the buildings need to be sensitively handled, providing for transitions in height, massing and materials that minimize impact on heritage resources. Provide for greater articulation of the gymnasium building mass and greater transparency and visual interest as seen from the street. Consider lowering gym to a more compatible grade, reducing height relative to the adjacent building and better orientation to the playing field.

(v) design development to the roof forms providing greater articulation that enables a more cohesive and interesting roofscape as seen from the street;

Note to Applicant: Pitch roof forms may be more suitable to the established character and scale of the campus.

Landscape

(vi) design development to ensure that the property edge treatment remains lush and green to effectively screen the new development; and

(vii) design development to retain existing trees wherever possible.

HERITAGE

(c) That a conservation plan by a heritage professional, be required for the protected heritage building for any subsequent Development Permit that involves the heritage building.

(d) That all proposed new buildings connected to the heritage building be a compatible fit in terms of placement and detailing (to the satisfaction of the Director of Planning), noting the following:

- (i) Any proposed new connection to the rear elevation is to be a compatible link in a material distinct but fitting to the historic character of the building. This does not preclude the owner's ability to add the Gymnasium and Dining Hall in locations illustrated in the Master Plan, it does however direct the design of both buildings and the link to be a compatible fit with the historic structure.
 - (ii) All interventions should follow heritage conservation standards and guidelines outlined by Parks Canada.
- (e) That the Statement of Significance be revised to reflect the resolutions of the Vancouver Heritage Commission.

AGREEMENTS

- (f) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City make arrangements for the following to the satisfaction of the Director of Current Planning and the General Manager of Engineering Services, on terms and conditions satisfactory to the Director of Legal Services, unless otherwise specified:

ENGINEERING

- (i) Upgrading of the sewer and water systems to serve the development site. The existing application lacks adequate details to determine upgrading needs. Storm and wastewater drainage requirements and existing and proposed drainage plans are required to determine sewer needs. Fire flow details are necessary to determine water upgrading needs.
- (ii) Completion of a review of the existing options and rights-of-way for the 41st Avenue building line agreement and the Balaclava Street widening line agreement, to determine and make modifications *as necessary* to meet this application's needs. This may include dedication of the Balaclava option area (to meet transportation requirements) and encroachment agreements or other arrangements for portions of the widening area to accommodate existing structures within the widening area and proposed wall and seating at the 41st Avenue entry.
- (iii) Dedication or other arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the west 2.13 m of the site (Blenheim building line) as road.
- (iv) Street improvements to Balaclava Street to accommodate improved drop-off facilities for students including traffic circle, lay-bys and other calming devices on Balaclava and adjoining streets. Improvements to include concrete curb and gutter, pavement, lighting, curb ramps, signage, street trees and related works.

- (v) Provision of a lighted walkway along the west side of Balaclava Street from 41st Avenue to the school entries and beyond to 43rd Avenue. The exact design, location and surface treatment of the walkway to be explored along with the Vancouver Park Board and Crofton House School.
 - (vi) Provision of a pedestrian-activated signal and related street adjustments at 41st Avenue and Balaclava Street (north).
 - (vii) Undergrounding of all new utility services from the closest existing suitable service point. All services and, in particular, electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground /overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged.
 - (viii) A current traffic study to assess the traffic impact of the redevelopment on the neighbourhood and determine any necessary traffic improvements surrounding the site.
 - (ix) An updating of the existing Transportation Management Plan and Facilities Use Plan to reflect current achievements and set new goals for the school as the property builds out.
 - (x) A Construction Management Plan prior to the issuance of any related building permit for the site.
- B. THAT, subject to approval of the rezoning following a Public Hearing, the Subdivision By-law No. 5208 be amended generally as set out in Appendix B of the Policy Report dated February 24, 2006, entitled "CD-1 Rezoning - 3200 West 41st Avenue (Crofton House School)".
- C. THAT, subject to approval of the CD-1 rezoning, Council designate the building at 5707 Balaclava Street, listed as a "B" on the Vancouver Heritage Register, as protected heritage property and include the following interior features:
- (i) the Ballroom; and
 - (ii) the curved entry stairs off the front entry.

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the by-law to designate the building at the time of enactment of the CD-1 By-law.

CARRIED UNANIMOUSLY

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 Capri

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

The Special Council adjourned at 9:16 p.m.

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