

*These minutes will be adopted by Council on May 30, 2006.*

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**CITY OF VANCOUVER**



**SPECIAL COUNCIL MEETING MINUTES**

**MAY 16, 2006**

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, May 16, 2006, at 7:38 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to various CD-1 By-laws, the Sign By-law, and the Heritage By-law.

**PRESENT:** Deputy Mayor David Cadman  
Councillor Suzanne Anton  
Councillor Kim Capri  
Councillor Heather Deal  
Councillor Peter Ladner  
Councillor B.C. Lee  
Councillor Raymond Louie  
Councillor Tim Stevenson

**ABSENT:** Mayor Sam Sullivan (Sick Leave)  
Councillor Elizabeth Ball (Sick Leave)  
Councillor George Chow (Leave of Absence)

**CITY CLERK'S OFFICE:** Laura Kazakoff, Meeting Coordinator

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Louie  
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Cadman in the Chair, to consider proposed amendments to various CD-1 By-laws, the Sign By-law, and the Heritage By-law.

**CARRIED UNANIMOUSLY**

**1. Heritage Revitalization Agreement/Heritage Designation: 73-91 East 27<sup>th</sup> Avenue**

An application by Robert Brown, Resource Rethinking Building Inc., was considered as follows:

Summary: Heritage Revitalization Agreement and designation to permit strata titling in exchange for rehabilitation and conservation of five houses on this lot.

The Director of Current Planning recommended approval.

### Staff Comments

Hugh McLean, Heritage Group, was present to respond to questions.

### Applicant Comments

Robert Brown, Resource Rethinking Building Inc., was present to respond to questions.

### Summary of Correspondence

No correspondence was received on this application.

### Speakers

The Deputy Mayor called for speakers for and against the application.

The following people spoke in favour of the application:

Dr. Ron McKinnon  
Jacqueline De Raadt

Both of the foregoing speakers noted they lived adjacent the subject site, and expressed full support for every aspect of the proposal.

### Council Decision

MOVED by Councillor Louie

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement for the site at 73 - 91 East 27th Avenue to:
- secure the rehabilitation of the five houses known as the Shirley Houses;
  - vary Section 11.1 and the RS-7 District Schedule of the Zoning and Development By-law in order make the existing non-conformities legal, including increasing the maximum permitted floor space ratio (FSR) from 0.75 to the existing FSR of 1.13.
- B. THAT the five houses listed in the "C" category on the Vancouver Heritage Register at 73 - 91 East 27th Avenue be designated as Protected Heritage Property.
- C. THAT Council waive the Strata Title Policy for RS-7 Zones for the site at 73-91 East 27th Avenue which prohibits strata titling for sites less than 668 m<sup>2</sup> (7,200 sq. ft.).
- D. THAT Council instruct the Director of Legal Services to bring forward for enactment the by-law to authorize the Heritage Revitalization Agreement and by-law to designate the heritage buildings as Protected Heritage Property.

CARRIED UNANIMOUSLY

## **2. Heritage Designation: 827 East Georgia Street**

An application by James Burton, Birmingham and Wood Architects, was considered as follows:

Summary: Heritage designation to permit minor increases in floor space and site coverage.

The Director of Current Planning recommended approval.

### **Staff Comments**

Hugh McLean, Heritage Group, was present to respond to questions.

### **Applicant Comments**

James Burton, Birmingham and Wood Architects, was present to respond to questions.

### **Summary of Correspondence**

No correspondence was received on this application.

### **Speakers**

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

### **Council Decision**

MOVED by Councillor Deal

- A. THAT the house at 827 East Georgia, the Hendrix House, listed in the "C" category on the Vancouver Heritage Register, be designated as Protected Heritage Property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to designate the heritage building as Protected Heritage Property.

CARRIED UNANIMOUSLY

## **3. Heritage Revitalization Agreement: 163 West Hastings Street**

An application by Mark Ostry, Acton Ostry Architects, was considered as follows:

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

The Director of Current Planning recommended approval.

### Staff Comments

Zlatan Jankovic, Planner, Heritage Group, noted this is one of the landmark buildings located in the public open space of the Victory Square area, at the edge of Gastown. With the aid of architectural renderings, Mr. Jankovic provided an overview of the development plan, including its restoration features and proposed incentive package.

### Applicant Comments

Robert Fung, Salient Group (owner), noted the importance of encouraging office and commercial development in the area and advised the applicants are eager to move forward as quickly as possible on this development.

### Summary of Correspondence

No correspondence was received on this application.

### Speakers

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

### Council Decision

Prior to Council's decision on this matter, Rob Jenkins, Assistant Director, Current Planning Initiatives Branch, responded to questions regarding the amount of heritage density currently held, the value of that density, the market demand for density, and other transfer of density related matters.

MOVED by Councillor Louie

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement (HRA) for the site at 163 West Hastings Street, to rehabilitate and adaptively re-use the "B" listed heritage building, to grant a density bonus of 118,208 sq. ft. available for transfer off-site, to 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 A above, Council instruct the Director of Legal Services to prepare a Tax Exemption Bylaw for 163 West Hastings Street for a property tax exemption which is not to exceed a value of \$1,948,159 for a period of up to 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 409671 occurs before October 31<sup>st</sup>, the tax exemption period for 163 West Hastings Street will begin on January 1<sup>st</sup> of the next calendar year;
- If issuance of an Occupancy Permit for the heritage rehabilitation work authorized under Development Application Number DE 409671 occurs after October 31<sup>st</sup>, the tax exemption period for 163 West Hastings Street will begin on January 1<sup>st</sup> 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 A above, Council authorize two facade grants for a total of \$100,000 with funding to be provided from the 2005 Capital Budget.
- F. THAT the agreements, covenants and by-laws in respect to the above be prepared, registered and given priority to the satisfaction of the Director of Legal Services in consultation with the Director of Planning.
- G. AND 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  
C AND E BY THE REQUIRED MAJORITY

#### 4. Text Amendment: Miscellaneous Text Amendments

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

Summary: To amend various downtown CD-1 By-laws to add missing standard provisions and to correct an error in the Sign By-law

The Director of Current Planning recommended approval.

#### Staff Comments

Phil Mondor, Rezoning Planner, was present to respond to questions.

#### Summary of Correspondence

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

#### Speakers

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

### **Council Decision**

MOVED by Councillor Stevenson

THAT the application by the Director of Current Planning to amend several CD-1 By-laws and the Sign By-law generally as described in Appendix A to Policy Report "Miscellaneous Text Amendments" dated April 4, 2006, be approved.

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 Deal  
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 7:53 p.m.

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