



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

JUNE 13, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 13, 2006, 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 Zoning and Development By-laws 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 Raymond Louie

ABSENT: Councillor Tim Stevenson (Leave of Absence)

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 101 and 149 West Hastings Street and 150 West Cordova Street

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

Summary: To amend the Woodward's CD-1 By-law to fix a typographical error and add standard floor area and height calculation clauses

The Director of Current Planning recommended approval.

Staff Opening Comments

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

Summary of Correspondence

No correspondence was received on this application since it was referred 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 the Director of Current Planning to amend CD-1 By-law No. 9275 for 101 and 149 West Hastings Street and 150 West Cordova Street (Woodward's site), generally as described in Appendix A of the Policy Report, "Miscellaneous Text Amendments" dated April 4, 2006, be approved.

CARRIED UNANIMOUSLY
(Councillor Ladner absent for the vote)

2. HERITAGE REVITALIZATION AGREEMENT: 6 Water Street

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

Summary: A Heritage Revitalization Agreement to secure rehabilitation and conservation of the heritage building at 6 Water Street in exchange for Heritage Building Rehabilitation incentives.

The Director of Current Planning recommended approval.

Staff Opening Comments

Zlatan Jankovic, Heritage Group, was available to respond to questions.

Applicant Comments

Robert Fung, The Salient Group, was available 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 (HRA) for the site at 6 Water Street, to rehabilitate and adaptively re-use the existing 2-storey Heritage "A" Municipally designated building, to grant a density bonus of 136,397 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 6 Water Street for a property tax exemption which is not to exceed a value of \$ 1,299,928 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 409089 occurs before October 31, 2006, the tax exemption period for 6 Water 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 409089 occurs after October 31, 2006, the tax exemption period for 6 Water 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, this by-law 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 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
C AND E BY THE REQUIRED MAJORITY

3. HERITAGE REVITALIZATION AGREEMENT: 210 Carrall Street

This item was withdrawn from the agenda.

4. HRA/HERITAGE DESIGNATION: 658 Keefer Street

This item was withdrawn from the agenda.

5. TEXT AMENDMENT: I-2 and M-2 District Schedules

An application by the Director of City Plans was considered as follows:

Summary: To amend the I-2 and M-2 industrial district schedules to remove certain institutional, cultural and recreational uses.

The Director of City Plans recommended approval.

Staff Opening Comments

Lynda Challis, City Plans, gave an overview of the review process and explained the application, noting the changes would reinforce industrial uses of the I-2 and M-2 lands and that many Non-Industrial Conditional Uses (NICU) presently located in these areas would fit well in commercial areas.

Summary of Correspondence

Five letters in opposition to the application and two letters expressing concerns about other aspects of proposed text amendments to the 1-2 and M-2 District Schedules were received since referral to public hearing.

Speakers

The following delegations spoke in opposition to the proposed amendments:

Claudia Laroye, Marpole BIA (*brief submitted - on file*)
Gudrun Langolf (*brief submitted - on file*)
Wendy Turner, Eburne Lands Coordinating Group (*brief submitted - on file*)
Roni Bamendine, Vancouver Montessori School
Ralph McLean
Terry Slack
Gerald Shuttleworth
Robin Jackson
René Ragetli
Grant Tomlinson
Paul McCrea
James Terry
Gwen Chen
Daniel Lipetz, South Gate Joint Venture
Doug Dixon
Jennifer Maynard
Jim Battrum

Their comments included:

- industrial face of southwest Vancouver is changing - heavy industries have left and more will be leaving in the near future;
- report is a reactionary document trying to achieve too little, too late; recommendations fly in the face of market forces already at work;
- not in favour of tightening industrial policy in the area as there is a need for industrial lands in Vancouver;
- request to remove Marpole, Eburne Lands and the Barnard area from this consideration;
- proposed changes do not address the case for further restrictions of current zoning and do not constitute a planning program;
- rezoning is not needed and zoning should be left intact until an overall plan is available;
- need to focus on a sustainable approach to the area;
- schools should not be excluded from I-2 Zoning and should not have to apply and pay for another rezoning;
- area should be allowed to continue to develop as multi-use light and industrial area;
- area is ideal for a school for children with special needs as there are few distractions;
- opportunity to use this land to make a dramatic statement at the gateway of the City, especially for 2010;
- proposed changes hamper the efforts made by the developer to work with the community;

- proposed changes reduce flexibility of higher floors in buildings; and
- requested Council direct staff to develop a different plan for Eburne Lands.

The following delegations spoke in general support of the proposed amendments:

Louise Seto
Katherine Ruffen

Their comments included:

- encourage City to assign a planning team to the area;
- existing zoning has blocked major opportunities for new businesses to come in and use the lands in order to create jobs;
- proposed changes are a good opportunity for a major plan for the entire area;
- City must take care of industrial lands to promote sustainability;
- imperative there be a high-level public process when there is an application for change of use, including a major study and planning process initiated with emphasis on the Marpole and Barnard areas; and
- would not want to see recommendations turned down because of specific needs noted by others.

In response to issues raised by delegations, Ms. Challis along with Ann McAfee, Co-Director of Current Planning and Director of City Plans, and Pat Wotherspoon, Assistant Director of City Plans, responded to questions regarding:

- removing specific areas from this rezoning;
- whether there is a healthy market for industrial land in the area;
- requirements for existing schools remaining if they are removed from approved uses;
- timing for rezonings if changes are adopted;
- other potential land uses;
- storage facilities on the waterfront and waterfront access;
- maintaining industrial space in terms of square footage;
- zoning status of artists' studios;
- different uses of higher storeys of buildings in the I-2 and M-2 areas; and
- possibility of developing a separate rezoning for Eburne Lands.

Council Decision

MOVED by Councillor Louie

5. TEXT AMENDMENT: I-2 and M-2 District Schedules

- A. THAT the application by the Director of City Plans to amend the Zoning and Development By-law No. 3575 by deleting and amending non-industrial uses in the I-2 and M-2 Industrial District Schedules and by amending Section 2, generally in accordance with Appendix A of Policy Report dated May 1, 2006,

entitled "Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones-Proposed Policy and Zoning By-law Amendments" be approved;

- B. THAT, subject to approval of the by-law to amend the I-2 and M-2 Industrial District Schedules following Public Hearing, the by-law be accompanied at the time of enactment by:
- (1) amendments to "Bingo Hall Guidelines", "Casino - Class 1 Guidelines", and "Church Guidelines" containing revised policies for Bingo Halls, Casinos - Class 1, and Churches, generally in accordance with Appendix B of the Policy Report dated May 1, 2006, entitled "Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments";
 - (2) new "Policies and Guidelines for Non-Industrial Conditional Uses (I-2 and M-2)" to allow for:
 - Consideration of rezoning applications to regularize or redevelop existing non-industrial conditional uses made legally non-conforming under the Zoning By-law amendments proposed for the I-2 and M-2 zoning schedules in Appendix A and generally in accordance with Appendix C of the Policy Report dated May 1, 2006, entitled "Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments"; and
 - Consideration of rezoning applications to permit certain non-industrial uses in designated areas in the city, generally in accordance with Appendix C of the Policy Report dated May 1, 2006, entitled "Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments";
 - (3) amendments to "Grandview Boundary Industrial Area Plan" and "Grandview Boundary Industrial Area Rezoning and Development Policies and Guidelines", to revise the policies and guidelines for the Grandview Boundary Industrial Area, to be amended by resolution of Council, generally in accordance with Appendix D of the Policy Report dated May 1, 2006, entitled "Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments".
- C. THAT, subject to approval of the by-law to amend the I-2 and M-2 Industrial District Schedules following Public Hearing; and

FURTHERMORE, subject to Council's decision on the policies which allow large format retail uses in the Marine Drive Industrial Area, the by-law be accompanied at the time of enactment by:

- (4) repealing the "I-2 Conditional Institutional, Cultural and Recreational Uses Policies and Guidelines: Marine Drive Industrial Area"; and
- (5) amendments to the Highway Oriented Retail (HOR) Rezoning Policies and Guidelines: Marine Drive Industrial Area to change the area's name from Highway Oriented Retail (HOR) to Large Format Area (LFA) and to incorporate policies and guidelines for the institutional, cultural and

recreational uses, generally in accordance with Appendix E of the Policy Report dated May 1, 2006, entitled "Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments".

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

SECONDED by Councillor Cadman

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 10:19 p.m.

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