

(To be adopted at the Regular Council meeting on September 12, 2006)



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
JULY 11, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 11, 2006, at 7:50 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, Noise Control, Sign, and Heritage By-laws.

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

ABSENT: Councillor David Cadman (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY

1. HERITAGE REVITALIZATION AGREEMENT: 412 Carrall Street

An application by Mark Townsend, Portland Housing Society, was considered as follows:

Summary: Heritage Revitalization Agreement to rehabilitate and conserve this heritage building in exchange for Heritage Building Rehabilitation incentives.

The Director of Current Planning, in consultation with the Director of the Housing Centre recommended approval.

Staff Opening Comments

Gerry McGeough, Senior Heritage Planner, was present to respond to questions.

Applicant Comments

Mark Townsend, Portland Housing Society, 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.

Roger Bayley, Chair, Carrall Street Steering Committee, spoke in support of the application and noted the project is a key part of the Carrall Street redevelopment, the Carrall Street Greenway and renewal in the Downtown Eastside. Mr. Bayley further noted the project recognizes the social housing needs of the community, creates job opportunities and respects the heritage value of the building.

In response to questions from Council, Mr. McGeough and Cameron Gray, Director of the Housing Centre, clarified issues regarding density pricing and funding for the social housing and heritage components of the project.

Applicant Closing Comments

Mr. Townsend pointed out the importance of selling the density bonus at a good price, noting the federal and provincial governments will only provide funding for the social housing component. He advised three developers have expressed interest in the project.

Council Decision

MOVED by Councillor Stevenson

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement for the site at 412 Carrall Street, to rehabilitate and adaptively re-use the "B" listed heritage building and to grant a density bonus of 89,998 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, Council instruct the Director of Legal Services to prepare a Tax Exemption Bylaw for 412 Carrall Street for a property tax exemption which is not to exceed a value of \$947,502 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 Section 396(A) of 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 406061 occurs before October 31, 2006, the tax exemption period for 412 Carrall 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 406061 occurs after October 31, 2006, the tax exemption period for 412 Carrall 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 A Council authorize two façade grants for a total of \$100,000 (\$50,000 for each principal façade) with funding to be provided from the 2005 Capital for Façade Rehabilitation Grants
- F. THAT the agreements, covenants and bylaws 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. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement;
- H. AND THAT Council approve a Conversion/Demolition Permit under the Single Room Accommodation By-law for the conversion of 70 SRA-designated rooms to 44 self-contained units each having its own washroom and cooking facilities, on the condition that Council approve Recommendation A, that Council waive the \$5,000 conversion/demolition fee and the owner enter into a Housing Agreement with the City, to the satisfaction of the Director of the Housing Centre, prohibiting stratification of the site, requiring non-profit ownership and operation of the building, and limiting occupancy to households in core housing need for 60 years.

CARRIED UNANIMOUSLY AND
C AND E BY THE REQUIRED MAJORITY

2. HERITAGE REVITALIZATION AGREEMENT: 210 Carrall Street

An application by Marnie Pardee, Merrick Architecture, was considered as follows:

Summary: Heritage Revitalization Agreement to rehabilitate by adaptive reuse of this heritage building in exchange for Heritage Building Rehabilitation incentives.

The Directors of Current Planning and the Housing Centre recommended approval.

Staff Opening Comments

Gerry McGeough, Senior Heritage Planner, was present to respond to questions.

Summary of Correspondence

One letter in opposition 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 210 Carrall Street to grant a density bonus of 58,105 sq. ft. available for transfer off site, to be registered on title as a legal notation, with the following conditions:
 - 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;
 - THAT Council require a covenant restricting stratification of this site for a minimum of ten years from the date of issuance of an Occupancy Permit, to ensure that the tenure remains as rental for at least that period of time, and that any application to stratify this building after the ten-year period will be subject to all necessary City approvals which the City is not obliged to grant;
- B. THAT, subject to approval of A, Council instruct the Director of Legal Services to prepare a Tax Exemption Bylaw for 210 Carrall Street for a property tax exemption which is not to exceed a value of \$314,307 or a period of ten (10) years, whichever ever comes first.

- C. 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 DE409804 occurs before October 31, 2006, the tax exemption period for 210 Carrall 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 DE409804 occurs after October 31, 2006, the tax exemption period for 210 Carrall 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 no further force or effect;
- D. THAT, subject to the approval of Recommendation A, Council authorize a facade grant totaling \$50,000 with funding to be provided from the 2005 Capital Budget;
- E. THAT, subject to approval of A, Council approve a Single Room Accommodation conversion and demolition permit for 210 Carrall Street to convert and remove 27 designated rooms from the SRA inventory, on the condition that prior to the issuance of the SRA permit, the owner pay the \$5,000 per room demolition fee (\$135,000) to be deposited into the City's reserve fund for the creation of replacement housing;
- 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. 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
B AND D BY THE REQUIRED MAJORITY

3. HRA/HERITAGE DESIGNATION: 658 Keefer Street

An application by Brad Alberts, Inter Urban Land Corp., was considered as follows:

Summary: Heritage Revitalization Agreement and Designation to permit an increase in residential floor area and in the number of dwelling units in exchange for rehabilitation and conservation of this heritage building.

The Director of Current Planning recommended approval.

Staff Opening Comments

Hugh McLean, Heritage Planning Analyst, 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.

Maquilla Maklaryn spoke in support of the application noting the project retains the integrity of the outside of the building and works creatively with the inside. She noted the dwelling fits in well and is an asset to the community.

Mr. McLean and Rob Jenkins, Assistant Director, Current Planning Initiatives Branch, clarified the proposed increases in FSR which would mainly take place on the second floor.

Council Decision

MOVED by Councillor Deal

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement for the site at 658 Keefer Street to:
 - secure the rehabilitation of the heritage house;
 - vary the RT-3 District Schedule of the Zoning and Development By-law in order to bring existing non-conforming conditions into conformity with the By-law, and to permit an increase in floor space ratio from permitted 0.6 to 0.9; and
 - permit four dwelling units in a multiple conversion dwelling in place of the current limit of two,as described in detail in the Administrative Report "Heritage Designation and Heritage Revitalization Agreement - 658 Keefer Street" dated June 22, 2006, and as indicated under Development Application DE409469.
- B. THAT the Chan House, listed in the "B" category on the Vancouver Heritage Register at 658 Keefer Street, be designated as Protected Heritage Property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and by-law to designate the heritage building as Protected Heritage Property.

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

4. REZONING: 1655-1675 West 3rd Avenue

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

Summary: To rezone from IC-1 Industrial District to CD-1 Comprehensive Development District to permit a mixed residential and commercial development.

The Director of Current Planning recommended approval.

Also before Council was a memorandum from Michael Naylor, Rezoning Planner, dated June 29, 2006, which amended the rezoning conditions by deleting two of the provisions under section (c), "Agreements" and by adding provisions under the sub-heading "Soils". The memorandum made note that the changes had been made in the agenda package prior to distribution.

The following text shows the changes between the Agreements section of the rezoning conditions as presented in Appendix B of the referral report and as they now appear in the Summary and Recommendation for this item in the Public Hearing agenda package. The deleted text is crossed out and the added text is in italics.

"AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, *at no cost to the City* make arrangements ~~to the satisfaction of the General Manager of Engineering Services and~~ *for the following on terms and conditions satisfactory to* the Director of Legal Services ~~for the following:~~

SUBDIVISION

- (i) Subdivision approval and registration to create the separate parcels intended for this project.
- (ii) Dedication of the northerly 0.61 m (2 feet) of Lot G for lane purposes including arrangements for portions of the existing building to remain over the lane requirement.
- ~~(iii) Release of charges GB106495, GB106496, BN196938 to BN196940, and BN196942 prior to occupancy of the first phase of the development.~~
- ~~(iv) Clarify whether charge BE105526 applies to the building to be retained. If so, the applicant is advised that building encroachments may cause problems with strata titling. Should strata titling be intended then confirmation that it can be achieved will be required before issuance of any related development permit. If the charge does not relate to the retained building, then arrangements for its release prior to occupancy will be required.~~

ENGINEERING

- (viii) ~~Upgrading of the water mains to serve the site. The application lacks the details to determine upgrading needs, please provide fire flow demands to determine if water system upgrading is required~~ *offsite water systems as required by the General Manager of Engineering Services.*
- (viiiv) 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.
- (viiiv) Installation of City-standard concrete lane entry at the Pine Street entry to the lane.
- (viiiiv) Provision of street trees adjacent the site where space permits.

SOILS

- (vii) *The applicant or property owner shall provide to the City's Manager of Environmental Protection a site profile and, if necessary, a preliminary site investigation or detailed site investigation.*
- (viii) *The property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.*
- (ix) *Execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance have been provided to the City by the Ministry of Water, Land and Air Protection."*

Staff Opening Comments

Michael Naylor, 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 Mayor called for speakers for and against the application.

Morgan Nicholsfigueiredo, Kevjay Financial, expressed concern regarding the lack of parking meters in front of the businesses located at the end of the block from 1612 to 1620 West 3rd Avenue. Without parking meters there is no parking available for tenants of these buildings because visitors fill the free spots. Mr. Nicholsfigueiredo noted that he would support the project if the City installs parking meters from 1612 to 1620 West 3rd Avenue.

Paul Pinsker, Parking Management, agreed to look into the matter of installing parking meters at the above-mentioned location.

Mr. Naylor responded to questions and clarified types of land uses. He noted the area is being transitioned from industrial uses to more residential, commercial and mixed office and service uses.

Council Decision

MOVED by Councillor Anton

- A. THAT the application, by Hywel Jones Architect to rezone 1655-1675 West 3rd Avenue (Lots 37-40, Block 229, DL 526, Plan 590 and Lot G, Block 229, DL 526, Plan 19512) from IC-1 to CD-1 to permit mixed residential and commercial development, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 1655 - 1675 West 3rd Avenue" dated June 13, 2006, 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 Hywel Jones Architect and stamped "Received City Planning Department December 16, 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 form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development

- (i) design development to treat the exposed end walls of the proposed building on Parcel A with material and colour patterns;
- (ii) provision of weather protection at commercial entrances on West 3rd Avenue;
- (iii) design development to provide high quality building materials such as architectural concrete, metal panel and glass;

- (iv) locate and screen any service utilities such as electrical transformers and parking exhaust/intake;

Environmental Sustainability

- (v) consideration to provide individual garden plots on the roof shared open space and utilizing stored rainwater irrigation for this area;
- (vi) provision of a summary of sustainable building features, which could be in the form of a LEED checklist, noting specific response to building solar orientation;

CPTED

- (vii) design development to take into consideration the principles of CPTED, having particular regard for:
 - providing full secure separation for residential users from other uses including circulation, parking, loading and garbage,
 - open visibility of planting and fencing in the pedestrian mews area,
 - reducing opportunities for graffiti on the existing building on the lane.

Parking, Loading and Bicycles

- (viii) design development to meet the Parking By-law requirements for parking, loading and bicycles.

Building Code

- (ix) the applicant to confirm in writing that the comments of the Building Code Specialist have been read and understood.

Landscape

- (x) design development to provide a standard public realm layout (similar to the street frontage to the south) along the entire Pine Street frontage of the building. Layout should include curb-side grass boulevard with new street trees, sidewalk and inside boulevard planting.

Note to Applicant: Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding sidewalk and boulevard layout. In addition, the layered planting strip within the inside boulevard (between the sidewalk and the property line) shall be comprised of layered low planting (mature height and width not to exceed 3' x 3') with a minimum 1'-0" grass or ground cover strip adjacent to the sidewalk.

AGREEMENTS

- (c) 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 on terms and conditions satisfactory to the Director of Legal Services:

Subdivision

- (i) Subdivision approval and registration to create the separate parcels intended for this project.
- (ii) Dedication of the northerly 0.61 m (2 feet) of Lot G for lane purposes including arrangements for portions of the existing building to remain over the lane requirement.

Engineering

- (iii) Upgrading of offsite water systems as required by the General Manager of Engineering Services.
- (iv) 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.
- (v) Installation of City-standard concrete lane entry at the Pine Street entry to the lane.
- (vi) Provision of street trees adjacent the site where space permits.

Soils

- (vii) The applicant or property owner shall provide to the City's Manager of Environmental Protection a site profile and, if necessary, a preliminary site investigation or detailed site investigation.
- (viii) The property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
- (ix) Execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until

Certificates of Compliance have been provided to the City by the Ministry of Water, Land and Air Protection.

- B. THAT a consequential amendment to the Sign By-law, to establish regulations for the CD-1 in accordance with Schedule "B" (IC-1) be approved.
- C. THAT, subject to approval of the rezoning at the Public Hearing on July 11, 2006, the Noise Control By-law be amended to add the CD-1 to Schedule "A" (Activity Zone).

CARRIED UNANIMOUSLY

5. REZONING: 2999 Grandview Highway (The Brick)

An application by Chris Franiek, Xamax Industrial Investments was considered as follows:

Summary: To rezone from I-2 Industrial District to CD-1 Comprehensive Development District to permit an existing highway oriented retail use and some I-2 uses in an existing building.

The Director of Current Planning recommended approval.

Also before Council was a memorandum from Michael Naylor, Rezoning Planner, dated June 27, 2006, which provided an additional staff recommendation as follows:

- D. THAT the CD-1 By-law be amended as follows:
 - (i) Section 2.2 (c) to be amended by deleting "Liquor Store".

This amendment is in accord with Council's decision made at the Public Hearing on June 13, 2006, to delete certain non-industrial uses from both the I-2 and M-2 (Industrial) District Schedules.

Staff Opening Comments

Michael Naylor, Rezoning Planner, was present to respond to questions.

Applicant Comments

Bobby Minhas, Manager, The Brick, was present to respond to questions on behalf of the applicant.

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 Capri

- A. THAT the application, by Xamax Industrial Investments Ltd. to rezone 2999 Grandview Highway (Lot 3, Block A, Sec. 36 SW Qtr. and SE Qtr., THSL Plan 8292) from I-2 to CD-1 to permit Highway-Oriented Retail use in an existing building, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 2999 Grandview Highway (The Brick)" dated June 13, 2006, 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 represented by plans approved for development permit no. 207692, issued January 17, 1989.

DEVELOPMENT APPROVAL

- (b) THAT, prior to enactment of the CD-1 By-law and prior to final approval by Council of the form of development, the registered owner shall obtain approval of a development application by the Director of Planning who shall have particular regard to, among other things, the following:

Drawing Requirements

- (i) The applicant shall provide up-to-date drawings of the existing building indicating interior partitions and assigning principal and accessory uses, and showing the parking and loading layout; and

Landscape

- (ii) Provide a planted landscape strip in the 3.0 m wide setback at the front property line (except at access driveways). The landscape strip shall contain one high-branched tree (minimum 8 cm caliper) for every 6 m of property line and an underplanting of low mixed and deciduous shrubs with ground cover underneath. (Note to applicant: There should be approximately eight trees).
- (iii) Provide a full Landscape Plan illustrating proposed plant materials (common and botanical names), sizes and quantities; notation of existing trees and major plantings to be retained; paving, walls, fences, light fixtures and other landscape elements; and site grading. Proposed plant material should be clearly illustrated on the Landscape Plan. The landscape plan should be at 1:100 (1/8" = 1'-0") minimum scale.

Engineering

- (iv) Parking, loading and bicycle parking are to be provided as per Section 4.2.5.1, Section 5.2.5 and Section 6.2.5.1 of the Vancouver Parking By-law, except that for up to 3 300 m² of a "Furniture or Appliance Store", a minimum of 50 parking spaces, 1 Class C (14 m, existing) loading space and 1 Class B loading space shall be provided, the relaxation and exemption provisions of the Vancouver Parking By-law are to be available for this site.
- (iv) Clarification of access and manoeuvring to the loading bays, identifying any parking spaces which obstruct the loading manoeuvring aisle. If necessary, provide a management plan for loading times and for control of parking in the vicinity of the loading bays.

AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall make arrangements for the following to the satisfaction of the Director of Planning, on terms and conditions satisfactory to the Director of Legal Services:
 - (i) modify or release charge 122990M, a restrictive covenant which applies to the southerly 40 feet of the property, to eliminate a conflict between the covenant and the landscape setback provision of the CD-1 By-law which allows a parking encroachment for the existing building.
- B. THAT a consequential amendment to the Sign By-law, to establish regulations for the CD-1 in accordance with Schedule "B" (I-2), be approved.
- C. THAT, subject to approval of the rezoning at the Public Hearing, the Noise Control By-law be amended to add the CD-1 to Schedule "A" (Activity Zone).
- D. THAT the CD-1 By-law be amended as follows:
 - (i) Section 2.2 (c) to be amended by deleting "Liquor Store".

CARRIED UNANIMOUSLY

6. REZONING: 3585 Grandview Highway (Costco)

An application by Soren Rasmussen, Soren Rasmussen Architects Inc. was considered as follows:

Summary: To rezone from I-2 Industrial District to CD-1 Comprehensive Development District to permit highway oriented retail use and some I-2 uses in an existing building, while providing for I-2 density and height for future site redevelopment. Future retail space would be limited to the size of the existing building.

The Director of Current Planning recommended approval.

Also before Council was a memorandum from Michael Naylor, Rezoning Planner, dated June 27, 2006, which provided an additional staff recommendation as follows:

C. THAT the CD-1 By-law be amended as follows:

(i) Section 2.2 (c) to be amended by deleting "Liquor Store".

This amendment is in accord with Council's decision made at the Public Hearing on June 13, 2006, to delete certain non-industrial uses from both the I-2 and M-2 (Industrial) District Schedules.

Staff Comments

Rob Jenkins, Assistant Director, Current Planning Initiatives Branch, and Joanne Baxter, Rezoning Planner, made note of a typographical error in the Summary and Recommendation portion of the agenda package, and advised Council to refer to Appendix C of the referral report for the correct conditions of approval.

In response to a question Ms. Baxter clarified the development options available under the draft CD-1 By-law, should the building be demolished by the landowner.

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 Louie

- A. THAT the application by Soren Rasmussen, Architect, to rezone 3585 Grandview Highway (Lot 6, Block A, Section 39, Town of Hastings Suburban Lands, Plan 22177) from I-2 Industrial District to CD-1 Comprehensive Development District, to permit an existing highway oriented retail use at a maximum density of 0.39 FSR along with typical I-2 uses and regulations to accommodate future redevelopment, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 3585 Grandview Highway (Costco)" dated May 16, 2006, be approved, subject to the following conditions:

AMENDMENT OF GUIDELINES

- (a) That, if approved at Public Hearing, the by-law be accompanied at the time of enactment by:
- (i) the Grandview Boundary Industrial Area Rezoning and Development Policies and Guidelines to be amended to include a reference to the CD-1 for 3585 Grandview Highway by resolution of Council;

- (ii) the Mini-Storage Warehouse Guidelines to be amended to include a reference to the CD-1 for 3585 Grandview Highway by resolution of Council.

FORM OF DEVELOPMENT

- (b) That the proposed form of development be approved by Council in principle, generally as represented by plans received May 30 and July 17, 2003.

DEVELOPMENT APPROVAL

- (c) That, prior to enactment of the CD-1 By-law and prior to final approval by Council of the form of development, the registered owner shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Design Development

- (i) design development to extend and enhance weather protection at the main entrance and along the west side of the building;

Note to Applicant: A generous canopy with integrated lighting should be provided that contributes to, and enhances, the pedestrian interest of the building.

Landscape

- (ii) Design development to provide landscaped setbacks of 3.6 m (12 ft.) adjacent to the existing parking area along the entire Skeena Street and East 11th Avenue frontages of the site;

Note to Applicant: The landscaped setback should be planted with grass adjacent to the sidewalk to widen the public realm, stepping back to layered planting adjacent to the parking area. Vehicular crossing widths should be minimized and enhanced with low planting on both sides. Surface parking and signage should be removed from the landscaped setback.

- (iii) Design development to provide new street trees along Skeena Street in order to fill gaps in the existing street tree colonnade;

Note to Applicant: New street trees should be noted "Final species, quantity and spacing to the approval of the City Engineer and Park Board." Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Bill Stephen (604-257-8587) at the Park Board regarding tree species;

- (iv) Design development to provide a double row of trees along the Grandview Highway frontage of the site;
- (v) Design development to provide more substantial and coherent low planting (in regards to quantity) along the Grandview Highway frontage of the site, specifically between the two driveway crossings;
- (vi) Design development to provide one additional new tree along the inside boulevard colonnade, adjacent to the east driveway crossing on Grandview Highway;
- (vii) Design development to provide low planting and trees along East 11th Avenue frontage of the site (similar to the Skeena Street frontage treatment);

Note to Applicant: Locate low planting within the property line wherever possible.

- (viii) Design development to integrate two new trees into each end of the doubled stacked parking spines located in the main parking lot off Skeena Street;

Note to Applicant: New trees located in raised islands in the central parking area should be specified at a minimum 7 cm caliper and be provided with adequate soil volume to provide positive growing conditions.

- (ix) Design development to provide new street trees along the entire East 11th Avenue frontage of the site;
- (x) Design development to delete the signage in the landscaped setback;
- (xi) Design development to provide building and landscape lighting; and

Crime Prevention through Environmental Design (CPTED)

- (xii) Design development to take into consideration the principles of CPTED having particular regard to reduce opportunities for:
 - cutting through the site through clear definition of pedestrian and vehicle routes;
 - theft in the parking lot through improved surveillance and security features;
 - mischief such as graffiti through improved landscaping on blank walls.

AGREEMENTS

- (d) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
- (i) Make suitable arrangements, to the satisfaction of the General Manager of Engineering Services, for all new utility services to be undergrounded 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.

Note to Applicant: Early contact with the Utilities Management Branch is encouraged.
 - (ii) Make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for a payment of \$400,000.00 towards the intersection and street improvements at the Skeena Street/Grandview Highway intersection;
 - (iii) Make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for concrete sidewalk on the east side of Skeena Street between Grandview Highway and East 11th Avenue where it currently does not exist and on the south side of East 11th Avenue adjacent to the site;
 - (iv) Make arrangements, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for street trees adjacent to the site where space permits;
 - (v) Develop and implement a Transportation Management Plan to promote walking, cycling, transit use and carpooling while reducing the use of the automobile, including designation of a Co-ordinator to manage the Plan and liaise with neighbours and to monitor progress toward meeting mode targets, all to the satisfaction of the General Manager of Engineering Services; and
 - (vi) Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for clarification of all charges registered in the Land Title Office against title to the lands (a charge summary, including copies of all charges, must be provided) and the modification, extension or release of any charges deemed necessary by the Director of Legal Services.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances effecting the subject site, as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

B. THAT consequential amendments be made to:

- (i) Schedule C of the Zoning and Development By-law No. 3575 to establish landscape setbacks for the site, generally as presented in Appendix B to Policy Report "CD-1 Rezoning: 3585 Grandview Highway (Costco)" dated May 16, 2006; and
- (ii) The Sign By-law to establish regulations for the CD-1 in accordance with Schedule "B" (I-2), generally as presented in Appendix B to Policy Report "CD-1 Rezoning: 3585 Grandview Highway (Costco)" dated May 16, 2006.

C. THAT the CD-1 By-law be amended as follows:

- (i) Section 2.2 (c) to be amended by deleting "Liquor Store".

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 Ball
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 8:33 p.m.

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