

These minutes will be adopted at the Regular Council on February 27, 2007.



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JANUARY 30, 2007

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, January 30, 2007, 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 By-law.

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
- Councillor Tim Stevenson

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Capri
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 CD-1 By-law.

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 4028 Knight Street

An application by Interform Investments was considered as follows:

Summary: To amend the CD-1 By-law to increase the permitted floor area by 611 m² (6,577 sq.ft.) to a maximum floor space ratio (FSR) of 3.86 and to increase building height by 3 m (9.8 ft.) to a maximum of 54 m (177 ft.). The amendments would allow the addition of one storey (with 7 residential dwelling units) between the 15th and 16th storeys of the northwest tower, thereby increasing the tower's overall height from 16 storeys to 17 storeys. In support of the proposal, the developer has proposed to provide a grocery store within the new development.

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

Staff Opening Comments

Abigail Riley, Planner, Rezoning Centre, provided an overview of the application, and reviewed the recommended Community Amenity Contribution allocations and the public notification results. She noted the recommended CD-1 By-law amendment would result in area improvements and improved amenities in the neighbourhood, as well as require a certain amount of space be reserved for exclusive grocery store use.

Ms. Riley, along with Brent Toderian, Director of Planning, and Michael Flanigan, Director of Real Estate, responded to questions regarding options for daycare in the area, security of the proposed grocery store's tenure, differences between this proposal and the original rezoning, and the current Safeway Covenant on the site.

Summary of Correspondence

Council was advised of the following correspondence which was received on this application since it was referred to Public Hearing:

- 2 emails in opposition;
- 22 emails in support, with many writers noting support was due to the proposed inclusion of a grocery store into the development.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and a summary of their comments is provided below:

Hubert Culham
Mona Heppner

- site is already overbuilt; enormous size of development is out of scale with surrounding neighbourhood; no comparable mass exists outside of downtown core;
- this development will set a precedent for the building out of the eastside;
- development provides no real greenspace on its site, and blocks the view to the mountains from existing park to the south;
- social problems arise from this level of density;
- no apparent parking is provided; and
- should not have to bargain with the developer in order to get the grocery store.

The following spoke in support of the application and a summary of their comments is provided below:

John Buckberrough
Tom Little

Tim Everett
Michael Chamish
Anne Roberts
Jason Robertson
Dennis St. Aubain
Roseanne Ng
Carmelo Spagnuolo
Kerry Williams (petition filed - 43 signatures - unaudited)
David Beck
Peter Kletas
Patricia Wheeler
Theresa Macauley

- need to move forward with completion; delays to this project in turn delays the delivery of the neighbourhood centre and the new branch library;
- currently, area residents need to drive out of the area to shop for food; a large grocery store will allow people to shop in their own neighbourhood without need of a car, which will reduce environmental impacts; it will also increase street level activity and convenience, contribute to a healthy vibrant community, and provide an anchor for commerce;
- support recommendations, but question whether it is sufficient to allocate space for grocery store through zoning; would like to see it secured or guaranteed in such a manner as the covenant was secured;
- will likely see a reduction in crime with this development;
- business prospects along Kingsway for small businesses will improve; and
- desirability of neighbourhood will improve.

Tyler Hickey spoke in support of the application, however, expressed concerns with regard to the approval process.

During the hearing of the foregoing speakers, staff responded to questions regarding a speaker's concern in relation to the security of tenure of the proposed grocery store.

Council Decision

Prior to a decision on this matter, Council members expressed concern with regard to the use of restrictive covenants, such as the one placed on this site, and requested staff to come back with information and possible recommendations for Council's consideration in this regard.

MOVED by Councillor Deal

- A. THAT the application by Interform Investments Inc. to amend Comprehensive Development District (CD-1) By-law No. 8880 (reference No. 420) for 4028 Knight Street (Lot 1, Blk 1 & 3, DCL 352, Plan BCP11581) to increase maximum building height and maximum floor space ratio, generally as represented in Appendix A to Policy Report "CD-1 Text Amendment: 4028 Knight Street (formerly 1402-1436 Kingsway and 4050 Knight)" dated November 28, 2006, be approved subject to the following conditions:

FORM OF DEVELOPMENT

- (a) That the proposed amended form of development be approved by Council in principle, generally as prepared by Rositch Hemphill and Associates Architects, and stamped "Received, City of Vancouver Planning Department, September 6, 2006", provided that the Director of Planning may allow minor alterations when approving the detailed scheme of development.

SAFEWAY COVENANT

- (b) That prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, provide documentation and where she determines it necessary, enter into any agreements to the satisfaction of the Director of Legal Services, confirming that the restrictive covenant BG66103, registered on behalf Canada Safeway Ltd., has been discharged or modified to permit the immediate use and occupancy of a grocery store of no less than 2 508 m² (27,000 sq. ft.) on the subject site, all to the satisfaction of the Director of Legal Services in consultation with the Director of Planning.

COMMUNITY AMENITY CONTRIBUTION (CAC)

- (c) That prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, deliver to the City a CAC offering in the amount of \$250,000.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Capri

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Chow

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 8:59 p.m.

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