



CITY OF VANCOUVER

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SPECIAL COUNCIL MEETING MINUTES
JUNE 10, 2008

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 10, 2008, at 7:35 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 Sign By-laws.

PRESENT: Mayor Sam Sullivan
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Tim Stevenson

ABSENT: Councillor Suzanne Anton
Councillor Elizabeth Ball (Sick Leave)
Councillor Kim Capri
Councillor Raymond Louie

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

1. HRA/HERITAGE DESIGNATION: 3979 West Broadway

An application by Bill Curtis, Bill Curtis & Associates was considered as follows:

Summary: To rehabilitate and protect the heritage 'C' house at 3979 West Broadway through designation and a heritage revitalization agreement (HRA). The Subdivision By-law would be varied to permit subdivision of the existing site, thereby allowing a new single-family dwelling to be constructed on the new western parcel, and for the heritage building to be retained on its own parcel. Various yard relaxations are required to accommodate the existing

and the new building due to the irregular site configuration. Increased density on both sites is proposed to compensate the developer for costs associated with the retention and rehabilitation of the heritage building.

The Director of Planning in consultation with the Director of Legal Services recommended approval.

Staff Opening Comments

James Boldt, Heritage Group, reviewed the application and responded to questions.

Summary of Correspondence

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

Speakers

Andrew Copeland and Louis Pashos spoke in opposition to the application.

Council Decision

MOVED by Councillor Deal

- A. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for 'The Lea Residence' located at 3979 West Broadway, to:
 - secure the rehabilitation, protection, and on-going maintenance of this 'C' category Vancouver Heritage Register building;
 - vary the Subdivision By-law to permit subdivision of the lands at 3979 West Broadway to create two new parcels, one of which would contain the heritage building, and the other which would be used for the construction of a new house; and
 - vary the RS-1 District Schedule of the Zoning and Development By-law to permit densities for the heritage building and the new house in excess of what is permitted and other variances.
- B. THAT 'The Lea Residence', currently listed in the 'C' evaluation category on the Vancouver Heritage Register at 3979 West Broadway, be designated as protected heritage property.
- C. THAT Council authorize the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and a by-law to designate the building as protected heritage property.

- D. THAT the Vancouver Heritage Register listing for the heritage resource at 3979 West Broadway be changed from the 'C' to the 'B' evaluation group.

CARRIED UNANIMOUSLY

2. HRA/HERITAGE DESIGNATION: 125 BOUNDARY ROAD

An application by Natalie Perkins was considered as follows:

Summary: A Heritage Revitalization Agreement (HRA) and Designation of a category 'C' house at 125 Boundary Road to allow for restoration of the house, a non-conforming subdivision to permit an infill house, plus an increase in Floor Space Ratio (FSR).

The Director of Planning in Consultation with the Director of Legal Services recommended approval.

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT the Beckett House at 125 Boundary Road, a category 'C' property on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council authorize the City to enter into a Heritage Revitalization Agreement (HRA) for the site at 125 Boundary Road to:
- secure the rehabilitation of the Beckett House;
 - vary the Subdivision By-law to allow for the subdivision of the site into a north and south lot where the site area for the north lot will be 330.2 m² (3,554 sq. ft.) and for the south lot will be 278.7 m² (3,000 sq. ft.) instead of the currently required minimum lot area of 334 m² (3,595 sq. ft.);

- vary the RS-1 District Schedule of the Zoning and Development By-law for the proposed north lot to permit an increase in floor space ratio from the 0.6 permitted to 0.64 proposed;
- vary the RS-1 District Schedule of the Zoning and Development By-law for the proposed south lot to permit an increase in floor space ratio from the 0.6 permitted to 0.8 proposed; and
- vary the RS-1 District Schedule of the Zoning and Development By-law for the existing non-conformities with the heritage house as well as yard variances for the new south lot.

C. 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 building as Protected Heritage Property.

CARRIED UNANIMOUSLY

3. PLAN AND TEXT AMENDMENT: 396 EAST 1ST AVENUE/501 GREAT NORTHERN WAY

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

Summary: Plan amendments to CD-1 By-law No. 8131 (reference no. 402) and to the IC-3 District to accommodate new road alignments, with consequential text amendments to both schedules.

The Director of Planning recommended approval.

Staff Opening Comments

Michael Naylor, Planning Department, reviewed the application and responded to questions.

Summary of Correspondence

One e-mail opposing the application had been received since referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Deal

THAT, as part of the implementation of the new structure plan for the Great Northern Way Campus, ("New Structure Plan"), approved by Council on April 29, 2008, the application to undertake the following consequential amendments:

- (i) rezone the easterly portion of Lot O District Lots 200A and 264A Group 1 New Westminster District Plan BCP_____, ("Lot O"), from CD-1 (Comprehensive Development) District to IC-3 (Industrial) District, so that all of this property is within the IC-3 District;
- (ii) amend the Floor Area and Density section of CD-1 By-law No. 8131 (#402) to decrease the floor area permitted by 8 244 m² and amend various other parts of the CD-1 By-law for consistency with the New Structure Plan;
- (iii) amend the IC-3 District Schedule to allow external design requirements to be relaxed for irregular-shaped lots; and
- (iv) amend the Great Northern Technology Park (555 Great Northern Way) CD-1 Guidelines,

all as set out in Appendix A, B and C to the policy report "Zoning Amendments to CD-1 #402 and to the IC-3 District related to the New Structure Plan for the Great Northern Way Campus", dated April 29, 2008, be approved.

CARRIED UNANIMOUSLY

4. TEXT AMENDMENT: SNRF ZONING AND DEVELOPMENT BY-LAW REVISIONS

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

Summary: To amend the definitions of Special Need Residential Facilities (SNRF) in the Zoning & Development By-law and make consequential changes to the Zoning & Development By-law and relevant CD-1 By-laws; amend references in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws; and amend the Parking By-law. These are housekeeping amendments to update the definitions.

The Directors of Social Planning, Planning, Development Services, Housing Centre, Legal Services, and General Manager of Engineering Services recommended approval.

Also before Council was a memorandum from Anne Kloppenborg, Social Planning, dated May 20, 2008, which noted an addition to Appendix B of the Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines" dated April 15, 2008, in order to conform with the draft By-laws prepared by staff.

Staff Opening Comments

Anne Kloppenborg, Social Planning, reviewed the application, including the memo distributed with the agenda package for the Public Hearing.

Summary of Correspondence

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

Speakers

Sister Elizabeth Kelliher and Johnn Olldym spoke in opposition to the application.

Council Decision

MOVED by Councillor Chow

- A. THAT the application to:
- i) amend the definitions of Special Needs Residential Facilities in section 2 of the Zoning and Development By-law, and make the necessary consequential changes to the Zoning and Development By-law and to the CD-1 By-laws listed in Appendix A; and
 - ii) amend references to "Special Needs Residential Facilities" in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws,

generally in accordance with Appendix A and B to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008, be approved with the following changes to Appendix B noted in the Memorandum dated May 20, 2008, from Anne Kloppenborg, Social Planning:

In Section 1.1 of the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts, delete *special needs residential facility* and substitute *community care facility* or *group residence*; and in Section 2.5, delete the reference to *Special Needs Residential Facility* Guidelines and substitute *Community Care Facility and Group Residence Guidelines*.

- B. THAT Council approve amendments to the Parking By-law, generally in accordance with Appendix C to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

- C. THAT if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the Community Care Facilities and Group Residences Guidelines and the Application Procedures for Development Permits for Community Care Facilities and Group Residences, as outlined in Appendix D to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

CARRIED UNANIMOUSLY

5. CD-1 REZONING: 1020-1090 VICTORIA DRIVE

An application by Karl Gustavson, Karl Gustavson Architect Inc. was considered as follows:

Summary: To rezone from RT-5 (Two-Family Dwelling) to CD-1 (Comprehensive Development) to permit an expansion of Britannia Lodge (1090 Victoria Drive), a Special Needs Residential Facility - Class B, onto the adjacent site at 1020 Victoria Drive. The expansion would accommodate an increase in the number of patient beds from 45 to 65. The proposal includes designation and restoration of the heritage listed 'A' building at 1020 Victoria Drive and an addition of approximately 3,750 sq. ft.

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

Staff Opening Comments

Michelle McGuire, Planning Department, reviewed the application and responded to questions.

Summary of Correspondence

One e-mail in favour of the application had been received since referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Karl Gustavson Architect, to rezone 1020 - 1090 Victoria Drive (PID 014-697-572 & 014-697-581, Lots 3 & 4, Plans 1271 and 1771, & PID 017-683-998, Lot E, Plan LMP 3223, Blk 31, DL 264A, Group 1, New Westminster District) from RT-5 (Two-Family Dwelling) District to a CD-1 (Comprehensive Development) District to allow an expansion of Britannia Lodge (1090 Victoria Drive), a Special Needs Residential Facility - Class B, onto the adjacent site at 1020 Victoria Drive, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 1020-1090 Victoria Drive (Britannia Lodge Expansion)" dated April 29, 2008 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 Karl Gustavson Architect, and stamped "Received City Planning Department, November 6, 2007", 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 set back the northerly parking stalls a minimum of 1'-0" from the north property line, with appropriate planted landscaping within this setback;

Note to applicant: Delete the tandem parking stall in this location.

- (ii) Design development to move the ramp on the south side of the house at 1020 Victoria Drive away from the house, with appropriate planted landscaping adjacent to the house;

- (iii) Design development to move the southerly parking stalls closer to the house to create larger ("regular car") spaces.

Note to applicant: The planting strip adjacent to the south wall of the house can be deleted;

- (iv) Design development to the northerly ramp adjacent to the house at 1020 Victoria Drive, so that the ramp and guard do not project forward (west) of, or conflict visually with, the main entry stairs;

- (v) Design Development to clearly distinguish new development from the rehabilitated heritage building by dropping the roofline of the rear addition;
- (vi) The design of the connecting breezeway between the contemporary facility and the heritage house must confirm the range of materials being proposed for the cladding, windows and door. The arrangement of windows on the front of the breezeway should be studied further to increase the transparency of the breezeway;
- (vii) Development permit drawings should carefully note all cladding materials of the exterior walls where changes are being proposed to the heritage house;

Note to applicant: For instance, identify how basement window on south elevation is to be infilled.

- (viii) Addition or removal of windows in the heritage house should be carefully considered for impact to the design of the primary elevation facing Victoria Drive.
- (ix) Design development to include a conservation plan for the heritage house;

Note to applicant: The purpose of the plan is to identify the scope of the work for the heritage building and to identify the proposed remedial measures, and should be included on the development permit drawings as a series of construction notes, and supported by current photos of the building.

Landscape:

- (x) Consideration to provide additional lane greening measures by providing additional small trees in the planters behind the existing Britannia Lodge (Lot E);
- (xi) Provision of a planted landscape strip adjacent the rear north property line near the lane, to mitigate continuous paving at the lane;
- (xii) Resolution of walkways, walls and grades to avoid tree root damage;

Note to Applicant: for example, under the two north cypress trees proposed for retention there are existing steps at the property line that allow for the walkway to span over the roots. Consult a certified arborist for technical advice, where necessary.

- (xiii) At time of development permit application submission, provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. Illustrate and clarify all outdoor surface/paving materials, site furniture, lighting, irrigation, hose bibs, retaining wall treatment, public realm (building edge to the curb, trees, lamp posts, fire hydrants); and

CPTED (Crime Prevention through Environmental Design):

- (xiv) Design development to take into consideration the principles of CPTED.

AGREEMENTS

- c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
 - (i) Provide to the Director of Legal Services a title charge summary in accordance with her specifications; and
 - (ii) Make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the following:
 - (1) Consolidation of Lots 3 and 4 and Lot E into a single parcel;
 - (2) Provision of an option to purchase for the westerly 7'-0" of the site. (Lots 3, 4 and Lot E.);
 - (3) Provision of a standard concrete lane entry at the lane east of Victoria Drive on the north side of Napier Street; and
 - (4) Undergrounding of any 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.
- B. THAT should the rezoning be approved, the Heritage Designation By-law to designate as municipally protected heritage property the category 'A' listed building at 1020 Victoria Drive be approved.

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 Stevenson

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 8:11 p.m.

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