



CITY OF VANCOUVER

**CITY OF VANCOUVER**  
**SPECIAL COUNCIL MEETING MINUTES**  
**OCTOBER 16, 2008**

A Special Meeting of the Council of the City of Vancouver was held on Thursday, October 16, 2008, 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 Heritage By-law, Sign By-law and Zoning and Development By-law. Subsequently, the meeting reconvened at 7:55 p.m. on October 28, 2008, 7:35 p.m. on October 30, 2008, 6:05 p.m. on November 4, 2008, 6:15 p.m. on November 7, 2008, and 6:12 p.m. on November 18, 2008. The minutes are consolidated for ease of reference.

**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

**ABSENT:**

Councillor Elizabeth Ball (October 16 - Leave of Absence - Item 3) (November 7 and 18 - Item 4)  
Councillor Kim Capri (November 18 - Item 4)  
Councillor George Chow (November 7 and 18 - Item 4)  
Councillor Peter Ladner (November 4, 7 and 18 - Item 4)

**CITY MANAGER'S OFFICE:**

James Ridge, Deputy City Manager (October 16 and 28 only)

**CITY CLERK'S OFFICE:**

Nicole Ludwig, 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 Heritage By-law, Sign by-law and Zoning and Development By-law.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

*Note from Meeting Coordinator: on October 16, Council dealt with items 1, and 2, and started hearing speakers on item 3; on October 28, Council dealt with item 3 and started hearing speakers on item 5; on October 30, Council dealt with item 5; and on November 4, 7, and 18, Council dealt with item 4.*

**VARY AGENDA**

MOVED by Councillor Anton

THAT the agenda be varied to hear item 5 (Text Amendment: 777 Pacific Boulevard (FCN ODP - BC Place Stadium)) immediately after item 3.

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)

*Note from Meeting Coordinator: For clarity, the minutes are recorded in the order in which they were considered.*

\* \* \* \* \*

*Note from Meeting Coordinator: the following motion was made on October 16, 2008.*

*MOVED by Councillor Cadman*

*THAT item 6 (Rezoning: 1845 Napier Street) be considered when the Public Hearing reconvenes on October 28, 2008.*

CARRIED UNANIMOUSLY

\* \* \* \* \*

**1. TEXT AMENDMENT: 1001 Canada Place (201 Burrard Street)**

An application by Renante Solivar, Musson Cattell Mackey Partnership was considered as follows:

**Summary:** A plan amendment to Comprehensive Development District (CD-1) By-law No. 7679 (#363) to extend the zoning boundary beyond the current harbour headline for Sub-Area 2 (1001 Canada Place) to accommodate the development of a Marine Terminal (Sea Plane operations) and Marina in front of the Vancouver Convention and Exhibition Centre as approved (subject to conditions) in Development Permit DE412140.

The Director of Planning recommended approval.

**Staff Opening Comments**

Michelle McGuire, Rezoning Centre, explained the application and along with Brent Toderian, Director of Planning, and Vicki Potter, Assistant Director of Development Services, responded to questions throughout the hearing of speakers.

**Summary of Correspondence**

No correspondence had been received since this item was referred to Public Hearing.

**Speakers**

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application, noting concerns with sea planes and the rowing club:

Keith Steeves (brief distributed - on file)  
Dimas Craveiro  
Peter Klinkow

**Applicant Comments**

Graham Clarke, Clarke Group of Companies responded to concerns raised by the speakers, and along with Frank Musson, Musson Cattell Mackey Partnership responded to questions.

**Staff Closing Comments**

Staff responded to questions and, in response to concerns raised by speakers, provided an additional recommendation for Council's consideration.

## Council Decision

MOVED by Councillor Cadman

THAT decision on this item be postponed to the Regular Council meeting on October 28, 2008, to allow staff time to report back on the issues raised by speakers tonight.

LOST (Tie Vote)

(Councillors Anton, Capri, Ladner, Lee and Mayor Sullivan opposed)

MOVED by Councillor Anton

- A. THAT the application by Musson Cattell Mackey Partnership (MCM), to amend Comprehensive Development District (CD-1) By-law No. 7679 (reference No. 363, 201 Burrard Street) for 1001 Canada Place (Parcel 1 of the Public Harbour Burrard Inlet Plan, BCP 30843), generally as set out in Appendix A of policy report "CD-1 Plan Amendment: 201 Burrard Street (1001 Canada Place)" dated September 4, 2008 be approved.
- B. THAT Council urge senior levels of government to establish a forum for ongoing discussion regarding harbour activities in Burrard Inlet, and specifically Coal Harbour, and

FURTHER THAT Council urge discussions between the Port Harbourmaster, the Developer and the Vancouver Rowing Club to find a satisfactory solution to retaining an adequate rowing course.

CARRIED UNANIMOUSLY

## 2. SIGN BY-LAW AMENDMENT: 700 Hamilton Street (CBC)

An application by Kent Allen Design Group, on behalf of the CBC was considered as follows:

Summary: To amend the Sign By-law provisions to permit four automatic changeable copy signs, including one video sign on the site of the Canadian Broadcasting Corporation (CBC) Vancouver Broadcasting Centre that will include third-party advertising, and to permit a stand-alone way-finding sign adjacent to the corner of Robson and Hamilton Streets.

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

## Staff Comments

Michael Gordon, Senior Planner, provided an overview of the application and responded to questions.

## Applicant Comments

Ken Golemba, CBC Radio Canada (*brief distributed*) responded to questions.

## Summary of Correspondence

Council received 1 letter in opposition to the application and 1 letter that addressed other issues related to the application since the application had been referred 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 the application by the Kent Allen Design Group, on behalf of the Canadian Broadcasting Corporation, to amend the Sign By-law provisions applying to 700 Hamilton Street to permit four automatic changeable copy signs, including one video sign on the site of Vancouver Broadcasting Centre that will include third-party advertising, and further that the Sign By-law amendments include provisions to permit a stand-alone way-finding sign adjacent to the corner of Robson and Hamilton Streets, generally as contained in Appendix A to policy report "700 Hamilton Street (CBC/Radio Canada Broadcasting Centre) - Sign By-law Text Amendments - Automatic Changeable Copy Signs (including a Video Sign)" dated September 5, 2008, be approved subject to the following conditions:

### PROPOSED CONDITIONS OF APPROVAL

**Provision of "air time" on the video sign:** Prior to enactment of the text amendment to the Sign By-law, the registered owner of 700 Hamilton Street shall make arrangements, to the satisfaction of the Managing Director of Cultural Services and the Director of Legal Services for the execution of a legal agreement by the owner and the City, setting out:

- 1) the terms and conditions of the use and operation of the video signs by the owner; and
- 2) securing, without limitation, the amount and timing of City of Vancouver "air time" on the video signs by the owner on an annual basis to cover the City's cost of managing the City's "air time".

The legal agreement shall be drawn, not only as a personal covenant of the owner, but also as a covenant pursuant to Section 219 of the Land Title Act and shall be registered against title to the lands, to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

**3. HERITAGE REVITALIZATION AGREEMENT (HRA) / HERITAGE DESIGNATION:  
255 East 7<sup>th</sup> Avenue**

An application by Jeffrey Mok, IBI Group, was considered as follows:

**Summary:** To rehabilitate the heritage building to provide for artist studio and other commercial and industrial uses, and to construct an eight storey artist studio and residential building on the remainder of the site. If approved the Heritage Revitalization Agreement (HRA) and Heritage Designation By-law would secure the rehabilitation, designation, and long term protection of the 'Vancouver Brewery Garage' at 255 East 7<sup>th</sup> Avenue listed in the 'C' evaluation category on the Vancouver Heritage Register and permit density and height in excess of that permitted in the zoning for the new building.

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

**Staff Opening Comments**

Marco D'Agostini, Senior Heritage Planner, provided an overview of the application and along with James Ridge, Deputy City Manager, Brent Toderian, Director of Planning, and Jerry Evans, Associate Director of Real Estate Services, responded to questions prior to and throughout the hearing of speakers.

**Applicant Comments**

Richard Wittstock, Amacon, responded to questions.

**Summary of Correspondence**

Council received 24 letters in support of the application and one letter that deals with other issues related to application since the application had been referred to Public Hearing.

\* \* \* \* \*

*Note from Meeting Coordinator: the following motion was made on October 16, 2008.*

*MOVED by Councillor Cadman*

*THAT item 4 (322 Davie Street (Opus Hotel)) be considered when the Public Hearing reconvenes on October 28, 2008.*

*CARRIED UNANIMOUSLY*

\* \* \* \* \*

### Speakers

The Mayor called for speakers for and against the application.

The following spoke generally in opposition to the application, noting environmental and affordability concerns:

Lee Chapelle (*brief distributed - on file*)  
Grace MacKenzie (*brief distributed - on file*)  
Dennis Brown  
Richard Stout  
Valerie Arntzen  
Elvy Del Blanco  
Pierre Bernanose  
Charo Neville  
Eri Ishii  
Kevin Davies  
Jeanette Ingalls

The following delegations spoke in favour of the application:

Anthony Norfolk  
Janet Leduc, Heritage Vancouver  
Peter Kreuk

The following spoke in general favour of the application, noting concerns with loss of security, privacy and light;

Gordon Kennedy, Brewery Creek Strata LMS 783  
Rob Libera  
Bruce MacDonald

\* \* \* \* \*

*Note from Meeting Coordinator: The following motion was made on October 28, 2008.*

*MOVED by Councillor Cadman*

*THAT item 4 regarding the Opus Hotel, be considered on October 30, 2008, at 7:30 p.m.*

*LOST*

*(Councillors Anton, Ball, Capri, Ladner, Lee and Mayor Sullivan opposed)  
(Councillor Chow absent for the vote)*

\* \* \* \* \*

### **Applicant Closing Comments**

Mr. Wittstock provided information on issues raised by speakers and responded to questions.  
**Staff Closing Comments**

Staff responded to questions.

### **Council Decision**

MOVED by Councillor Anton

- A. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for 'The Vancouver Brewery Garage' located at 255 East 7<sup>th</sup> Avenue, to:
  - secure the rehabilitation, protection and on-going maintenance of this 'C' category Vancouver Heritage Register building; and
  - vary the Zoning and Development By-law to permit increases in density and height in excess of that permitted in the zoning.
- B. THAT 'The Vancouver Brewery Garage', listed in the 'C' evaluation category on the Vancouver Heritage Register at 255 East 7<sup>th</sup> Avenue, 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 a by-law to designate the building as Protected Heritage Property.

CARRIED UNANIMOUSLY  
(Councillor Ball not eligible to vote)



**5. TEXT AMENDMENT: 777 Pacific Boulevard (FCN ODP - BC Place Stadium)**

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

Summary: To amend the False Creek North Official Development Plan (FCN ODP) to allow for additional development potential on the BC Place Stadium site.

The Director of Planning recommended approval, subject to conditions as set out in the resolution proposed for Council adoption.

**Staff Opening Comments**

Brent Toderian, Director of Planning, and Trish French, Assistant Director of Central Area Planning, introduced the application and responded to questions.

**Summary of Correspondence**

Council received 6 letters in favour and 8 letters opposed to the application since the application had been referred to Public Hearing.

**Speakers**

The Mayor called for speakers for and against the application.

The following speakers spoke in general opposition to the application, noting concerns about lack of public and social amenities, densification, event staging impacts, and general livability issues:

Fern Jeffries Keefer, Place Community Group/False Creek Residents'  
Patsy McMillan  
Joe Thompson  
Romy Kozak  
Gary Jackson  
John Murray  
Jordan Parente  
Margarita van Ooers

The following spoke in favour of the application:

George Chayka, BC Lions  
Bob Lenarduzzi, Whitecaps  
Bill MacLagan, BC Sports Hall of Fame and Museum  
Paul McGeachie, Vancouver Internal Auto Show/New Car Dealers Association of BC  
Matthew Meehan, Concord Pacific  
Peter Webb, Concord Pacific  
James Cheng  
Katie Emery, Tourism Vancouver

\* \* \* \* \*

*Note from Meeting Coordinator: The following motion was made on October 28, 2008.*

*MOVED by Councillor Anton*

*THAT the remaining speakers on item 5 be heard tonight.*

*LOST*

*(Councillors Cadman, Capri, Chow, Deal, Ladner, Louie and Stevenson opposed)*

\* \* \* \* \*

### **Proponent Closing Comments**

David Podmore, PavCo, responded to concerns raised by the speakers, provided an overview of the issues this amendment addresses, and responded to questions.

### **Staff Closing Comments**

Staff provided closing comments and responded to questions.

### **Council Decision**

Council requested to sever the part in the staff recommendation that deals with the Art Gallery, for the vote.

MOVED by Councillor Anton

- A. THAT the Director of Planning be instructed to make application to amend the False Creek North Official Development Plan (FCN ODP) to permit city- and region-serving cultural, recreational and institutional uses including consideration of the Vancouver Art Gallery, generally set out in Appendix A to policy report "False Creek North Official Development Plan Amendments: BC Place Stadium - 777 Pacific Blvd." dated September 3, 2008 be approved.
- B. THAT the application to amend the False Creek North Official Development Plan (FCN ODP), including among other amendments, adjustments to land use and the amount of permitted floor space for Area 10, and to permit city- and region-serving cultural, recreational and institutional uses, generally as set out in Appendix A to policy report "False Creek North Official Development Plan Amendments: BC Place Stadium - 777 Pacific Blvd." dated September 3, 2008 be approved.

- C. THAT, in addition to the measures outlined in the proposed FCN ODP amendments requiring future residential development to address the noise levels that will be generated by major events in BC Place Stadium (i.e. meeting acoustic standards and providing notice to purchasers and residents), staff report back prior to the sub-area rezoning for Area 10 with appropriate amendments to the City's Noise Control By-law addressing the noise levels and frequency of occurrence of major events.
  
- D. THAT the City Manager or the Deputy City Manager be authorized to finalize, execute and deliver an Upgrade Commitment Agreement with BC Pavilion Corporation (PavCo), generally in accordance with the terms set out below, which commits PavCo to undertaking and completing the Stadium upgrade and to bearing the direct and indirect costs for any services associated with the upgrade and adjacent development on Stadium lands while also confirming that the City will not anticipate any Community Amenity Contributions from the development beyond the Stadium upgrade itself, all subject to termination if the proposed FCN ODP amendments are not enacted by a specified outside date.

**OUTLINE OF MAJOR TERMS FOR "UPGRADE COMMITMENT AGREEMENT" WITH PAVCO**

1. Definition of "Upgrade" to describe proposed work to rehabilitate B.C. Place, including new roof.
2. Recitals to reflect concept that resulting Upgrade will amount to a significant community amenity.
3. Agreement not to fetter Council discretion, regarding consideration of FCN ODP Amendments or otherwise.
4. Mutual condition precedent whereby Agreement will terminate if the FCN ODP Amendments are not enacted by specified outside date.
5. PavCo to commit absolutely to complete Upgrade by a certain date.
6. PavCo to be responsible for 100% of the direct and indirect costs of the on-site and off-site services to properly service B.C. Place as rehabilitated and, when the adjacent development sites 10A and 10C are redeveloped, PavCo or their successors to 10A and 10C to be responsible for 100% of the direct and indirect costs of the on-site and of-site services to properly service 10A and 10C.
7. Considering the recited significant community amenity (item 2 above), no DCLs or CACs.
8. Arrangements related to Smithe Street Extension.

9. Mechanisms regarding various grants, statutory rights of way and transfers to the City, including under Georgia Viaduct areas, passage route(s) through site, street car route setback and rehabilitated B.C. Place encroachments.
10. All other terms and conditions as required by the Office of the City Manager in consultation with Engineering and Legal Services.

Note: The terms of the Upgrade Commitment Agreement have yet to be fully negotiated with and accepted by PavCo.

CARRIED

(Councillors Chow, Deal, Louie and Stevenson opposed to B, C, and D)

#### 4. TEXT AMENDMENT: 322 Davie Street (Opus Hotel)

\* \* \* \* \*

*On November 4, 2008, Councillor Ball declared conflict of interest regarding this item as her previous employer had connections to the Opus Hotel. Councillor Ball left the meeting at 6:15 p.m. and did not return.*

\* \* \* \* \*

An application by Alan Endall, Endall Elliot Associates was considered as follows:

Summary: To amend existing Comprehensive Development District (CD-1) to increase the maximum permitted height and density to accommodate an open-air restaurant at roof level.

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

#### Staff Opening Comments

Karen Hoesé, Rezoning Centre, introduced the application and responded to questions, noting a minor error in the height in Appendix A of the staff report had been corrected in the posted by-law and the body of the report.

Ms. Hoesé, along with Constable Peter Ryan, Vancouver Police Department, Brent Toderian, Director of Planning, and Rob Jenkins, Assistant Director of Current Planning, responded to questions during the hearing of speakers.

\* \* \* \* \*

*The Mayor ruled a question posed by Councillor Stevenson out of order as Council had agreed to ask questions of staff after hearing from speakers. Councillor Stevenson challenged the ruling of the chair.*

*The Mayor put the question:*

*Shall the decision of the Chair be sustained?*

*(Councillors Cadman, Deal, Louie and Stevenson opposed)*

*A 2/3 majority is necessary to overturn the ruling of the chair, therefore the decision of the chair was SUSTAINED.*

\* \* \* \* \*

## **Applicant Comments**

John Evans, Trilogy Properties, Alan Endall, Endall Elliot Associates, Bob Strachan, Brown Strachan Associates, and Jane Durante, Landscape Architect provided an overview of the history of the Opus Hotel in Vancouver, and the provided an overview of the current application.

\* \* \* \* \*

*Councillor Chow arrived at 6:45 p.m. on November 4, 2008. Councillor Louie asked if Councillor Chow would be able to vote on this item, and noted that Councillor Ladner was also absent. The Chair ruled that as both had missed a substantial part of the presentations, neither would be able to vote on this item at the Public Hearing.*

\* \* \* \* \*

## **Summary of Correspondence**

Council received 22 letters and 1 card opposed to the application, 53 letters in support of the application and 10 letters dealing with other issues since the application had been referred to Public Hearing.

## **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application, noting concerns with noise, parking, privacy issues, property values and livability:

Bryce Cabott

Randy Price, represented by James MacKenzie  
Michael McCoy, Chair - Strata LMS 130  
Rob White  
Caron Wickens-Roy  
Marlene Madison  
Lance Berelowitz  
Marlis Thiessen  
James MacKenzie  
Remy Kozak  
Jean Guimond  
Brad Zembic  
Lisa Kirkham  
Struan Howes  
Mahsa Shirazi-Kia, represented by James MacKenzie  
Robert Bruce  
Greg Ruark, Pacific Plaza  
David McMurray  
Jody Wilson  
Lisa Nucich (*brief submitted - on file*)  
Steven Succh  
Alvin Thompson  
Howard Waisman  
Lenora Hobbis, represented by Jody Wilson  
Robert Danielson (*brief submitted - on file*)  
Marianne Jones  
Hannah Decker, represented by Jean Francois Guimond  
Norman Decker, represented by James MacKenzie  
Dan Wilson, represented by Jody Wilson  
Richard Roy, represented by James MacKenzie  
Rose Yu  
Shirley Chin, represented by Jean Francois Guimond  
Alex Heymann, represented by James MacKenzie  
Iwona Roslonek, represented by James MacKenzie  
Mark James, represented by James MacKenzie  
Brent Barraclough, represented by James MacKenzie  
Edith McMillen  
Minoru Ito, represented by Jean Francois Guimond  
Arman Tehrani, represented by Jean Francois Guimond  
Rony Putih, represented by Jody Wilson  
Samira Amini, represented by Jean Francois Guimond  
Monica Chui, represented by James MacKenzie  
Ken Pool  
Blair Todd  
Douglas Crawford, represented by Jean Francois Guimond  
Kay Ackles, represented by Jean Francois Guimond  
Mae Cabott  
Darryl Aris, represented by James MacKenzie  
Nabeela Popatia, represented by James MacKenzie

Marie Masha Trubka, represented by James MacKenzie  
Antje Naumann, represented by Jean Francois Guimond  
Laura Cabott, represented by Mae Cabott  
David Huh, represented by Jean Francois Guimond  
Eun Young Park, represented by Jean Francois Guimond  
Karl Redekopp  
Pauline Savoy  
Holger Hoos  
Ken Lee  
Jason Smolensky, represented by Holger Hoos  
Morten Irgens  
Florissa Abreu  
Nelson Kulen, represented by James MacKenzie (*brief submitted - on file*)  
Fiyaz Hasham, represented by Jean Francois Guimond  
Ming Song, represented by Pauline Savoy  
Mark O'Nions  
Yima Shen  
Muhong Sheng, represented by Florissa Abreu  
Cathy Behrenbruch, represented by Jean Francois Guimond  
Edna Leyland, represented by Brad Zembic  
Joel Bronstein, represented by Brad Zembic  
Nasser Abdeus Salam  
Stephanie Howard, represented by Lisa Nucich  
Greg Mori  
Colin Curtis, represented by Holger Hoos  
David Lin, represented by Morten Irgens  
Bernie Chauvin  
William Walker  
Lynne Scory

The following spoke in general support of the application, noting community, business, tourism and social benefit aspects:

Mar Anderson  
Mitchell Smith  
Gianrita Celotti  
Hani Lammam, Cressey Development Group  
Grant Axworthy  
Hebron Shyng  
Jason Keenan, BC Hotel Association  
Dana Volrich  
Rany Zien  
Fioretta Willinofsky  
Jennifer Petersen, Arts Umbrella  
Jeff Richards  
Maxine Davis  
Alex Orr, Orr Development  
Aaron Sanderson, BC Childrens' Hospital Foundation

Kenn Hamlin  
Chris Vollan  
Ted Bishop, Bear Studios  
Scott MacDonald, Covenant House  
Annette O'Shea, Yaletown BIA  
Carmen Ruiz y Laza, represented by Tracy Chong  
Alexandra Gill, represented by Annabel Hawksworth  
Bryce Margetts  
Harrison Han  
Tracy Chong  
Jason Apple  
Derek Shepherd  
Jeff Kee  
Virginia Bird  
James Dean, represented by Gabriela von Pfetten  
Amin Shabaz  
Sharon Chan  
Sam Gudewill  
Martin Kloban  
Vern Campbell  
Paul Larocque  
Brian Grange  
Gabriela von Pfetten  
Henry Ng  
Monica Reyes  
Pavel Baines  
David Swan

\* \* \* \* \*

*Prior to calling the Public Hearing to order on November 7, 2008, it was*

*MOVED by Councillor Louie*

*THAT a Special Council meeting be convened immediately tonight, prior to the beginning of the Public Hearing, in order to discuss holding an emergency meeting of Council.*

*not put*

*The Mayor ruled Councillor Louie's motion out of order as this is not the proper procedure to call a Special Council Meeting.*

*The Public Hearing then reconvened at 6:15 p.m.*

\* \* \* \* \*



### Applicant Closing Comments

The applicant submitted a memo from Vancouver Coastal Health (*on file*) which responded to concerns regarding food preparation facilities, and responded to questions.

### Staff Closing Comments

Staff provided closing comments, responded to some of the concerns raised by speakers, responded to questions and submitted alternate recommendations for Council's consideration.

### Council Decision

MOVED by Councillor Cadman

- A. THAT the application by Endall Elliot Associates, on behalf of Trilogy Yaletown Development Corp., to amend CD-1 By-law No. 7948 (reference No. 384) for 322 Davie Street (Lot 21, Block 76, DL 541, Plan 3469) to increase the maximum density and height to accommodate a rooftop restaurant, generally as presented in Appendix A to policy report "CD-1 Text Amendment at 322 Davie Street (Opus Hotel)" dated September 3, 2008 be declined.
- B. THAT staff be asked to develop a costed proposal to develop a public process to develop rooftop patio policy guidelines for the location of rooftop patios in venues that may conflict with current residential tenancies and places which take advantage of view locations.

CARRIED  
(Councillor Anton and Mayor Sullivan opposed)

### 6. REZONING: 1845 Napier Street

At the Regular Council meeting on October 28, 2008, Council agreed to move this item to a future Public Hearing.

### RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
SECONDED by Councillor Lee

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

**BY-LAWS**

MOVED by Councillor Capri  
SECONDED by Councillor Louie

THAT Council enact the by-law listed on the agenda for this meeting as number 1, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY  
(Councillor Ball did not vote)

MOVED by Councillor Stevenson  
SECONDED by Councillor Anton

THAT Council, except for those members excused as noted in the agenda, enact the by-law listed on the agenda for this meeting as number 2, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. A By-law to amend CD-1 By-law No. 7679 re 201 Burrard Street (1001 Canada Place) (By-law No. 9752)
2. A By-law to amend False Creek North Official Development Plan By-law No. 6650 re BC Place Stadium (By-law No. 9753)

*Note from Meeting Coordinator: By-law 1 was enacted on October 28, 2008, and By-law 2 was enacted on October 30, 2008.*

The Special Council recessed at 10:05 p.m. on October 16, 10:12 p.m. on October 28, 10:36p.m. on October 30, 10:36 p.m. on November 4, 2008, 10:08 p.m. on November 7, 2008 and adjourned at 9:31 p.m. on November 18, 2008.

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