



REPORT TO COUNCIL
SPECIAL COUNCIL MEETING MINUTES

MARCH 24, 2009

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, March 24, 2009, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider zoning, heritage and sign by-law amendments.

PRESENT: Mayor Gregor Robertson
Councillor Suzanne Anton
Councillor George Chow*
Councillor Heather Deal*
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs*
Councillor Tim Stevenson
Councillor Ellen Woodsworth

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

CITY CLERK'S OFFICE: Lori Isfeld, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the Zoning and Development By-law, Comprehensive Development District, Sign By-law, and Heritage Designation By-law.

CARRIED UNANIMOUSLY
(Councillor Deal absent for the vote)

1. HERITAGE DESIGNATION: 1050 Odlum Drive

An application by Robert Mitchell was considered as follows:

Summary: To preserve and protect the exterior of this heritage house through a heritage designation as part of the Vancouver Heritage Foundation's True Colours Grant program.

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

Summary of Correspondence

No correspondence had been received on this application.

Speakers

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

Council Decision

MOVED by Councillor Anton

- A. THAT Council approve the designation of the Viani House at 1050 Odium Drive, listed on the Vancouver Heritage Register in the "B" category, as Protected Heritage Property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment the heritage designation by-law.
- C. THAT Council commend the building owner for designating their property on a voluntary basis and for participating in the Vancouver Heritage Foundation's *True Colours* program.

CARRIED UNANIMOUSLY
(Councillor Deal absent for the vote)

2. TEXT AMENDMENT: Miscellaneous Text Amendments

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

Summary: To make minor amendments to the Comprehensive Development District (CD-1) #458 for 1655-1675 West 3rd Avenue and to the Sign By-law to correct inadvertent errors.

The Director of Planning 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 none were present.

Council Decision

MOVED by Councillor Anton

THAT the application to amend Comprehensive Development District (CD-1) #458 (By-law No. 9543) and the Sign By-law for miscellaneous text amendments generally as presented in Appendix A to the Policy Report *"Miscellaneous Text Amendments: CD-1 #458 and the Sign By-law"* dated February 3, 2009 be approved.

CARRIED UNANIMOUSLY
(Councillor Deal absent for the vote)

3. REZONING: Hastings North Industrial Area

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

Summary: To rezone the industrial area between Victoria Drive and Semlin Drive from M-2 (Heavy Industrial) District to I-2 (Light Industrial) District to improve the buffer between the residential uses east of Semlin Drive and the heavy industrial area west of Victoria Drive.

The Director of Planning recommended approval.

Staff Comments

Ken Munro, Assistant Director of Community Planning and Chris Clibbon, Planner, City Wide & Regional Planning, responded to questions.

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.

Patricia Barnes, Hastings North BIA, spoke in support of the application and requested that resources be assigned to develop a strategic plan for the Hastings North Industrial area.

The Mayor called for any additional speakers for and against the application and none were present.

Council Decision

MOVED by Councillor Anton

THAT the application to rezone the industrial area between Victoria Drive and Semlin Drive, as shown in Figure 1 of Policy Report *"Hastings North - Victoria Drive to Semlin Drive Rezoning"*, dated February 9, 2009, and as described by legal descriptions contained in Appendix A of the same report, from M-2 District to I-2 District, be approved.

CARRIED UNANIMOUSLY

4. TEXT AMENDMENT: 2040-2080 West 10th Avenue (Madrona School Society)

An application by Janet Hamilton, Madrona School Society, was considered as follows:

Summary: To amend the CD-1 (Comprehensive Development) zoning to add "School - Elementary or Secondary" as a permitted use to allow Madrona School Society to operate a private elementary school at this location.

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

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 none were present.

Council Decision

MOVED by Councillor Stevenson

THAT the application by Madrona School Society to amend the land use section of CD-1 #234 (By-law No. 6429) for 2040-2080 West 10th Avenue (PID 012-496-154, Lot F, Block 365, DL 526, PI 22022 and PID 014-978-016, Lot Air Space Parcel 1, Block 365, Plan 22484, DL 526, EP LMP48610 to EP LMP48613) to add "School - Elementary or Secondary", generally as contained in Appendix A of the Policy Report *"CD-1 Text Amendment - 2040-2080 West 10th Avenue"*, dated February 17, 2009 be approved subject to the following conditions:

PROPOSED CONDITIONS: FORM OF DEVELOPMENT

- (a) That the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Engineering

- (i) Provision of a Transportation Management Plan to the satisfaction of the General Manager of Engineering Services.

CARRIED UNANIMOUSLY

5. TEXT AMENDMENT: 4176 Alexandra Street (York House School)

An application by Julie Paul, York House School, was considered as follows:

Summary: To amend the CD-1 (Comprehensive Development) By-law to increase the limit on enrolment for grades 8 to 12 from 265 to 325 students. The overall enrolment limit (elementary and secondary combined) at Alexandra Street will remain at 600 students. This request follows from the relocation of the school's kindergarten to 3274 East Boulevard.

The Director of Planning 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 none were present.

Council Decision

MOVED by Councillor Anton

THAT the application by York House School to amend the land use section of CD-1 #288 (By-law No. 7045) for 4176 Alexandra Street (PID: 007-993-811; Block 670, Lot 526, Group 1, NWD) to increase the limit on enrolment in grades 8 to 12 from 265 students to 325 students, generally as presented in Appendix A of the Policy Report "*CD-1 Text Amendment: 4176 Alexandra Street (York House School)*", dated February 17, 2009, be approved.

CARRIED UNANIMOUSLY

(Councillors Chow and Meggs absent for the vote)

6. REZONING: 2960-2990 Nanaimo Street

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

Summary: To rezone from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit non-market housing for Lu'ma Native Housing Society.

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

Daniel Naundorf, Planner, Housing Policy, responded to questions.

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 none were present.

Council Decision

MOVED by Councillor Louie

- A. THAT, to enable a proposed supportive housing development to proceed, the application to rezone the site at 2960-2990 Nanaimo Street (the Site) (Lots 4, 5 & 6, Block U, Section 45, THSL, Plan 11660; PID:006-913- 709, PID:006-913-822, PID:006-915-655) from C-1 (Commercial District) to CD-1 (Comprehensive Development District), generally as presented in Appendix A to the Policy Report *"CD-1 Rezoning - 2960-2990 Nanaimo Street"*, dated February 13, 2009, be approved subject to the following conditions:

1. **CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Patrick R. Stewart, Architect in plans and stamped "Received City of Vancouver January 29, 2009", provided that the Director of Planning may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That prior to final approval by Council of the form of development, the owner shall obtain approval of a development application by the Director of Planning, who shall consider the following conditions:

Design Development

- (i) design development to the Grandview elevation to improve integration with overall building massing;

Note to Development Applicant: This can be achieved by providing a similar setback at the north side of the third floor as the west elevation. Screening of parking and any proposed mechanical equipment should be proposed. The upper two floors should have visible support at the northeast corner. A continuation of the wood columns may be appropriate.

- (ii) design development to the roofline to simplify and strengthen its expression;

Note to Development Applicant: Areas of apparent symmetry should be resolved to be symmetrical, especially at the Nanaimo Street entry. The roof form should express the overall building form, and not necessarily the location of balconies. The uppermost gable style appurtenance at the Nanaimo Street elevation should be extended further to the east to have a strong appearance from all view points.

- (iii) design resolution of the projecting balconies at the east elevation;

Note to Development Applicant: Projecting balconies should be well integrated with the building form, should align vertically, and must be coordinated with the townhouse "roof" expression. This can be achieved by inseting the balcony, and relocating it to the corner, which will also accomplish a better relationship to the neighbouring building.

- (iv) design development to provide improved pedestrian access to the building;

Note to Development Applicant: The retail entry at Grandview Highway must meet the sidewalk grade. This may require localized interior level changes. Grades, and the requirement of any retaining walls at the parking must be clarified. At the southeast Play Space clarify the direction of stair travel, and stair access on the Site Plan.

- (v) design development to the public realm on Nanaimo Streets, Grandview Highway as well as the east parking area;

Note to Development Applicant: This can be achieved by coordinating and clearly illustrating all significant landscape items and required setbacks, on the Site Plan. The drawing should include the extent and type of paving, both new and existing, the proposed street trees, the number and rise of stairs, and any retaining walls. Identify all the street furniture or fixtures. A flush planter should be provided at the amenity area entry, approximately between gridlines 12 and 13. The east elevation must show mechanical vents, if any, and proposed screening. The large concrete walls should be detailed with reveals, and climbing vines, if possible. CPTED issues, especially at the stair to the lane adjacent to the garbage area, must be addressed.

- (vi) design development to the south side yard to provide clear pedestrian access, and a neighbourly transition;

Note to Development Applicant: The south side yard must follow the grade of the adjacent site with minimal reliance on retaining walls. The building egress must be within the side yard setback, and simply executed.

- (vii) design development to unit layouts to provide improved liveability and maximum privacy between units;

Note to Development Applicant: This can be achieved by orienting units, wherever possible, so that living areas are not adjacent to sleeping areas. When possible, entry doors across the corridor from one another should be offset to increase visual privacy.

- (viii) design development to achieve a coordinated resolution of the garbage and loading areas;

Note to Development Applicant: The loading and garbage areas should be screened in an attractive and coordinated manner. Provide details of the garbage enclosure construction, and illustrate areas of landscaping on the Site Plan. The design should reduce opportunities for crime, and have strong consideration of personal safety of residents accessing the garbage enclosure.

- (ix) provision of high quality building materials appropriate to the use;

Note to Development Applicant: The number of exterior siding materials should be limited to two field materials, one for the commercial base, and one for the upper residential levels. A panelized material may be more appropriate than the siding and shingles proposed. Changes in material should be handled in an attractive and logical manner. (The Tindal stone finish must wrap around the southwest corner, and have a well-detailed termination.)

- (x) provision of additional information on elevations and site plans identifying the location of exterior lighting;

- (xi) provision of a conceptual signage package noting compliance with the Sign By-law;

Note to Development Applicant: Show proposed locations and size of proposed signage on the site and building for *reference*. Signage should be integrated with, but not detract from architectural elements. Note on drawings that approval for signs will be sought in a *separate* application for a Sign Permit. The development permit does not approve signage.

- (xii) provision of larger scale sectional drawings showing proposed canopies, balconies, roof decks, post and beam feature and entries;

Note to Development Applicant: Drawings at a minimum of 1:50 scale must be provided of these and of any other area the development applicant feels expresses the strength of the integrated façade features and the building-to-street interface.

- (xiii) provision of details of significant exterior details including landscape elements;

Note to Development Applicant: At a minimum, provide details of the wood post to base connection, balcony rails and soffits, window details, and exterior stair railings, garbage enclosure and lighting.

Landscape

- (xiv) improvements of the plans:
- architectural sections and/or sectional plan arrows appear to be incorrect;
 - landscape plan to show property line;
 - provide spot elevations on the landscape plan and site plan to clarify the various grade changes and walls adjacent the building;
 - landscape plan to be submitted at a larger scale.
- (xv) provision of a high quality public realm, to be confirmed prior to the issuance of the building permit;

Note to Development Applicant: Coordinate with Engineering staff when designing the public realm, including the surface treatment, planting beds and trees. Along the Nanaimo Street frontage, provide a double row of street trees set into planting beds flush with grade. Consider that building entrances need to be unencumbered. A lawn boulevard should be provided adjacent the curb, where possible. Special paving, such as exposed aggregate banding, should be integrated into the public realm and be compatible with the private surface treatment. Contact Eileen Curran, Streets Engineering, 604.871.6131, to confirm the surface treatment and planting locations and Park Board, 604.257.8587 for tree species selection and planting requirements. Provide a notation on the plan, "Final spacing, quantity of street trees to the satisfaction of the General Manager of Engineering Services and tree species to the satisfaction of the Park Board to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 ft. long and 18 in. deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

- (xvi) provision of additional large scale sections through:
- grid line #12;
 - the linear planting strip near the lane in the northeast corner;
- (xvii) provision of high-quality surface treatment on private property along the Nanaimo Street and Grandview Highway frontages;

Note to Development Applicant: The material should be of higher quality finish than brushed concrete.

- (xviii) design development to improve the public realm amenity in proximity to the corner;

Note to Development Applicant: This can be done by the addition of outdoor furniture, planting and/or related element of interest.

- (xix) screening or enclosure of the hydro box at the lane;

- (xx) provision of dimensioned street tree protection fences to be labeled on the landscape plan; and

Note to Development Applicant: Refer to Engineering Street Tree Protection Guidelines.

Engineering

- (xxi) traffic calming measures, subject to public consultation, as follows:
- speed humps on the north-south and east-west lanes;
 - diverts at the intersection of the lane at Copley Street and at the lane and 16th Avenue.

2. CONDITIONS OF BY-LAW ENACTMENT

- (a) That prior to enactment of the CD-1 By-law, and at no cost to the City, unless otherwise specified below:

Engineering

- i) the owner shall make arrangements on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services for the following:
- (a) consolidation of Lots 4, 5 & 6, Block U, Section 45, THSL, Plan 11660 into a single parcel; and
- (b) 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.

Housing Centre

- ii) the owner shall make arrangements on terms and conditions satisfactory to the Managing Director of Social Development and the Director of Legal Services, to enter into a Housing Agreement, in order to comply with the exemption provisions for social housing in the relevant DCL By-law and the Interim Citywide CAC Policy;

Soils

- iii) the owner shall do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter, as required by and to the satisfaction of the Manager of Environmental Protection and the Director of Legal Services; and
- iv) if a Certificate of Compliance is required by the Ministry of Environment as a result of a completed site profile, execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services,

that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance has been provided to the City by the Ministry of Environment, and all other conditions imposed by the City or Ministry of Environment have been satisfied.

- B. FURTHER THAT, the application to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (C-1) as set out in Appendix C to the Policy Report "*CD-1 Rezoning - 2960-2990 Nanaimo Street*", dated February 13, 2009, be approved.
- C. AND FURTHER THAT, the Director of Legal Services be instructed to bring forward at the time of enactment of the CD-1 By-law the amendment to the Noise Control By-law to establish regulations for this CD-1 in accordance with Schedule B, as set out in Appendix C to the Policy Report "*CD-1 Rezoning - 2960-2990 Nanaimo Street*", dated February 13, 2009.

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

7. REZONING: 6511 Granville Street

An application by Jerry Doll, Neale Staniszkis Doll Adams (NSDA) Architects was considered as follows:

Summary: To rezone from RS-6 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to allow a development of a three-storey seniors supportive and assisted housing development.

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

Staff Opening Comments

Michelle McGuire, Planner, Rezoning Centre, provided an overview of the application and staff's recommendation and, along with Wali Memon, Parking Policy & Development Engineer, Parking Management, responded to questions.

Applicant Comments

Derek Neale, Neale Staniszkis Doll Adams Architects, provided an overview of the application and noted concerns raised could be addressed through the development permit process, and responded to questions.

Summary of Correspondence

Council received one letter and twelve emails in opposition since the application was referred to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Nancy Yamazaki
Ning Zeng
Robert Yueun
Wen Feng Liu
Terry Lo
Ivan Moldowan
Bing Kiang He
Kandip Michael Mannas
Pwitter Singh Mannas
Tung Wa Tsoi
Kingsley Lo
Emma Morgan
Andy Yo
Joel Mendez

Carol Weins spoke in general support of the application.

The Mayor called for any additional speakers for and against the application and there were none present.

Applicant Closing Comments

Mr. Neale provided closing comments on concerns expressed by the speakers and responded to questions.

Council Decision

MOVED by Councillor Louie

THAT staff's summation and Council's discussion and decision on the application by Brook and Associates Inc., to rezone from RS-6 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to allow a development of a three-storey seniors supportive and assisted housing development, be referred to the next Regular Council meeting on Tuesday, April 7, 2009, as Unfinished Business.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

The Special Council adjourned at 10:20 p.m.

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