



(These Minutes to be adopted at the Regular Council meeting on July 7, 2009)

## REPORT TO COUNCIL

### SPECIAL COUNCIL MEETING MINUTES

JUNE 16, 2009

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 16, 2009, at 7:42 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 and Heritage by-laws.

**PRESENT:** Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor George Chow  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Andrea Reimer  
Councillor Ellen Woodsworth

**ABSENT:** Councillor David Cadman (Leave of Absence - Civic Business)  
Councillor Geoff Meggs (Leave of Absence)  
Councillor Tim Stevenson (Leave of Absence - Civic Business)

**CITY CLERK'S OFFICE:** Pat Boomhower, Meeting Coordinator

#### COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth  
SECONDED by Councillor Chow

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the Zoning and Development and Heritage by-laws.

CARRIED UNANIMOUSLY

#### 1. HERITAGE DESIGNATION: 4446 James Street

An application by Michael Wade and Teresa Whitehouse was considered as follows:

Summary: To designate the "B" listed Imrie House to preserve and protect the exterior of this heritage house as part of the Vancouver Heritage Foundation's *True Colours* grant program.

The Director of Planning recommended approval.

### Staff Comments

Marco D'Agostini, Senior Heritage Planner, Current Planning, 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 and none were present.

### Council Decision

MOVED by Councillor Deal

- A. THAT Council approve the designation of the Imrie House at 4446 James Street, 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 owners for designating their property on a voluntary basis and for participating in the Vancouver Heritage Foundation's *True Colours* program.

CARRIED UNANIMOUSLY

### 2. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA): 2145 West 45<sup>th</sup> Avenue

An application by James Burton, Birmingham and Wood, was considered as follows:

Summary: To designate the "B" listed heritage building at 2145 West 45th Avenue as protected heritage property. In exchange for the designation and preservation of the heritage house, the proposed HRA will permit construction of an infill One-Family Dwelling at the rear of the property. The proposed HRA will grant variances in use and density nominally in excess of what is permitted in the RS-5 District.

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

### Staff Comments

James Boldt, Planner, Heritage Group, Current Planning, provided an overview regarding the application, and along with Brent Toderian, Director of Planning, responded to questions.

## Applicant Comments

James Burton, Birmingham & Wood Architects and Planners, was present to respond to questions.

## Summary of Correspondence

Council received one letter and one email in opposition to the application.

## Speakers

The following spoke in opposition to, or expressed concerns with, the application:

Marylou Browne  
Alister Browne (brief and material filed)  
Anna Milino

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

## Council Decision

MOVED by Councillor Deal

- A. THAT the building currently located at 2145 West 45<sup>th</sup> Avenue, listed in the "B" evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for the building located at 2145 West 45<sup>th</sup> Avenue to:
  - secure the rehabilitation and long-term preservation of the building; and
  - permit development of an Infill One-Family Dwelling at the rear of the 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 located at 2145 West 45<sup>th</sup> Avenue as protected heritage property.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed, registered, and given priority, to the satisfaction of the Director of Legal Services and the Director of Planning.

CARRIED UNANIMOUSLY

### 3. TEXT AMENDMENT: Basements in Single-Family Areas

An application by Director of Planning was considered as follows:

**Summary:** To facilitate functional basements in single-family houses, RS (single-family) zoning amendments are proposed that would allow more floor area in the basement, together with less floor area above grade and a smaller house footprint. To enable more livable basement suites, two options for basement height are provided for consideration, as requested by Council at referral on May 5, 2009. Under A, the proposed amendments would permit basements that are higher out of the ground by one foot (from 4 to 5 feet). Under B, basements could be higher by two feet (from 4 to 6 feet) – with this option there would also be an outright one foot increase in overall building height in the RS-1 zone (from 30 to 31 feet).

The Director of Planning in consultation with the Director of Development Services, put forward two options regarding basement height for Council's consideration.

#### Staff Comments

Brent Toderian, Director of Planning, and Paul Nowlan, Planner, Regulation Policy and Projects, City-Wide and Regional Planning provided an overview of the application, and along with Ronda Howard, Assistant Director, City-Wide and Regional Planning, responded to questions.

#### Summary of Correspondence

Since referral to Public Hearing, Council received one letter in support and two letters in opposition to the application, as well as two "other" letters.

#### Speakers

The following spoke in support of the application:

Chris McGill  
Fiona Chooi  
Caterina Karakas

The following spoke in opposition to, or expressed concerns with, the application:

Jane Ingman-Baker, Dunbar Vision Implementation Committee (brief filed)  
Ned Jacobs, Neighbourhoods for a Sustainable Vancouver (brief filed)  
Eleanor Hadley

The following spoke generally on the matter and offered suggestions:

Jeanette Jones  
Marion Bromley (brief filed)  
Peter Sven  
Josh Thurston (material filed)

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

### Council Decision

MOVED by Councillor Anton

- A. THAT the application to amend the RS District Schedules to facilitate functional and livable basements, generally in accordance with Appendix A to the Policy Report "*Enabling Basements in Single Family Districts*", dated April 27, 2009, be approved, together with the following change to the section titled "Improve Livability in Basements in all RS Districts" (in Appendix A, page 10 of 11 of the above report):
- Amend the following RS Districts by increasing the allowable height of the first storey floor surface from 4 feet (1.2 m) to 6 feet (1.8 m), and consequentially increase building height in the RS-1 District Schedule from 30 feet (9.2 m) to 31 feet (9.5 m), and any related consequential amendments.
- B. THAT staff monitor the new basement zoning option in relation to:
- i. uptake relative to current zoning options,
  - ii. impact in RS-5 on design and on use of conditional stream,
  - iii. impact on re-development versus retention,
  - iv. location, and

FURTHER THAT information from the monitoring be available to the public annually; and

FURTHER THAT staff monitor until otherwise advised by Council; and

FURTHER THAT if staff identify significant impacts, they be directed to report sooner to Council with options.

amended

AMENDMENT MOVED Councillor Reimer

THAT the motion be amended by striking the word “annually” in B and inserting the phrase “at intervals no less than every six months”.

CARRIED  
(Councillor Anton opposed)

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY.

FINAL MOTION AS APPROVED

A. THAT the application to amend the RS District Schedules to facilitate functional and livable basements, generally in accordance with Appendix A to the Policy Report “*Enabling Basements in Single Family Districts*”, dated April 27, 2009, be approved, together with the following change to the section titled “Improve Livability in Basements in all RS Districts” (in Appendix A, page 10 of 11 of the above report):

- Amend the following RS Districts by increasing the allowable height of the first storey floor surface from 4 feet (1.2 m) to 6 feet (1.8 m), and consequentially increase building height in the RS-1 District Schedule from 30 feet (9.2 m) to 31 feet (9.5 m), and any related consequential amendments.

B. THAT staff monitor the new basement zoning option in relation to:

- i. uptake relative to current zoning options,
- ii. impact in RS-5 on design and on use of conditional stream,
- iii. impact on re-development versus retention,
- iv. location, and

FURTHER THAT information from the monitoring be available to the public at intervals no less than every six months; and

FURTHER THAT staff monitor until otherwise advised by Council; and

FURTHER THAT if staff identify significant impacts, they be directed to report sooner to Council with options.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Deal  
SECONDED by Councillor Reimer

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 10:22 p.m.

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