

REPORT TO COUNCIL
SPECIAL COUNCIL MEETING MINUTES

OCTOBER 6 AND 8, 2009

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 6, 2009, at 7:35 pm, 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. Subsequently, the meeting was recessed, and re-convened in the Council Chamber at 7:40 pm on October 8, 2009. The minutes have been consolidated for ease of reference.

PRESENT: Mayor Gregor Robertson*, Chair (October 8)
Councillor Suzanne Anton
Councillor David Cadman*
Councillor George Chow*
Councillor Heather Deal*
Councillor Kerry Jang
Councillor Raymond Louie, Acting Chair (October 6)
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tim Stevenson*
Councillor Ellen Woodsworth

ABSENT: Mayor Gregor Robertson (Leave of Absence - Civic Business -
October 6, Item 1, 2, 3 and a portion of Item 4)
Councillor David Cadman (**October 8** - Item 4)
Councillor Heather Deal (**October 6** - Items 1, 2, 3 and a
portion of Item 4))
Councillor Tim Stevenson (**October 6** - Items 1, 2, 3 and a
portion of Item 4))

CITY CLERK'S OFFICE: Pat Boomhower, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY
(Councillors Chow, Deal and Stevenson and the Mayor absent for the vote)

1. REZONING: 887 Great Northern Way

An application by Mark Whitehead, Musson Cattell Mackey Partnership, was considered as follows:

Summary: To rezone from I-3 (Industrial) to CD-1 (Comprehensive Development) District to allow the existing bio-technology building to convert to General Office, Financial Institution, Health Care Office and Health Enhancement Centre uses under the False Creek Flats rezoning policy.

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

Also before Council was a Memorandum dated October 6, 2009, from Kent Munro, Assistant Director of Planning, Current Planning Division, which proposed an amended Recommendation A of the Policy Report *CD-1 Rezoning - 887 Great Northern Way*, dated July 21, 2009, and provided Appendix C with respect to Community Amenity Contribution arrangements.

Staff Opening Comments

Alison Higginson, Rezoning Planner, Rezoning Centre, Current Planning, explained the application and along with Brent Toderian, Director of Planning, and Michael Flanigan, Director, Real Estate Services, responded to questions.

Applicant Comments

Mark Whitehead, Musson Cattell Mackey Partnership, and Tom Douglas, Discovery Park Inc. responded to questions.

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Meggs

THAT the application by Musson Cattell Mackey Partnership to rezone 887 Great Northern Way (Lot F, D.L. 264A and D.L. 2037, Plan LMP38193 PID: 024 175 650) from I-3 to CD-1, to allow an existing bio-technology building to convert to General Office use and to add Financial Institution, Health Care Office and Health Enhancement Centre as permitted uses, be approved, together with;

- (i) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated July 21, 2009, entitled "Rezoning: 887 Great Northern Way"; and

- (ii) the recommendation of the Director of Planning to approve the application, subject to the condition contained in Appendix C, as set out in the memorandum dated October 6, 2009, from Kent Munro, Assistant Director of Planning; and

FURTHER THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (I-3), as set out in Appendix B of the above-noted Policy Report, also be approved.

amended

AMENDMENT MOVED by Councillor Woodsworth

THAT Appendix C(a)(i) be amended by striking out nine (9) months and inserting the term of twelve (12) months.

amended

AMENDMENT TO THE AMENDMENT

THAT the following be added at the end of the amendment:

FURTHER THAT as part of enactment of the CD-1 By-law, staff are directed to provide clarity to Council of the nine-month to twelve-month term, as well as the number of operators of the space with respect to the Community Amenity Contribution Agreement.

CARRIED

(Councillor Anton opposed)

(Councillors Deal and Stevenson and the Mayor absent for the vote)

The amendment to the amendment having carried, the amendment was put and CARRIED UNANIMOUSLY.

The amendments having carried, the motion as amended was put and CARRIED UNANIMOUSLY with Councillors Deal and Stevenson and the Mayor absent for the vote.

FINAL MOTION AS ADOPTED

THAT the application by Musson Cattell Mackey Partnership to rezone 887 Great Northern Way (Lot F, D.L. 264A and D.L. 2037, Plan LMP38193 PID: 024 175 650) from I-3 to CD-1, to allow an existing bio-technology building to convert to General Office use and to add Financial Institution, Health Care Office and Health Enhancement Centre as permitted uses, be approved, together with;

- (i) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated July 21, 2009, entitled "Rezoning: 887 Great Northern Way"; and

- (ii) the recommendation of the Director of Planning to approve the application, subject to the conditions contained in Appendix C as set out in the memorandum dated October 6, 2009, from Kent Munro, Assistant Director of Planning, with an amendment to C(a) (i) to indicate a term of twelve (12) months rather than nine (9); and

FURTHER THAT as part of enactment of the CD-1 By-law, staff be directed to provide clarity to Council of the nine-month to twelve-month term, as well as the number of operators of the space with respect to the Community Amenity Contribution Agreement.

2. TEXT AMENDMENT: 1980 Foley Street

An application by Mark Whitehead, Musson Cattell Mackey Partnership, was considered as follows:

Summary: To amend the existing Comprehensive Development (CD-1) By-law to permit the addition of General Office, Financial Institution, Health Care Office and Health Enhancement Centre uses in Sub-Area 1 under the False Creek Flats rezoning policy.

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

Also before Council was a Memorandum dated October 6, 2009, from Kent Munro, Assistant Director of Planning, Current Planning Division, which proposed an amendment to Appendix B of the Policy Report, "*CD-1 Text Amendment - Great Northern Way (1980 Foley Street)*", dated July 21, 2009, to add the following condition:

AGREEMENTS

- (c) That prior to enactment of the amending By-law, the registered owner shall, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services, Director of Real Estate Services and the Director of Planning, make arrangements for the following:

COMMUNITY AMENITY CONTRIBUTION

- (i) secure the registered owner's offer of an on-site community amenity contribution to lease approximately 5,000 sq. ft. of improved leasable area in the building located at 887 Great Northern Way for use by early stage technology companies, each for a period of nine (9) months, at no cost to these companies, over a 20-year term, having an equivalent potential value of \$2,100,000, such offer to be secured by way of a lease or such other mechanism as is satisfactory to the Director of Legal Services, including that if the 20-year term is shortened for whatever reason the registered owner will pay to the City the value of the unexpired term.

If required by the City, this obligation will be secured by a charge against title to both the Northern Way parcel and the 1980 Foley Street parcel.

Staff Opening Comments

Alison Higginson, Rezoning Planner, Rezoning Centre, Current Planning, explained the application.

A Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Woodworth

- A. THAT the application by Musson Cattell Mackey Partnership, to amend CD-1 #402 (By-law No. 8131) to permit the addition of General Office, Financial Institution, Health Care Office and Health Enhancement Centre as permitted uses in Sub-Area 1, generally as presented in Appendix A, of the Policy Report "*CD-1 Text Amendment - Great Northern Way Campus (1980 Foley Street)*", dated July 21, 2009, 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 Musson Cattell Mackey Partnership, and stamped "Received City Planning Department, June 1, 2009", 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:

Sustainability:

- (i) identification on the building plans and elevations of sustainable design features in order to achieve LEED™ Gold certification, as described in the rezoning application; and
- (ii) design development to be ensure the development is compatible with a future district energy system.

Note to Applicant: The development at Great Northern Way is of particular interest due to its location in the False Creek Flats,

which may host a district system in the future. An experienced consultant should be retained before making a development permit application; and

FURTHER THAT the following condition be added and included in Appendix B of the Policy Report, "*CD-1 Text Amendment - Great Northern Way (1980 Foley Street)*", dated July 21, 2009:

AGREEMENTS

- (c) That prior to enactment of the amending By-law, the registered owner shall, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services, Director of Real Estate Services and the Director of Planning, make arrangements for the following:

COMMUNITY AMENITY CONTRIBUTION

- (i) secure the registered owner's offer of an on-site community amenity contribution to lease approximately 5,000 sq. ft. of improved leasable area in the building located at 887 Great Northern Way for use by early stage technology companies, each for a period of twelve (12) months, at no cost to these companies, over a 20-year term, having an equivalent potential value of \$2,100,000, such offer to be secured by way of a lease or such other mechanism as is satisfactory to the Director of Legal Services, including that if the 20-year term is shortened for whatever reason the registered owner will pay to the City the value of the unexpired term.

If required by the City, this obligation will be secured by a charge against title to both the Northern Way parcel and the 1980 Foley Street parcel.

- B. THAT Staff be directed as part of enactment of the CD-1 By-law, to provide clarity to Council of the nine to twelve month term as well as the number of operators of the space with respect to the Community Amenity Contribution Agreement.

CARRIED UNANIMOUSLY

(Councillors Deal and Stevenson and the Mayor absent for the vote)

3. REZONING: 970 Union Street

An application by Joe Y. Wai, Joe Y. Wai Architect Inc. was considered as follows:

Summary: To rezone from RM-3A (Multiple Dwelling) District to CD-1 District to permit the expansion of the Villa Cathay Care Home with the construction of one additional storey above the existing three-storey building. Existing units in the facility would be renovated to meet current Vancouver Coastal Health Guidelines and requirements. The rezoning proposes a total of 148 rooms

with 158 beds and a floor space ratio (FSR) of 1.70, the height of the building would be 11.7 m (38.4 ft.).

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

Council Decision

MOVED by Councillor Jang

THAT the application by Joe Y. Wai Architect Inc., to rezone 970 Union Street (Villa Cathay Care Home) (PID 007-584-415, Block 125, District Lot 181 & 2037, Plan 16060, NWD) from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development), to permit the expansion of the Villa Cathay Care Home, a Community Care Facility - Class B, generally as presented in Appendix A, to the Policy Report "*CD-1 Rezoning - 970 Union Street (Villa Cathay Care Home)*", dated August 25, 2009, be approved, subject to the following conditions:

1. PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as represented by plans prepared by Joe Y. Wai Architect, and stamped "Received City Planning Department, April 20, 2009" and by addendum plans stamped "Received City Planning Department, June 17, 2009", 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 consider the following:

Design Development

- (i) Clarification of exterior finish and materials on the elevation drawings;

Note to Applicant: Finishes should be consistent in quality with the existing building and nearby development.

- (ii) Provision of reflected elevations indicating the location and use of windows in the adjacent development;

Note to Applicant: Where potential privacy impacts appear, they should be addressed through design refinements.

Sustainability

- (iii) Clarification on the plans and drawings of any sustainable design features;

Note to Applicant: Features should be noted on the plans and elevations where relevant. Designs which reduce building energy consumption in particular are encouraged.

Crime Prevention Through Environmental Design (CPTED)

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

Landscape Design

- (v) Retention of healthy trees wherever possible in accordance with the Private Property Tree By-law;
- (vi) Review and written confirmation of proposed tree removal to the satisfaction of the General Manager of Engineering Services and the Director of Planning;
- (vii) Provision of a full Landscape Plan;

Engineering

- (viii) Arrangements to the satisfaction of the General Manager of Engineering Services for the following:
 - (1) Modify the size of the parking spaces and the layout of the parking stalls to the proper dimensions as outlined in the Parking and Loading Design Supplement.
 - (2) Provision of all parking stall and drive aisle dimensions, label the small car spaces and number all parking stalls.
 - (3) Show security gate for parking spaces and receiving area on drawings and indicate the vertical clearance.
 - (4) Removal of the disused crossing on Raymur Avenue is required.
 - (5) Relocation of the garbage container from the boulevard onto the site, to a location satisfactory to the Director of Planning in consultation with the General Manager of Engineering Services.
 - (6) Confirmation of the approved garbage pick up location or modification of the pick up location to ensure on-site pick up of all of the garbage bins is required. It appears the on-site bin is

only accessible by driving over the sidewalk and boulevard and not directly from on-site.

Housing

- (ix) Provision of a signed Tenant Relocation Plan prior to issuance of the Development Permit, to include, amongst other conditions, the following requirements:
- Construction phasing schedule;
 - Timetable of tenant relocation and management in relation to construction;
 - Compliance with Vancouver Coastal Health Authority regulations for tenant relocation, notification of residents and their families;
 - Approval of Tenant Relocation Plan by Vancouver Coastal Health Authority.

2. PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall make arrangements for the following to the satisfaction of the General Manager of Engineering Services, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services:

Engineering

- (i) Clarification of charges on title BK210399- BK210404. These charges allow for a fountain to be constructed encroaching onto a portion of Union Street. If it is not required to be constructed as part of an earlier development approval, and there is no longer intent to build the fountain, then the documents should be discharged.
- (ii) Clarification is required as to whether any portion of the proposed decorative gate at the north property line is intended to encroach onto Union Street. If so, proper arrangements must be made for any encroachment onto City property.
- (iii) Provision of a watercourse preservation agreement. There is an existing watercourse contained in a concrete pipe which runs below the building in a historical watercourse, protection of this drainage corridor is required.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letter of credit, and provide for the withholding of permits, as deemed appropriate by, and in form and contents satisfactory to, the Director of Legal Services.

The timing of all required payments if any shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

CARRIED UNANIMOUSLY

(Councillors Deal and Stevenson and the Mayor absent for the vote)

4. REZONING: 111 Princess Avenue (formerly 590 Alexander Street)

An application by Amela Brudar, GBL Architects Inc. was considered as follows:

Summary: To rezone from DEOD (Downtown Eastside Oppenheimer District) to CD-1 (Comprehensive Development) District to permit a 10-storey residential building with a total floor space ratio of 5.29. This rezoning provides for the development of 139 supportive housing units, and specifically meets the objectives of the Housing Plan for the Downtown Eastside, and the Memorandum of Understanding between the City and the Province pertaining to the 12 City-owned sites.

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

Staff Opening Comments

Rob Whitlock, Senior Housing Officer, Social Development - Housing Policy, explained the application and responded to questions.

Applicant Comments

Tom Bell, Principal, GBL Architects, and Liz Evans, Executive Director, Portland Hotel Society, outlined features of the building design, amenities and benefits of the project.

Summary of Correspondence

Council received the following correspondence since the application was referred to Public Hearing:

- 42 emails and letters in support
- 3 emails and letter in opposition

Speakers

The Chair called for speakers for and against the application.

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During the hearing of speakers, Council recessed at 10:00 pm on October 6, 2009, and agreed to continue hearing speakers on October 8, 2009, at 7:30 pm.

On October 8, 2009, the hearing re-convened at 7:40 pm with Mayor Robertson in the Chair and all members present except for Councillor Cadman.

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The following delegations spoke in favour of the application:

April Griffin
Jean Swanson, Carnegie Community Action Project
Tom Laviolette, Portland Hotel Society
Sister Elizabeth Kelliher, DERA and Franciscan Sisters Benevolent Society
Tom Baker
Bruce Alexander
April Smith
Rev. Rick Matthews, First United Church
Jillian Maxwell
Kim Kerr, Executive Director, Downtown Eastside Residents Association
Murray Bush
Kevin Sleziak
Yvette Waite
Genesa Wheaton, Union Gospel Mission
Jeff Sommers
Christoph Runne
Kevin Grant
Laura Stannard, Citywide Housing Coalition and Jewish Family Service Agency
Daniella Moretto
Judy Johnson
Coco Culvertson
Sean Brophy
Doug Peat, Mission Possible
Tina Tomashiro
Laura Track, Pivot Legal Society
Stacey Bonenfant
Tommy Evans
Darlene Joseph
Shawn Millar
James McLeod
Suza Sternadel
George Malthais
Kate Gibson, Executive Director, WISH
Helen Channer, Chaplain, Portland Hotel Society
David Lee

The following spoke in opposition to the application, noting concerns about the impact of social housing concentrated in the area, building height, and the zoning.

Judy Kenzie
Karin Litzcke
Doug Dixon, Alexander Centre
Douglas Cave
Toby Barazzuol
Brigit Snider
Rod Wingfield

The following spoke neither for nor against the application but expressed concerns or provided comments about the neighbourhood:

Laura Saimoto, Board of Directors, Vancouver Japanese Language School and Japanese Hall
Gretchen Overholtzer, Administrator, Strathcona Business Improvement Association
Jim O'Dea

During the hearing of speakers, Mr. Whitlock, Senior Housing Officer, and Ms. Evans, Portland Hotel Society, responded to questions.

Applicant Closing Comments

Tom Bell, Principal, GBL Architects, provided closing remarks with respect to solving problems at the site, parking aspects, as well as the benefits of the building.

Ms. Evans responded to concerns raised by speakers and questions from Council.

Staff Closing Comments

Staff provided closing comments and responded to questions.

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During discussion it was

MOVED by Councillor Stevenson

THAT, under Section 2.3(e) of the Procedure By-law, Council extend the meeting end time by one hour or less.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Councillor Cadman absent for the vote)*

* * * * *

Council Decision

MOVED by Councillor Jang

- A. THAT the application by GBL Architects on behalf of Portland Hotel Society to rezone 111 Princess Avenue, formerly 590 Alexander Street, (Lots 12,13,14,15 and16, Block 42, District Lot 196, Plan 196, PID 015-603-172, PID 015-603-199, PID 013-658-034, PID 013-658-042, PID 013-658-069) from DEOD (Downtown Eastside Oppenheimer District) to CD-1 (Comprehensive Development District), to permit a 10-storey residential building with a total floor space ratio of 5.29, generally as presented in Appendix F, to the Policy Report, "*CD-1 Rezoning – 111 Princess Avenue (formerly 590 Alexander Street)*", dated August 25, 2009, be approved subject to approval of the following conditions:

1. PROPOSED 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 GBL Architects and stamped "Received City Planning Department, May 14, 2009", 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 the landscape strategy for Princess Avenue to include opportunities to exhibit and feature customized art projects, in conjunction with the Princess Avenue Interpretive Walk Program;
- (ii) relocation of the proposed bike rack off the Princess Avenue to allow unimpeded pedestrian movement to and from the building's main entrance;
- (iii) enlarged-scale detail drawings including a typical wall section from the ground plane to the parapet noting exterior cladding materials, their physical placement in relationship to each other, and how they are fastened;
- (iv) notation on the drawings indicating the path of travel of the exhaust from the kitchen to a rooftop location;
- (v) provision of manufacturer and colour-swatch identification numbers for all proposed colour samples of all elements in the design, listed directly on drawing set; all colour-swatch samples to be stapled directly on the drawing set;
- (vi) design development to ensure the doors in the lane do not swing over the property line;

- (vii) design development to allow for adjustment of the garbage compactor to ensure access and to avoid conflict with a column in the parkade;

Note to Applicant: Following adjustments, confirmation is required from a waste hauler that they can access and pick up from the location shown.

- (viii) design development to include provisions for a canopy over sidewalk;

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage systems.

Operations Management Plan (OMP)

- (ix) provision of an operations management plan to augment the sponsor profile, to the satisfaction of the Managing Director of Social Development, prior to issuance of an Occupancy Permit, to include the following:
- identification of a community liaison who will work with the community to resolve day-to-day issues if they arise, along with a prescribed protocol for responding to issues;
 - 24-hour emergency contact;
 - a liaison with the local community policing operations; and
 - a commitment to establish a Community Advisory Committee, if the need for such involvement is determined by the Managing Director of Social Development;

Crime Prevention through Environmental Design (CPTED)

- (x) design development to improve visibility in the parking garage in accordance with section 4.13 of the Parking By-law;
- (xi) design development to improve security and visibility in the parking garage by painting the walls and ceiling white;
- (xii) provision of a letter of assurance from the building operator guaranteeing transparency and visual access between the ground floor uses and Princess Avenue and Alexander Street during normal daytime hours, to ensure casual surveillance of the public realm;

Landscape

- (xiii) design development to enhance the viability of the urban agriculture plots on the eighth floor terrace by maximizing their sun exposure;

Note to applicant: This can be accomplished by moving the garden plots to the south end of the terrace, or by deleting or relocating the three trees (one Katsura and two Dogwood trees) proposed to be planted to the south of the garden plots.

- (xiv) retention of the grass outer boulevard on Princess Avenue and Alexander Street;

Note to applicant: A notation to this effect should be added to the Landscape Plan.

- (xv) provision of dimensions for the planters on the third and eighth floor terraces, indicating the planting depth and the sizes of the planters; the scale of the plan view (1:100) should be added to all landscape plan views on pages L1, L2, and L3;
- (xvi) provision of one hose bib for the eight floor urban agriculture plots;
- (xvii) illustration of all lane edge utilities on the Site Plan and the Landscape Plan;
- (xviii) provision of the following notation on the Landscape Plan for new street trees: "Final spacing, quantity, tree species 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 feet long and 18 inches in deep. Planting depth of root ball must be below sidewalk grade. New street trees to be provided adjacent to the development site, to be confirmed prior to the issuance of the Building Permit. Call Park Board for inspection after tree planting completion.";

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and the Park Board (604.257.8587) for tree species selection and planting requirements.

- (xix) provision of dimensioned tree barriers (illustrated on the Landscape Plan) around all existing street trees located adjacent to the development site as per City of Vancouver Guidelines;

Public Realm

- (xx) design development to ensure landscape plan shows the correct curb ramp at corner, correct lane curb return and correct lane crossing;
- (xxi) design development to ensure sidewalks are reconstructed from curb to property line;

Note to Applicant: Reconstruction of above is to be fully at the applicant's expense.

- (xxii) provision of the following notation on the Landscape Plan and/or Site Plan;

"This plan is not for construction of any public property facilities. Prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services and be issued as 'for

construction'. Eight weeks notice is requested. No work on public property may begin until plans receive 'for construction' approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details."

Sustainability

(xxiii) The following sustainability features have been noted on the LEED checklist submitted for this application. As per the Design Rationale submitted, it is understood that the sustainability strategies were yet to be finalized at the time of application. Prior to issuance of the Development Permit, the following features are to be elaborated to the satisfaction of the Director of Planning, and noted on the application drawings for the Development Permit:

- 1) Optimize Energy Performance (6 points) – Submit energy modeling results demonstrating how the energy reduction has been met.

Note to Applicant: As per Action A-1 of the Ecodensity Charter, all rezonings are required to earn a minimum of 3 optimize energy performance points.

- 2) Water Efficiency Points (3 points) – Submit documentation that demonstrates how the water use reduction has been achieved.

Note to Applicant: As per Action A-1 of the Ecodensity Charter, all rezonings are required to earn a minimum of 1 water efficiency point.

- 3) Stormwater Management (1 point) – Submit documentation demonstrating how this point will be earned.

Note to Applicant: As per Action A-1 of the Ecodensity Charter, all rezonings are required to earn a minimum of 1 stormwater management point.

- 4) Ventilation Effectiveness – Submit documentation to explain how this point is earned. Furthermore, provide a notation on the drawings showing the operable windows for each dwelling unit.

2. PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (a) That, prior to enactment of the CD-1 By-law, the registered owner shall make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for provision of the following:
 - i) consolidation of Lots 12 through 16, all of Block 42, DL 196, Plan 196;

- ii) upgrading of the downstream sanitary main that serves the site from the manhole east of Heatley Avenue to Hawks Avenue. The existing main is at capacity, upgrading of the sewer is necessary to serve the proposed development;
- iii) provision of curb and gutter, and pavement to the road centerline on the west side of Princess Avenue from Alexander Street to the lane south of Alexander Street;
- iv) provision of a standard concrete lane crossing at Princess Avenue and at the lane south of Alexander Street;
- v) provision of street trees adjacent to the site where space permits;
- vi) provision of sidewalk improvements on Alexander Street to meet future portside greenways standards. (The drawings propose improvements to Alexander Street sidewalks which should be consistent with greenways treatments throughout the city);
- vii) 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.

Soils

- viii) 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 the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- ix) do all things and/or enter into such agreements deemed necessary by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there 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.

- B. THAT, the application to amend the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule E [assigning Schedule B (DEOD)], as set out in Appendix C, to the Policy Report "*CD-1 Rezoning – 111 Princess Avenue (formerly 590 Alexander Street)*", dated August 25, 2009, be approved; and
- C. THAT, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law following approval and enactment of the CD-1 By-law to

establish regulations for this Comprehensive District in Schedule B generally as set out in Appendix C, to the Policy Report "*CD-1 Rezoning – 111 Princess Avenue (formerly 590 Alexander Street)*", dated August 25, 2009.

CARRIED UNANIMOUSLY
(Councillor Cadman absent for the vote)
(Councillors Deal and Stevenson and the Mayor ineligible to vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Cadman absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Jang

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
(Councillor Cadman absent for the vote)

The Special Council
recessed at 10:00 pm on October 6, 2009,
and adjourned at 10:10 pm on October 8, 2009.

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