

REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL  
ON CITY SERVICES AND BUDGETS

OCTOBER 21, 2010

A Regular Meeting of the Standing Committee of Council on City Services and Budgets was held on Thursday, October 21, 2010, at 9:36 am, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting was recessed and reconvened at 7:36 pm. The minutes have been consolidated for ease of reference.

- PRESENT:** Councillor Raymond Louie, Chair  
Mayor Gregor Robertson\*  
Councillor Suzanne Anton  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Geoff Meggs, Vice-Chair  
Councillor Andrea Reimer\*  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth
- ABSENT:** Councillor David Cadman (Leave of Absence - Civic Business)  
Councillor George Chow (Leave of Absence - Civic Business)
- CITY MANAGER'S OFFICE:** Sadhu Johnston, Deputy City Manager  
David McLellan, General Manager, Community Services Group
- CITY CLERK'S OFFICE:** Bonnie Kennett, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

1. **3683 - 3695 East Hastings Street and 365 Boundary Road - Request for Injunctive Relief and 336D Notice  
September 8, 2010**

This Item was WITHDRAWN at the request of staff.

2. **2496 West 8<sup>th</sup> Avenue - Request for Injunctive Relief and 336D Notice  
September 24, 2010**

Property Use Inspection staff provided a presentation and responded to questions.

The Committee heard from one speaker in opposition of the recommendation.

MOVED by Councillor Deal  
THAT the Committee recommend to Council

- A. THAT the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceeding in relation to the building located at 2496 West 8<sup>th</sup> Avenue, Lot 1, Block 321, Plan 1058, District Lot 526 New Westminster PID 007-698-577, and may, at her discretion, seek injunctive relief in that action or proceeding in order to bring this building into compliance with City By-laws.
- B. THAT the City Clerk be directed to file a 336D Notice against the title to the property at 2496 West 8<sup>th</sup> Avenue, Lot 1, Block 321, Plan 1058, District Lot 526 New Westminster PID 007-698-577, in order to advise prospective purchasers that there are contraventions of the Zoning and Development and Building By-laws that relate to the construction or safety of buildings or structures and are of a nature that a purchaser, unaware of the contravention, would suffer a significant loss or expense if the by-law were enforced against that purchaser.

CARRIED UNANIMOUSLY

At this point in the proceedings, it was

MOVED by Councillor Stevenson

THAT the Speakers List for item 3 be closed.

CARRIED UNANIMOUSLY

**3. Monitoring of Laneway Housing Implementation  
October 13, 2010**

Planning staff provided a presentation responded to questions.

The Committee heard from 11 speakers who generally supported Laneway Housing, three of which also expressed concerns, and 19 speakers who expressed concerns regarding Laneway Housing.

\* \* \* \* \*

*During the hearing of speakers, it was*

*MOVED by Councillor Stevenson*

*THAT the Standing Committee on City Services and Budgets meeting recess at 12:00 pm and reconvene at 7:30 pm.*

*CARRIED UNANIMOUSLY  
(Mayor Robertson absent for the vote)*

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*The Committee recessed at 12:00 pm and reconvened at 7:36 pm with the same members present.*

\* \* \* \* \*

*At 10:00 pm, during the hearing of speakers, it was*

*MOVED by Councillor Deal*

*THAT the Standing Committee on City Services and Budgets meeting be extended until all speakers are heard for item 3 and refer questions to staff, and debate and decision to the Regular Council meeting on November 2, 2010, as Unfinished Business.*

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

\* \* \* \* \*

The Committee adjourned at 10:47 pm.

\* \* \* \* \*



REGULAR COUNCIL MEETING MINUTES  
STANDING COMMITTEE OF COUNCIL ON  
CITY SERVICES AND BUDGETS

OCTOBER 21, 2010

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, October 21, 2010, at 12:12 pm in the Council Chamber, Third Floor, City Hall, following the Standing Committee on City Services and Budgets meeting, to consider the recommendations and actions of the Committee. Subsequently, the meeting was recessed and reconvened at 10:47 pm. The minutes have been consolidated for ease of reference.

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

**ABSENT:** Councillor David Cadman (Leave of Absence - Civic Business)  
Councillor George Chow (Leave of Absence - Civic Business)

**CITY MANAGER'S OFFICE:** Penny Ballem, City Manager  
David McLellan, General Manager, Community Services Group

**CITY CLERK'S OFFICE:** Bonnie Kennett, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang  
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair.

CARRIED UNANIMOUSLY  
(Councillors Anton, Louie and Stevenson absent for the vote)

1. **REZONING: 1569 West 6th Avenue  
September 13, 2010**

At the Public Hearing held on October 19, 2010, Vancouver City Council heard from speakers regarding an application by Gregory Henriquez, Henriquez Partners Architects, to rezone 1569 West 6<sup>th</sup> Avenue from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the density from 3.00 to 4.95 FSR to permit construction of a 15-storey primarily residential building.

The Public Hearing on this application was concluded and Council agreed to refer questions to staff, debate and decision to the Regular Council meeting following the Standing Committee on City Services and Budgets meeting on Thursday, October 21, 2010, as Unfinished Business.

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*At 1:00 pm, during debate, it was*

*MOVED by Councillor Louie*

*THAT the Regular Council meeting be extended until Unfinished Business Item 1 is concluded.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

MOVED by Councillor Anton

- A. THAT the application by Henriquez Partners Architects on behalf of Westbank Projects and Peterson Investment Group, to rezone 1569 West 6th Avenue (Lot J, DL 526, Plan LMP 53747, PID: 025-410-768) from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the density from 3.00 to 4.95 FSR to permit construction of a 15-storey primarily residential building, generally as presented in Appendix A, of the Policy Report dated September 13, 2010, entitled "CD-1 Rezoning - 1569 West 6th Avenue", be approved subject to the following conditions:

**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 Henriquez Partners Architects, and stamped "Received City Planning Department, November 18, 2010", 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:

### Urban Design

1. design development to step the parkade wall protruding above grade at the northwest and north edges of the site and incorporate appropriate landscape treatment;
2. design development to the location, size and screening of parkade vents to minimize impact on neighbouring development;
3. design development to the layout and landscape treatment of active grade level open spaces to maximize separation from and privacy to neighbouring units and open space;
4. design development to the architectural treatment of the blank walls of the elevator/exit stair core to improve its visual interest;
5. confirmation that the height and volume of the elevator penthouse and any mechanical equipment is absolutely minimized;

Note to Applicant: This will involve appropriate choice of elevator mechanics to ensure height of override is minimized.

6. identification on the plans and elevation of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least three optimize energy performance points, one water efficiency point, and one storm water point;

Note to Applicant: Provide a LEED® checklist confirming LEED® Silver equivalency and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set. Pursuit of LEED® Gold rather than Silver is encouraged.

### Crime Prevention through Environmental Design (CPTED)

7. design development to consider the principles of CPTED having particular regard for reducing opportunities for theft in the underground parking;

### Landscape

8. design development to include opportunities for pedestrian engagement in the common outdoor open spaces;

Note to Applicant: This can be achieved by articulating the space with special features, as well as furniture, seating opportunities, special paving, lighting and planters with seasonal colour.

9. design development to ensure the ultimate size of trees planted over parkade structure are appropriate species in relation to depth of soil available;

Note to Applicant: Provision of a section through the planted area (see condition #8, below) to show adequate depth of soil for the type of trees proposed, in order to allow for better root development and therefore healthier trees in the future.

10. design development to limit height of trees at the north edge of the site, in order to preserve outlook to the north and minimize shadowing to the adjacent northerly development;
11. design development to consider expanding programming to include resident opportunities for shared gardening in common open space and/or roof decks;

Note to Applicant: Shared gardening areas should be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

12. design development to consider expanding programming to include children's play area in common open space;

Note to Applicant: Children's play area to include active play equipment.

13. provision at the time of Development Permit application, of a full Landscape Plan illustrating, but not limited to proposed spot elevations at all changes in grade; plant materials (common and botanical names), including sizes and quantities; paving, walls, fences, and other landscape elements including existing site trees and site grading with labels;

Note to Applicant: Consider incorporating hardy drought-tolerant plantings into the planting scheme within the site to reduce use of water in the landscape.

14. provision of a legal survey illustrating the following information:
  - i. Existing trees 20 cm caliper or greater on the development site;
  - and

- ii. The public realm (property line to curb) on both 6th Avenue And Fir Street, including existing street trees, street utilities such as lamp posts, fire hydrants, etc. adjacent to the development site.
15. provision at the time of Development Permit application, of section details at a minimum scale of 1/4"=1'-0" scale to illustrate proposed landscape elements including planters structures, benches, fences, gates, arbours and trellises, posts and walls and water features. Planter section details must confirm depth of proposed planting on structures;
  16. provision at the time of Development Permit application, of a high-efficiency irrigation system in all landscape common areas and hose bibs in patio areas as needed (illustrated on the Landscape Plan);

#### Social Development

17. design development to add a kitchenette with sink, stove, and small fridge and an accessible washroom to the amenity room;
18. design development to add a secured children's play area which provides an opportunity for informal children's play activity, located to maximize visual surveillance from and access to the indoor amenity space;

Note to applicant: consideration should be given to locating the play area adjacent to and with direct access from the indoor amenity space. Particular care should be given to avoid the use of toxic plants and landscaping materials in and around common outdoor amenity areas. Edible landscaping is encouraged. Play equipment is not required, and creative landscape/play features (such as balancing logs and boulders, a small/tangible water stream or feature, sandbox, creative motor-skills developing features etc.) which provide a myriad of creative play opportunities is encouraged.

19. design development to include opportunities for urban agriculture/edible landscaping, with necessary infrastructure, such as tool storage, on-site composting, tool storage, hosebibs and potting benches which support urban agricultural activity, and to make some garden plots universally accessible as per the "Urban Agriculture Guidelines for the Private Realm." Consideration should be given to a rainwater collection system to assist with irrigation;

#### Engineering

20. design development to provide two Class A loading spaces in the underground parking lot in lieu of one Class B loading space;



Note to Applicant: For this development on class B loading space is required and is shown at grade with access through the adjacent site. The City Engineer does not support the proposed loading access and recommends a relaxation of the loading requirements to allow provision of two Class A loading spaces instead one Class B loading space.

21. proposed access from 6th Avenue to the single Class B loading is not supported. Deletion of the proposed driveway from 6<sup>th</sup> Avenue is required;

Note to Applicant: provision of two class A loading spaces in lieu of one Class B loading space is supported.

22. provision of improvements to the commercial parking to ensure adequate access and egress to the commercial parking spaces;

Note to Applicant: the substandard width of the parking entry in combination with the location of the adjacent overhead security gate result in the inability to manoeuvre into and out of these parking spaces.

23. Provision of design elevations within the parking garage and at the top and bottom of all parking ramps;

Note to Applicant: a maximum 5% slope and crossfall is permitted within the parking garage.

24. clearly note on plans the provision of bicycle lockers and duplex receptacles (one for each two bicycle spaces) as required in the Parking By-law;

25. provision of additional parking stall width for spaces 24, 25, 26, and 57, 58 and 59 where the column is set back in excess of 4' from the end of the parking stall;

26. provision of the technical specifications and diagrams for the proposed "stop light" on parking level 2 and clearly note on plans the location and type of activation device;

Note to Applicant: these warning light systems are normally designed by a traffic signal specialist.

27. provision of all Class A bicycle parking on the P1 parking level or Ground Floor;

28. provision of Class B bicycle spaces to be clearly noted on plans, in a highly visible location convenient to the front door of the building and completely on the site;

29. clarify residential garbage pick up operations and provide written confirmation that a waste hauler can access and pick up from the location shown;  
  
Note to Applicant: pick up operations should not rely on bins being stored on the street or lane for pick up or before return to storage areas, for extended periods of time.
30. commercial garbage storage area does not have access for pick up. Commercial storage location and pick up operations should be reviewed;
31. clarify that the overhead clearance for adjacent site meets disability vehicle access requirements;
32. show standard 4 ft. exposed aggregate strip at the curb and broom finished concrete sidewalk behind to the property line;
33. four-piece exposed aggregate tree surrounds are to be located 1 ft. behind the curb;
34. root barriers are to be provided at all new street trees;
35. place the following note on the landscape 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*" 8 weeks notice is requested. No work on public property may begin until plans receive "for construction" approval and related permits are issued.  
  
Note to Applicant: For further details contact Frank Battista at 604-873-7317 or Kevin Cavell at 604-873-7773;
36. all sidewalk construction is to meet the City of Vancouver's Street Restoration Manual of specifications;  
  
Note: Parking meter and regulatory signage locations will be finalized prior to the start of sidewalk construction.  
  
Note: Please submit a revised landscape plan directly to Engineering for review.  
  
Note: The adjacent site was approved in 1995 and thus is unlikely to have the 2.3 m overhead clearance for disability vehicle access. Should the clearance available on the adjacent site be less than 2.3 m, then that clearance undiminished shall be provided by the applicant in order to maximize access to disability parking spaces and Class A loading spaces.

## CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Modification or replacement of the parking access easement to reflect the new location of the proposed access point from neighbouring Strata LMS2731, which differs from that noted in easement BB251755 and BB392670 and to address commercial parking and loading access requirements;
2. Release of Easement & Indemnity Agreements 82844H & 228650M (crossing agreements) prior to occupancy of the building;
3. Provision of a bridge proximity agreement;
4. Provision of street trees adjacent the site where space permits;
5. 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;

### Amenity Bonus Density Transfer

6. That the owner secure the purchase and transfer of 8,600 sq. ft. of amenity bonus density from the Woodward's site;

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

### Single Site Covenant with Adjacent Site

7. Make arrangements, including a Section 219 Covenant to be registered on title, to the satisfaction of the Director of Legal Services to ensure that the density permitted on 1569 West 6th Avenue as a result of this CD-1 By-law, is used and allocated in a manner consistent with the single site covenant registered against that site and the adjacent developed lands at 1529 West 6th Avenue;

### Soils

8. 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; and
  9. 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 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 Schedule E of the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" C-3A], generally as set out in Appendix C, of the Policy Report dated September 13, 2010, entitled "CD-1 Rezoning - 1569 West 6th Avenue", be approved.
- 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 include this CD-1 in Schedule B, generally as set out in Appendix C, of the Policy Report dated September 13, 2010, entitled "CD-1 Rezoning - 1569 West 6th Avenue".
- D. THAT A through C be adopted on the following conditions:
- i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

- E. THAT Appendix B, of the Policy Report dated September 13, 2010, entitled "CD-1 Rezoning - 1569 West 6th Avenue", be amended to add the following conditions under section (c) Conditions of By-law Enactment:

That, prior to the enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the General Manager of Engineering Services, the Managing Director of Cultural Services, the General Manager of the Park Board, the Director of Real Estate Services, the Director of Facility Design and Management, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

**Community Amenity Contribution - Park Development**

10. deliver, prior to enactment of the rezoning by-law the Community Amenity Contribution of \$244,000 which the developer has offered to the City, to be provided for public open space in the local area;

**Community Amenity Contribution (CAC) - Artist Studios**

11. provision of a cultural amenity space in the form of two artist studios, with a total area of not less than 800 sq. ft., as part of the development at 1569 West 6th Avenue;
12. design, construction, equipping and finishing of the proposed cultural amenity space, and for the sustainable operation of the studios as part of the Mayor's Arts Awards, Artist Studio Award Program;
13. transfer to the City at a nominal cost an air space parcel or strata lot containing this cultural amenity together with the appropriate rights and obligations applicable to the ownership and operation of this legal parcel including reciprocal easements and indemnities, repair and maintenance, cost sharing, insurance and other applicable legal obligations;
14. grant a perpetual right in favour of the City and the users of this cultural amenity space, in the form of a statutory right of way, for access to and use of two parking spaces and to the loading spaces in the underground parkade of the residential complex on this site, at no cost; and

15. provide a facility operating reserve in the amount of \$170,000 to be held by the City in an interest-bearing account and used to offset the operating costs of the amenity space for a period of approximately 21 years;

all of which secured rights and obligations are to be effected and implemented prior to occupancy of any part of the development on this site other than this cultural amenity space.

FURTHER THAT Appendix B, of the Policy Report dated September 13, 2010, entitled "CD-1 Rezoning - 1569 West 6th Avenue", be amended to add the following conditions under section (b) Conditions of Approval of the Form of Development:

#### Artist Studios

37. design and finish Artist Studios for Class B purposes (inclusive of Class A and B use);

Note to Applicant: See guidelines for Class B Artist Studios. A higher degree of ventilation for artists working with more toxic substances, slightly higher degree of sound proofing for possible use of amplified music, and industrial fittings.

38. design development to the Artist Studio uses to maximize interaction and pedestrian amenity through the use of display windows.

CARRIED  
(Councillor Woodsworth opposed)  
(Councillors Deal and Stevenson ineligible to vote)

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*Council recessed at 1:18 pm and reconvened at 10:48 pm with the same members present.*

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#### COMMITTEE REPORTS

Report of Standing Committee on City Services and Budgets  
October 21, 2010

Council considered the report containing the recommendations and actions taken by the Standing Committee on City Services and Budgets. Its items of business included:

1. 3683 - 3695 East Hastings Street and 365 Boundary Road - Request for Injunctive Relief and 336D Notice - WITHDRAWN
2. 2496 West 8<sup>th</sup> Avenue - Request for Injunctive Relief and 336D Notice
3. Monitoring of Laneway Housing Implementation

Items 1 to 3

MOVED by Councillor Jang

THAT the recommendations and actions taken by the Standing Committee on City Services and Budgets at its meeting of October 21, 2010, as contained in items 1 to 3, be approved.

CARRIED UNANIMOUSLY

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang

SECONDED by Councillor Woodsworth

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

The Council adjourned at 10:48 pm.

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