



SPECIAL COUNCIL MEETING MINUTES

MARCH 15, 2011

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, March 15, 2011, at 7:38 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the heritage, zoning and sign by-laws.

PRESENT:

- Mayor Gregor Robertson
- Councillor Suzanne Anton
- Councillor David Cadman
- Councillor George Chow
- Councillor Heather Deal
- Councillor Kerry Jang
- Councillor Raymond Louie
- Councillor Geoff Meggs
- Councillor Andrea Reimer
- Councillor Tim Stevenson
- Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE: Sadhu Johnston, Deputy City Manager (Item 7)
Peter Judd, General Manager, Engineering Services

CITY CLERK'S OFFICE: Pat Boomhower, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Meggs

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

CARRIED UNANIMOUSLY

1. HERITAGE DESIGNATION: 1784 East 14th Avenue

An application by Nileema Kulkarni was considered as follows:

Summary: To designate the existing 'C' listed heritage building as protected heritage property.

The Director of Planning recommended approval.

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 Deal

- A. THAT the building at 1784 East 14th Avenue, listed in the 'C' evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the heritage designation of the building located at 1784 East 14th Avenue.

CARRIED UNANIMOUSLY

2. HERITAGE DESIGNATION: 620 Keefer Street

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

Summary: To designate the existing heritage building as protected heritage property.

The Director of Planning recommended approval.

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 Woodsworth

- A. THAT the building at 620 Keefer Street, listed in the 'B' evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the heritage designation of the building located at 620 Keefer Street.

CARRIED UNANIMOUSLY

**3. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
430 Princess Avenue & 601 East Pender Street**

An application by James S. Emery, Iredale Group Architecture was considered as follows:

Summary: To add the two buildings to the Vancouver Heritage Register, designate them, and seek approval of a Heritage Revitalization Agreement (HRA) which permits subdivision of the site and grants a number of variances, including density, in excess of what is permitted in the zoning.

The Director of Planning recommended approval.

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 Deal

- A. THAT the buildings at 430 Princess Avenue and 601 East Pender Street be added to the Vancouver Heritage Register in the 'B' and 'C' evaluation categories respectively, and that pursuant to the provisions of the *Vancouver Charter* they be designated as protected heritage properties.
- B. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for the buildings located at 430 Princess Avenue and 601 East Pender Street to:
 - (i) secure the rehabilitation and long-term preservation of the buildings; and
 - (ii) grant variances, in respect of the Lands, to the Zoning and Development By-law, the Parking By-law and the Subdivision By-law to permit modifications proposed for the buildings under development permit applications no. DE414032 and no. DE414437 and to permit a subdivision of the lands so as to enable the creation of a separate parcel of land for each of the buildings.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment by-laws authorizing the Heritage Revitalization Agreement for and designating as protected heritage properties the buildings located at 430 Princess Avenue and 601 East Pender Street.

- D. THAT the Heritage Revitalization Agreement shall be prepared, completed, registered on title to the Lands, and given priority on title, to the satisfaction of the Director of Legal Services and the Director of Planning.

CARRIED UNANIMOUSLY

4. CD-1 TEXT AMENDMENT: 8683 Kerr Street (Riverside East)

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

Summary: To amend the CD-1 (Comprehensive Development) By-law to permit community centre and neighbourhood house use.

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 Jang

THAT the Director of Planning be instructed to make application to amend Comprehensive Development (CD-1) #247 (By-law No. 6533) for Riverside East, to permit Community Centre and Neighbourhood House use, generally as presented in Appendix A, of the Policy Report dated January 31, 2011, entitled "CD-1 Text Amendment: Riverside East (8683 Kerr Street)", and that the application be approved.

CARRIED UNANIMOUSLY

5. REZONING: 1025 Robson Street

An application by Laurie Schmidt, Brook + Associates Inc. was considered as follows:

Summary: To rezone from DD (Downtown) District to CD-1 (Comprehensive Development) District to change the permitted uses within the currently allowed density of 3.0 floor space ratio (FSR). Non-residential uses would increase from 1.00 FSR to 1.83 FSR to allow for the expansion of the retail/service spaces within the existing building. The balance of the 1.17 FSR permitted would be for residential or other non-retail commercial uses (e.g. office), allowing for possible future redevelopment at 3.0 FSR. The currently allowed height limit of 21.3 m (70 ft.) is to remain.

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

Council also had before it a Memorandum dated March 8, 2011, from the Assistant Director of Planning, which provided a recommendation for the allocation of the community amenity contribution (CAC) offered for this rezoning.

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.

Phil Yacht spoke in support of the application and asked Council to consider rezoning the entire street for consistency.

Council Decision

MOVED by Councillor Jang

- A. THAT the application by Brook and Associates, to rezone 1025 Robson Street (PID: 007-263-449; Lot E, Block 4, DL 185, Plan 17738) from DD (Downtown) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) for retail and service uses from 1.00 to 1.83 FSR and for other non-residential uses from 1.00 to 1.17 FSR, generally as presented in Appendix A, of the Policy Report, dated February 2, 2011, entitled "CD-1 Rezoning: 1025 Robson Street", 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 Brook + Associates, Inc., and stamped "Received City Planning Department, September 2, 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:

Design Development

1. identification on the plans and elevations 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. A letter from the Mechanical consultant shall be submitted outlining how the minimum of six (6) energy points will be obtained.

2. clarification on the drawings indicating recycling area(s);
3. design development to provide for existing and future considerations of privacy and overlook, providing a trellis screen over loading area;
4. design development to address CPTED issues, reducing recessed doorways at the lane to a minimum 2 ft. depth;

Note to Applicant: Door swings may project 1 ft. into the lane, in accordance with City Engineering.

Landscape

5. A full Landscape Plan for the proposed green roof to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale;
6. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures;

7. A high-efficiency irrigation system to be provided on all planted rooftops (illustrated on the Landscape Plan);

8. A Landscape Lighting Plan to be provided for security purposes;

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

9. Any emergency generators, transformers, and gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm;

Engineering

10. Clarification of the required number of loading spaces;
Note to Applicant: If deficient Engineering would support the provision of 2 class A spaces in lieu of 1 class B space.
11. Provision of disability parking requirements as per the current Parking By-Law;
Note to Applicant: If the required height cannot be achieved, then make the spaces compliant for the required length and width.
12. Provision of required class A and class B bicycle parking spaces;
13. Clarification of garbage pick-up operations and provision of 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. Return bins to storage areas for extended periods of time. Should residential uses be constructed, garbage storage areas are typically separated from commercial uses.

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 General Manager of Engineering Services, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. make arrangements to the satisfaction of the General Manager of Engineering Services on terms and conditions satisfactory to the Director of Legal Services for provision of a review of the project electrical servicing by BC Hydro to determine if the existing service on the site is adequate for the proposed development if not, new servicing, with on site power transformation is required with 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;

2. make arrangements to the satisfaction of the General Manager of Engineering Services on terms and conditions satisfactory to the Director of Legal Services for provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading;

Soils

3. the property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter;

Community Amenity Contribution

4. pay, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$622,000 which the developer has offered to the City.
- 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 (DD), as set out in Appendix C of the Policy Report, dated February 2, 2011, entitled "CD-1 Rezoning: 1025 Robson Street", be approved.
 - C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report, dated February 2, 2011, entitled "CD-1 Rezoning: 1025 Robson Street", for enactment following the approval and enactment of the CD-1 By-law.
 - D. THAT the \$622,000 community amenity contribution offered in the CD-1 rezoning of 1025 Robson Street generally be allocated to parks, civic and community facilities, affordable housing and public realm improvements in the West End, with specific allocations to be brought forward after further consultation with the public.

CARRIED UNANIMOUSLY

6. REZONING: 984 West Broadway

An application by Richard Bernstein, Chris Dikeakos Architects Inc. was considered as follows:

Summary: To rezone from C-3A (Commercial) to CD-1 (Comprehensive Development) District to permit a 10-storey office building with retail and service uses at grade. The proposed floor space ratio (FSR) would be 5.22 and the proposed building height would be approximately 132 ft. Three levels of underground parking for 126 vehicles are proposed, with access from the lane.

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

Council also had before it the following:

- a Memorandum dated March 15, 2011, from the Assistant Director of Planning entitled "CD-1 Rezoning - 984 West Broadway - Community Amenity Contribution", which put forth a recommendation and additional condition of enactment for Council's consideration; and
- a Memorandum dated March 14, 2011, from the Director of Planning, entitled "984 West Broadway and the VGH Heliport Flight Path", which provided an update on the relationship between the proposed building at 984 West Broadway and the Vancouver General Hospital heliport and explained the time delay between referral and Public Hearing for this application.

Staff Opening Comments

Alison Higginson, Rezoning Planner, provided an overview of the application and memoranda. Paul Pinsker, Community Transportation Engineer, and Kevin McNaney, Planner, Central Area Planning, responded to questions.

Applicant Comments

Richard Bernstein, Principal, Chris Dikeakos Architect Inc., responded to questions regarding building height.

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.

Mark Gorenchcein spoke in opposition to the application and expressed concerns regarding loss of daylight for residents facing north and collisions in alley with added traffic from underground parking.

Wing Leung spoke in support of the application and provided comments regarding shadow effects and future transit trains at the Broadway station.

Applicant Closing Comments

Richard Bernstein, Chris Dikeakos Architect Inc., responded to comments regarding building height and outlined Urban Design Panel support for the application and continued work pertaining to the heliport.

Staff Closing Comments

Alison Higginson, Rezoning Planner, highlighted the Memorandum dated March 15, 2011, containing the additional recommendation and condition of enactment.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Chris Dikeakos Architects Inc., to rezone 984 West Broadway (PID: 015-184-676, Lot B, Block 356, D.L. 526, Plan 590) from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to permit development of a 10-storey retail and office building with a total floor space ratio of 5.22, generally as presented in Appendix A, of the Policy Report dated July 5, 2010, entitled "CD-1 Rezoning - 984 West Broadway", 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 Christ Dikeakos Architects Inc., and stamped "Received City Planning Department, February 8, 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:

Design Development

1. design development to further improve the green building performance in the following manner:
 - (i) additional enhancement of natural ventilation by increasing the number of operable vents, to be applied consistently on all four elevations;

(Note to applicant: There are no operable vents on the east and south elevation and only partial venting on the west and north elevation. Indicate all operable windows on the drawing elevations.)

- (ii) address issues of thermal bridging associated with the extended slab projections on all elevations;

(Note to applicant: The extended slabs are desirable for the benefit of solar shading and architectural emphasis but are a concern for energy loss and problems associated with dampness. Consider alternative projections that are not contiguous with the structural slab, or provide a thermal break at the exterior wall envelope, providing details. Consider available proprietary thermal break systems to achieve this objective.)

- (iii) increase the number and depth of the vertical shading fins on the west elevation so that there is a more effective response to late afternoon sun during the warmer times of the year;

(Note to applicant: The vertical shading fins should be consistently applied and achieve a shading target of approximately 50% of window area based on a 30 degree horizontal sun angle. Refer to administrative bulletin, Shading Devices and Yard Projections for further information.)

- (iv) provide clarification on the drawings and LEED® documentation between proposed Credit 1.1 Water Efficient Landscaping: Reduce by 50% and Credit 1.2 Water Efficient Landscaping, No Potable Water Use or Irrigation.

(Note to applicant: 50% use of potable water would disqualify application for Credit 1.2. Confirm that no potable water is used for irrigation, providing a detailed plant list to obtain 2 points for Credit 1.2.)

- 2. design development to further address issues of privacy and overlook associated with the low-rise multi-unit residential neighbours directly to the south across the lane;

(Note to applicant: Consider the following additional interventions as possible solutions:

- (i) Provide (or confirm species) planting of sufficient height along terrace edge and/or higher terrace wall to provide visual privacy;
- (ii) Further reduce window size, orientation and/or additional translucent glazing and interior or exterior screening.);

3. design development to the corner retail unit, indicating on the drawings how this space will be developed, including floor elevations, entry access and general relationship with the public realm treatment;

(Note to applicant: The duration of this interim retail use may be considerable. Consider the importance of this corner and how it reinforces the proposed building's relationship to the street.)

4. clarification on the proposed signage, providing details confirming that the sign boxes are set back from the column face;

Landscape Design

5. provision of a complete Landscape Plan;

(Note to applicant: The plan should illustrate the proposed plant materials [with common and botanical names, plant sizes and quantities], paving, walls, fences, light fixtures, site grading and other landscape features. Plant materials should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale. Incorporation of hardy drought-tolerant plants into the planting scheme within the site should be considered to reduce the use of water in the landscape.)

6. design development to confirm that the soil depth provided is sufficient to accommodate the ultimate size of the tree species that are specified;

(Note to applicant: Provide a section drawn through the planted areas that are over structure to confirm that there is adequate soil depth to allow root development to sustain the species chosen for the project.)

7. provision of a section drawn to illustrate all proposed landscape elements;

(Note to applicant: The section drawing should be at a minimum scale of 1/4" = 1'0" and should illustrate any planters, benches, arbours and trellises, posts walls and water features. Planter section details must confirm the depth of the proposed planting on structures.)

8. provision of a high-efficiency irrigation system in all landscaped common areas, and hose bibs on patio areas as needed;

(Note to applicant: The location of the hose bibs should be illustrated on the Landscape Plan.)

Sustainability

9. identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver level with three optimize energy points, one water efficiency point and one stormwater point;

(Note to applicant: The LEED® checklist and detailed written description of how LEED® Silver will be achieved is to be incorporated into the development application drawing set.)

Engineering

10. clearly identify and show all existing hydro poles and guy wires in the lane and provide written confirmation from the affected utility that the poles and wires can be relocated to accommodate the proposed loading and parking points of access;

(Note to applicant: Please contact Bill Moloney of the Utilities Management Branch at 604.873.7373 for details.)

11. provide adequate two-way traffic flow throughout the parkade ramp system;

(Note to applicant: Redesign of the westerly portion of the parking ramp is required. Please contact Rob Waite of the Parking Management Branch at 604.873.7217 for details.)

12. provide a 10 ft. x 10 ft. corner-cut through the inside radius of the main parking ramp and provide a continuous curve between both portions of the ramp to improve transitions between the two ramps;

13. provide a parking ramp slope which does not exceed 10% slope for the first 20 ft. from the property line;

(Note to applicant: Based on the plans submitted, the slope calculates at 11.1% at the easterly side and 14.1% near the westerly side.)

14. provide design elevations on both sides of the parking ramp at all break points and located 2 ft. off of the wall through the curved sections of ramp;

15. provide the required number of disability parking spaces as per the Parking By-law;

(Note to applicant: Nine disability parking spaces are required as per Section 4.8.4 of the Parking By-law.)

16. provide correctly dimensioned parking spaces;

(Note to applicant: The small car parking spaces must be a minimum of 2.3 m or 7ft. 6.5 in., wide.)
17. correct the legal description on Page A000;

(Note to applicant: The correct legal description is "Lot B, Block 356, DL 526, Plan 590".)
18. Provide a widened canopy and bus benches on the eastern end of the site to serve the existing bus stop at this location.

(Note to applicant: Please contact Streets Administration Branch staff at 604.873.7713 to discuss possible bench locations and canopy widths.)

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. provision of adequate water service to meet the fire flow demands of the project;

(Note to applicant: The rezoning application lacks the level of detail needed to determine if water main upgrading is required. Please supply project details including projected fire flow demands to determine if water system upgrading is required. Should upgrading be necessary, arrangements to the satisfaction of the of the General Manager of Engineering Services and the Director of Legal Services will be required to secure the works.)
2. provision of a surface right-of-way over the north 1.5 m (4.9 ft.) and the west 2.5 m (8.2 ft.) of the site for pedestrian purposes;

(Note to applicant: In both cases, there should be no encroachments above or below grade into the right of way area.)
3. provision of a volumetric right-of-way over the future transit connection portal to secure public access;
4. undergrounding of all utility services from the closest existing suitable service point;

(Note to applicant: 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.)

5. provision of street trees adjacent to the site where space permits;

(Note to applicant: Possible changes to the bus stop location and the number of buses that stop along the Broadway frontage will impact the possible street tree locations. Further details regarding tree placement should be available at the development permit stage.)

6. provision of a standard concrete lane entry on Oak Street immediately adjacent to the site;

Soils

7. 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
8. 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 the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E (assigning Schedule "B" [C-3A]), generally as presented in Appendix C, of the Policy Report dated July 5, 2010, entitled "CD-1 Rezoning - 984 West Broadway", be approved;
- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, to include this CD-1 in Schedule B, as set out in Appendix C, of the Policy Report dated July 5, 2010, entitled "CD-1 Rezoning - 984 West Broadway", for enactment following the approval and enactment of the CD-1 By-law.

- D. THAT subject to approval of the rezoning, the registered property owner shall submit confirmation, in the form of a "Letter A", that an agreement has been reached with the registered owner of a suitable donor site for the purchase of heritage bonus density, as described in Appendix B, condition (c) 9 of the Policy Report dated July 5, 2010, entitled "CD-1 Rezoning - 984 West Broadway".
- E. THAT the following condition be added to Appendix B of the Policy Report "CD-1 Rezoning - 984 West Broadway", dated July 5, 2010:

- (c)9. that the owner secure the purchase and transfer of 676.96 m² (7,287 sq. ft.) of heritage density (which has a value of \$473,625) from a suitable donor site.

Note to applicant: For this application, the City attributes a value of \$65 per buildable square foot of density transferred to this site. This value is based on the analysis of current and prevailing market activity and the determination of the value is subject to periodic updating. The Owner may negotiate its best price to secure the required 7,287 square feet of density, however, it is noted that for this application the City will only recognize the attributed value to a maximum of \$65 per buildable square foot or a resulting total value of \$473,625.

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.

CARRIED UNANIMOUSLY

7. CD-1 TEXT AMENDMENT: 2803 West 41st Avenue (Crofton Manor)

An application by Molly Chan, NSDA Architects was considered as follows:

Summary: To amend the CD-1 (Comprehensive Development) District for 2803 West 41st Avenue to allow an increase in the maximum density from a floor space ratio (FSR) of 0.6 to 1.12 and the maximum height from 10.1 m (33.0 ft.) to 24.3 m (79.7 ft.). The proposal is to replace three of the existing buildings of this existing seniors facility with:

- a 6-storey "Main Lodge" building and a 3-storey "West Wing" building providing Seniors Supportive and Assisted Housing; and
- a 2-storey "East Wing" Community Care Facility.

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

Council also had before it a Memorandum dated March 1, 2011, from the Assistant Director of Planning which recommended an amendment to Appendix A of the Policy Report dated February 3, 2011, entitled "CD-1 Text Amendment - 2803 West 41st Avenue", to correct an error in the draft By-law pertaining to setbacks. The corrected draft By-law was posted at the Public Hearing.

Staff Opening Comments

Karen Hoese, Rezoning Planner, provided an overview of the application, and responded to questions.

Applicant Comments

Marilyn Harris, Executive Director, Crofton Manor, gave an overview of the community services provided by Crofton Manor and the proposed project, and, along with Tom Staniszkis, Neale Staniszkis Doll Adams Architects, responded to questions.

Summary of Correspondence

Council received two emails in opposition to the application, as well as one email providing comment about the alley, since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns regarding building height, loss of sunlight and privacy, increased noise, lights, and traffic, and affordability for seniors:

Bill Corcoran
Alan Farber
Greg Rudolf
Felicia Folk
Ashlyn Delahunt
Phil Yacht

The following spoke in general support but expressed concerns regarding height, neighbourhood precedent, and/or impacts of construction on Crofton Manor residents.

Sheldon Zelitt, Arbutus Ridge/Kerridale/Shaghnessy City Plan Vision Implementation
Committee
Alex Binz

Applicant Closing Comments

Tom Staniszkis, Neale Staniszkis Doll Adams Architects, spoke to concerns related to construction noise and project plans, and along with Ms. Harris, Executive Director, Crofton Manor, responded to questions.

Staff Closing Comments

Sailen Black, Development Planner, Current Planning, Kent Munro, Assistant Director of Planning, and Ms. Hoese responded to questions related to set backs, trees, and construction impacts.

Council Decision

MOVED by Councillor Anton

- A. THAT the application by Neale Staniszki Doll Adams Architects, on behalf of Revera Inc., to amend CD-1 (Comprehensive Development) District By-law No. 4674 for 2803 West 41st Avenue (PID: 007-752-202, Lot 1, Block 9, DL 2027, Plan 14745), to increase the maximum density from 0.6 to 1.12 FSR and the maximum height from 10.1 m (33.0 ft.) to 24.3 m (79.7 ft.), to permit additions to the existing seniors facility, generally as presented in Appendix A, of the Policy Report dated February 3, 2011, entitled "CD-1 Text Amendment - 2803 West 41st Avenue (Crofton Manor)", 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 NSDA Architects, and stamped "Received City Planning Department, March 2, 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 simplify the massing of the central lodge;

Note to Applicant: Where possible, the complexity of the building should be reduced, especially at the rooftop levels. Alternate roof forms should be explored in graphic form and reviewed with staff prior to a development permit application.
2. consideration of adjustments to the tower location to improve the quality of amenity spaces for seniors on-site, within the setbacks defined in the CD-1 by-law;
3. design development to reduce the shadowing impact of the West Wing building, especially at the south end;

Note to Applicant: This can be accomplished by removing the high gable form, replacing the cross ridge with a hip roof form.

4. consideration to provide more variety of expression, and a distinctive visual identity for each wing;

Note to Applicant: Variety should extend beyond changes in paint colour.

5. design development to reduce the potential for privacy and overlook to neighbouring properties, especially at the new west wing;

Note to Applicant: This can be accomplished by the judicious use of hedges, screens, translucent glazing and guard rails, raised window sills, and similar features that improve privacy without undue impacts on shadowing or seniors' amenity.

6. notation on the elevation drawings of all colours, finishes, and materials;

Note to Applicant: Attach colour samples to the drawings.

7. provision of enlarged details at $\frac{1}{2}'' = 1'-0''$ scale or similar for significant exterior features;

Note to Applicant: Include beams, trim, rails, guards, stone work, wall caps, lighting, soffits and similar features. High quality materials such as quarried stone, brick and wood that are consist with the recent exterior renovations should be employed.

LEED®

8. identification on the plans and elevations of the built elements contributing to the building's sustainable design;

Note to Applicant: Provide a detailed written description of how the LEED® credits identified in the checklist will be accomplished in this development with reference to specific building features. The checklist and description should be incorporated into the drawing set, and the building features located on the plans and elevations. Pursuit of LEED® certification and a Gold rating, rather than Silver equivalency is encouraged.

Crime Prevention Through Environmental Design (CPTED)

9. design development to consider the principles of CPTED, having particular regard for security in the underground parking;

Note to Applicant: Consider how lighting and glazing can be used to improve perceived safety in underground areas. Residents and operators should be consulted to determine whether any other issues exist on the site. Design features that address CPTED principles should be noted in the development permit application.

Landscape

10. design development to retain healthy trees located outside the building envelope;

Note to Applicant: Tree removal applications must be accompanied by an arborist report written by an ISA Certified Arborist and meet the provisions of the Protection of Trees By-law.

11. design development of the landscaping at the north and west property edges to ensure adequate screening of the proposed residential tower as viewed from the adjacent residential neighbourhood, with trees or other greenery;

Note to Applicant: Maintain existing healthy trees and replace unhealthy trees to maintain a continuous hedgerow. Consider covering bare walls of buildings with hardy vines, such as, Boston Ivy (*Parthenocissus tricuspidata*), to provide vertical greenery as a visual amenity for the neighbouring properties.

12. design development to the quality of the common outdoor amenity courtyards to provide access to sun for the residents;

13. provision of fully illustrated and detailed Landscape Plan;

Note to Applicant: The Landscape Plan should clearly note the landscape design illustrating existing landscaping to be retained including major planting and trees; proposed plant materials should be listed on a Plant List by common and botanical name, size and quantities, and keyed to the Landscape Plan; paving, walls, fences, light fixtures and other landscape elements; site grading; all existing street trees and public utilities such as lamp posts, hydro poles, fire hydrants, etc. Plans are to be at 1/8"=1'-0" minimum scale.

14. provision of a Construction Management Plan for the retention of trees (as noted on the Landscape Plan);

Note to Applicant: The plan should consider excavation and building materials storage, construction access and vehicle manoeuvring during the construction period. Tree location

should be noted according to the legal survey submitted for the development permit application.

15. where applicable, provision of a comprehensive Arborist's Report, submitted by an ISA Certified Arborist, to assess existing trees and comment on retention requirements for healthy tree located outside building envelopes, including root zone protection, supervision or other construction design practices, to the satisfaction of the Director of Planning;
16. provision of a rainwater management strategy in writing outlining the alternative methods for reducing the use of potable water for the irrigation of landscaped areas;

Note to applicant: see also requirement for a Sustainable Rainwater Management Plan (condition 32).

Engineering

17. Provide parking, loading, bicycle and passenger spaces in accordance with the Parking By-law, noting that the Director of Planning in consultation with the General Manager of Engineering Services has concluded, after review of this rezoning application, that the following relaxations from the By-law provisions are supported:
 - (a) a minimum of 0.25 space per unit, serving residents, staff, and visitors;
 - (b) a minimum of 0.1 Class A bicycle parking per unit;
 - (c) a minimum of 6 spaces of Class B bicycle parking; and
 - (d) a minimum of 1 Class B loading space;
18. provide a minimum of 0.25 handicap scooter parking spaces per bed;
19. number all parking stalls and label stalls as either standard, small car or disability;
20. clarify total number of parking spaces being provided;

Note to applicant: tech table states 140 spaces and count on drawing shows 114.

21. provide design elevations for all new proposed parking area (surface and underground), drive aisle and on both sides of the existing ramp and new access ramp at all breakpoints to be able to calculate slope and crossfall;

Note to applicant: the maximum slope or crossfall for the drive aisle and parking stalls is 5%.

22. provide a bicycle wheel ramp for the stairway from the parking level to the main floor;

23. provide an improved Ground Floor Plan (A 101) and overall Parking Floor Plan (A103) at 1:200 or 1/16":1' scale;

Note to applicant: drawings A-103 and L 1.1 are not printed at the specified scale.

24. provision of additional stall width for small car spaces located next to columns set back more than 1.2 m from the end of the stall;

Note to applicant: small car spaces west of loading bay require additional width.

25. provision of a minimum vertical clearance of 7' 6 ½ " from 41st Avenue to all required manoeuvring aisles and vehicle access routes serving disability parking spaces;

Note to applicant: it appears that there is a disability space in the new proposed parking area and vertical clearance at the transition from the existing parking to the proposed parking area measures 7' on section drawing A-401.

26. Evaluate the feasibility of relocating the exit driveway crossing onto 41st Avenue approximately 5 m to the west to facilitate vehicles exiting from the drop off area at the entrance to the building, having regard for the preservation of street trees and landscaped area on the site;

Note to applicant: With the current configuration, exiting vehicles cannot properly align their vehicle for a safe exit to 41st Avenue.

27. confirm that there are no support columns in the new proposed underground parking area and no building overhang to restrict the vertical clearance of the loading bay;

28. relocate the tree shown on plan L-1.2 next to the drive aisle accessing the loading bay as it is encroaching into the drive aisle and parking space;

Note to applicant: this tree should be a high branched tree to improve visibility at the loading bay.

29. clarify and or provide garbage storage and pick up areas for the development.

Sustainability

Greener Larger Sites

30. design development to include opportunities for urban agriculture/edible landscaping, with necessary infrastructure, such as tool storage, on-site composting, 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;

31. provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services;

Note to Applicant: The Green Mobility and Clean Vehicles Strategy should be coordinated with the Transportation Study and Traffic Management Plan.

32. provision of a Sustainable Rainwater Management plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site;

Note to Applicant: The requirements of the Sustainable Rainwater Management Plan should be coordinated/integrated with the required Landscape Plan (see condition 13).

33. provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex;

Note to Applicant: The strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

Renewable Energy

34. revise *Crofton Manor Expansion - District and Renewable Energy Feasibility Screening Study* in accordance with comments provided to the applicant on January 21, 2011 (see Appendix E), all to the satisfaction of the General Manager of Engineering Services;
35. conduct additional analysis and revise *Crofton Manor Expansion - District and Renewable Energy Feasibility Screening Study* report to determine if the geothermal heat-pump option is also able to supply energy to the remaining buildings on site. If the analysis shows a geothermal heat-pump system is able to supply the site's entire energy demand (new and remaining buildings), the total energy demand will be provided for in accordance with condition 37;
36. geotechnical assessment and ground conductivity analysis is required and is to be conducted by a qualified professional to confirm viability of a geothermal heat-pump system, to the satisfaction of the General Manager of Engineering Services. If geotechnical assessment supports geothermal system development, such a system shall be required for the development. If a geotechnical assessment does not support geothermal system development, then the option of the Air-Source Heat Pump technology, or a suitable alternative with comparable low GHG performance, shall be implemented, all to the satisfaction of the General Manager of Engineering Services;
37. energy demand management measures described in the *Crofton Manor Expansion - District and Renewable Energy Feasibility Screening Study* shall be implemented in accordance with an Implementation Plan to be provided by the Applicant prior to the issuance of development permit(s), all to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: if the geothermal heat-pump system is found to be viable to provide space conditioning and domestic hot water for the entire site (new and existing development, and domestic hot water loads), the boiler upgrades described in *Section 5.1 - Demand Side Management Opportunities in Existing Buildings* may not be required, at the discretion of the General Manager of Engineering Services.

38. space heating and ventilation make-up air shall be provided by hydronic systems, without electric resistance heat, distributed heat generating equipment gas fired make-up air heaters, etc.; and

Note to Applicant: On a case by case basis, the General Manager of Engineering Services may approve limited use of electric resistance heaters, or other distributed heat generating equipment to heat difficult to access parts the complex such as remote mechanical rooms or crawlspaces.

39. no natural gas fireplaces are to be installed within building(s).

Note to Applicant: All fireplaces are discouraged. A letter from a professional Engineering outlining any provision for ornamental fireplaces is to be submitted at the time of application for Building Permit to state that the fireplaces installed are not heat producing.

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 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. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:
 - (a) upgrading of the existing water main on 41st Avenue to serve this site. Please provide fire flow details to determine the extent of upgrading required;
 - (b) provision of a pedestrian signal at the intersection of Macdonald Street and W 41st Avenue, including all street/road/utility modifications necessary to accommodate the signal installation. The need for the signal is to be determined within five years of the final occupancy permit issued for the site and is to be preceded by an updated transportation study analysing changes to traffic as a result of this development;
 - (c) 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;

Public Art

2. provide public art according to the provisions of the Public Art Policies and Guidelines;

Community Amenity Contribution (CAC)

3. pay to the City, prior to the enactment of the rezoning by-law, the Community Amenity Contribution of \$432,000 which is to be allocated towards an affordable housing fund earmarked for but not limited to seniors' housing in the Kerrisdale area; and

Soils

4. the property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
- B. THAT items 6.1 (a) and 6.2 (a) of the By-law be amended to add after the word "porte-cochere", the words "and solaria, open structures or other elements which the Director of Planning deems to be similar".
- C. THAT Appendix A of the Policy Report dated February 3, 2011, entitled "CD-1 Text Amendment – 2803 West 41st Avenue" be amended as follows:
- 6.1 The setbacks of buildings at or above grade must be at least:
 - (a) 6.5 m from the south property line, except that a porte-cochere up to 7.0 m in height may be permitted in the required setback;
 - (b) 5.0 m from the west property line;
 - (c) 7.3 m from the east property line, and
 - (d) 10.7 m to the north property line.

CARRIED UNANIMOUSLY

8. REZONING: 1030 Denman Street (Coast Plaza Hotel & Suites)

This item was withdrawn.

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 Jang
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 9:56 pm

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