



## SPECIAL COUNCIL MEETING MINUTES

OCTOBER 30, 2012

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 30, 2012, at 6:10 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the zoning, heritage and sign by-laws.

**PRESENT:**

- Mayor Gregor Robertson
- Councillor George Affleck
- Councillor Elizabeth Ball
- Councillor Adriane Carr
- Councillor Heather Deal
- Councillor Kerry Jang
- Councillor Raymond Louie
- Councillor Geoff Meggs
- Councillor Andrea Reimer\*
- Councillor Tim Stevenson\*
- Councillor Tony Tang

**CITY CLERK'S OFFICE:** Barbara Pearce, Deputy City Clerk  
Nicole Ludwig, 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, to consider proposed amendments to the zoning, heritage and sign by-laws.

CARRIED UNANIMOUSLY

#### 1. TEXT AMENDMENT: 100 West 49th Avenue (Langara College)

An application by Laurie Schmidt, Brooke Pooni Associates Inc. was considered as follows:

Summary: To amend the existing CD-1 (Comprehensive Development) District (55) at 100 West 49th Avenue (Langara College). The rezoning would alter the minimum setbacks of both above- and below-grade buildings on the site. Sections 4 and 6 of the Langara College Policy Statement would also be amended to allow for a Student Services and Science Building in place of the

anticipated Creative Arts Centre; a Creative Arts Centre in place of the anticipated multi-purpose classrooms; and a path from West 49th Avenue to the proposed Creative Arts Centre.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

### Summary of Correspondence

Council received two emails opposed to this application since referral to public hearing.

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*At 6:17 pm, Councillor Stevenson declared conflict of interest as he teaches at Langara College. He left the Council Chamber and did not return until the conclusion of the vote.*

\* \* \* \* \*

### Speakers

The Mayor called for speakers for and against the application.

Peter Stabler expressed concerns with traffic around the site.

### Staff Closing Comments

Farhad Mawani, Rezoning Planner, Rezoning Centre, Current Planning, responded to questions related to issues raised by the speaker.

### Council Decision

MOVED by Councillor Carr

- A. THAT the application by Brooke Pooni Associates Inc., on behalf of Langara College, to amend CD-1 (Comprehensive Development) District (55) By-law No. 4412 for 100 West 49th Avenue [PID: 008-775-842; Lot 1 (Reference Plan 9821) of Lot A Block 1165 District Lot 526 Plan 12842] to decrease setback provisions and to amend the Langara College Policy Statement to enable a reorganization of buildings on site, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 100 West 49th Avenue (Langara College)", 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 Brooke Pooni Associates on behalf of Langara College, and stamped "Received City Planning Department, November 24, 2011", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to form of development conditions previously approved on November 14, 2006, and to the following additional conditions:

### Landscape Design

- 1. Provide a more open and direct physical link between the West 49th Avenue pedestrian entry and the North-South pedestrian spine.
- 2. Provide a clear and legible wayfinding route for pedestrians to make their way through the campus from the West 49th Avenue pedestrian entry to the Langara Golf Course.
- 3. Introduce a Creative Arts Building Forecourt at the terminus of the North-South pedestrian spine with a more flexible open space design.

### Engineering

- 4. The drawings are to be updated to reflect the deliverables notes in the 2006 rezoning and in the related servicing agreement. Please consult with Engineering Services to identify the driveway crossing reduction on Ontario Street, the public plaza at West 49th Avenue and Ontario Street, and related traffic calming requirements.
- 5. Covenant BB327389 (which arose from an earlier rezoning) stipulates that a right-of-way for public park use is to be registered over the west end of the site. Plans need to reflect this covenant.

## CONDITIONS OF BY-LAW ENACTMENT

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

### Engineering

1. Amendments to the Site Servicing Agreement (BB327391-93) for 100 West 49th Avenue to allow for the works required in accordance with such agreement to be delivered consistent with the owner's revisions to the programming of buildings on the site and to the phasing of development on the site as outlined in this report, and to capture any further works required as a result of approval of this text amendment application.
2. Provision of a widened sidewalk at the bus stop on the south side of West 49th Avenue at Manitoba Street (to be widened by approximately 1.5 m for 50 m length). This widening is to address an already heavily used bus-stop queuing area, as pedestrians walking along the south side of 49th Avenue must leave the sidewalk to bypass those queued for buses.

### Legal Agreements

3. Amendments to references in agreements registered on title to the lands as required in order to update such references as a result of revisions to the programming of buildings on the site and to the phasing of development on the site, which agreements are BB327389, BB327390, BB327394, and BB327395.

Note to Applicant: 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 are 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, letters of credit and withholding of permits, as deemed necessary by and in a form 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.

- B. THAT, subject to enactment of the amending by-law, the Langara College Policy Statement be amended generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 100 West 49th Avenue (Langara College)".

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote)

## 2. REZONING: 1041 Southwest Marine Drive and 8866 Osler Street

An application by Robert Turecki, Robert Turecki Architect Inc. was considered as follows:

Summary: To amend the existing CD-1 (Comprehensive Development) District (276) for the Coast Hotel at 1041 Southwest Marine Drive. The proposal is to expand the current CD-1 District by rezoning an adjacent MC-1 (Light Industrial) District site to add it to the CD-1 District, to permit construction of a six-storey addition including a redeveloped pub, conference space, and 76 dwelling units. The proposal also includes the option to add 54 hotel rooms in the place of 32 dwelling units within the same floor space. A maximum floor space ratio (FSR) of 2.3 and a maximum height of 74.5 feet (22.7 metres) are proposed.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

### Applicant Comments

Robert Turecki, Robert Turecki Architect, expressed his support for the application.

### Summary of Correspondence

Council received one email opposed to this item since referral to public hearing.

### Speakers

The Mayor called for speakers for and against the application.

Janet Fraser, Marpole Matters, spoke in support of the application, and also noted concerns regarding site value and moving the bus stop.

## Staff Closing Comments

Jerry Evans, Associate Director of Real Estate Services, Paul Storer, Transportation, Engineering Services, and Kent Munro, Assistant Director of Current Planning, responded to concerns raised by the speaker and questions of Council.

## Council Decision

MOVED by Councillor Deal

- A. THAT the application by Robert Turecki Architect on behalf of Vancouver Airport Hotel Limited Partnership, to amend the CD-1 (Comprehensive Development) District (276) By-law No. 6876 for 1041 Southwest Marine Drive (PID: 017-459-273; Lot J of Lots 21 and 23 Block C District Lot 319, Plan LMP1426) to:
1. add lands presently zoned MC-1 (Mixed-use Industrial) District at 8866 Osler Street (Lots 14 and 15 except part in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509 (PID: 008-249-016 and 008-249-032) to this CD-1 (Comprehensive Development) District; and
  2. include residential use; increase the maximum height from 13.1 m to 22.7 m; and increase the density from floor space ratio 1.32 to 2.30;

all to allow development of a six-storey addition to the existing Coast Hotel at 1041 Southwest Marine Drive, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 1041 Southwest Marine Drive", be approved subject to the following conditions:

### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the revised form of development be approved by Council in principle, generally as prepared by Robert Turecki Architect, and stamped "Received City Planning Department, January 31, 2011", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

## Design Development

1. Design development to the southwest corner of the building to create a more notable and distinctive transition from Osler Street to Southwest Marine Drive.

Note to Applicant: Consider the comments of the Urban Design Panel.

2. Design development to the north and east elevations to break up any blank, multi-storey walls and provide some visual interest to portions visible from public streets.

Note to Applicant: Consider the addition of plants and windows where feasible, and varying the materials and colours to break up the scale.

3. Better visual connection between the commercial area and the public realm, by providing an interior floor level no more than three feet above the adjacent sidewalk grade, glazing along the majority of the commercial façade.

Note to Applicant: Intent is to help animate the sidewalk and create a better visual connection between the public realm and pedestrian passers-by, and the activities inside the licensed premises. Avoid the use of obscuring film or shades on glazing at eye level.

4. Provision of a 1.0 m (3.3 ft.) setback from the property line at the southeast corner of the site.

Note to Applicant: Intent is to provide more generous pedestrian area, around the main entry to the pub stairs and ramp, than the approximately 2.6 m (8.5 ft.) distance from the stairs to the curb shown on the drawings.

5. Development of a more varied and visually interesting palette of materials and details at ground level, to improve the pedestrian experience.

Note to Applicant: This can be accomplished by the judicious use of quarried masonry and wood. Consider the advice of the Urban Design Panel to higher quality materials and a richer colour palette.

6. Provision of an enclosed balcony design for residential dwelling units that affords residents a maximal area of openable glazing and a distinct exterior expression to distinguish this feature from conventional room areas.

Note to Applicant: Refer also the enclosed balcony guidelines for more details, and see Technical Conditions for required notes.

7. Provision of an acoustic barrier on the east side of the residential courtyard, to reduce potential noise from nearby arterial roadways and the pub.

Note to Applicant: Consider glazed partitions that would admit natural light while reducing noise and the use of acoustically absorbent materials in the courtyard.

8. Provision of separate drawings for reference, showing a schematic design for commercial signage that indicates finishes, materials and dimensions, and that is integrated with the building expression, weather protection, and lighting.

Note to Applicant: Intent is to support a visually interesting pedestrian level at future stages of development. A separate permit application is required to develop commercial signage.

9. Provision of continuous weather protection from the lane around the commercial façade and to the residential entry, sheltering at least six feet of sidewalk from the elements, and a similar canopy over the main residential entry gate.

Note to Applicant: Consider pulling the canopy glass away from the building face to permit rainfall to reach planters at the base of the project.

### Landscape

10. Provision of additional programming and visual interest for the Level 2 residential deck.

Note to Applicant: A layered shrub planting at the deck edges and additional seating on the common patio should be provided. Consideration should be given to integrating some urban agriculture beds into the deck plan.

11. Provision of a larger patio area for the Unit 5G on Level 5. The area of the patio can be extended to the north and to the east to provide a patio similar in size to the one provided for Unit 5E.

12. Provision of adequate soil depths for all planting on slab.

Note to Applicant: All soil depths in planters and on slab should conform to BCNTA Landscape Standard. If additional depth is required for the inner row of trees along Osler Street, the underground slab may need to be angled down or notched.

13. Provision at the time of development permit application of a full Landscape Plan.

Note to Applicant: The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, 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.

14. Provision at the time of full development permit application of large-scale sections (1/4"=1' or 1:50) illustrating the soil depths for Level 2 and Level 5 decks.
15. Provision at the time of full development permit application of large-scale sections (1/4"=1' or 1:50) illustrating the townhouse to public realm interface of the townhouses facing Osler Street.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

#### **Crime Prevention through Environmental Design (CPTED)**

16. Design development to consider the principles of CPTED, having particular regard for security in the underground parking.

Note to Applicant: Particular attention should be given to providing a design for non-glare lighting that illuminates service and sidewalk areas around the building and improves safety for residents, visitors and customers.

#### **Sustainability**

17. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, including a minimum of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one stormwater point.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set.

#### **Engineering**

18. The proposed new vehicle access to Southwest Marine Drive between the existing hotel and the new development is not supported; references to this access point are to be removed from the plans.

19. Provision of Class B loading spaces which comply with the requirements of the Engineering Parking and Loading Design Supplement in regard to loading space width and provision of loading throats.  
  
Note to Applicant: Double throats will be required unless egress for trucks through the existing breezeway is possible.
20. Confirmation that the two loading spaces shown off of the existing hotel breezeway are available, are fully functional and meet all aspects of the parking by-law and parking and loading design supplement. Removal of any encroachments or obstructions into the loading bays and their associated maneuvering aisles is required.
21. Provision of a minimum 4.0 m long transition ramp at the bottom of parking ramps in excess of a 12.5% slope and a parking ramp slope not to exceed 10% for the first 20 ft. from the property line.  
  
Note to Applicant: Based on the elevations, it appears that transition slopes will be required.
22. Provision of an improved drive aisle width in the vicinity of parking space #16 on the upper parking level.  
  
Note to Applicant: A width of approximately 6.1 m is required.
23. Provision of measures to address the vehicle interlock between vehicles turning to and from the main parking ramp from adjacent parking areas on both parking levels.  
  
Note to Applicant: The advice of a transportation consultant is recommended.
24. Provision of a corner-cut through the inside radius of the parking ramp from the lower to the upper parking level to eliminate the vehicle interlock.
25. Provision of Class A bicycle parking to be on the upper parking level.
26. Provision of charging points for 50% of the Class A bicycle spaces.
27. Provision of electric vehicle charging for 20% of the new parking provided and capacity in the electrical room for up to 100% of the parking spaces to receive vehicle charging infrastructure.  
  
Note to Applicant: The requirements are found in the VBBL.
28. A canopy application is required.  
  
Note to Applicant: Canopies must be fully demountable and are to be drained to the buildings internal drainage systems and consider

all existing and proposed street trees ensuring they are not impacted by the canopies design.

29. Deletion of the pavers shown over the new lane.

Note to Applicant: Pavers are not supported as a lane treatment. Should improvements of the lane surface be desired then a separate application should be made to the General Manager of Engineering Services. Please show the lane surface as asphalt pavement and note that it is to be constructed to the standards set out in the City's Street Restoration Manual.

30. Provision of separated garbage and recycling facilities for the residential and hotel/pub uses.

#### CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the amended 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, to the General Manager of Planning and Development Services, to the General Manager of Engineering Services, and to the Managing Director of Social Development as necessary, make arrangements for the following:

##### Engineering

1. Provision of written confirmation from Metro Vancouver indicating agreement to the proposed relocation of the GVS and DD sewer line, and the modification/discharge as required of the applicable registered agreements (501036M, 507822M, GD118181 and 507978M).
2. Closing of, stopping up and conveying to the owner for nominal consideration the portion of the lane north of Southwest Marine Drive and west of Oak Street, south of Lot 15 (see Figure 1, below) and the relocation or decommissioning of any utilities within these areas. Written confirmation and agreement from all effected utility companies is required.

Note to Applicant: An application to close the lane was made to the City Surveyor in 2007 but it must be re-activated by the applicant.

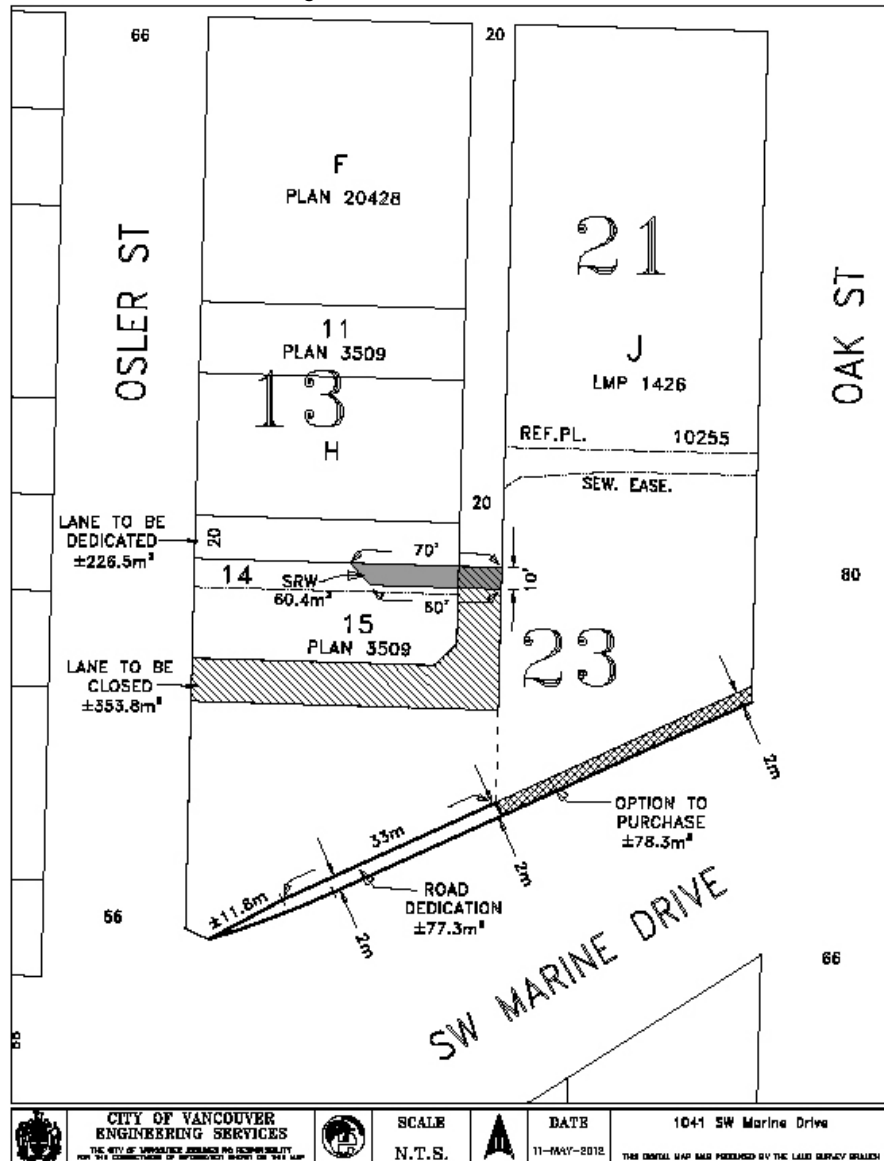
3. Subdivision of the site to accomplish the following:
  - (i) the consolidation of Lot 14, Lot 15, Lot J, and the closed lane (referred to in condition 2 above) to form a single parcel;
  - (ii) the dedication as lane of the north 20 feet of Lot 14 (see Figure 1, below);

- (iii) the dedication as road of a corner truncation and 2.0 m widening along Southwest Marine Drive as generally shown in Figure 1, below

Note to Applicant: No permanent structures are permitted within the dedication areas. A subdivision application will be required.

- 4. Provision of an Option to Purchase in favour of the City for the future 2.0 m widening of Southwest Marine Drive east of the 2.0 m dedication as shown in Figure 1, below.

Figure 1



- 5. Provision of a Statutory Right-of-Way for the lane turning bulge along the south side of the new east-west lane as shown in Figure 1.

Note to Applicant: Within the turning-bulge area a minimum clear height of 15 feet above grade must be provided and the sub-surface structure must meet or exceed loading requirements to CL-625 and BC-625 (higher axle load) as per CHBDC-S6-06 (Canadian Bridge Code) and BC Supplement. If a lane dedication from off-site Lot H Block 13 of Block C District Lots 319, 323, and 324 Plan 20910 can be facilitated by the applicant, the turning-bulge Statutory Right-of-Way in the lane will not be required.

6. Execution of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided. No development permit for the site will be issued until the security for the following services are provided.
  - (i) Provision of all lane improvements necessary to deliver the proposed new lane including, but not limited to, pavement, drainage, removal or relocation of existing lamp standards, new lane curb returns and a standard concrete lane crossing at Osler Street entry to the new lane.
  - (ii) Removal of the old lane entry and reconstruction of the sidewalk and curb to match existing sidewalk and boulevard treatments on Osler Street.
  - (iii) Removal of the existing disused crossing on Osler Street and reconstruction of the sidewalk and curb to meet current City standards.
  - (iv) Provision of new disability ramps and curb return at the Osler Street and Southwest Marine Drive corner of the site, to meet current City standards.
  - (v) Provision of a corner-bulge on City street on the west side of Osler at the Marine Drive and 73rd Avenue intersection.
  - (vi) Provision of street trees adjacent the site where space permits.
  
7. Unless alternate arrangements to the satisfaction of the General Manager of Engineering Services are concluded, provision of one car share vehicle and one car share vehicle parking space in locations to the satisfaction of the General Manager of Planning and Development Services in consultation with the General Manager of Engineering Services, and in addition to the minimum parking spaces required by the Parking By-law on the following conditions:
  - (i) The developer will be required to fund \$25,000 for the purchase of each required shared vehicle and fund \$11,560 for operating costs for each required shared vehicle;

Note to Applicant: These dollar amounts are subject to inflationary increases and final amounts will be calculated prior to occupancy.

- (ii) Management services to be provided by the professional shared vehicle organization subject to an agreement to be entered into with the developer on terms and conditions satisfactory to the City;
- (iii) Enter into a legal agreement containing such terms and conditions, including registerable charges, in form and substance satisfactory to the Director of Legal Services, securing the obligations in this condition and providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
- (iv) The provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share vehicle parking spaces.

Note to Applicant: Car share vehicles are to be parked in an accessible location outside of residential security gates and easily accessible to car share members.

8. Confirmation that all off-site parking arrangements will remain in force through the construction process at the discretion of the General Manager of Engineering Services.

9. Release of all redundant and expired charges currently on title.

Note to Applicant: Upon completion of the subdivision and demonstrated compliance to the Parking Bylaw, parking related agreements are to be discharged (M88697, M88698, P77549-51 and BE182556-58).

10. 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 as determined by the applicant's mechanical consultant 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. The developer is responsible for 100% of any water system upgrading that may be required.

11. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not

limited to, junction boxes, switchgear, pad mounted transformers and kiosks are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

### Housing Agreement

12. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to subdivide by air space subdivision, or at the sole discretion of the Managing Director of Social Development and the Director of Legal Services to otherwise subdivide to create a parcel or parcels for the portion of the development containing at least six market rental housing units occupying at least 296 m<sup>2</sup> of the development floor space, and once such portion is subdivided to execute a Housing Agreement to secure such units as rental for the life of the building or 60 years, whichever is longer, and to include registerable covenants in respect of such units prohibiting stratification, separate sales and rental for a term of less than one month at a time, and subject to such rentals being made available as market rental housing units and subject to such other terms and conditions as are satisfactory to the Director of Legal Service, and the Managing Director of Social Development.

Note to Applicant: This Housing Agreement will be entered into by the City by by-law pursuant to section 565.2 of the *Vancouver Charter*.

### Soils

13. Submit a site profile to the Environmental Protection Branch (EPB).
14. 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*.
15. 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*.

Note to Applicant: 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 sites 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-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form 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.

- B. THAT Council approve in principle a Housing Agreement pursuant to section 565.2 of the *Vancouver Charter* securing the six market rental housing units in the development as rental for the life of the building or 60 years, whichever is longer, including no separate sales and no stratification covenants and such other terms and conditions as the Director of Legal Services may require in respect of such units, to the satisfaction of the Director of Legal Services and Managing Director of Social Development;

FURTHER THAT the Director of Legal Services be instructed to bring forward a by-law to authorize such Housing Agreement, and after by-law enactment, to execute and register the Housing Agreement.

CARRIED UNANIMOUSLY  
(Councillors Reimer and Stevenson absent for the vote)

**3. REZONING/HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):  
475 Howe Street and 819 West Pender Street**

An application by Selwynn Dodd, Iredale Group Architecture, was considered as follows:

Summary: To rezone 475 Howe Street and 819 West Pender Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 30-storey office building with commercial/retail uses at grade, a floor space ratio of 21.5, a floor area of 37 367.7 square metres (402,222 square feet), an overall height of 423.2 feet (129 metres), and seven levels of underground parking with 158 parking stalls. The existing class "A" heritage building at 475 Howe Street would be designated as a protected heritage property and would be retained and restored with a Heritage Revitalization Agreement (HRA).

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Council also had before it a memorandum dated October 29, 2012, in which Kent Munro, Assistant Director of Current Planning, requested the recommendation relating to entering into a



Heritage Revitalization Agreement be deleted, because it is not necessary for the Heritage Revitalization Agreement to be considered at the public hearing as it does not propose to vary use or density.

### Staff Opening Comments

Karen Hoese, Rezoning Planner, Rezoning Centre, Current Planning, and Anita Molaro, Senior Development Planner, Urban Design and Development Planning Centre, Current Planning, presented the application and, along with Marco D'Agostini, Senior Heritage Planner, and Michael Gordon, Senior Planner, Central Area Planning, responded to questions.

### Applicant Comments

Franz Gehrigler, SwissReal, and Herbert Meier, Credit Suisse, and Peter Hildebrand and Daniel Hawreluk, both from Iredale Group Architecture, presented the application.

### Summary of Correspondence

Council received the following correspondence related to this application since referral to public hearing:

- 17 emails and letters in support
- 9 emails and letters opposed
- 3 emails and letters related to other issues.

### Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Anthony Norfolk, Heritage Vancouver  
Seth Baker  
Thomas Mueller, President and CEO, Canada Green Building Council  
Brian Wakelin  
Mark Renzoni, CBRE Limited  
Bob Laurie, Vancouver Board of Trade Community Affairs Committee  
Brent Toderian, Toderian Urbanworks  
Paul McCrea  
Jeff Hugh  
Alexander Hayne

The following spoke in opposition to the application, noting concerns with the amount of parking in the application, impacts on Jameson House residents, and effects of construction on surrounding businesses:

Frank Jameson  
David Fushtey  
Rhodri Windsor-Liscombe  
Robert Lemon  
Andrei Jiliaev, Jiliaev Jewellery  
Dan Quan  
Ray Spaxman  
Jason Leemans  
Fran Strike  
Greg Leach  
Jo Anne Gin  
Robert Ledingham  
Arielle Quan  
Yuen Yen Chang  
Vic Brownjohn  
Karen Okada  
Helen Besharat

Menard Caissey spoke to other issues related to the application.

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*At 10:00 pm it was*

*MOVED by Councillor Reimer*

*THAT, under section 2.3(e) of the Procedure By-law, Council extend the length of the meeting by one hour.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

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### **Applicant Closing Comments**

Mr. Hildebrand addressed concerns raised by the speakers, particularly those concerns related to the public consultation process.

### **Staff Closing Comments**

Brian Jackson, General Manager of Planning and Development Services, responded to questions.

**Council Decision**

MOVED by Councillor Louie

THAT Council refer discussion and decision on the application regarding 475 Howe Street and 819 West Pender Street to the Regular Council meeting on Tuesday, November, 13, 2012, as Unfinished Business.

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Louie  
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 Reimer absent for the vote)

**ADJOURNMENT**

MOVED by Councillor Ball  
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Special Council adjourned at 11:00 pm

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