



SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 13, 2012

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, November 13, 2012, at 7:32 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 subdivision by-laws.

PRESENT: Councillor Heather Deal, Acting Chair
Councillor George Affleck
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Tony Tang

ABSENT: Mayor Gregor Robertson (Leave of Absence - Civic Business)
Councillor Kerry Jang (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Barbara Pearce, Deputy City Clerk
Bonnie Kennett, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Meggs
SECONDED by Councillor Ball

THAT Council appoint Councillor Deal as Acting Chair for this meeting.

CARRIED UNANIMOUSLY

MOVED by Councillor Carr
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 5731 St. George Street

An application by Chris Bardon, Silk St. George Development Ltd. was considered as follows:

Summary: To amend the CD-1 (Comprehensive Development) District By-law for 5731 St. George Street to decrease setback provisions.

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

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

Speakers

The Chair called for speakers for and against the application.

Vaughan Evans spoke to other issues related to the application.

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 Reimer

- A. THAT the application, by Silk St. George Development Ltd. to amend the CD-1 (Comprehensive Development) District By-law No. 10567 for 5731 St. George Street [*PID: 028-916-832; Lot A, District Lot 642, Group 1, New Westminster District Plan EPP22092*] to decrease setback provisions, be approved.
- B. THAT A above be adopted on the following conditions:
 - (i) That the passage of A above 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 by-law 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.

CARRIED UNANIMOUSLY

2. REZONING: 6110-6170 Oak Street and 975 West 46th Avenue

An application by Craig Rowland, Listraor Development Corporation, was considered as follows:

Summary: To rezone 6110-6170 Oak Street and 975 West 46th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District. The proposal is for 33 rowhouse units in six buildings, with a total floor area of 3,915.3 square metres (42,144 square feet), a floor space ratio of 1.0, and a maximum height of 3 storeys (10.7 metres or 35 feet). The proposal also includes one level of underground parking accessed from the lane, which would contain 66 vehicle spaces and 64 bicycle storage spaces.

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.

Staff Opening Comments

Ian Cooper, Senior Rezoning Planner, Rezoning Centre, Current Planning, introduced the application and along with Ann McLean, Development Planner, Urban Design and Development Planning Centre, Current Planning, responded to questions.

Summary of Correspondence

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

Speakers

The Chair called for speakers for and against the application.

Alan Gee spoke in opposition to the application.

Council Decision

MOVED by Councillor Ball

- A. THAT the application by Listraor Development Corporation on behalf of Listraor (West 46th) Homes Ltd., to rezone 6110-6170 Oak Street [*Amended Lot 11 (See 442324L) and Lots 12 to 14, all of Block I of Block 1008 District Lot 526, Plan 10897, PID: 009-274-718, 009-247-220, 002-247-238 and 009-247-262, respectively*] and 975 West 46th Avenue [*PID: 009-247-271, Lot 15, Block I of Block 1008 District Lot 526 Plan 10897*] from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.6 to 1.0 to permit a rowhouse development, generally as presented in Appendix A of the Policy Report dated October 2, 2012, entitled "CD-1 Rezoning - 6110-6170 Oak Street and 975 West 46th 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 Merrick Architects and stamped "Received City Planning Department, February 20, 2012", subject to the following conditions, 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 buildings to create variety and individual expression among them.

Note to Applicant: This can be achieved by varying the form at key points of the development and creating details, forms or materials that are individual to each building.

- 2. Design development to strengthen the public realm at the site edges.

Note to Applicant: This can be achieved by increasing the variety and sizes of trees proposed, particularly along Oak Street. The approach should include appropriate street trees on City property. See also Conditions (b) 11, 13 and 15.

3. Design development to the semi-private courtyard, creating areas of special interest and focus, providing more variety and opportunities for social interaction and informal children's play.
4. Provision of enlarged scale building elevations and sections illustrating key architectural elements including detailed transitions between materials reflecting the residential scale and character of the area.
5. Provision of a weather protected cover over all open stairs to the underground parking structure.

Note to Applicant: The stairs and the exposed parking ramp should be well integrated with the overall landscaping.

Crime Prevention Through Environmental Design (CPTED)

6. Design development to consider the principles of CPTED having particular regard for reducing opportunities for theft in the underground parking and for reducing opportunities for graffiti on walls and solid fences at the lane.

Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a score of Energuide 82.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 82 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Engineering

8. Amend the legal description on page A0.01 to read; Amended Lot 11 (See 442324L), Lots 12, 13, 14 & 15, all of Block I of Block 1008, DL 526, Plan 10897.
9. Delete the proposed back boulevard trees on 46th Avenue. Planting consistent with the boulevard planting guidelines is required.
10. Parking, loading and bicycle spaces in accordance with by-law requirements on (date of enactment of CD-1 by-law).

Landscape

11. Provision of substantial in ground replacement tree planting wherever possible.
12. Landscape plantings to ensure compatibility with built structures and long term health of tree species.

Note to Applicant: Recommend smaller tree species to be located at front yards with larger tree species on the City boulevard.
13. Provision of adequate planting medium depth within planters on structures to meet the BCSLA latest standard.
14. Design development to ensure landscape diversity by providing a balanced selection of evergreen and deciduous plant species.
15. Provision of a flexible Child's Play Space incorporating forms for people to engage in active and passive social play in the common amenity patio area.
16. Provision of new street tree planting with expanded boulevard width on Oak Street in consultation with the City Engineer and Park Board.
17. Provision of a high-efficiency automatic irrigation system specified in all common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.

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

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

1. Consolidation of Amended Lot 11 (See 442324L), Lots 12, 13, 14 & 15, all of Block I of Block 1008, DL 526, Plan 10897 to create a single parcel.
2. Replacement of utility SRW agreement 338981M and an increase in width of the SRW to form an ultimate width of 2.0 metres (6.56 feet).

3. Provision 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 the applicant's expense 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 services are provided:
 - a. Provision of street trees adjacent the site where space permits;
 - b. Provision of countdown timers and audible signals at the intersection of Oak Street and West 46th Avenue;
 - c. Provision of a water fountain near the corner of West 46th Avenue and Oak Street designed, constructed and installed at the applicant's expense. The fountain is to be located on public property and serviced by a separate water service connection at the applicant's expense;

Note: The City pays for water and maintenance once the fountain has been installed and accepted by the City.

- d. Provision of street improvements on West 46th Avenue adjacent the site consisting of pedestrian level lighting and improved landscaping on the public boulevards;
 - e. Provision of a standard concrete lane crossing at the lane east of Oak Street on the north side of West 46th Avenue; and
 - f. Provision of improved curb ramps and curb return at the northeast corner of West 46th Avenue and Oak Street.

Note to Applicant: Should construction result in the need to replace the city sidewalk in front of the site then sidewalk width standards of the day would apply, a 6 ft. wide or wider walk would be sought space permitting.

4. 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 (including non BC Hydro 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 with no reliance on public property for placement of these features. 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.

5. 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.

Note: 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval of the rezoning at a Public Hearing, the Subdivision By-law be amended as set out in Appendix C of the Policy Report dated October 2, 2012, entitled "CD-1 Rezoning - 6110-6170 Oak Street and 975 West 46th Avenue"; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of A and B above creates no legal rights for the applicant or any other person, or obligation on the part of the City and 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 by-law and that 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.

CARRIED UNANIMOUSLY

3. REZONING: 6010-6050 Oak Street

An application by Taizo Yamamoto, Yamamoto Architecture Inc., was considered as follows:

Summary: To rezone 6010-6050 Oak Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District. The proposal is for a multiple-dwelling development with 19 rowhouse units and nine lock-off units. The application comprises four buildings, each at three to four storeys, with a maximum height of 11.4 metres (37.5 feet), and underground parking. The proposed total floor area is 2,739.6 square metres (29,488.7 square feet) and the proposed floor space ratio is 1.2.

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.

Staff Opening Comments

Ian Cooper, Rezoning Planner, Rezoning Centre, Current Planning, presented the application.

Summary of Correspondence

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

- 3 emails and letters in opposition.

Speakers

The Chair called for speakers for and against the application.

Michael Tham spoke in opposition to the application.

Staff Closing Comments

Ian Cooper, Rezoning Planner, Rezoning Centre, Current Planning, and Sainen Black, Development Planner, Urban Design and Development Planning Centre, Current Planning, responded to questions.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Yamamoto Architecture Inc., on behalf of 0880041 B.C. Ltd., to rezone 6010-6050 Oak Street [*Lots 6, 7 and 8, Block I of Block 1008 District Lot 526 Plan 10897; PIDs: 004-755-022, 009-247-114, and 009-247-149 respectively*] from RS-1 (Residential Single-Family) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.7 to 1.2 to permit a rowhouse development, generally as presented in Appendix A of the Policy Report dated October 3, 2012, entitled "CD-1 Rezoning: 6010-6050 Oak 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 Yamamoto Architecture Inc., and stamped "Received City Planning Department, December 23, 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. Provision of a front setback to the main floor of the building of at least 4.8 m (15.75 feet) and more substantial landscaping between Oak Street and the residential units.

Note to Applicant: Intent is to provide a more substantial buffer to this arterial road way, and allow more substantial planting including additional trees, given the narrow boulevard and sidewalk on this part of Oak Street. If floor area is relocated, it should be sited away from nearby neighbours. The general articulation of the Oak Street façade should be maintained.

2. Design development to continue the built features and expression of the Oak Street and courtyard sides of the building to the other sides of the building, especially the lane.

Note to Applicant: Intent is to continue the design quality around the development, particularly a more varied roof line with lower elements, and vertical elements similar to those on Oak Street. Materials such as cedar screens and siding should be continued on the lane side. Reduce the extent of exposed concrete and horizontal slab bands. Response should reflect commentary from the Urban Design Panel.

3. Design development to ensure that no part of the east building extends above 30 feet where it affects sunlight or daylight access to the rear yards of neighbouring development.

Note to Applicant: There should be no incremental effect as compared to a 30 foot tall building. Higher elements are acceptable if located away from the edges of the site.

4. Design development to improve privacy and reduce overlook from the windows and roof decks nearest to residential neighbours.

Note to Applicant: For windows, this can be accomplished by the use of high sills or obscuring glazing. Rooftop guards should be of obscuring glass, in combination with planters.

5. Design development to reduce the visual prominence of any concrete walls facing to adjacent properties.

Note to Applicant: Intent is to create a more gradual transition to existing development at a lower scale. This can be accomplished by revising the height, cladding, and landscaping around these elements.

Landscape

6. At time of development permit application, provision of:

- (i) Design development to expand programming to include opportunities for children's play. The site is oriented to families and should provide programming for play, or connections to parkland, playgrounds or open play;
- (ii) Design development to expand programming and include opportunities for shared gardening in the common outdoor open space;

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.

- (iii) Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or 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;
- (iv) Design development to improve presentation to the neighbourhood by breaking up the perimeter fence/gate expression to a more character compatible design and allow for planting buffer in front of it, oriented to the street and lane. Suggest introducing a second material in keeping with the architecture and/or jogging the fence by sections, interspersed with planting beds;
- (v) Provision of a revised arborist report to give methods of safe retention and protection of the front entry retained pine tree, in context with the proposed site plan and underground parkade. Report to include a dimensioned tree protection plan overlaid on the site plan;
- (vi) A full Landscape Plan for proposed landscape 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.
- (vii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical 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;
- (viii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the 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.

- (ix) Provision of tree protection barriers for all retained trees, supported by recommended safe distances to excavation as referenced on the Arborist Report, specifically for each tree.
- (x) Provision of a letter of assurance for arborist supervision of tree relocation and other construction activities, dated and signed by both owner and arborist.
- (xi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade; and
- (xii) 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.

Crime Prevention Through Environmental Design (CPTED)

- 7. Design development to respond to CPTED principles, having particular regard for theft and security in the underground parking, break and enter, and mischief and vandalism, such as graffiti;

Note to Applicant: Provide a strategy that identifies the particular risks that may arise on this site and identifies specific features to mitigate them beyond the minimum requirements of the building code. Show on the plans where these features should be located, and provide an indicative design for them, especially around the parking and pedestrian entries. Provide a lighting design that avoids glare to nearby residents.

Engineering

- 8. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering.

Note to Applicant: The following items are required to meet the Parking and Loading Design Supplement:

- a. Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints to be able to calculate slopes and cross falls.

- b. Provision of a 20' (6 m) wide security gate at the parking entrance.
 - c. Provision of a bicycle wheel ramp for the stairs at the north end of the building from the parking level. This is to provide bicycle access from the parking level to Oak Street.
- 9. Should construction result in the need to replace the City sidewalk in front of the site, then the sidewalk width standards of the day would apply, a 6-foot wide or wider walk would be sought, space permitting.
- 10. Sewer connections are to be directed to Oak Street and not the lane east of Oak Street. Please contact Sewers Design to establish exact sewer locations and elevations.
- 11. The legal description on page A1.0 of the drawings in the application package as prepared by Yamamoto Architecture Inc., and stamped "Received City Planning Department, December 23, 2011", should be amended to reflect Block I, rather than Block 1.

Sustainability - Green Building

- 12. Compliance with all of the following conditions must be demonstrated at each stage of permitting:
 - (i) The project must be certified under Built Green® 2011 as Platinum; and
 - (ii) The project must achieve an EnerGuide for New Houses (EGNH) rating of 82 or higher.

Note to Applicant: Provide a Built Green® 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. Registration and application for Certification of the project are also required under the policy. The EGNH audit report ("P-file") must be submitted prior to issuance of Development Permit.

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 General Manager of Planning and Development Services, the General

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

Lock-off Units

1. Make arrangements to the satisfaction of the General Manager of Planning and Development Services and the Director of Legal Services, to ensure that the number of strata lots in the strata plan is limited to the approved number of principal dwelling units.

Engineering

2. Consolidation of Lots 6, 7 and 8, Block I of Block 1008, District Lot 526, Plan 10897 to create a single parcel.
3. Provision of a site 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 services are provided.
 - (i) Provision of street trees adjacent to the site where space permits.
4. 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 (including non BC Hydro 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 with no reliance on public property for placement of these features. 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.
5. 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.

Community Amenity Contribution (CAC)

6. Pay to the City, prior to the enactment of the rezoning by-law, the Community Amenity Contribution of \$980,000;

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 is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, 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 approval of the rezoning at a Public Hearing, the Subdivision By-law be amended as set out in Appendix C of the Policy Report dated October 3, 2012, entitled "CD-1 Rezoning: 6010-6050 Oak Street"; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

- C. THAT A and B above be adopted on the following conditions:
 - i) THAT the passage of A and B 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 by-law 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.

CARRIED UNANIMOUSLY

4. REZONING: 2610 Victoria Drive

An application by Gregory Henriquez, Henriquez Partners Architects, was considered as follows:

Summary: To rezone 2610 Victoria Drive from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District for the purpose of developing a "Welcome House Centre". The proposed project would consist of classroom, meeting, office, and clinic spaces as well as 28 units of short-term and transition housing. Parking for 34 cars and storage for 42 bicycles would be provided underground. A floor space ratio of 2.5 and a maximum height of 20.4 metres (67 feet) is proposed. This is a concurrent rezoning/development permit (DE415800) application.

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.

Staff Opening Comments

Farhad Mawani, Rezoning Planner, Rezoning Centre, Current Planning, presented the application.

Summary of Correspondence

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

- 1 email in opposition

Speakers

The Chair called for speakers for and against the application.

The following spoke in support of the application:

Trevor Vanderveen
Alberto Jaramillo

Applicant Closing Comments

Chris Friesen, Immigrant Services Society, provided closing comments and responded to questions.

Council Decision

MOVED by Councillor Meggs

- A. THAT the application by Henriquez Partners Architects, on behalf of The Immigrant Services Society of British Columbia, to rezone City-owned land at 2610 Victoria Drive [*PID: 009-403-531; Lot A Block A of Block 163 District Lot 264A Plan 10421*] from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 1.45 to 2.5 to permit a Social Service Centre and associated dwelling uses, comprised of an integrated regional services hub and transitional housing facility for recently arrived immigrants and refugees, generally as presented in Appendix A of the Policy Report dated October 2, 2012, entitled "CD-1 Rezoning: 2610 Victoria Drive", 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, May 10, 2012", 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 improve entrance wayfinding and a more interactive relationship with the public realm by relocating the main entry to a position that is closer to the public sidewalk and roadway on Victoria Drive.

Note to Applicant: The current proposal shows a main entrance that is deeply set back from the front property line. Moving this entrance closer to the Victoria Drive curb to a distance of no more than 15 m would successfully address this condition while simultaneously addressing conformance to the Vancouver Building By-Law (refer to comments from the Building Code Specialist,

included in Appendix E of the Policy Report dated October 2, 2012, entitled "CD-1 Rezoning: 2610 Victoria Drive").

2. Consideration to provide further interest and variety to the northeast-facing elevation.

Note to Applicant: Facing the Grandview Cut, the Central Valley Greenway and the residential neighbourhood to the north, the northeast elevation is a prominent façade as viewed from significant portions of the public realm. The current proposal shows a highly repetitive pattern of window bays that spans approximately 180 ft. in length, which is considered out-of-character with the surrounding residential context. An effort to visually break down this elevation would help diminish the overall scale, height and size, as well as reducing the institutional character that the proposal currently conveys.

Crime Prevention Through Environmental Design (CPTED)

3. Design development to respond to CPTED principles, having particular regard for:
 - (i) theft and security in the parking area;
 - (ii) break and enter; and
 - (iii) mischief and vandalism, such as graffiti.

Sustainability - Green Building

4. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings Policy for Rezoning, 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. Registration and application for Certification of the project are also required under the policy.

Landscape Design

5. Submission of a fully illustrated and detailed Landscape Plan showing the entire site.

Note to Applicant: The east edge of the site is missing from the landscape drawings. Suggest attaching this section of the plan in the top right hand corner of sheet L01.

6. Revision of the Landscape Plan to accommodate the required fire access path.

Note to Applicant: The maximum travel distance allowed for the fire access path is 15 m, as measured from the street curb to the main entry door. Refer to Condition 8 (Engineering) in Conditions of Approval to the Form of Development.

Engineering

7. Removal of the lay-by in the lane, or reconfigure it such that eastbound vehicles entering the lane are able to enter the lay-by via a single turnaround maneuver in order to face westbound in the lay-by as indicated in the Transportation Study supplied with the application. The current configuration of the lay-by is problematic, as eastbound vehicles are likely to enter the lay-by from the "wrong" direction or would have to perform a multiple-point turn in order to face westbound.
8. Engineering Services does not support the proposed fire access point that utilizes the City lane for access and to meet the VBBL firefighting requirements. The lanes availability as a 20' wide unobstructed corridor cannot be assured. Firefighting needs should be met by the more typical proximity between street and building access/entry and not involve the lane for this purpose.
9. Deletion of the proposed speed table from the lane unless the applicant adjusts the lay-by access to function in an improved manner. Should this be the case the applicant must make separate application to the City Engineer for this treatment in the lane.
10. The legal description on page A0.01 of the drawings in the application package as prepared by Henriquez Partners Architects, and stamped "Received City Planning Department, May 10, 2012", is incorrect. It should be corrected to read "Lot A, Block A of Block 163, DL 264A, Plan 10421."

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, 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. Provision 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 services is provided.
 - (i) Provision of a minimum 1.80 m wide sidewalk and a minimum front boulevard width of 1.35 m along the frontage of the site;
 - (ii) Provision of standard concrete lane entry at the lane north of East 11th Avenue on the east side of Victoria Drive; and
 - (iii) Provision of street trees adjacent to the site where space permits.
2. 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 (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. 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.

3. 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.
4. Provision of adequate sewer service (storm and sanitary) to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including unit counts, confirmed floor areas and fixture counts to determine if sewer 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 sewer system upgrading that may be required.

Social Infrastructure

5. Arrangements shall be made, to the satisfaction of the Managing Director of Social Development, in consultation with the Director of Real Estate Services and the Director of Legal Services, for a ground lease under the terms set out in the Offer to Lease for 2610 Victoria Drive (PID: 009-403-531) between the City of Vancouver and The Immigrant Services Society of British Columbia, provided that all prior-to conditions in the Offer to Lease with respect to the City entering into this lease have been met, failing which the City may consider alternate ground tenants.

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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include the CD-1 Rezoning of 2610 Victoria Drive and to provide parking regulations generally as set out in Appendix C of the Policy Report dated October 2, 2012, entitled "CD-1 Rezoning: 2610 Victoria Drive";
- FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary amendments to the Parking By-law at the time of enactment of the CD-1 By-law.
- C. THAT A and B above 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 and 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 by-law 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.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Carr

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ball

SECONDED by Councillor Meggs

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

ADJOURNMENT

MOVED by Councillor Affleck
SECONDED by Councillor Tang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Special Council adjourned at 8:58 pm.

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