



City of Vancouver *Zoning and Development By-law*

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CD-1 (499)

East Fraser Lands Area 2 South

By-law No. 10195

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective December 14, 2010

1 Zoning District Plan amendment

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-619(h)(i) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Definitions

In this By-law:

“CD-1 (499)” means that area of land shown within the heavy black outline on Schedule A;

“principal dwelling unit combined with a secondary dwelling unit” means a dwelling unit, other than a seniors supportive or assisted housing unit, within a multiple dwelling, whether or not the multiple dwelling use is part of a mixed use building, which is a principal residence, combined with one secondary dwelling unit which is smaller than the principal residence, and in respect of which the principal residence and secondary dwelling unit may have either shared or separate external access but must have shared internal access which the owner or occupant of the principal residence is able to lock off from the principal residence;

“secondary dwelling unit” means a secondary dwelling unit referred to in the definition of “principal dwelling unit combined with a secondary dwelling unit”;

“sub-area 1” means that area of CD-1 (499) illustrated on the plan marginally numbered Z-619(h)(i) attached as Schedule A to this By-law; and

“sub-area 2” means that area of CD-1 (499) illustrated on the plan marginally numbered Z-619(h)(i) attached as Schedule A to this By-law.

3 Uses

3.1 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (499) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are those uses which this Section 3 lists.

3.2 Uses permissible in sub-area 1 include only:

- (a) Cultural and Recreational Uses, limited to Park or Playground; and
- (b) Dwelling Uses, limited to:
 - (i) Multiple Dwelling,
 - (ii) Principal Dwelling Unit combined with a Secondary Dwelling Unit,
 - (iii) Seniors Supportive or Assisted Housing, and
 - (iv) Dwelling Units in conjunction with any use permissible in the sub-area in which the Dwelling Units are situate.

3.3 Uses permissible in sub-area 2 include only:

- (a) Cultural and Recreational Uses, limited to Park or Playground; and
- (b) Institutional Uses, limited to Child Day Care Facility and School – Elementary or Secondary.

3.4 Uses permissible in sub-area 1 and sub-area 2 include:

- (a) Accessory Uses customarily ancillary to the uses listed in sections 3.2 and 3.3; and

- (b) Interim Uses not listed in section 3.2 or 3.3, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (499),
 - (iv) the Director of Planning or Development Permit Board approves the location of the interim use, and
 - (v) any development permit for an interim use has a time limit of three years.

4 Conditions of use

- 4.1 The design and lay-out of at least 35% of the dwelling units in sub-area 1 must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines".
- 4.2 At least 77 dwelling units must consist of affordable housing dwelling units designed to be affordable to persons who make up a core need household where such persons pay more than 30% of their combined gross annual income to rent an adequate and suitable rental unit, including utilities, to meet the basic housing needs of the household at an average market rate.
- 4.3 All 77 dwelling units referred to in section 4.2 must be for family housing as defined in the "High Density Housing for Families with Children Guidelines".
- 4.4 Any development permit issued for a building that includes a multiple dwelling use, or a group of buildings that comprises a single development, must stipulate the number of secondary dwelling units included in the development.

5 Density

- 5.1 The floor area for all uses, combined, must not exceed 106 743 m².
- 5.2 Computation of floor area must include:
 - (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their cross-sectional areas and included in the measurements for each floor at which they are located; and
 - (c) in the case of a dwelling use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.
- 5.3 Computation of floor area must exclude:
 - (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;

- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 5 500 m²;
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 406 mm thickness based on an overall wall performance of R15 or greater; and
- (h) with respect to exterior:
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

5.4 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, except that:
 - (i) the total area of all open balcony or sun deck exclusions must not exceed 12% of the residential floor area being provided,
 - (ii) the location of the floor area equal to the additional exclusion between 8% and 12% must be primarily at the south or west facades to improve solar shading between the spring and fall equinox,
 - (iii) the location and design of any additional exclusion between 8% and 12% that does not improve solar shading must improve the livability of dwelling units and the usability of associated outdoor spaces, and
 - (iv) achieve acceptable urban design within the approved form of development for the site, in the opinion of the Director of Planning;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character, energy efficiency, or occupant comfort;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (d) features to reduce solar gain which may be in the form of French balconies, horizontal extensions, solar shades, and other features which, in the opinion of the Director of

Planning, are similar to the foregoing if there are no encroachments over the property line;

- (e) cultural, recreational, and institutional uses secured to the city's satisfaction for public use and benefit;
- (f) tool sheds, trellises, and other garden structures which support the use of intensive green roofs and urban agriculture, and, despite section 5.2(b), those portions of stairways and elevator enclosures which are at the roof level providing access to the garden area; and
- (g) floor space devoted to passive design elements such as larger ventilation shafts, or other elements providing ventilation and light within buildings if:
 - (i) the total area of passive design element exclusions does not exceed 2% of the total floor area of the building, and
 - (ii) urban design within the approved form of development for the site, in the opinion of the Director of Planning, is acceptable.

5.5 The use of floor space excluded under section 5.3 or 5.4 must not include any purpose other than that which justified the exclusion.

6 Building height

6.1 The building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall, for each development parcel illustrated on the plan marginally numbered Z-619(h)(ii) attached as Schedule A to this By-law and referred to in the following table must not exceed either the number of storeys or height in metres set out in the following table:

Development Parcel	Number of Storeys	Maximum Building Heights in Metres
7A	6	22.5
7B	6	22.5
8A	6	22.5
8B	10	34.5
9A	6	22.5
9B	7	25.5
10	7	25.5
11	9	31.5
23	4	20.5
24	11	37.5
25	12	40.5
28	13	43.5

- 6.2 If the uppermost level of a building:
- (a) consists of the upper floors of two storey dwelling units;
 - (b) does not exceed 40% of the floor area below it;
 - (c) provides rooftop access to private outdoor space and usable roof area; and
 - (d) meets the intent of the CD-1 design guidelines adopted by Council for it;

then, for the purposes of section 6.1, the uppermost level is not a storey.

6.3 Despite sections 6.1 and 6.2, the Director of Planning or Development Permit Board may permit a greater building height for garden structures such as elevator and stair enclosures, amenity areas, tool sheds, and trellises.

7 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that:

- (a) with respect to multiple dwelling uses and live-work use:

- (i) at least the lesser of one parking space for each 100 m² of gross floor area and 1.5 parking spaces for each dwelling unit, and
 - (ii) no more than one parking space for each studio dwelling unit, 1.5 parking space for each one bedroom dwelling unit, and two parking spaces for each two bedroom or more dwelling unit;
- (b) a principal dwelling unit combined with a secondary dwelling unit, including the floor area of the secondary dwelling unit, is subject to the parking requirement otherwise specified in section 4.2.1.13 of the Parking By-law and there is no additional requirement for a secondary dwelling unit but, for the purpose of calculating visitor parking and shared vehicle parking space requirements, Council deems a secondary dwelling unit to be a separate dwelling unit;
- (c) with respect to visitor parking:
 - (i) at least that number of visitor parking spaces that would be equal to 10% of the total number of dwelling units, and
 - (ii) no more than that number of visitor parking spaces that would be equal to 20% of the total number of dwelling units;
- (d) with respect to loading spaces, Class A, for all residential uses, at least 0.01 loading space, Class A for each dwelling unit, and any number equal to or greater than 0.5 is to count as one loading space, Class A;
- (e) with respect to loading spaces, Class B, for all residential uses, at least 0.005 loading spaces, Class B for each dwelling unit, and any number equal to or greater than 0.5 is to count as one loading space, Class B;
- (f) with respect to affordable housing, each dwelling unit must have:
 - (i) at least 0.4 parking space,
 - (ii) at least 0.1 visitor parking space,
 - (iii) not more than 1 parking space, and
 - (iv) not more than 0.2 visitor parking space; and
- (g) there must be, with respect to a principal dwelling unit combined with a secondary dwelling unit, at least 1.25 bicycle parking spaces, Class A for each principal dwelling unit and at least 0.75 bicycle parking spaces, Class A for each secondary dwelling unit, but for bicycle spaces, Class B, there are no requirements for a secondary dwelling unit.

8 Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

9 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

10 Force and effect

This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 14th day of December, 2010.

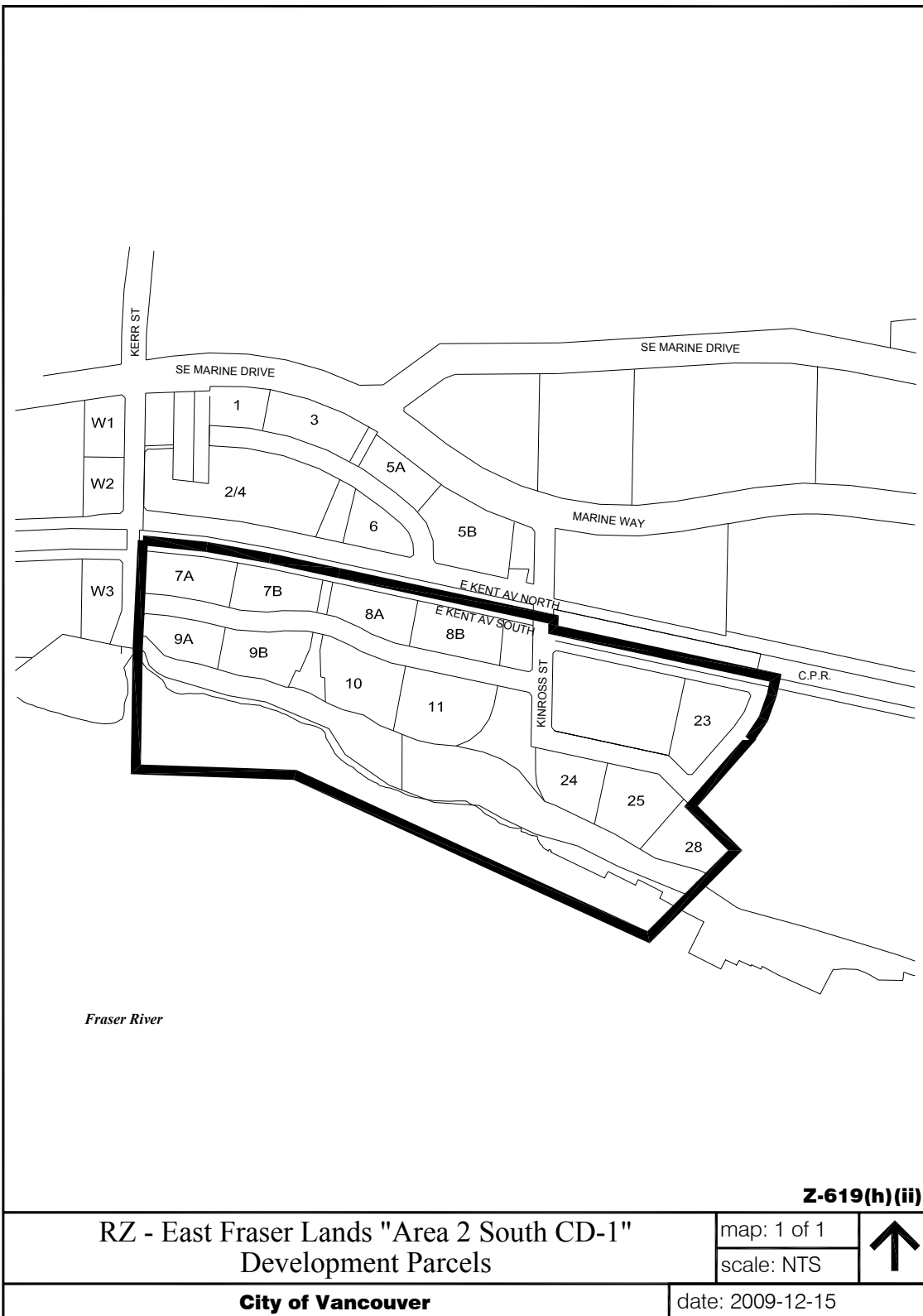


scale: NTS



City of Vancouver

date: 2009-12-15



Backup Notes

Backup Notes

By-law No. 10195, dated December 14, 2010

~~ADOPT REPORT OF COMMITTEE OF THE WHOLE~~

MOVED by Councillor Jang
~~SECONDED by Councillor Cadman~~

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

~~CARRIED UNANIMOUSLY~~
~~(Councillor Louie absent for the vote)~~

BY-LAWS

MOVED by Councillor Reimer
SECONDED by Councillor Deal

THAT Council enact the by-law listed on the agenda for this meeting as numbers 1 and 4, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as numbers 2, 3, 5, 7 and 8, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as number 6, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

1. A By-law to amend Energy Utility System By-law No. 9552 regarding miscellaneous amendments (By-law No. 10188)
2. A By-law to amend Noise Control By-law No. 6555 (2665 Renfrew Street) (By-law No. 10189)
(Councillors Anton and Stevenson ineligible to vote)

3. **A By-law to amend Sign By-law No. 6510 (2665 Renfrew Street)**
(By-law No. 10190)
(Councillors Anton and Stevenson ineligible to vote)
4. **A By-law to amend Solid Waste By-law No. 8417 regarding 2011 fees and miscellaneous amendments** (By-law No. 10191)
5. **A By-law to amend CD-1 By-law No. 6155 regarding 2908 West 33rd Avenue**
(By-law No. 10192)
(Councillor Meggs ineligible for the vote)
6. **A By-law to amend East Fraser Lands Official Development Plan By-law No. 9393 (Miscellaneous Text Amendments)** (By-law No. 10193)
(Councillors Deal and Stevenson ineligible for the vote)
7. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (Area 2 North - East Fraser Lands)** (By-law No. 10194)
(Councillors Deal and Stevenson ineligible for the vote)
- 8. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1** (By-law No. 10195) ←
(Councillors Deal and Stevenson ineligible for the vote)

~~MOTIONS~~

~~Administrative Motions~~

1. **Establishing Road along the Fraser River between Kerr Street and Kinross Street**
(East Fraser Lands Area 2 South)

MOVED by Councillor Meggs
SECONDED by Councillor Deal

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All of Lot 11 District Lot 330 Group 1 New Westminster District Plan BCP _____ as shown on Subdivision Plan prepared by Gary Sundvick, B.C.L.S., completed and checked on the 2nd day of December 2010, and marginally noted "Dwg: 3052-AREA2-PH1-REV3".

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of road.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)



REGULAR COUNCIL MEETING MINUTES
STANDING COMMITTEE OF COUNCIL ON
PLANNING AND ENVIRONMENT

JANUARY 21, 2010

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, January 21, 2010, at 5:45 pm, in the Council Chamber, Third Floor, City Hall, following the Standing Committee on Planning and Environment meeting, to consider the recommendations and actions of the Committee.

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 Ellen Woodsworth

ABSENT:

Councillor Tim Stevenson (Leave of Absence)

CITY MANAGER'S OFFICE:

Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE:

Titania Lam, Meeting Coordinator (Minutes)
Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of meeting

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY
(Councillor Reimer absent for the vote)

2. REZONING/TEXT AMENDMENT: East Fraser Lands - Area 2 and Kerr Street Properties

On Tuesday, January 19, 2010, Council concluded the Public Hearing on the above-noted matter, and referred discussion and decision to the Regular Council meeting immediately following the Standing Committee on Planning and Environment on January 21, 2010, as Unfinished Business.

MOVED by Councillor Louie

- A. THAT amendments to the East Fraser Lands Official Development Plan, generally in accordance with Appendix B of the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", to re-order the development phasing, modify the uses and restrictions on use in the various phases, and other technical amendments, be approved;
- B. THAT an amendment to the Zoning and Development By-law, generally in accordance with Appendix C of the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", to repeal the building line for four blocks of Kent Avenue South between Kerr Street and Kinross Street, be approved;
- C. THAT amendments to the proposed Town Square Precinct By-law, Park Precinct By-law, and Waterfront Precinct By-law, in Area 1 of East Fraser Lands, approved by Council at the public hearing on September 16, 2008 but none of which by-laws Council has yet enacted, generally in accordance with the italicized wording in section 3.2 of each of Appendices D, E, and F of the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", to add "Cultural and Recreational Uses limited to Park or Playground" as a permitted use, and also to include technical amendments to the interim High Street and non-High Street CD-1 By-law No.'s 9732 and 9733 to remove the lands comprising the Town Square, Park, and Waterfront Precincts from those by-laws, be approved;
- D. THAT an amendment to the proposed Waterfront Precinct By-law, generally in accordance with Appendix F, to the Policy Report, "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", dated December 1, 2009, to amend the boundaries of that precinct by removing from it an area being added to Area 2 South, be approved;
- E. THAT modifications to the Area 1 conditions as set out in the Policy Report dated July 8, 2008, entitled "East Fraser Lands - CD-1 Rezoning", and approved by Council at public hearing on September 16, 2008 for the proposed Waterfront Precinct, Town Square Precinct, Park Precinct, generally in accordance with Appendix G of the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", be approved;
- F. THAT an amendment to CD-1 By-law No. 6533 for CD-1 (247), generally in accordance with Appendix H of the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", to amend the boundaries of the CD-1 zone that is the subject of that by-law by removing from it the Kerr Street Properties, be approved;

- G. THAT the application by Parklane Homes to rezone to CD-1 (Comprehensive Development) the Kerr Street Properties (3250 Marine Way, 3098 Southeast Marine Drive, and 8450 Kerr Street) outlined in black on the map attached to Appendix A of the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", generally in accordance with Appendix I, to the same Policy Report, be approved subject to the following conditions:

1. **PROPOSED CONDITIONS OF APPROVAL FOR THE PRELIMINARY FORM OF DEVELOPMENT**

PRELIMINARY FORM OF DEVELOPMENT

THAT the proposed preliminary form of development be approved by Council in principle, generally as prepared by Parklane Homes and stamped "Received Planning Department, December 1, 2009", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow minor alterations to this preliminary form of development when approving the detailed scheme of development as outlined below.

THAT, prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or the Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT

General Conditions

URBAN DESIGN

Frontages on SE Marine Drive (Parcels W1)

- 1) Design development to ensure that enclosed balconies fronting SE Marine Drive, in the opinion of the Director of Planning, meet the intent of the City's approved Balcony Enclosure Guidelines and are:
 - clearly expressed on the exterior of the building;
 - project somewhat from the main façade;
 - highly glazed, with transparency and openness at corners; and
 - expressed as open balconies that have been enclosed.
- 2) Design development to SE Marine Drive frontage to enhance livability including:
 - Minimizing grade difference for units adjacent SE Marine Drive frontage;
 - Substantive landscaping and screening on terracing to improve outlook, privacy and noise exposure; and
 - Consideration of two storey units, and garden and unit entry expressions where feasible and desirable (for example at corner locations).

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NOTE
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Approved conditions of enactment can be found online at the January 21, 2010 Planning and Environment Ctee minutes

- P. THAT Council direct staff to establish an East Fraser Lands affordable housing working group led by City staff including members of the East Fraser Lands Committee, and other parties as necessary, to work toward delivery of the affordable housing requirements in the East Fraser Lands Official Development Plan.
- Q. THAT Section 6 Development Phasing 6.1.2 (c) on page 4 of 10 of Appendix B of the Policy Report, "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", dated December 1, 2009, be amended by striking the word "in" and replacing it with the word "on" and adding the word "site" at the end, to read:

"(c) a 69 space child care facility located on the elementary school site,"

CARRIED UNANIMOUSLY
(Councillor Deal ineligible to vote)

~~COMMITTEE REPORTS~~

~~Report of Standing Committee on Planning and Environment
January 21, 2010~~

~~Council considered the report containing the recommendations and actions taken by the Standing Committee on Planning and Environment. Its Items of business included:~~

- ~~1. 800 Robson Street - University of British Columbia
Liquor Primary Liquor Licence Application (Liquor Establishment Class 5)~~
- ~~2. Regulatory Review for Live Performance Venues~~
- ~~3. Grandview-Woodland Traffic Calming~~
- ~~4. Submission to Provincial Electoral Reform Commission~~
- ~~5. Empire Field~~

~~Items 1 to 5~~

~~MOVED by Councillor Cadman~~

~~THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of January 21, 2010, as contained in Items 1 to 5, be approved.~~

~~CARRIED UNANIMOUSLY~~

~~RISE FROM COMMITTEE OF THE WHOLE~~

~~MOVED by Councillor Cadman~~

~~THAT the Committee of the Whole rise and report.~~

~~CARRIED UNANIMOUSLY~~

SPECIAL COUNCIL MEETING MINUTES

JANUARY 19, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, January 19, 2010, at 7:30 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning, Official Development Plan, and Heritage By-laws.

PRESENT:

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

ABSENT:

Councillor Heather Deal
Councillor Tim Stevenson (Leave of Absence)

CITY CLERK'S OFFICE:

Lori Isfeld, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the Zoning, Official Development Plan, and Heritage By-laws.

CARRIED UNANIMOUSLY

1. HERITAGE DESIGNATION: 208 East Georgia Street

An application by Grant Gibson, owner, was considered as follows:

Summary: To designate and rehabilitate this heritage building (London Hotel) through the Heritage Building Rehabilitation Program and an HRA. The proposal includes 73 existing Single Room Accommodation (SRA) units and 2 retail units at grade. The SRA units will remain designated in the SRA By-law.

The Director of Planning recommended approval.

Summary of Correspondence

No correspondence had been received on this application.

REFERRAL MOVED by Councillor Louie

THAT, due to time constraints, discussion and decision on the application by Formwerks Architectural Inc., on behalf of Forrester Development Ltd., to rezone 6708-6776 Granville Street, to allow construction of 35 rowhouses, generally as presented in Appendix A to the Policy Report dated December 1, 2009, entitled "CD-1 Rezoning - 6708-6778 Granville Street", be referred to the Regular Council meeting following the Standing Committee on Planning and Environment meeting on January 21, 2010, as Unfinished Business.

CARRIED UNANIMOUSLY
(Councillor Anton opposed)

6. REZONING/TEXT AMENDMENT: East Fraser Lands - Area 2 and Kerr Street Properties

An application by Norman Shearing, Parklane Homes Ltd., was considered as follows:

Summary: To rezone this site from M1-B, CD-1 (247), and CD-1 (473) to CD-1 (Comprehensive Development) District. The purpose of the application is to develop Area 2 of East Fraser Lands, comprising 38.4 acres (15.5 ha) of land. The application is to construct 162 912 m² (1,753,578 sq. ft.) of residential, 930 m² (10,000 sq. ft.) of retail, two childcare facilities, an elementary school, parks, and underground parking. Maximum proposed tower height is 13-storeys.

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

Also before Council was a Memorandum dated January 18, 2010, from Kirstin Robinson, Project Planner, Major Projects, Current Planning, which provided three additional recommendations and background information requested by Council relating to the Policy Report dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties".

Staff Opening Comments

Rezoning Centre staff reviewed the application.

Applicant Opening Comments

Norman Shearing, VP Development, Parklane Homes Ltd., responded to questions.

Summary of Correspondence

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

- 1 email in support
- 2 letters and 2 emails in opposition

* * * * *

At 11:00 pm it was

MOVED by Councillor Cadman

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

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application or offered recommendations to increase support:

Keith Jacobson, President, Killarney Community Centre Society
Milt Bowling, Co-Chair, East Fraser Lands Committee
George Grant, Chair, Victoria Fraserview Killarney (VFK) Visions
Implementation Committee
Derek Thompson
Simon Eteen

During the hearing of speakers, staff from various City departments responded to questions from Council.

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After hearing from speakers it was

MOVED by Councillor Woodsworth

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

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

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Applicant Closing Comments

Norman Shearing, Parklane Homes Ltd., provided closing comments and responded to concerns and recommendations put forward by the speakers.

Council Decision

REFERRAL MOVED by Councillor Cadman

THAT, due to time constraints, discussion and decision on the application by Norman Shearing, Parklane Homes Ltd., regarding the East Fraser Lands Area 2 and Kerr Street Properties Rezoning, generally in accordance with the Policy Report and associated Appendices dated December 1, 2009, entitled "East Fraser Lands Area 2 and Kerr Street Properties Rezoning", be referred to the Regular Council meeting following the Standing Committee on Planning and Environment meeting on January 21, 2010, as Unfinished Business.

CARRIED
(Councillor Anton opposed)

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 Woodsworth
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