



## PUBLIC HEARING MINUTES

JANUARY 26 AND 31, 2017

A Public Hearing of the City of Vancouver was held on Thursday, January 26, 2017, at 6:11 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the Public Hearing recessed and reconvened on Tuesday, January 31, 2017, at 6:05 pm.

**PRESENT:** Mayor Gregor Robertson  
Councillor George Affleck\* (Conflict of Interest on Item 4)  
Councillor Elizabeth Ball\*  
Councillor Adriane Carr  
Councillor Melissa De Genova\*  
Councillor Heather Deal  
Councillor Geoff Meggs\*  
Councillor Andrea Reimer  
Councillor Tim Stevenson

**ABSENT:** Councillor Raymond Louie (Sick Leave)  
Councillor Kerry Jang (Sick Leave)

**CITY CLERK'S OFFICE:** Janice MacKenzie, City Clerk  
Rosemary Hagiwara, Deputy City Clerk  
Nicole Ludwig, Meeting Coordinator  
Leslie Tuerlings, Meeting Coordinator

### WELCOME

Mayor Robertson acknowledged that the city of Vancouver is on the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh First Nations.

### COMMITTEE OF THE WHOLE

The Mayor reminded Council that, based on advice from the City Clerk, it is not necessary for Council to sit as Committee of the Whole during a Public Hearing; however, in order to comply with the Procedure By-law, a motion to go into Committee of the Whole should be put to a vote and failed by Council.

MOVED by Councillor Deal  
SECONDED by Councillor Stevenson

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

### LOST

(Councillors Affleck, Carr, De Genova, Deal, Meggs, Reimer, Stevenson, and Mayor Robertson opposed)  
(Councillor Ball absent for the vote)

## **VARY AGENDA**

Mayor Robertson noted that should Council wish, speakers for item 5 could be heard before starting item 4, however the decision on item 4 must take place prior to the decision on item 5.

MOVED by Councillor Deal  
SECONDED by Councillor Reimer

THAT the order of the agenda be varied in order to hear speakers on item 5 prior to starting item 4, with the decision on item 5 to be referred to a later date.

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

*Note: For clarity, the minutes are recorded in chronological order.*

### **1. HERITAGE DESIGNATION: 305 WEST 16TH AVENUE (JACKSON RESIDENCE)**

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

Summary: To designate as protected heritage property the "Jackson Residence" at 305 West 16th Avenue and list it on the Vancouver Heritage Register in the 'C' evaluation category.

The General Manager of Planning, Urban Design and Sustainability, recommended approval.

#### **Summary of Correspondence**

No correspondence was received on the application prior to the close of the speakers list and receipt of public comments.

#### **Speakers**

Mayor Robertson called for speakers for and against the application, and none were present.

The speakers list and receipt of public comments closed at 6:21 pm.

#### **Council Decision**

MOVED by Councillor Deal  
SECONDED by Councillor Carr

- A. THAT the Director of Legal Services be instructed to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior of the existing building at 305 West 16th Avenue (PID: 006-116-639; Lot

9, Block F, District Lot 526, Plan 1530) known as the Jackson Residence and that it be listed on the Vancouver Heritage Register in the 'C' evaluation category.

B. THAT A above be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
- (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 1735)

**2. TEXT AMENDMENT: 1461 Granville Street (Formerly 1429-1499 Granville Street and 710 Pacific Street)**

An application by Dialog Design was considered as follows:

Summary: To amend the text of Comprehensive Development (CD-1) District (580) By-law for 1461 Granville Street (formerly 1429-1499 Granville Street and 710 Pacific Street), to increase the permitted building height in Sub-area B from 29.9 m to 31.06 m.

The General Manager of Planning, Urban Design, and Sustainability recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

### Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- one email in support of the application;
- one email opposed to the application;
- one email related to other aspects of the application.

### Speakers

Mayor Robertson called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 6:26 pm.

## Council Decision

MOVED by Councillor Stevenson  
SECONDED by Councillor De Genova

- A. THAT the application by Dialog Design, on behalf of Howe Street Ventures Ltd. (Westbank Projects Corp.), to amend the text of Comprehensive Development (CD-1) District (580) By-law No.11009 for 1461 Granville Street (formerly 1429-1499 Granville Street and 710 Pacific Street) [*PID 029-349-371; Lot B, Block 122, District Lot 541, Group 1 New Westminster District Plan EPP40230*], to increase the permitted building height in Sub-area B from 29.9 m (98.1 ft.) to 31.06 m (101.9 ft.), generally as presented in Appendix A of the Policy Report dated November 29, 2016, entitled "CD-1 Text Amendment: 1461 Granville Street (formerly 1429-1499 Granville Street and 710 Pacific 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 Dialog Design, on behalf of Howe Street Ventures Ltd. (Westbank Projects Corp.), and stamped "Received Planning & Development Services (Rezoning Centre) September 29, 2016", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

### Engineering

1. Confirmation that there are no changes to the approved parking, loading and bicycles spaces provided for the project as a result of the height increase.
  2. Removal of bollards on the Granville Street Bridge shown on the bridge connection plans.
  3. Provision of approved plans to clearly show bridge connection point, 1:20 grades (provide elevations) and landing area.
- B. THAT A above be adopted on the following conditions:
- (i) THAT the passage of the above resolution 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 (Vote No. 1736)

### 3. TEXT AMENDMENT: 1462 Granville Street (Formerly 1410 Granville Street)

An application by Dialog Design was considered as follows:

Summary: To amend the text of Comprehensive Development (CD-1) District (579) By-law for 1462 Granville Street (formerly 1410 Granville Street), to increase the permitted building height from 26.2 m to 27.05 m.

The General Manager of Planning, Urban Design and Sustainability, recommended approval, subject to the conditions set out in the summary and recommendation of the Public Hearing agenda.

Council also had before it a memo from the Acting Assistant Director of Planning, Downtown Division, which recommended an amendment to the draft By-law to amend CD-1 (579) for 1462 Granville Street (Formerly 1410 Granville Street) in order to correct a technical error in the permitted building height for the subject site, specifically:

THAT section 2 of the draft By-law posted for 1462 Granville Street be replaced with the following:

"2. In Section 5, Council strikes out "26.2 m" and substitutes "27.31 m".

### Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- one email in support of the application;
- one email opposed to the application;
- one email related to other aspects of the application.

## Speakers

Mayor Robertson called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 6:26 pm.

## Council Decision

MOVED by Councillor Stevenson

SECONDED by Councillor De Genova

- A. THAT the application by Dialog Design, on behalf of Howe Street Ventures Ltd. (Westbank Projects Corp.), to amend the text of Comprehensive Development (CD-1) District (579) By-law No.11010 for 1462 Granville Street (formerly 1410 Granville Street [*PID 029-349-389; Lot C, Block 123, District Lot 541, Group 1 New Westminster District Plan EPP40230*]), to increase the permitted building height to increase the permitted building height from 26.2 m (85.96 ft.) to 27.05 m (88.75 ft.), generally as presented in Appendix A of the Policy Report dated November 29, 2016, entitled "CD-1 Text Amendment: 1462 Granville Street (Formerly 1410 Granville Street)", and amended in the memo dated January 25, 2017, from the Acting Assistant Director of Planning, Downtown Division, 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 Dialog Design, on behalf of Howe Street Ventures Ltd. (Westbank Projects Corp.), and stamped "Received Planning & Development Services (Rezoning Centre) September 29, 2016", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

### Engineering

1. The door swings on the west side of Building 4 (1462 Granville Street) are not to swing more than 1'-0" over the Granville Street property lines.
2. Confirmation that there are no changes to the approved parking, loading and bicycles spaces provided for the project as a result of the height increases.
3. Removal of bollards on the Granville Street Bridge shown on the bridge connection plans.

4. Provision of approved plans to clearly show bridge connection point, 1:20 grades (provide elevations) and landing area.
- B. THAT A 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.
- C. THAT section 2 of the draft By-law posted for 1462 Granville Street be struck and replaced with the following:

"2. In Section 5, Council strikes out "26.2 m" and substitutes "27.31 m".

CARRIED UNANIMOUSLY (Vote No. 1737)

## 5. FACILITATING GROWTH IN VANCOUVER'S INNOVATION ECONOMY - RAILTOWN - ZONING AND DEVELOPMENT BY-LAW AMENDMENTS FOR I-4 (HISTORIC INDUSTRIAL) DISTRICT

An application by the General Manager of Planning, Urban Design, and Sustainability was considered as follows:

Summary: To amend the Zoning and Development By-law to add the Creative Products Manufacturing use, to create a new I-4 (Historic Industrial) District and to rezoning areas of M-2 to the newly created I-4 (Historic Industrial) District zoning. These zoning changes would help to enable the innovation economy and to implement the Downtown Eastside Plan.

### Staff Opening Comments

Karen Hoese, Acting Assistant Director of Planning, Downtown Division, presented the application and along with Tom Wanklin, Planning, Urban Design and Sustainability, responded to questions.

## Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- five emails in support of the application;
- ten emails opposed to the application;
- four emails related to other aspects of the application.

## Speakers

Mayor Robertson called for speakers for and against the application.

The following spoke in opposition to the application, noting concerns with limited definitions of allowable uses and requesting the application be sent back for further consultation:

Bill Tucker, CEO, Omicron  
Marc Saul, Principal, Corbel Commercial Inc.  
Brian Roche, President, Rendition Developments Inc.  
Steven Fast, Paradigm Group  
Harvey Reehal, Principal, Inform Projects  
Ron Fisher  
Raseel Sehmi, BC Tech Association  
Edward von Dehn  
Michael Bishop, Low Tide Properties  
Cy Naumenko

Rika Heywood addressed other matters related to live-work spaces and housing in the area.

The speakers list closed at 8:20 pm. The receipt of public comments closed at 8:35 pm.

## Staff Closing Comments

Gil Kelley, General Manager of Planning, Urban Design and Sustainability, reminded Council that the decision on this matter should be postponed to a time following the decision on item 4, and noted questions could be sent to staff for response at the time the decision is considered.

## Council Decision

REFERRAL MOVED by Councillor Reimer  
SECONDED by Councillor Deal

THAT discussion and decision on item 5 be referred to the Regular Council meeting on February 7, 2017, as Unfinished Business."

CARRIED UNANIMOUSLY  
(Councillor Meggs absent for the vote)



#### 4. REZONING: Facilitating Growth in Vancouver's Innovation Economy - Mount Pleasant Industrial Area - Amendments to the Zoning and Development By-law

*At 8:23 pm on January 26, 2017, Councillor Affleck declared conflict of interest on this application as he has a business in the affected area. He left the meeting and did not return.*

An application by the General Manager of Planning, Urban Design, and Sustainability was considered as follows:

Summary: To amend the Zoning and Development By-law to update definitions pertaining to the digital innovation economy and to rezone limited areas of the Mount Pleasant Industrial Area to the new I-1A and I-1B (Industrial) Districts, to support specialty spaces for digital and technology uses.

Council also had before it a memo from the Assistant Director of Planning, Vancouver Midtown, advising Council that the draft by-law introducing the I-1A and I-1B District Schedules has been revised to correct inconsistencies in Section 5 pertaining to upper floor setbacks. Specifically, the memo noted that in Appendix A of the Policy Report dated November 29, 2016, entitled "Facilitating Growth in Vancouver's Innovation Economy - Mount Pleasant Industrial Area - Amendments to the Zoning and Development By-law", the District Schedules make reference in Section 5 to a 6.1 m upper floor setback for buildings fronting avenues. Upper floor setbacks from Quebec Street are 6.1 m, however, the upper floor setbacks from the east-west avenues, as shown in the figures in Sections 4.3.1 of the draft by-law are 4.5 m. To correct this inconsistency, the wording in Section 5.1 (b)(ii) in the I-1A Schedule and Section 5.1 (a)(ii) in the I-1B Schedule has been revised to the correct 4.5 m setback.

The memo also noted no action is required by Council, as the posted-by-law for this application contains the changes explained in the memo.

#### Staff Opening Comments

Gil Kelley provided introductory remarks, noting Council is in this case working in its capacity as land regulator and that staff would not be responding to any comments or questions regarding other issues such as specific uses of specific properties.

Paula Huber, Planning, Urban Design and Sustainability, presented the application and along with Mr. Kelley, responded to questions.

#### Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- 17 emails in support of the application;
- seven emails opposed to the application;
- 180 emails related to other aspects of the application.

## Speakers

Mayor Robertson called for speakers for and against the application.

The following spoke generally in opposition to the application, noting concerns with the consultation process, limited definitions of use in the policy, and impacts on the community:

Tuhein Trieu, Love Your Neighbour Club  
Reilly Wood  
Ray Zhang  
Alison Chan, Light and Love Home  
Joe Lee  
John Lo  
Sharon Tong, Board of the Church of God, Vancouver  
Allan Cheuk  
Bo-ta Tong  
Violin Chan, President of the Board, Light and Love Home  
Rex Fong  
Hong Yan  
Michael Wiebe, Mount Pleasant BIA  
Michael Kirsh

Anthony Norfolk, Heritage Vancouver, and Cameron Thom noted other concerns with the application, especially related to decisions about the Simon Fraser Annex and the need to have broad-stroke definitions so that policies do not have to come back to Council every time there is a technology change.

During the hearing of speakers on January 26, 2017, Council requested clarification on the types of comments speakers can make to ensure their comments are in the proper context of effects of the rezoning.

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*At approximately 10 pm, the Mayor noted there were only a few people remaining in the area. Subsequently, it was*

*MOVED by Councillor Stevenson  
SECONDED by Councillor Carr*

*THAT the length of the meeting be extended to hear remaining speakers.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY  
(Councillor De Genova absent for the vote)  
(Councillor Affleck absent for the vote due to conflict of interest)*

*Council recessed at 10:07 pm and reconvened at 10:17 pm.*

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*Following the recess, Mayor Robertson noted that, due to announcements earlier that evening, many of the registered speakers who had not yet spoken, left for the evening with the understanding they could speak to the matter on Tuesday, January 31, 2017. Council recessed the Public Hearing at this point, and reconvened on Tuesday, January 31, 2017, to continue hearing speakers.*

*Council recessed at 10:40 pm on January 26, 2017, and reconvened at 6:05 pm on January 31, 2017.*

\* \* \* \* \*

The speakers list and receipt of public comments closed at 6:11 pm on Tuesday, January 31, 2017.

### **Staff Closing Comments**

Ms. Huber responded to questions submitted to staff by Council. Council requested the list of questions submitted to staff be posted on the website, in order to give some context to the presentation.

### **Council Decision**

REFERRAL MOVED by Councillor Reimer  
SECONDED by Councillor Carr

THAT discussion and decision on this application be referred to the Regular Council meeting on February 7, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY  
(Councillor Affleck absent for the vote due to Conflict of Interest)

### **ADJOURNMENT**

MOVED by Councillor Carr  
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 6:39 pm on January 31, 2017.

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