



PUBLIC HEARING MINUTES

APRIL 11, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, April 11, 2017, at 6:06 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson
Councillor George Affleck
Councillor Elizabeth Ball*
Councillor Adriane Carr
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer

ABSENT: Councillor Melissa De Genova (Leave of Absence)
Councillor Heather Deal (Leave of Absence - Medical)
Councillor Tim Stevenson (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Janice MacKenzie, City Clerk
Tina Hildebrandt, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Mayor acknowledged we are on the unceded traditional territory of the Musqueam, Squamish, and Tsleil-Waututh First Nations.

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Louie

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

LOST

(Councillors Affleck, Carr, Jang, Louie, Meggs, Reimer and Mayor Robertson opposed)
(Councillor Ball absent for the vote)

1. REZONING: 4983-5007 Quebec Street

An application by Cornerstone Architecture was considered as follows:

Summary: To rezone 4983-5007 Quebec Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 25 co-housing dwelling units. A height of 19.8 m (65 ft.) and a floor space ratio (FSR) of 2.30 are proposed.

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

Applicant Comments

Simon Richards, Cornerstone Architecture, provided opening comments and responded to questions.

Summary of Correspondence

No correspondence was received on this application since it was referred to public hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 6:15 pm.

Staff Closing Comments

Graham Winterbottom, Planner, Vancouver-South Division, provided closing comments.

Council Decision

MOVED by Councillor Reimer
SECONDED by Councillor Carr

- A. THAT the application by Cornerstone Architecture, on behalf of 1013343 B.C. Ltd. the registered owner, to rezone 4983-5007 Quebec Street [*Amended Lot 7 (see 26282L), Amended Lot 8 (see 26281L) and Amended Lot 9 (See 26280L), Block 4, District Lot 637, Plan 3774; PIDs 005-117-968, 012-214-001, and 012-214-035 respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.30 and the building height from 9.5 m (35 ft.) to 19.8 m (65 ft.) to permit the development of a six-storey residential building, containing a total of 25 co-housing dwelling units, generally as presented in Appendix A of the Policy Report dated January 24, 2017 entitled "CD-1 Rezoning: 4983-5007 Quebec 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 Cornerstone Architecture, on behalf of 1013343 B.C. Ltd. (Little Mtn Cohousing), and stamped "Received Planning Department, July 15, 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:

Urban Design

1. Design development of the public walkway in the south side-yard setback.

Note to Applicant: Fences, gates, bike storage, and PMT should be relocated behind the setback line, and landscaping should appear as an integral component of the public walkway.

2. Design development to improve the common outdoor space, as follows:

- (i) Relocate the PMT;
- (ii) Reduce the projection of the northwest corner of the building by a minimum of four feet; and
- (iii) Consider relocating the "nook" (levels two to five) to achieve a clear sightline to the courtyard.

Note to Applicant: In its current location, the PMT enclosure would shadow the outdoor space and reduce its functionality. A location adjacent to the parking ramp is recommended.

3. Design development to simplify the building and reduce apparent massing; this may be achieved by:

- (i) Reducing the depth of covered porches at level one;
- (ii) Reducing the depth of inset balconies, particularly on the east elevation; and
- (iii) Deleting the extensions off the balconies (i.e. beyond the structural posts).

Note to Applicant: Note that areas of covered porch that are overhung by the storey above may be counted in floor space. Refer to Technical Conditions.

4. Design development to improve the building's entry and interface to the public realm, as follows:

- (i) Increase the front yard landscaping between the private patios and the property line to a minimum of six feet (and commensurately reduce the depth of the patios);
- (ii) Relocate the Class B bike parking to a more visible location near the main entry; and

- (iii) Improve the visibility and amenity of the main entry.

Note to Applicant: This may be achieved by reducing the length of the exterior and interior entry corridors; and with improved lighting, landscaping and furnishing.

- 5. The proposed unit mix, including 3 one-bedroom units (12%), 9 two-bedroom units (36%) and 13 three-bedroom units (52%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

- 6. Design Development to respond to CPTED principles, having particular regard for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Landscape Design

- 7. Resolution of the conflict between the proposed excavation at the southwest corner and an offsite tree in close proximity.

Note to Applicant: The tree is located within the building envelope of a development project proposed on the adjacent site and it will likely need to be removed at a future date. If work on this site precedes work on the neighbor site, the applicant must ensure that the tree is removed in advance (with a tree permit) to avoid creating a hazardous condition. If, for whatever reason, the southern development does not proceed, staff reserve the right to request design development measures to retain the tree.

- 8. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and landscaping.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

9. At time of first development permit, provision of:

- (i) A detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) A "Tree Removal/Protection Plan".

Note to Applicant: given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report(s), such as clearly illustrating the limit of excavation and footing design (shotcrete and vertical shoring). Tree replacements are likely best located on the proposed phased landscape plans.

- (iii) Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through tree protection zones, all proposed common open spaces and semi-private patio areas.

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

10. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

11. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.

12. Provision of a partial irrigation plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 square feet (9.29 sq. m). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

13. Consideration to incorporate the principles of the *City of Vancouver, Bird-Friendly Design Guidelines* for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City.

Note to Applicant: refer to the following documents:
[Bird Friendly Design Guidelines - Explanatory Note](#)
[Bird Friendly Landscape Operational Guidelines](#)

Sustainability

14. Confirmation that the application is on track to meeting the Passive House requirements of the Green Buildings Policy for Rezoning, which requires that the building be designed to meet the Passive House requirements and apply for certification.

Note to applicant: As part of the Development Permit, an updated letter must be submitted from the Passive House designer/consultant confirming that the preliminary building design meets all the design criteria necessary for PH certification, that a recognized Passive House certifier has been identified and retained for the project, and highlighting the key design strategies and/or challenges for certification.

As part of the Building Permit application a letter must be submitted from a recognized Passive House certifier confirming the building design meets all the design criteria necessary for PH certification, and detail the as-designed PH criteria.

15. Provision of a Recycling & Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling & Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

Engineering Services

16. Provision of lighting for the shared path.

17. Provision of additional cycling amenities on site, to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services, reflecting Section 6.5 of the Little Mountain Adjacent Area Rezoning Policy which seeks the building design to accommodate and encourage bicycle use.

Note to Applicant: Such measures may include automatic door openers to all bicycle storage rooms as well as doors along the bike room access paths and the provision of bicycle repair facilities.

18. Clarify garbage storage and pick-up space.

Note to Applicant: Please show totters on plans for recycling needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins. Note; pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.

19. Provision of additional design elevations on both sides of all breakpoints on the parkade ramp and at all entries along the property line.

20. Provision of data on the use and effectiveness of the car sharing operation through the post occupancy stages of the building.

Note to Applicant: keep track of, and provide the city with, relevant statistics including:

- (i) Number of car share members at the various membership levels, and total number of co-housing members.
- (ii) Number of uses of the vehicles and average/median duration of use.
- (iii) Actual vehicle ownership rates among residents

21. Revise the site plan to increase the propose number of parking spaces to 20 spaces as previously proposed through the rezoning process.

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, Urban Design and Sustainability, 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 Services

1. Consolidation of Amended Lot 7 (See 26282L), Amended Lot 8 (See 26281L), & Amended Lot 9 (See 26280L), Block 4, DL 637, Plan 3774 to create a single parcel.
2. Provision of a 5'-0" statutory right of way between Quebec Street and the lane west of Quebec Street adjacent the south property line of the site for pedestrian use. The right of way is to accommodate any below grade parking structure but to be free and clear of any encroachments above grade.
3. Provision of a Services Agreement to detail the on-site 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 a 6'-0" (1.83 m) CIP light broom finish concrete sidewalk with saw-cut joints on Quebec Street adjacent the site.
 - (ii) 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.
 - (iii) Provision of adequate sewer (storm and sanitary) service 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 floor area, projected fixture counts and other details as required by the City Engineer 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.

- (iv) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off.
 - (v) Provision of street trees adjacent 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 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.

Environmental Contamination

5. If applicable:
- (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Community Amenity Contribution

6. Pay to the City a Community Amenity Contribution of \$403,052 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services and is allocated to the Affordable Housing Reserve.

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 registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Policy Report dated January 24, 2017, entitled "CD-1 Rezoning: 4983-5007 Quebec Street".
- 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 (Vote No. 01881)

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

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On January 26, 2017, Council commenced a Public Hearing regarding the Railtown - Zoning and Development By-law Amendments for I-4 (Historic Industrial) District. On February 7, 2017, subsequent to the close of public comments concerning this application, Council directed staff to further investigate the implications of the public comments received at the Public Hearing.

On March 28, 2017, based on this additional work, staff returned to Council with the recommendation that the Public Hearing be reopened to allow for further public comment. Staff also recommended amendments to the proposed by-law in Appendix A of the Policy Report dated November 29, 2016, entitled "Facilitating Growth in Vancouver's Innovation Economy - Railtown - Zoning and Development By-law Amendments for I-4 (Historic Industrial) District". These proposed by-law amendments are set out in Appendix A of the Memorandum dated March 27, 2017, from the General Manager of Planning, Urban Design and Sustainability.

Subsequently, Council agreed to reconvene the Public Hearing on the Railtown - Zoning and Development By-law Amendments for I-4 (Historic Industrial) District.

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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 rezone areas of M-2 to the newly created I-4 (Historic Industrial) District. These zoning changes help implement the Downtown Eastside Plan and they enable the innovation economy while preserving industrial lands.

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

Council also had before it the following for consideration:

- Memorandum dated March 27, 2017, from the General Manager of Planning, Urban Design and Sustainability, in which he recommended the Public Hearing on the Railtown - Zoning and Development By-law Amendments for I-4 (Historic Industrial) District be reopened to allow for further public comment on the proposed by-law amendments set out in Appendix A of the Memorandum; and
- Memorandum dated April 10, 2017, from the Acting Assistant Director, Planning, Urban Design & Sustainability, in which she recommended revisions to Appendix A in the above-noted Memorandum dated March 27, 2017.

Staff Opening Comments

Gil Kelley, General Manager of Planning, Urban Design and Sustainability, provided background information and reviewed the proposed revisions to the by-law.

Helen Ma, Planner Downtown Division, provided an overview on the revised application and, along with Mr. Kelley, Tom Wanklin, Senior Planner, Downtown Division, and John Turecki, Transportation Division, 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:

- 19 pieces of correspondence in support of the application;
- 16 pieces of correspondence opposed to the application; and
- 5 pieces of correspondence related to other aspects of the application.

Speakers

Mayor Robertson called for speakers for and against the application.

The following spoke in support of the application. Some of the speakers also stressed the need to protect artist studio space:

Galen Felde
Bill Tucker, Principal and CEO, Omicron
Steven Fast, Paradigm Group
Brian Cyr
Cy Naumenko
Craig Minielly
Denise Brennan
Brian Roche, President, Rendition Developments
Anne Marie Slater
Aurelia Bizouard
Tom Hudson
Suzy King

Formerly Homeless Dave spoke in opposition to the application, noting concerns with gentrification and displacement of vulnerable residents in the Downtown Eastside.

The speakers list and receipt of public comments closed at 8:05 pm.

Staff Closing Comments

Mr. Kelley provided closing comments, noting staff will continue to work with the community to address the lack of artist studio space.

Council Decision

Councillors Jang and Louie advised they had reviewed the previous proceedings which they missed regarding this application, and would therefore be participating in the vote.

MOVED by Councillor Reimer
SECONDED by Councillor Jang

- A. THAT the following amendments to the Zoning and Development By-law, generally as set out in Appendix A of the Memorandum dated March 27, 2017, from the General Manager of Planning, Urban Design and Sustainability, be approved:
- (i) amend Section 2 to add the Creative Products Manufacturing use;
 - (ii) create a new I-4 (Historic Industrial) District; and
 - (iii) rezone those areas of M-2 shown outlined in bold in Schedule A of Appendix A of the above-noted memorandum from M-2 to I-4;

FURTHER THAT the following additional amendments to the Zoning and Development By-law, generally as set out in Appendix A of the above-noted Memorandum dated March 27, 2017, as set out in the Memorandum dated April 10, 2017, also be approved:

- (i) the words "and marketing of products" are replaced with "and ancilliary marketing of products produced in a physical or digital form" in the definition of Creative Products Manufacturing;
- (ii) the words "Artist Studio" are replaced with "Artist Studio - Class A and Artist Studio - Class B" in section 2.2C in order to emphasize that both Class A and Class B are permitted, and the word "either" replaces the word "the" in section 2.2C in order to address this change;
- (iii) the words:
 - "Artist Studio - Class B, including a Residential Unit and the change in the use must only apply to floor area existing as of [date of enactment] and any additions are limited to no more than 10 percent of existing floor area."are added to section 3.2.C in order to clarify that a Residential Unit is only permitted in conjunction with a Artists Studio - Class B use, as indicated in section 3.2.DW;
- (iv) the words "for Office use" are added after "and the floor area" in section 4.7.1.(b) (i), in order to clarify that Office use area is limited;
- (v) the words "except that the buildings existing as of [by-law enactment date]" have been cut from the beginning of 4.7.1 (c), and the words "in a building existing as of [by-law adoption date]" have been inserted after "floor space ratio" in order to read better and to be more consistent with the wording of 4.7.1 (b);

- (vi) the words "for Office use" are added after "and the floor area" in section 4.7.1.(c) (i), in order to clarify that Office use area is limited; and
- (vii) the word "facility" is added after the first "child day care", and the word "child" is added after the second "day care facility" in section 4.7.3, (b), in order to be consistent.

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

- (i) THAT the passage of the above resolution creates no legal rights for any 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 any rezoning by-laws; 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. 01882)

ADJOURNMENT

MOVED by Councillor Jang
SECONDED by Councillor Reimer

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:32 pm.

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The foregoing are Minutes of the Public Hearing of April 11, 2017, adopted by Council on May 2, 2017.

MAYOR

CITY CLERK