



PUBLIC HEARING MINUTES

SEPTEMBER 19 AND 21, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, September 19, 2017, at 6:07 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the Public Hearing recessed and reconvened on Thursday, September 21, 2017, at 6:07 pm.

PRESENT: Mayor Gregor Robertson*
Councillor George Affleck
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Heather Deal
Councillor Kerry Jang*
Councillor Raymond Louie
Councillor Andrea Reimer
Councillor Tim Stevenson

ABSENT: Councillor Elizabeth Ball (Leave of Absence - Medical Leave)

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Janice MacKenzie, City Clerk
Katrina Leckovic, Deputy City Clerk
Maria Castro, 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

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 Louie

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

LOST
(Councillors Affleck, Carr, De Genova, Deal, Jang, Louie, Reimer, Stevenson and Mayor Robertson opposed)

1. TEXT AMENDMENT: 2017 Inflationary Rate Adjustments to Density Bonus Contributions

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 implement inflationary adjustments to the Density Bonus Contributions by increasing the values of the affordable housing shares and the amenity shares in the RM-8 and RM-8N Districts Schedule and in the RM-9, RM-9A, RM-9N, RM-9AN, and RM-9BN Districts Schedule.

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

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.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT, the amendments to the Zoning and Development By-law, generally as presented in Schedule A of the Policy Report dated July 11, 2017, entitled "2017 Inflationary Rate Adjustments to Density Bonus Contributions", to increase the values of the affordable housing shares and the amenity shares in the RM-8 and RM-8N Districts Schedule and in the RM-9, RM-9A, RM-9N, RM-9AN, and RM-9BN Districts Schedule, be approved.

CARRIED UNANIMOUSLY (Vote No. 02202)

2. TEXT AMENDMENT: Zoning and Development By-law No. 3575 - Amendment to the General Regulations to Delegate Discretionary Relaxation Powers to Expedite the Delivery of Low Cost Housing for Persons Receiving Assistance

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

Summary: To amend Section 3, Administration, of the Zoning and Development By-law to delegate authority to the Director of Planning or the Development Permit Board, as the case may be, to relax zoning provisions to facilitate the approval of developments where at a minimum of 70% of all dwelling units within the development are used for low cost housing for persons receiving assistance. The proposed amendments specifically state that the Director of Planning or Development Permit Board's authority to relax zoning regulations does not apply in any of the City's RS and many RT zones.

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

Council also had before it a memorandum dated September 6, 2017, from the Acting Assistant Director of Planning, Midtown Division, advising that since referral, staff had determined that a correction was required to the list of zoning districts that could not be considered for relaxation provisions for low cost housing, and that the Temporary Modular Housing Design Guidelines considered and approved in principle by Council at a public hearing in December 2016 (but not adopted) were proposed to be replaced with updated design guidelines and a motion to adopt the updated guidelines was proposed as a new recommendation.

The memorandum also set out a proposed correction to section 3.2.9 (c) of the Zoning and Development By-law regarding relaxations for low cost housing for persons receiving assistance, and included updated Temporary Modular Housing Guidelines for Council's consideration.

The posted by-laws and Summary and Recommendation had been prepared with the above-noted proposed changes.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application and, along with Kenny Gilbertson, Vancouver Affordable Housing Agency, the General Manager of Community Services, and the City Manager, 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:

- 1 piece of correspondence in support of the application;
- 9 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence related to other matters.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Mark Freeman
Sandra Medeiros
Ellen Yeung

The speakers list and receipt of public comments closed at 6:54 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments.

Council Decision

MOVED by Councillor Jang
SECONDED by Councillor Stevenson

- A. THAT the application to amend the Zoning and Development By-law to delegate to the Director of Planning or the Development Permit Board the discretionary power to relax the provisions of the Zoning and Development By-law for proposed developments where a minimum of 70% of all dwelling units in the development provide for low cost housing for persons receiving assistance, generally as presented in Appendix A of the Policy Report dated July 24, 2017, entitled "Zoning and Development By-law No. 3575 - Amendment to the General Regulations to Delegate Discretionary Relaxation Powers to Expedite the Delivery of Low Cost Housing for Persons Receiving Assistance", and with the amendments as set out in the memorandum dated September 6, 2017, from the Acting Assistant Director of Planning, Midtown Division, be approved.

- B. THAT Council approve the revised Temporary Modular Housing Design Guidelines, generally in accordance with Appendix A of the memorandum dated September 6, 2017, which will replace the Temporary Modular Housing Design Guidelines previously approved in principle by Council as Appendix B of the Policy Report dated October 25, 2016, entitled "Temporary Modular Housing Definition and Regulations: Proposed Amendments to Existing City-Owned CD-1 Sites, and Design Guidelines."

CARRIED UNANIMOUSLY (Vote No. 02203)

3. REZONING: 618 West 32nd Avenue - WITHDRAWN

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At 7:26 pm, it was

*MOVED by Councillor Deal
SECONDED by Councillor Louie*

THAT the order of the agenda be varied to deal with Item 7 last, and in the event all agenda items are not completed, Council will recess at 10 pm and reconvene on Thursday, September 21, 2017, at 6 pm.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

For clarity, the minutes are recorded in chronological order.

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4. TEXT AMENDMENT: East Fraser Lands Official Development Plan - Development Phasing Amendment

An application by Park Lane River District Developments Ltd. (Wesgroup Properties) was considered as follows:

Summary: To amend the East Fraser Lands Official Development Plan (EFL ODP) By-Law, to adjust Section 6, Development Phasing, to allow development of the Town Square Precinct to proceed concurrently with the Waterfront Precinct.

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

Staff Opening Comments

Planning, Urban Design and Sustainability staff 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 7:34 pm.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Deal

- A. THAT the application by Park Lane River District Developments Ltd. (Wesgroup Properties), the registered owners, to amend the East Fraser Lands Official Development Plan (EFL ODP) By-Law No. 9393, generally as set out in Appendix A of the Policy Report dated July 14, 2017, entitled "East Fraser Lands Official Development Plan - Development Phasing Amendment", be approved.
- 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. 02204)

5. REZONING: 6137 Cambie Street (Chinese Presbyterian Church)

An application by GBL Architecture Inc. was considered as follows:

Summary: To amend CD-1 (12) (Comprehensive Development) District for 6137 Cambie Street (Chinese Presbyterian Church) to increase the floor space ratio from 0.635 to 3.08 and the height from 9.1 m (30 ft.) to 25.6 m (84 ft.) to permit the development of a seven-storey mixed-use building with a replacement church, private childcare and 20 for-profit affordable rental housing units.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions as 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:

- 1 piece of correspondence in opposition to the application.

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 7:38 pm.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Jang

- A. THAT the application by GBL Architecture Inc. on behalf of the Trustees of the Chinese Presbyterian Church, the registered owners, to rezone 6137 Cambie Street [*PID: 009-300-970; Lot 2 of Lot B, Block 1008, District Lot 526, Plan 10803*] from CD-1 (Comprehensive Development) District (12) By-law No. 3907 to a new CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.635 to 3.08 and the height from 9.1 m (30 ft.) to 25.6 m (84 ft.) to permit the development of a seven-storey mixed-use building with a replacement church, private childcare and 20 for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated July 11, 2017, entitled "CD-1 Rezoning: 6137 Cambie Street (Chinese Presbyterian Church)", 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 GBL Architecture Inc. on behalf of the Chinese Presbyterian Church, and stamped "Received Planning and Development Services (Rezoning Centre), December 21, 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 for the following:

Urban Design

1. Consideration to carry out further design development of the Cambie Street elevation to simplify the church expression and relate the placement of the external cross to internal church worship space.
2. Design development to enhance the open space on Cambie Street to support a greater degree of gathering and mingling albeit on a busy street.

Note to Applicant: This may entail re-examining the grading design and may also include the use of landscape solutions to provide pedestrian scale and shading.

3. Design development of the proposal to ensure the use of and retention of high quality, durable materials at any and all subsequent phases of the approval process, including for a development application and any future amendment(s).
4. The proposed unit mix, including 2 one-bedroom units (10%), 16 two-bedroom units (80%) and 2 three-bedroom units (10%), is to be included in the Development Permit drawings.

Note to Applicant: 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.

5. Submission of a bird-friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Note to Applicant: Refer to the *Bird-Friendly Design Guidelines* for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

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. Design development to the integration of the architecture, grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (to exceed BCLNA Landscape Standard).

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plan, soils should be contiguous, whenever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m deep).

8. Design development for the responsible protection of neighbouring trees and vegetation.

Note to Applicant: This will require further analysis in coordination with a certified arborist.

9. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

10. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to a standard Plant List. The Landscape Plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, and walls) the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/grades and public utilities such as lamp posts, hydro poles or fire hydrants.

11. Provision of an Arborist Report.

Note to Applicant: For Arborist Report requirements, refer to section 7.2 of the Protection of Trees By-law.

12. Provision of a Tree Plan.

Note to Applicant: Provide a Tree Plan that is separate from the Landscape Plan and consistent with the survey and Arborist Report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including off-site trees and any necessary tree protection barriers. Tree replacements can be shown on the proposed landscape planting plans.

13. Illustration of measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should also be provided to describe the rainwater management strategy.

14. Provision of large scale, dimensioned, landscape sections through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

15. Provision of high-efficiency irrigation for all planted areas and individual hose bibs for all private patios of 9.29 sq. m (100 sq. ft.) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

Social Policy

16. Design development to ensure that the 68-space childcare (including 12 toddler spaces, 16 full-day preschool spaces and 40 part-time, part-day preschool spaces) is licensable by Community Care Facilities Licensing and meets the intent of the City's Childcare Design Guidelines.
17. Design development to ensure that the indoor and outdoor spaces of the childcare are designed to maximize opportunities for healthy child development while ensuring an operationally sustainable facility for the operator.
18. Design development of the outdoor childcare space should maximize solar access, ensure maximum visibility for supervision, and accommodate adequate storage on-site for program equipment and strollers (parent and program).

Sustainability

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

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

20. Any new building in the development will meet the requirements of the preceding *Green Buildings Policy for Rezonings* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist, must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration of the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

21. In lieu of the requirements outlined in Condition 20, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning* amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Engineering

22. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
23. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of a lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
24. First riser to be 1 ft. behind property line.
25. Delete specialty sidewalk treatments from public property and show standard broom finish sidewalks.
26. Provision of Class B bicycle parking spaces on the private property.
27. Provision of a landscape plan that reflects the off-site improvements sought by this rezoning.
28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.
 - (ii) Provision of a 6 ft. x 6 ft. corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.

- (iii) Provision of updated section drawings showing the overhead gates at the loading bay, main parkade ramp and the residential parking with the minimum vertical clearances at the gates shown on the drawings.

Note to Applicant: Consider provision of full-size parking spaces for daycare pick-up/drop-off stalls.

- (iv) Modify column placement and stall widths to comply with the requirements of the Engineering Parking and Design Supplement.

Note to Applicant: Refer to the three parking spaces on the P1 and P2 parking levels at the southwest corner of the parkade. Parking spaces are to be centered on the 1 ft. columns with a maximum 6 in. encroachment into each parking stall and provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4 ft. from the end of the stall. Small car single module stalls require 8 ft. 10 in. stall width.

- (v) Design development to provide internal, stair-free loading access from the Class B loading bay to all uses.
- (vi) Modification of the loading bay design to include a standard loading bay throat width and direct loading access from the rear of the bay to the loading corridor to facilitate ease of loading and unloading.
- (vii) Provision of automatic door openers on the doors providing access to the bicycle room(s).
- (viii) Provision of an updated plan showing the access route for Class A bicycles to reach the outside. Confirm if the main parkade ramp or the elevator is to be used.

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, make arrangements for the following:

Engineering Services

1. Clearly show the two areas defined by Explanatory Plan 6647 (Right of Way Agreement 327984M - for utilities) on all pertinent application plans and either delete all structures proposed

within the two right-of-way (ROW) areas or make arrangements with the utility companies and the City for possible cancellation of the ROW. Confirmation that poles can be relocated or guy wires eliminated and ROW cancelled will be required from all affected utilities including any City utilities that use the wood poles.

2. Provision of a Shared Use Loading Agreement between all uses on site for the Class B loading bay.
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 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 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.
 - (ii) 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, project 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.
 - (iii) Should removal or relocation of the wood poles in the lane result in the elimination of the existing lane lighting then replacement lighting to the satisfaction of the General Manager of Engineering Services will be required with all costs payable by the applicant.

- (iv) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
- (v) Provision of protected bike lanes on Cambie Street adjacent to the site including any transition areas adjacent the site to connect existing and new curb alignments. These improvements will generally include the following:
 - a. New concrete curb and gutter.
 - b. Raised protected bike lane.
 - c. New concrete sidewalk.
 - d. New curb ramps.
 - e. Improved street lighting to LED standards and additional pedestrian scale lighting, including adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

- (vi) Provision of a minimum 2.13 m (7 ft.) wide CIP light broom finish concrete sidewalk with saw cut joints on Cambie Street adjacent the site.
 - (vii) Removal of the existing driveway crossing on Cambie Street and construction of sidewalk, boulevard and curb and gutter.
 - (viii) Upgrading of the existing pedestrian signal at the intersection of Cambie Street and 45th Avenue to include an audible to accessible pedestrian signal and LED intersection lighting.
 - (ix) Provision of street trees 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 the all the electrical plant, which include but are not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

Housing

5. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years or the life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant;
 - (ii) A no stratification covenant;
 - (iii) That none of such units will be rented for less than one month at a time; and
 - (iv) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into the City, by by-law, enacted pursuant to section 565.2 of the Vancouver Charter.

Environmental Contamination

6. 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 this 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 issued to the City.

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 registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over other such 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 and at no cost to the City.

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, if Council approves in principle the rezoning application and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated July 11, 2017, entitled "CD-1 Rezoning: 6137 Cambie Street (Chinese Presbyterian Church)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the property owner(s) and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated by this report.
- C. THAT, if Council approves in principle the rezoning application, the following consequential amending by-laws, generally as set out in Appendix C of the Policy Report dated July 11, 2017 entitled "CD-1 Rezoning: 6137 Cambie Street (Chinese Presbyterian Church)", be approved:

- a. Repeal CD-1 (12) By-law No. 3907 and By-law No. 5258,
- b. Amend CD-1 (388) By-law No. 8016 and CD-1 (391) By-law No. 8044, and
- c. A by-law to revise CD-1 (12) by-law provisions;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment, at the time of enactment of the new CD-1 By-law for 6137 Cambie Street, the preceding consequential by-law amendments.

- D. THAT A through C above be adopted on the following conditions:
 - (a) 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 the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (b) 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 sole risk of the property owner; and
 - (c) 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. 02205)

6. REZONING: False Creek Flats Plan Implementation: Policy and By-law Amendments

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 bring forward the zoning changes, consequential amendments, and accompanying development policies and guidelines to manage future development as laid out in the False Creek Flats Area Plan. The proposed provisions include a new rezoning policy for the False Creek Flats, a new FC-2 District Schedule, amendments to the I-2, I-3, IC-3, and MC-1 and MC-2 District Schedules, and amendments to the Regional Context Statement Official Development Plan.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the 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 September 14, 2017, from the Acting Assistant Director of Planning, Vancouver Division, recommending an amendment to Appendix B of the Draft By-law - Zoning and Development, to clarify the language with regard to discretionary height in the new I-3 District Schedule, as follows:

THAT subsection 4.3.2 under Height in Appendix B, I-3 District Schedule, of the Draft By-law - Zoning and Development, be amended as follows:

"4.3.2 ~~In sub-area B, the~~ The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 30.5 m with respect to any development provided that consideration is given to:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential districts;
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the effect of building height, bulk and siting on daylight access and visual privacy of developments in nearby residential districts. Daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21. Visual privacy can be achieved by separating building facades by 24.4 m."; and
- Memorandum dated September 15, 2017, from the Acting Assistant Director of Planning, Vancouver Division, which provided Council with additional information prepared by Coriolis Consulting Corporation, used in establishing the Amenity Share Contribution rates for the Bonus Density districts within the False Creek Flats.

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application and 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:

- 4 pieces of correspondence in support of the application;
- 28 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence related to other matters.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition or expressed concerns related to various aspects of the application:

Dak Molnar
Anne McMullin
Tom Edstrand
George Rammell
Grace Mackenzie
Rochelle Davidson

The speakers list and receipt of public comments closed at 9:14 pm.

Closing Comments

Planning, Urban Design and Sustainability staff and Jay Wollenberg, Coriolis Consulting Corp., provided closing comments.

REFERRAL MOVED by Councillor Reimer
SECONDED by Councillor Louie

THAT discussion and decision on Item 6 be referred to the next Regular Council meeting on October 3, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY

8. TEXT AMENDMENT: Introducing Character Home Retention Incentives and New Housing Choices in RS Zones (Single-family) - Proposed Amendments to the Zoning and Development By-law

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 introduce optional incentives for the retention of character homes and to add new housing choices into all RS (single-family) district schedules. The incentives include the addition of conditional approval uses in conjunction with retention of a character house, additional floor area, and general relaxation provisions. Added uses include infill dwelling and multiple conversion dwelling, which could be of rental or strata-titled tenure.

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

Council also had before it a memorandum dated September 7, 2017, from the Assistant Director of Urban Design, advising Council of a correction to an omission in the Policy Report dated July 14, 2017, entitled "Introducing Character Home Retention Incentives and New Housing Choices in RS Zones (Single-family) - Proposed Amendments to the Zoning and Development By-law", and bringing forward the following additional recommendation regarding the inclusion of strata-title provisions for character home conversions and infill homes in RS zones within the "Strata Title Policies for RS, RT and RM Zones" Guidelines:

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for Council adoption, at the time of enactment of the amendments to the Zoning and Development By-law, related amendments to the *Strata Title Policies for RS, RT and RM Zones*, generally in accordance with Appendix A of the memorandum dated September 7, 2017, entitled "Character Home Retention Incentives in RS Zones: Revision to "Strata Title Policies for RS, RT and RM Zones" Guidelines".

In addition, the memorandum set out minor changes to the Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of Character House in an RS Zone to add diagrams and additional language for clarification purposes.

The Summary and Recommendation for this item had been prepared to reflect the changes outlined in the memorandum.

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application and 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:

- 22 pieces of correspondence in support of the application;
- 99 pieces of correspondence in opposition to the application; and
- 4 pieces of correspondence related to other matters.

Speakers

The Mayor called for speakers for and against the application.

On September 19 and 21, 2017, the following spoke in support of the application:

Bryn Davidson
Jake Fry
Jens von Bergmann
Nicolas Petrie

Robert McNut
Pelar Davidson
Mark Battersby
Doug Cooper
Elizabeth Murphy
Jim Bussey, Formwekrs Architectural

On September 19 and 21, 2017, the following spoke in opposition or expressed concerns related to various aspects of the application:

Marion Jamieson
Dr. Brutton
Mary Ann Cummings
Caroline Adderson
Susan Walker
Joan Bunn
Leslie Leader
John Wang
Penny Noble
Sai Wah Mak
Anthony Chu
Robert Friesen
Mike Chu
Wesley Li
Rochelle Davidson

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On September 19, 2017, Council recessed at 10:02 pm and reconvened on September 21, 2017, at 6:07 pm, to continue hearing speakers on Item 8.

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On September 21, 2017, the speakers list and receipt of public comments closed at 8:39 pm.

REFERRAL MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT discussion and decision on Item 8 be referred to the next Regular Council meeting on October 3, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY

9. REZONING: Increasing Housing Choice and Character Retention Incentives in the Mount Pleasant and Grandview-Woodland Communities - Proposed Amendments to the Zoning and Development By-law

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 increase opportunities for housing choice and provide additional incentives for the retention of character houses. If approved, the proposed changes would amend the RT-5, RT-5A, RT-5N and RT-5AN Districts Schedule; rezone certain areas from RT-4, RT-4N, RT-5A, RT-5AN, RS-1, RS-4 and RS-7, all to RT-5/5N; and amend the RT-6 District Schedule.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the 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 September 7, 2017, from the Acting Assistant Director, Midtown Division, Planning, Urban Design and Sustainability, which summarized changes to the proposed by-laws and Guidelines, and noted the posted by-laws and Summary and Recommendation for this item had been prepared to reflect the changes outlined in the memorandum.
- Memorandum dated September 18, 2017, from the Acting Assistant Director, Midtown Division, Planning, Urban Design and Sustainability, which set out a revised Recommendation A for the Summary and Recommendation, to address correspondence received since referral, and to correct errors and omissions, including proposed amendments to the Draft By-law - Zoning and Development, as follows:
 - A. THAT the application to amend the Zoning and Development By-law in order to:
 - (i) Amend the RT-5, RT-5A, RT-5N and RT-5AN Districts Schedule generally as set out in Appendix A of the Policy Report dated July 13, 2017, entitled "Increasing Housing Choice and Character Retention Incentives in the Mount Pleasant and Grandview-Woodland Communities - Proposed Amendments to the Zoning and Development By-law", but subject to the revisions proposed after referral to public hearing as outlined in the memorandum dated September 7, 2017, except that:
 - a. In section 2, amend the definition of under-utilized lots to include the date of enactment and to exclude lots on the Vancouver Heritage Register;
 - b. Amend the RT-5 District Schedule of the Draft By-law - Zoning and Development as follows:

- a. In section 4.17.1, include "One-Family Dwelling" and "One-Family Dwelling with Secondary Suite";
 - b. In section 4.4.4, strike "or the Development Permit Board, as the case may be,";
 - c. The "and" following the semicolon at the end of sections 4.7.1(b), 4.7.1(c)(i) and 4.7.2(a) is changed to an "or";
 - d. In section 4.7.2, strike "an increase to the" and replace with "a";
 - e. In sections 5.2 and 5.3 strike "Development Permit Board or the" and ", as the case may be,".
- c. Amend the RT-6 District Schedule of the Draft By-law - Zoning and Development as follows:
- a. In section 4.4.4, strike "or the Development Permit Board, as the case may be,";
 - b. The "and" following the semicolon at the end of sections 4.7.1(b) and 4.7.2(a) is changed to an "or";
- (iii) Rezone those areas shown outlined in bold on Schedule A of Appendix A of the same report from RT-4, RT-4N, RT-5A, RT-5AN, RS-1, RS-4 and RS-7, all to RT-5 and RT-5N; and
- (iv) Amend the RT-6 District Schedule generally as set out in Appendix A of the same report, but subject to the revisions proposed after referral to public hearing as outlined in the memorandum dated September 7, 2017;

in order to increase opportunities for housing choice and provide additional incentives for the retention of character houses, be approved.

- Memorandum dated September 20, 2017, from the Acting Assistant Director, Midtown Division, Planning, Urban Design and Sustainability, which set out proposed replacements to two Schedule A maps included in the Draft By-law - Zoning and Development, contained in Appendix A of the Policy Report dated July 13, 2017, entitled "Increasing Housing Choice and Character Retention incentives in the Mount Pleasant and Grandview-Woodland Communities - Proposed Amendments to the Zoning and Development By-law", and proposed a further recommendation bringing forward the corrected maps, as follows:

THAT the draft by-law bringing forward Amendments to the Zoning and Development By-law Regarding the RT-5 and RT-6 District Schedules be amended as follows:

- (i) on Map 3 of 5 for the area identified to be rezoned from RS-1 to RT-5, remove two blocks on the south side of East 8th Avenue; and
- (ii) on Map 3 of 4 for the area identified to be rezoned from RT-4 to RT-5, remove the six blocks along East 1st Avenue, on the north and south sides.

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application and 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:

- 15 pieces of correspondence in support of the application;
- 28 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence related to other matters.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Reilly Wood, Director, Abundant Housing Vancouver
Bel Dadwal
Turguy Tugali
Sam Sharma
Nicholas Petrie
Stuart Smith

The following spoke in opposition or expressed concerns regarding various aspects related to the application:

Dana Cromie
Celia Brauer
Jason Skladan
Gordon Rumohr
Jaydene Cormier
Stephen Bohus

Charles Miller
Robert Chester
Michael Kluckner
Elizabeth Murphy
Kevin Grzybowski

The speakers list and receipt of public comments closed at 10:31 pm.

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At 10:12 pm, during the hearing of speakers on Item 9, it was

*MOVED by Mayor Robertson
SECONDED by Councillor Deal*

THAT the meeting be extended to finish hearing from speakers and close receipt of public comments.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

REFERRAL MOVED by Mayor Robertson
SECONDED by Councillor Deal

THAT discussion and decision on Item 9 be referred to the Regular Council meeting on Tuesday, October 3, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY

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At 10:33 pm, Mayor Robertson declared a conflict of interest on Item 7 as he resides in a strata building that is potentially affected by this text amendment. He left the Council Chamber and Acting Mayor Louie assumed the Chair.

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7. TEXT AMENDMENT: Heritage Density Bank Update and Zoning Amendments to Support Heritage Conservation

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 and the Downtown Official Development Plan to support heritage conservation, in zoning districts where density transfers are currently permitted through development permits (Downtown, West End, and Central Broadway), by allowing increases to the permitted floor area up to a maximum of 10 per cent to be available through amenity shares for heritage conservation.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions as 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:

- 3 pieces of correspondence in support of the application.

Speakers

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

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Reimer

- A. THAT the application to amend the Zoning and Development By-law No. 3575, generally as outlined in Appendix A of the Policy Report dated July 13, 2017, entitled "Heritage Density Bank Update and Zoning Amendments to Support Heritage Conservation", to support heritage conservation by amending the C-3A, C-5, C-5A, C-6, RM-5, RM-5A, RM-5B, RM-5C, RM-5D Zoning District Schedules to allow increases to the permitted floor area up to a maximum of 10 per cent to be available through amenity shares for heritage conservation, be approved.

- B. THAT the application to amend the Downtown Official Development Plan generally as outlined in Appendix B of the Policy Report dated July 13, 2017, entitled "Heritage Density Bank Update and Zoning Amendments to Support Heritage Conservation", to support heritage conservation to allow increases to the permitted floor area up to a maximum of 10 per cent to be available through amenity shares for heritage conservation, be approved.

CARRIED UNANIMOUSLY (Vote No. 02213)
(Councillor Jang absent for the vote)
(Mayor Robertson absent for the vote due to Conflict of Interest)

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor Stevenson

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Jang absent for the vote)
(Mayor Robertson absent for the vote due to Conflict of Interest)

The Public Hearing adjourned at 10:37 pm.

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