



PUBLIC HEARING MINUTES

FEBRUARY 20 AND 21, 2019

A Public Hearing of the City of Vancouver was held on Wednesday, February 20, 2019, at 6:04 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on Thursday, February 21, 2019, at 3:07 pm.

- PRESENT:** Mayor Kennedy Stewart*
Councillor Rebecca Bligh
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Lisa Dominato
Councillor Colleen Hardwick* (Leave of Absence –
Civic Business for February 20, 2019)
Councillor Sarah Kirby-Yung
Councillor Jean Swanson
Councillor Michael Wiebe
- ABSENT:** Councillor Pete Fry (Leave of Absence – Civic Business)
- CITY MANAGER'S OFFICE:** Sadhu Johnston, City Manager
Paul Mochrie, Deputy City Manager (February 21, 2019)
- CITY CLERK'S OFFICE:** Rosemary Hagiwara, Deputy City Clerk (February 21, 2019)
Tina Penney, Deputy City Clerk (February 20, 2019)
Tina Hildebrandt, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh Nations and we give thanks for their generosity and hospitality on these lands.

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 Boyle
SECONDED by Councillor Wiebe

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

LOST

(Councillors Bligh, Boyle, Carr, De Genova, Dominato, Kirby-Yung, Swanson, Wiebe and Mayor Stewart opposed)
(Councillor Hardwick absent for the vote on Leave of Absence – Civic Business)

1. REZONING: 1636 Clark Drive and 1321-1395 East 1st Avenue

An application by HDR | CEI Architecture Associates Inc. was considered as follows:

Summary: To rezone 1636 Clark Drive and 1321-1395 East 1st Avenue from I-2 (Industrial) and RM-4N (Multiple Dwelling) Districts to CD-1 (Comprehensive Development) District, to permit the development of a 10-storey mixed-use building containing 90 social housing units, a social enterprise space and a withdrawal management centre with up to 20 short-term transitional beds. The site is located in the Britannia-Woodland sub-area of the Grandview-Woodland Community Plan. A maximum height of 36.6 metres (120 feet) and a floor space ratio (FSR) of 3.22 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.

Summary of Correspondence

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

- 184 pieces of correspondence, including one with 89 endorsements, in support;
- one petition with 46 signatures in support;
- 88 pieces of correspondence, including one with six tenant impact statements, in opposition; and
- three pieces of correspondence related to other aspects of the application.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application and, along with staff from Arts, Culture and Community Services, Engineering Services and Police Services, responded to questions.

Applicant Comments

James Forsyth, Director of Regional Development (Lower Mainland), BC Housing, and Bonnie Wilson, Director of Inner City and Mental Health and Substance Use, Vancouver Coastal Health, provided an overview on the proposal, with a focus on the social housing component and clinical aspects, and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application, many of whom stressed the need for more social housing and addiction services amidst the opioid crises:

Dr. Paty Daly, Chief Medical Health Officer and Vice President, Public Health,
Vancouver Coastal Health
Dr. Ronald Joe, Medical Director Substance Use Services, Vancouver Coastal Health
Kevin Barlow, CEO, Metro Vancouver Aboriginal Executive Council
Todd Kenneth
Dave Staniforth
Scott Neufeld
Karen Sawatzky
Scott de Lange Boom
Peter Waldkirch
Jane Turner, Board President, REACH Community Health Centre
Laura Track
Micah Goldberg
Damian Murphy
Trevor Millar
Benjamin Hertwig
Rosie Forth, Frog Hollow Neighbourhood House
Caitlin Etherington
Craig Jorgensen
Peer-Daniel Krause, BC Non-Profit Housing Association
David Eddy, Vancouver Native Housing Society
Julie Roberts, Community Builders
Russell Maynard
Caroline Gardiner, University of British Columbia Medical Students
Rachel Selinger
Celine Mauboules
Stephanie Langford
Sean Spear, RainCity Housing
Kerry Nyhan

The following spoke in opposition to the application. Concerns expressed included: location; building height; traffic and pedestrian safety; and the combination of social housing and addiction services in one facility:

David Chen
Thomas Ferguson
Rodney Hynes
Stephen Bohus
Donato Calogero
Mary Johnston
Nathan Davidowicz
Barbara Broughton
Nick Pogor, Executive Director, Commercial Drive Business Society
Rob Fisher
Claire Lomas
Shawn Conner
Dan Zubkoff
Kevin Hayes
Lisa Christiansen

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On February 20, 2019, at 10 pm, during the hearing of speakers, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Bligh*

THAT this meeting recess and reconvene on February 21, 2019, at 3 pm.

CARRIED UNANIMOUSLY

*On February 20, 2019, Council recessed at 10 pm and
on February 21, 2019, reconvened at 3:07 pm.*

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As Mayor Stewart was absent, Councillor Hardwick as Deputy Mayor assumed the Chair.

Prior to continuing with speakers, staff and the applicant team responded to questions.

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On February 21, 2019, at 5:28 pm, during the hearing of speakers, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Carr*

THAT this meeting recess and reconvene at 6 pm.

CARRIED UNANIMOUSLY
(Mayor Stewart absent for the vote)

On February 21, 2019, Council recessed at 5:29 pm and reconvened at 6:06 pm.

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At this point in the proceedings Mayor Kennedy resumed the Chair.

On February 21, 2019, the speakers list and receipt of public comments closed at 7:35 pm.

Applicant Closing Comments

Mr. Forsyth and Ms. Wilson provided closing comments.

Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments.

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On February 21, 2019, at 7:46 pm, it was

*MOVED by Councillor Bligh
SECONDED by Councillor De Genova*

THAT the meeting recess and reconvene at 8 pm.

CARRIED UNANIMOUSLY

On February 21, 2019, Council recessed at 7:46 pm and reconvened at 8:02 pm.

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Staff and the applicant team responded to questions.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor De Genova

- A. THAT the application, by HDR|CEI Architecture Associates Inc. on behalf of British Columbia Housing Management Commission ("BC Housing"), to rezone 1636 Clark Drive and 1321-1395 East 1st Avenue [Lot 22 and Lot 23, Except Part in Explanatory Plan 17378, Block 60, District Lot 264A, Plans 383 and 1771; PIDs 013-004-581 and 013-004-590 respectively], [PID 013-004-638; Lot 24, Except (A) Part in Plan 4123 and (B) part in Explanatory Plan 17378, Block 60, District Lot 264A, Plans 383 and 1771], [PID 006-747-884; Lot 21, Block 60, District Lot 264A, Plans 383 and 1771], [PID 013-359-932, Lot 20, Block 60, District Lot 264A, Plans 383 and 1771], [PID 015-327-345; Lot 19, Except the South 7 Feet Now Road, Block 60, District Lot 264A, Plans 383 and 1771], [PID 015-327-337; Lot 18, Except the South 7 Feet Now Road, Block 60, District Lot 264A, Plans 383 and 1771], [PID 015-213-552; Lot 15, Block 60, District Lot 264 A, Plans 383 and 1771], [PID 015-327-329; Lot 14, Block 60, District Lot 264 A, Plans 383 and 1771], [PID 012-694-029; Lot 13, Block 60, District Lot 264A Plans 383 and 1771], and [Strata Lots 1 to 13, District Lot 264A, Strata Plan VR. 1149; PIDs 006-282-881, 006-282-911, 006-282-938, 006-282-962, 006-282-989, 006-283-012, 006-283-039, 006-283-055, 006-283-179, 006-283-195, 006-283-233, 006-283-268, 006-283-276 respectively], from I-2 (Industrial) and RM-4N (Multiple Dwelling) Districts to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) to 3.22 and the maximum building height to 36.6 m (120 ft.) to permit the development of a 10-storey mixed-use building which would contain 90 social housing units, social enterprise space and a withdrawal management centre, including up to 20 short-term transitional beds, generally as presented in Appendix A of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by HDR/CEI Architecture Associates Inc., received on August 23, 2018, provided the Director of Planning may allow minor

alterations to this form of development when approving the detailed scheme of development; and

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report.

- B. THAT the consequential amendment to the Regional Context Statement Official Development Plan By-law, generally as set out in Appendix D of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", be approved.
- C. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.
- D. THAT the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", be approved.
- E. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue".
- F. THAT A through E 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.
- G. THAT Vancouver Coastal Health develop a Good Neighbour Agreement with the community.

amended

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On February 21, 2019, at 8:09 pm, during debate, it was

*MOVED by Councillor Carr
SECONDED by Councillor Kirby-Yung*

THAT the meeting recess for five minutes.

CARRIED UNANIMOUSLY

On February 21, 2019, Council recessed at 8:09 pm and reconvened 8:30 pm

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AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT G be amended by adding the words "at the discretion of the Director of Planning" after the word "community".

amended

During debate on the above-noted amendment, the City Manager responded to questions.

AMENDMENT TO THE AMENDMENT MOVED by Councillor Carr
SECONDED by Councillor Kirby-Yung

THAT the amendment to G be amended to replace the words "Director of Planning" with the words "General Manager of Arts, Culture and Community Services or the Director of Legal Services".

withdrawn

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On February 21, 2019, at 8:44 pm, during debate, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Dominato*

THAT the meeting recess for five minutes.

*CARRIED
(Councillors Kirby-Yung and Wiebe opposed)*

On February 21, 2019, Council recessed at 8:44 pm and reconvened at 8:50 pm

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Following the recess, Councillor Carr withdrew her amendment to the amendment at the consent of Council.

AMENDMENT TO THE AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT the amendment to G be amended by replacing the words “at the discretion of the Director of Planning” with the following words:

“on terms and conditions satisfactory to the General Manager of Arts, Culture and Community Services and the Director of Legal Services or the General Manager of Planning, Urban Design and Development”.

CARRIED (Vote No. 03940)

(Councillor Kirby-Yung opposed)

(Councillors Hardwick and Swanson abstained*)

(*Section 145.1 of the Vancouver Charter states “Where a member present at a meeting abstains from voting, they are deemed to have voted in the affirmative”.)

The amendment to the amendment having carried, the amendment as amended was put and CARRIED UNANIMOUSLY (Vote No. 03941) with Councillor Swanson abstained*.

(*Section 145.1 of the Vancouver Charter states “Where a member present at a meeting abstains from voting, they are deemed to have voted in the affirmative”.)

AMENDMENT MOVED by Councillor Swanson
SECONDED by Councillor Boyle

THAT the Conditions of Approval contained in Appendix B of the Policy Report dated January 15, 2019, entitled “CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue”, be amended in Part 2 under Affordable Housing, to add the following to point 9:

- (f) requiring that one third of the units be rented at welfare shelter rates;
- (g) making sure that all tenants who are demovicted for this building be able to return to the new building at their current rent or less;

lost

- (h) ensuring that tenants who are demovicted be guaranteed suitable accommodation during displacement at their current rent or less.

carried

During debate on the above amendment, the City Manager responded to questions.

AMENDMENT TO THE AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Bligh

THAT (h) of the amendment be amended by replacing the words “ensuring that tenants who are demovicted be guaranteed suitable accommodation during displacement at their current rent or less” with the following words:

“that staff offer options and work with tenants to explore similar accommodations for current tenants, during their displacement, at the lowest possible rents, as outlined in the City of Vancouver’s Tenant Relocation Policy”.

lost

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On February 21, 2019, at 9:22 pm, during debate, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Carr*

THAT the meeting recess for 5 minutes

CARRIED UNANIMOUSLY

On February 21, 2019, Council recessed at 9:22 pm and reconvened at 9:28 pm.

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Following the recess, the amendment to the amendment was put and LOST – TIE VOTE (Vote No. 03942) with Councillors Boyle, Carr, Swanson, Wiebe and Mayor Stewart opposed and Councillor Hardwick abstained*.

(*Section 145.1 of the Vancouver Charter states “Where a member present at a meeting abstains from voting, they are deemed to have voted in the affirmative”.)

The amendment to the amendment having lost, the amendment was put. Council agreed to sever the components of the amendment for the vote.

(f) requiring that one third of the units be rented at welfare shelter rates;

LOST (Vote No. 03944)

(Councillors Bligh, Boyle, Carr, De Genova, Dominato, Hardwick, Kirby-Yung, Wiebe and Mayor Stewart opposed)

(g) making sure that all tenants who are demovicted for this building be able to return to the new building at their current rent or less;

LOST (Vote No. 03946)

Councillors Bligh, Boyle, Carr, De Genova, Dominato, Hardwick, Kirby-Yung, Wiebe and Mayor Stewart opposed)

- (h) ensuring that tenants who are demovicted be guaranteed suitable accommodation during displacement at their current rent or less.

CARRIED (Vote No. 03947)
(Councillor De Genova opposed)

The amendments having either carried or lost, the motion as amended was put. Council agreed to sever the components of the motion for the vote.

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On February 21, 2019, at 9:50 pm, during debate, it was

*MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato*

THAT the meeting be extended to complete the business on the agenda.

CARRIED UNANIMOUSLY

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FINAL MOTION AS APPROVED

- A. THAT the application, by HDR|CEI Architecture Associates Inc. on behalf of British Columbia Housing Management Commission ("BC Housing"), to rezone 1636 Clark Drive and 1321-1395 East 1st Avenue [Lot 22 and Lot 23, Except Part in Explanatory Plan 17378, Block 60, District Lot 264A, Plans 383 and 1771; PIDs 013-004-581 and 013-004-590 respectively], [PID 013-004-638; Lot 24, Except (A) Part in Plan 4123 and (B) part in Explanatory Plan 17378, Block 60, District Lot 264A, Plans 383 and 1771], [PID 006-747-884; Lot 21, Block 60, District Lot 264A, Plans 383 and 1771], [PID 013-359-932, Lot 20, Block 60, District Lot 264A, Plans 383 and 1771], [PID 015-327-345; Lot 19, Except the South 7 Feet Now Road, Block 60, District Lot 264A, Plans 383 and 1771], [PID 015-327-337; Lot 18, Except the South 7 Feet Now Road, Block 60, District Lot 264A, Plans 383 and 1771], [PID 015-213-552; Lot 15, Block 60, District Lot 264 A, Plans 383 and 1771], [PID 015-327-329; Lot 14, Block 60, District Lot 264 A, Plans 383 and 1771], [PID 012-694-029; Lot 13, Block 60, District Lot 264A Plans 383 and 1771], and [Strata Lots 1 to 13, District Lot 264A, Strata Plan VR. 1149; PIDs 006-282-881, 006-282-911, 006-282-938, 006-282-962, 006-282-989, 006-283-012, 006-283-039, 006-283-055, 006-283-179, 006-283-195, 006-283-233, 006-283-268, 006-283-276 respectively], from I-2 (Industrial) and RM-4N (Multiple Dwelling) Districts to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) to 3.22 and the maximum building height to 36.6 m (120 ft.) to permit the development of a 10-storey mixed-use building which would contain 90 social housing units, social enterprise space and a withdrawal management centre, including up to 20 short-term transitional beds, generally as presented in Appendix A of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by HDR/CEI Architecture Associates Inc., received on August 23, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development; and

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report as amended on February 21, 2019, in Part 2 under Affordable Housing, to add the following to point 9:

- (f) ensuring that tenants who are demovicted be guaranteed suitable accommodation during displacement at their current rent or less.
- B. THAT the consequential amendment to the Regional Context Statement Official Development Plan By-law, generally as set out in Appendix D of the Policy Report dated January 15, 2019, entitled “CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue”, be approved.
- C. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report dated January 15, 2019, entitled “CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue”, as amended in A above, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.
- D. THAT the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated January 15, 2019, entitled “CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue”, be approved.
- E. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in the Policy Report dated January 15, 2019, entitled “CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue”.
- F. THAT A through E above and G below 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. 03948)

- G. THAT Vancouver Coastal Health develop a Good Neighbour Agreement with the community on terms and conditions satisfactory to the General Manager of Arts, Culture and Community Services and the Director of Legal Services or the General Manager of Planning, Urban Design and Development.

CARRIED (Vote No. 03949)
(Councillors Bligh, Boyle, Swanson and Mayor Steward opposed)

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:11 pm.

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