



PUBLIC HEARING MINUTES

MARCH 12, 2019

A Public Hearing of the City of Vancouver was held on Tuesday, March 12, 2019, at 6:03 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT:

Mayor Kennedy Stewart
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Lisa Dominato*
Councillor Pete Fry
Councillor Colleen Hardwick*
Councillor Sarah Kirby-Yung*
Councillor Jean Swanson
Councillor Michael Wiebe

ABSENT:

Councillor Rebecca Bligh (Leave of Absence – Civic Business)
Councillor Melissa De Genova

CITY MANAGER'S OFFICE:

Sadhu Johnston, City Manager

CITY CLERK'S OFFICE:

Rosemary Hagiwara, Deputy City Clerk
Bonnie Kennett, Meeting Coordinator

* Denotes absence for a portion of the meeting

WELCOME

The Mayor acknowledged we are on the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh Nations and we thank them for having cared for this land since time immemorial.

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 Wiebe
SECONDED by Councillor Carr

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

LOST

(Councillors Boyle, Carr, Fry, Swanson, Wiebe and Mayor Stewart opposed)
(Councillors Dominato, Hardwick and Kirby-Yung absent for the vote)

1. REZONING: 4118-4138 Cambie Street

An application by Pennyfarthing Hillcrest Development Ltd. was considered as follows:

Summary: To rezone 4118-4138 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey development containing 66 strata residential units. A height of 22.0 metres and a floor space ratio (FSR) of 2.94 are proposed.

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

Summary of Correspondence

Council received one piece of correspondence in opposition to the application, since being referred to public hearing and prior to the close of the speakers list and receipt of public comments.

Staff Opening Comments

Planning, Urban Design and Sustainability staff provided a presentation on the application and, along with staff from Engineering Services, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Allan Buium
Todd Constant

The speakers list and receipt of public comments closed at 6:59 pm.

Applicant Closing Comments

Kevin Hussey, Vice President Development, Pennyfarthing Development Group, provided closing comments and responded to questions.

Staff Closing Comments

Engineering Services and Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Hardwick

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd., on behalf of Pennyfarthing Properties Grayson North Ltd., the registered owner, to rezone 4118-4138 Cambie Street [*Lots 1 and 2, Block 681, District Lot 526, Plan 6212; PIDs: 008-450-617 and 010-949-020 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.94 and the height from 10.7 m (35 ft.) to 22.0 m (72 ft.) to permit the development of a six-storey development containing 66 strata residential units, generally as presented in Appendix A of the Policy Report dated January 29, 2019, entitled "CD-1 Rezoning: 4118-4138 Cambie Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Raymond Letkeman Architects Inc. and received on October 17, 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 report.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated February 12, 2019, entitled "CD-1 Rezoning: 4118-4138 Cambie 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 (Vote No. 04181)
(Councillor Swanson opposed)

2. TEXT AMENDMENTS: Miscellaneous Amendments to Various CD-1 By-laws

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

Summary: To make amendments to CD-1 (696) (Comprehensive Development) District at 500-650 West 57th Avenue (Pearson Dogwood) and to CD-1 (624) District at 3819 Boundary Road, to allow for an exclusion in the computation of floor area to facilitate enhanced accessibility, and to amend for a minor adjustment to the percentage of dwelling units.

Summary of Correspondence

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list.

Staff Opening Comments

Planning, Urban Design and Sustainability staff responded to questions.

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 7:25 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Dominato

THAT Council approve the following applications to:

- (i) amend CD-1 (696) By-law No.12105 for 500-650 West 57th Avenue (Pearson Dogwood), for a minor text amendment to allow for an exclusion in the computation of floor area to facilitate enhanced accessibility, generally as presented in Appendix A of the Policy Report dated February 12, 2019, entitled "Miscellaneous Amendments to Various CD-1 By-Laws"; and
- (ii) amend CD-1 (624) By-law No. 11481 for 3819 Boundary Road (formerly 3680-3684 East 22nd Avenue) for a minor adjustment to the percentage of dwelling units, generally as presented in Appendix B of the Policy Report dated February 12, 2019, entitled "Miscellaneous Amendments to Various CD-1 By-Laws".

CARRIED UNANIMOUSLY (Vote No. 04182)

3. TEXT AMENDMENT: 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West 2nd Avenue and 1778 Columbia Street

An application by DIALOG was considered as follows:

Summary: To amend the text of CD-1 (531) (Comprehensive Development) District at 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West 2nd Avenue and 1778 Columbia Street, to add 'Fitness Centre' and 'Animal Clinic' as allowable uses.

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

Summary of Correspondence

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list.

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 7:28 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Hardwick

- A. THAT the application by DIALOG, on behalf of 0742012 B.C. Ltd. (Executive Group of Companies), to amend the text of CD-1 (Comprehensive Development) District (531) By-law No. 10482 for 103-127 West 2nd Avenue and 1753-1791 Manitoba Street [*PID 029-480-604, Air Space Parcel A, District Lot 200A, Group 1, New Westminster District Air Space Plan EPP44063*] and 165-195 West 2nd Avenue and 1778 Columbia Street [*PID 030-306-604, Air Space Parcel B, Block 10, District Lot 200A, Group 1, New Westminster District Air Space Plan EPP70730*] (formerly 105-167 West 2nd Avenue), to add 'Fitness Centre' and 'Animal Clinic' as allowable uses to enable a fitness centre at 121 West 2nd Avenue and a veterinary clinic at 189 West 2nd Avenue, generally as presented in Appendix A of the Policy Report dated January 29, 2019, entitled "CD-1 (531) Text Amendment: 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West 2nd Avenue and 1778 Columbia Street" be approved.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 04183)

4. TEXT AMENDMENT: 333 Seymour Street

An application by B+H Architects was considered as follows:

Summary: To amend the text of CD-1 (164) (Comprehensive Development) District at 333 Seymour Street to increase the permitted maximum floor area from 16,194.3 square metres to 18,442.4 square metres.

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

Summary of Correspondence

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list.

Staff Opening Comments

Planning, Urban Design and Sustainability staff provided a presentation on the application and responded to questions.

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 7:31 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Dominato

- A. THAT the application by B+H Architects, on behalf of 675158 British Columbia Ltd. (PCI Development), to amend CD-1 (164) By-law No. 5810 for 333 Seymour Street [*PID: 006-974-848, Lot A, Block 14, District Lot 541, Plan 20201*] to increase the permitted maximum floor area from 16,194.3 sq. m to 18,442.4 sq.,

generally as presented in Appendix A of the Policy Report dated January 29, 2019, entitled "CD-1 (164) Text Amendment: 333 Seymour Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by B+H Architects and received on August 29, 2019, 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 report.

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

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 04184)

5. TEXT AMENDMENT: 1768 Cook Street

An application by IBI Group Architects in conjunction with GBL Architects was considered as follows:

Summary: To amend the text of CD-1 (582) (Comprehensive Development) District at 1768 Cook Street, to permit additional floor area on levels 16 and 17 and the addition of a penthouse level. An increase in the maximum building height from 47.0 metres to 53.3 metres, the number of storeys from 17 to 18 storeys, and the floor space ratio (FSR) from 3.5 to 3.7 are proposed.

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

Council also had before it a memorandum dated March 1, 2019, from the Assistant Director, Rezoning Centre, Planning, Urban Design and Sustainability, noting that the consequential amendments to the Southeast False Creek Official Development Plan provided in Appendix C of the Policy Report dated January 29, 2019, entitled "CD-1 (582) Text Amendment: 1768 Cook Street", were not prepared using the most recent version of the Official Development Plan (ODP) by-law, which was amended on December 18, 2018. A revised Appendix C is set out below.

Revised Appendix C – amended information is shown as underlined text.

**1768 Cook Street
CONSEQUENTIAL AMENDMENTS**

Note: Amending by-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**PROPOSED AMENDMENTS TO THE
SOUTHEAST FALSE CREEK OFFICIAL DEVELOPMENT PLAN
(BY-LAW NO. 9073)**

1. In Table 1 of Section 4.2, Council:
 - (a) in the line for Area 1B:
 - (i) strikes out "90,797 m²" under "Maximum permitted floor area for residential uses" and substitutes "91,838 m²", and
 - (ii) strikes out "90,797 m²" under "Maximum permitted floor area for all uses" and substitutes "91,838 m²"; and
 - (b) in the line for "Total maximum permitted floor area for all areas":
 - (i) strikes out "637,597 m²" under "Maximum permitted floor area for residential uses" and substitutes "638,638 m²", and
 - (ii) strikes out "672,903 m²" under "Maximum permitted floor area for all uses" and substitutes "673,944 m²".

Summary of Correspondence

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

- 6 pieces of correspondence in support of the application; and
- 5 pieces of correspondence in opposition of the application;

Staff Opening Comments

Planning, Urban Design and Sustainability staff provided a presentation on the application and, along with the City Manager, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Stephen Bohus

The speakers list and receipt of public comments closed at 7:59 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Applicant Closing Comments

Peter Webb, Senior Vice President, Concord Pacific, responded to questions.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Wiebe

- A. THAT the application by IBI Group Architects in conjunction with GBL Architects, on behalf of the registered owner, Concord Avenue One (Nominee) Limited (Concord Pacific), to amend Comprehensive Development (CD-1) District (582) By-law No. 11069, for 1768 Cook Street [*PID: 029-387-230; Lot 1, Block 5, District Lot 302, Group 1, New Westminster District Plan EPP42239*], to permit an increase in the floor space ratio (FSR) from 3.5 to 3.7 and maximum building height from 47.0 m (154.0 ft.) to 53.3 m (174.6 ft.) to allow additional floor area on levels 16 and 17, and the addition of one penthouse level increasing the tower height from 17 to 18 storeys, generally as presented in Appendix A of the Policy Report dated January 29, 2019, entitled "CD-1 (582) Text Amendment: 1768 Cook Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects in conjunction with GBL Architects and received on October 11, 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 report.

- B. THAT the consequential amendment to the Southeast False Creek Official Development Plan By-law to increase the floor area limits for maximum total floor area and for maximum residential floor area for the whole of the Southeast False Creek area and for Area 1B, as set out in Appendix C of the Policy Report, dated January 29, 2019, entitled "CD-1 (582) Text Amendment: 1768 Cook Street", be approved.

- 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. 04185)

6. TEXT AMENDMENT: 1229-1289 Hornby Street

An application by IBI Group Architects was considered as follows:

Summary: To amend the text of CD-1 (Comprehensive Development) District (588) at 1229-1289 Hornby Street, to decrease the permitted floor area for sub-area A by 429.8 square metres and to increase the permitted floor area for sub-area B by the same amount, allowing for revisions to the floor plans on levels 34 and 35.

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

Summary of Correspondence

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list.

Staff Opening Comments

Planning, Urban Design and Sustainability staff provided a presentation on the application and responded to questions.

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 8:12 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Dominato

- A. THAT the application by IBI Group Architects, on behalf of the registered owners Rattenbury Enterprises Ltd. and 0785687 B.C. Ltd. (Reliance Properties and Jim Pattison Developments), to amend the text of CD-1 (Comprehensive Development) District (588) By-law No. 11107 for 1229-1289 Hornby Street [PID: 029-416-141, Lot G Block 100 District Lot 541 Group 1 New Westminster District Plan EPP44019], to decrease the permitted floor area for sub-area A by 429.8 sq. m (4,626 sq. ft.) and to increase the permitted floor area for sub-area B by the same amount, allowing for revisions to the floor plans on levels 34 and 35, generally as presented in Appendix A of the Policy Report dated January 29, 2019 entitled "CD-1 Text Amendment: 1229-1289 Hornby Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects and received on September 10, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development.

- B. THAT A above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 04186)
(Councillor Fry abstained from the vote)

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."

ADJOURNMENT

MOVED by Councillor Dominato
SECONDED by Councillor Hardwick

 THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:13 pm.

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