



PUBLIC HEARING MINUTES

MAY 14, 2019

A Public Hearing of the City of Vancouver was held on Tuesday, May 14, 2019, at 6:02 pm in the Council Chamber, Third Floor, City Hall.

PRESENT:

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

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Tina Penney, Director, Legislative Operations
Irina Dragnea, 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 and look forward to working with them in partnership as we continue to build this great city together.

The Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

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 Kirby-Yung
SECONDED by Councillor De Genova

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

LOST

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

(Councillors Dominato and Wiebe absent for the vote)

1. HERITAGE DESIGNATION: 959 East 35th Avenue (Bramble Store and Apartment)

An application by Birmingham & Wood Architects was considered as follows:

Summary: To add the existing building at 959 East 35th Avenue (Bramble Store and Apartment) to the Vancouver Heritage Register in the 'B' evaluation category, designate the exterior of the existing building as protected heritage property, and to enter into a Heritage Revitalization Agreement to secure the rehabilitation and long-term preservation of the heritage building.

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

Summary of Correspondence

No correspondence was received since the application was scheduled for Public Hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 6:06 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Wiebe

- A. THAT Council add the existing building at 959 East 35th Avenue (PID: 014-525-992, Lot 23, Block 9, District Lot 668, Plan 1620 (the "site")) known as the Bramble Store and Apartment (the "heritage building") to the Vancouver Heritage Register in the 'B' evaluation category.

- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 and Section 594 of the *Vancouver Charter* a by-law to designate the exterior of the heritage building as protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment under Section 592 of the *Vancouver Charter* a by-law for the City to enter into a Heritage Revitalization Agreement (HRA) to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building;
 - (ii) vary the Zoning and Development By-law as necessary to permit construction of a single family dwelling, to permit the neighbourhood commercial use to continue and to secure this in perpetuity, as detailed in Development Permit Application DP-2018-00534 (the "DP Application") and as more particularly described in the Policy Report dated April 18, 2019, entitled "Heritage Designation and Heritage Revitalization Agreement – 959 East 35th Avenue – Bramble Store and Apartment".
- D. THAT the Heritage Revitalization Agreement shall be completed, noted, registered, and given priority on title to the site to the satisfaction of the Director of Legal Services and the Director of Planning.
- E. THAT A to D 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 04409)
(Councillor Dominato absent for the vote)

2. HERITAGE DESIGNATION: 2525 Carolina Street (The Carolina)

An application by Formosis Achitecture was considered as follows:

Summary: To add the existing building at 2525 Carolina Street (The Carolina) to the Vancouver Heritage Register in the 'B' evaluation category and to designate the exterior of the existing building as protected heritage property.

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

Summary of Correspondence

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

- 8 pieces of correspondence in support; and
- 13 pieces of correspondence in opposition.

Staff Opening Comments

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

Applicant Comments

Brad Berry, Chief Operating Officer and Executive Vice-President, PortLiving, responded to questions.

Speakers

The Mayor called for speakers for and against the application:

The following spoke in opposition to the application:

- Sarah Lindsay
- Zach Varley
- Max Patterson
- Jim Hay

The following provided general comments:

- Andrew Lee

The speakers list and receipt of public comments closed at 7:00 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff, along with Arts, Culture and Community Services staff, Legal Services staff and the City Manager, responded to additional questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

- A. THAT Council add the existing building at 2525 Carolina Street (PID: 015-315-908, Lot 12, Block 156, District Lot 264A, Plan 390 (the “site”)) known as The Carolina (the “heritage building”) to the Vancouver Heritage Register in the ‘B’ evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior of the heritage building as protected heritage property.
- C. THAT A to 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

amended

AMENDMENT MOVED by Councillor Swanson
SECONDED by Councillor De Genova

THAT the following be added as D:

THAT Council request of staff and the proponent to explore all possible opportunities to relocate the bottle depot in the development or the neighbourhood.

CARRIED UNANIMOUSLY (Vote No. 04410)

With the amendment having carried, the motion was put and CARRIED (Vote No. 04411) with Councillor Swanson opposed.

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Council recessed at 7:51 pm and reconvened at 7:59 pm.

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3. HERITAGE REVITALIZATION AGREEMENT AMENDMENT: 2082-2088 Charles Street

An application by Milodelia Homes was considered as follows:

Summary: To amend the existing Heritage Revitalization Agreement for 2082-2088 Charles Street to address the current minor amendment to the previously issued development permit, allowing for a modest increase in floor area and providing updated provisions which address the recent rezoning of the site from RT-4 to RT-5.

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

Summary of Correspondence

No correspondence was received since the application was scheduled for 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 8:01 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law to amend the Heritage Revitalization Agreement (the "HRA") entered into pursuant to Heritage Revitalization Agreement By-law No. 11502 in respect of the new building located at 2082 Charles Street (PID 029-894-913; Lot A, Block 136, District Lot 264A, Plan EPP57456) (the "New Building Parcel") and the heritage building known as the Carlsen Residence (the "Heritage Building"), located at 2088 Charles Street (PID 029-894-921; Lot B, Block 136, District Lot 264A, Plan EPP57456) (the "Heritage Parcel"), in order to permit an increase in density while at the same time retaining the benefit of by-law variances as provided for in the HRA, generally in accordance with Appendix C of the Policy Report dated April 16, 2019, entitled "Heritage Revitalization Agreement Amendment – 2082-2088 Charles Street".

- B. THAT the amendment to the Heritage Revitalization Agreement shall be prepared, completed, registered and given priority on title to the lands described above to the satisfaction of the Director of Legal Services and the Director of Planning.
- 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 04412)

4. TEXT AMENDMENT: 8180-8188 Champlain Crescent

An application by Johnny W. W. Leung Architects was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (117) for Champlain Heights with respect to 8180-8188 Champlain Crescent to create a sub-area in which limited additional Cultural and Recreational, Office, Retail, and Service uses would be permitted.

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

Summary of Correspondence

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

- 1 piece of correspondence in opposition; and
- 1 piece of correspondence dealing with other aspects of 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 8:04 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

- A. THAT the application by Johnny W. W. Leung Architects, on behalf of Sam Ching Taoist Society, to amend the text of CD-1 (Comprehensive Development) District (117) By-law No. 4986 for Champlain Heights with respect to 8180-8188 Champlain Crescent [PID 005-705-401, Strata Lot 63, District Lots 331 and 335 Leasehold Strata Plan VR. 736, together with an interest in the common property in proportion to the unit entitlement of the strata lot shown on form 1], to create a sub-area in which limited additional Cultural and Recreational, Office, Retail, and Service uses would be permitted, generally as presented in Appendix A of the Policy Report dated April 9, 2019, entitled "CD-1 Text Amendment: 8180-8188 Champlain Crescent" be approved in principle.
- 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. 04413)

5. REZONING: 8636-8656 Oak Street

This application was withdrawn from the agenda.

6. REZONING: 4906-4970 Quebec Street

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

Summary: To rezone 4906-4970 Quebec Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 55 strata-titled units over two levels of underground parking. A height of 20.31 metres (66.6 feet) and an FSR of 2.31 are proposed.

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

Summary of Correspondence

Council received three pieces 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, and along with Engineering Services staff responded to questions.

Speakers

The Mayor called for speakers for and against the application:

The following spoke in opposition to the application:

- Marianne Werner
- Christian Stockman
- Mark Lawrence

The speakers list and receipt of public comments closed at 8:51 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT the application by Ciccozzi Architecture Inc. on behalf of 1111871 B.C. LTD. (Aoyuan 33Quebec Project Limited Partnership), the registered owner, to rezone 4906-4970 Quebec Street [Lots 25, 24, The North ½ of Lot 23, The South ½ of Lot 23, and Lot 22, all of Block 4, District Lot 637, Plan 7030; PIDs 010-747-656, 007-633-386, 010-747-630, 005-623-472, and 005-755-433 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 2.31 and the maximum building height from 10.7 m (35.1 ft.) to 20.31 m (66.6 ft.) to permit the development of a six-storey residential building containing 55 strata-titled units,

generally as presented in Appendix A of the Policy Report dated April 9, 2019, entitled "CD-1 Rezoning: 4906-4970 Quebec Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Ciccozzi Architecture Inc. and received on August 15, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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 to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated April 9, 2019, entitled "CD-1 Rezoning: 4906-4970 Quebec Street".
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED (Vote No. 04414)
(Councillor Swanson opposed)

7. REZONING: 2202-2218 Main Street and 206 East 6th Avenue

An application by Formosis Architecture was considered as follows:

Summary: To rezone 2202-2218 Main Street and 206 East 6th Avenue from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit development of a six-storey mixed-use building with at-grade and below-grade commercial retail space and 63 strata-titled residential units. A height of 22.6 metres (74 feet) and an FSR of 4.31 are proposed.

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

Summary of Correspondence

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

- 13 pieces of correspondence in support; and
- 8 pieces of correspondence in opposition.

Staff Opening Comments

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

Applicant Opening Comments

Tom Bunting, Architect, Formosis Architecture, 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 9:40 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT the application by Formosis Architecture (formerly Studio B Architects), on behalf of Main Street Arts Investments Inc. (PortLiving), to rezone 2202-2218 Main Street and 206 East 6th Avenue [Lots 1 to 3, Block 38, District Lot 200A, Plan 197; PIDs: 010-136-576, 015-553-230 and 013-273-825 respectively] from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 3.00 to 4.31 and building height from 18.3 m (60 ft.) to 22.6 m (74 ft.) to permit development of a six-storey mixed-use building consisting of at-grade and below-grade commercial retail space and 63 strata-titled residential units, generally as presented in Appendix A of the Policy Report dated April 9, 2019, entitled "CD-1 Rezoning: 2202-2218 Main Street and 206 East 6th Avenue" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Formosis Architecture (formerly Studio B Architects) and received on October 23, 2017, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

- B. 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 April 9, 2019, entitled "CD-1 Rezoning: 2202-2218 Main Street and 206 East 6th Avenue", be approved.
- C. 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 Appendix C of the Policy Report dated April 9, 2019, entitled "CD-1 Rezoning: 2202-2218 Main Street and 206 East 6th Avenue".
- D. THAT A through C 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. 04415)
(Councillor Swanson opposed)

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:56 pm.

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