



PUBLIC HEARING MINUTES

JUNE 11, 13, 20, AND 25, 2019

A Public Hearing of the City of Vancouver was held on June 11, 2019, at 6:25 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on June 13, 20 and 25, 2019.

PRESENT:

- Mayor Kennedy Stewart*
- Councillor Rebecca Bligh, Deputy Mayor*
- Councillor Christine Boyle*
- Councillor Adriane Carr*
- Councillor Melissa De Genova*
- Councillor Lisa Dominato*
- Councillor Pete Fry
- Councillor Colleen Hardwick*
- Councillor Sarah Kirby-Yung* (Leave of absence for civic business starting at 7 pm on June 11)
- Councillor Jean Swanson*
- Councillor Michael Wiebe

ABSENT:

- Mayor Kennedy Stewart (Medical Leave – June 20)
- Councillor Christine Boyle (June 20)
- Councillor Colleen Hardwick (Medical Leave – June 11)

CITY MANAGER'S OFFICE:

- Sadhu Johnston, City Manager (June 13)
- Paul Mochrie, Deputy City Manager (June 20)

CITY CLERK'S OFFICE:

- Tina Penney, Deputy City Clerk
- Nicole Ludwig, 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 De Genova
SECONDED by Councillor Dominato

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

LOST

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

1. Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines

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 simplify and update regulations, provide clarifications, and remove gendered terminology, and to amend various Official Development Plans and the Parking By-law to update references. Also to repeal various land use and development policy and guideline documents which are outdated or superseded.

Summary of Correspondence

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

Speakers

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

The speakers list and receipt of public comments closed at 6:29 pm on June 11, 2019.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the Zoning and Development By-law, generally as set out in Appendix A of the Policy Report dated May 6, 2019, entitled "Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines" to:

- (i) restructure section 2 Definitions, section 10 General Regulations and section 11 Additional Regulations into a consistent and user-friendly format;
 - (ii) update all references to sections 10 and 11 throughout the by-law to reflect the revised numbering in sections 10 and 11;
 - (iii) remove the definition for Head of Household, a term no longer used in the Zoning and Development By-law;
 - (iv) remove gendered terminology ('he' and 'his') throughout the by-law;
 - (v) clarify the height regulations in section 4.4.3 of the I-3 District Schedule;
and
 - (vi) clarify how requirements for social housing and secured market rental housing are applied to floor area increases achieved through heritage density transfers or heritage amenity share purchases in the C-5A and C-6 districts.
- B. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the False Creek Official and Area Development Plan to remove gendered terminology and update a reference to section 11 to reflect the revised numbering in section 11, generally in accordance with Appendix B of the Policy Report dated May 6, 2019, entitled "Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines".
- C. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the Downtown Official Development Plan to update references to section 11 to reflect the revised numbering in section 11 and to correct references to Section 6 - Parking, generally in accordance with Appendix C of the Policy Report dated May 6, 2019, entitled "Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines".
- D. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the Coal Harbour Official Development Plan to update a reference to section 11 to reflect the revised numbering in section 11, generally in accordance with Appendix D of the Policy Report dated May 6, 2019, entitled "Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines".
- E. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the Downtown-Eastside/Oppenheimer Official Development Plan to update references to section 11 to reflect the revised numbering in section 11, generally in accordance with Appendix E of the Policy Report dated May 6, 2019, entitled "Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans,

Parking By-law and Various Land Use and Development Policies and Guidelines”.

- F. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the False Creek North Official Development Plan to update a reference to section 11 to reflect the revised numbering in section 11, generally in accordance with Appendix F of the Policy Report dated May 6, 2019, entitled “Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines”.
- G. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the Southeast False Creek Official Development Plan to update a reference to section 11 to reflect the revised numbering in section 11, generally in accordance with Appendix G of the Policy Report dated May 6, 2019, entitled “Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines”.
- H. THAT Council approve the application by the General Manager of Planning, Urban Design and Sustainability to amend the Southeast Granville Slopes Official Development Plan to update a reference to section 11 to reflect the revised numbering in section 11, generally in accordance with Appendix H of the Policy Report dated May 6, 2019, entitled “Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines”.
- I. THAT Council approve the amendment to the Parking By-law to update a reference to section 10 to reflect the revised numbering in section 10, generally in accordance with Appendix I of the Policy Report dated May 6, 2019, entitled “Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines”.
- J. THAT, in accordance with Appendix J of the Policy Report dated May 6, 2019, entitled “Regulation Redesign - Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines”, Council approve:
 - (i) the repeal of several outdated or superseded policies and guidelines; and
 - (ii) amend several land use documents to correct the references to sections 10 and 11.

CARRIED UNANIMOUSLY (Vote No. 04561)
(Councillors Bligh and Boyle absent for the vote)

2. HERITAGE DESIGNATION: 2006 Whyte Avenue (Bell Residence)

An application by the General Manager of Planning, Urban Design and Sustainability, was considered, subject to conditions set out in the Summary and Recommendation of the Public Hearing agenda:

Summary: To designate as protected heritage property the structure and exterior of the existing building at 2006 Whyte Avenue which is listed on the Vancouver Heritage Register in the 'B' evaluation category.

Summary of Correspondence

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

Staff Opening Comments

Staff responded to questions regarding the heritage value of the site.

Speakers

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

The speakers list and receipt of public comments closed at 6:34 pm on June 11, 2019.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor De Genova

- A. 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 as protected heritage property the structure and exterior of the existing building at 2006 Whyte Avenue (the "heritage building"), which is listed on the Vancouver Heritage Register in the 'B' evaluation category (PID: 013-931-393; Lot 10, Block 165, District Lot 526, Plan VAP2301 (the "site")).
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution 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. 04562)
(Councillor Boyle absent for the vote)

3. REZONING: 1008 West 52nd Avenue

An application by Gradual Architecture was considered as follows:

Summary: To rezone 1008 West 52nd Avenue from RS-1 (One-Family Dwelling) District to RM-8AN (Multiple Dwelling) District to permit a townhouse development with a floor space ratio (FSR) up to 1.2. The form of development will be reviewed through a subsequent development permit process.

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

Summary of Correspondence

Council received two letters opposed to the application since referral to Public Hearing and prior to the close of the speakers list.

Staff Opening Comments

Yan Zeng, Senior Planner, Rezoning Centre, provided a brief presentation for items 3, 4, and 5 on the public hearing agenda, and along with staff from Planning, Urban Design and Sustainability, responded to questions.

Speakers

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

The speakers list and receipt of public comments closed at 6:52 pm on June 11, 2019.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Bligh

- A. THAT the application by Gradual Architecture on behalf of Haymax Homes Development Inc., the registered owner, to rezone 1008 West 52nd Avenue [*Lot 6, Block S of Blocks 12 and 17A, District Lot 526, Plan 6339; PIDs: 010-904-425*] from RS-1 (One-Family Dwelling) District to RM-8AN (Multiple Dwelling) District, generally as presented in Appendix A of the Policy Report dated May 1, 2019 entitled "Rezoning: 1008 West 52nd Avenue" be approved in principle;

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

- B. THAT, subject to the enactment of the rezoning 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 May 1, 2019, entitled "Rezoning: 1008 West 52nd Avenue".

- C. THAT A and B 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. 04563)
(Councillors Boyle and De Genova absent for the vote)

4. REZONING: 6218-6230 Oak Street

An application by CitiWest Consulting Ltd. was considered as follows:

Summary: To rezone 6218-6230 Oak Street from RS-1 (One-Family Dwelling) District to RM-8AN (Multiple Dwelling) District to permit a townhouse development with a floor space ratio (FSR) up to 1.2. The form of development will be reviewed through a subsequent development permit process.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in summary and 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

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

The speakers list and receipt of public comments closed at 6:55 pm on June 11, 2019.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by CitiWest Consulting Ltd. on behalf of Bingzheng Li and 1131441 B.C. Ltd., the registered owners, to rezone 6218-6230 Oak Street [*Lots 1 and 2 of Lot H, Block 1008 District Lot 526, Plan 10874; PIDs 009-271-988 and 009-271-996 respectively*] all from RS-1 (One-Family Dwelling) District to RM8-AN (Multiple Dwelling) District, generally as presented in Appendix A of the Policy Report dated April 30, 2019, entitled "Rezoning: 6218-6230 Oak Street" be approved in principle;

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

- B. THAT, subject to the enactment of the rezoning 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 30, 2019 entitled "Rezoning: 6218-6230 Oak Street".
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 04564)
(Councillors Boyle and De Genova absent for the vote)

5. REZONING: 404-434 West 23rd Avenue

An application by Belford (23rd) Nominee Ltd. was considered as follows:

Summary: To rezone 404-434 West 23rd Avenue from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District to permit a townhouse development with a floor space ratio (FSR) up to 1.2. The form of development will be reviewed through a subsequent development permit process.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in 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:

- 2 letters opposed
- 1 letters dealing with other aspects of the application.

Staff Opening Comments

Staff responded to questions related to the effect of decisions made today at the regular council meeting on this application.

Applicant Comments

Roy Huang, Belford Properties, responded to questions.

Speakers

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

The speakers list and receipt of public comments closed at 7:01 pm on June 11, 2019.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Dominato

- A. THAT the application by Belford (23rd) Nominee Ltd., the registered owner, to rezone 404-434 West 23rd Avenue [*Lots 18, 19, 20, 21 and 22, all of Block 661, District Lot 526, Plan 2913; PIDs: 013-343-807, 013-343-815, 013-343-831, 013-343-858, 013-343-955 respectively*] all from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District, generally as presented in Appendix A of the Policy Report dated April 9, 2019, entitled "Rezoning: 404-434 West 23rd Avenue" be approved in principle;

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

- B. THAT, subject to the enactment of the rezoning 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 "Rezoning: 404-434 West 23rd Avenue".

- 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. 04565)
(Councillors Boyle and De Genova absent for the vote)

6. REZONING: 708-796 Renfrew Street

An application by GBL Architects was considered as follows:

Summary: To rezone 708-796 Renfrew Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of two five-storey residential buildings with 73 rental units. A height of 16.3 metres (53.5 feet) and a floor space ratio (FSR) of 2.07 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:

- 26 letters in support,
- 10 letters opposed,
- One letter dealing with other aspects of the application,
- One petition with 200 signatures (unaudited) opposed.

Staff Opening Comments

Marcel Gelein, Planning, Urban Design and Sustainability, provided an overview of the application and along with Karen Hoesé, Assistant Director of Planning, Rezoning Centre, and Yardley McNeill, Senior Planner, Rezoning Centre, responded to questions.

Applicant Comments

Nav Bains, Bains Holding Group Inc., provided an overview of the application, noting the form had changed after outreach to the neighbourhood, and responded to questions.

Speakers

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

The following spoke in support of the application:

Shannon Dixon
Scott Johnson
Saira Hansen
Kam Sandhu
Hassan Torfisaeydi
Charlie Fox
Artashina Singh
Owen Brady
Sherry Hinouse
Ron Gee
Matob Bajul
Nicole Kerrigan
Stuart Smith, Abundant Housing Vancouver
Devon Hussack

The following spoke in opposition to the application. Speakers noted concerns with new homes being demolished and increased traffic in the neighbourhood, and noted the need for an overall community plan for the area:

Edysha Ee
Shine Edgar
Heather Buchanan
Jeff Ko
May Chow

The speakers list and receipt of public comments closed at 8:53 pm on June 11, 2019.

Staff and Applicant Closing Comments

Staff and the applicant responded to questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT the application by GBL Architects on behalf of Bains Holding Group Inc., the registered owner, to rezone 708-796 Renfrew Street [*Lots 1 to 7, of Lot 82, Town Of Hastings Suburban Lands Plan 2688; PIDs 013-548-263, 013-548-271,*

013-548-298, 013-548-310, 013-548-328, 013-548-336 and 013-243-993 respectively], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 0.60 to 2.07 and the building height from 10.7 m (35.1 ft.) to 16.3 m (53.5 ft.) to permit the development of two five-storey residential buildings with 73 rental units, generally as presented in Appendix A of the Policy Report dated April 30, 2019, entitled "CD-1 Rezoning: 708-796 Renfrew Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GBL Architects and received on October 3, 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 approvals in A above be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy 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 30, 2019, entitled "CD-1 Rezoning: 708-796 Renfrew Street".
- 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 April 30, 2019, entitled "CD-1 Rezoning: 708-796 Renfrew Street", 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 applicant and its mortgagee(s) and prior to enactment of the CD-1 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 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. 04566)
(Councillors Fry and Swanson opposed)
(Councillor Kirby-Yung absent on Civic Business)

7. REZONING: 4575 Granville Street

An application by Stuart Howard Architects was considered as follows:

Summary: To rezone 4575 Granville Street from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a 3½-storey townhouse development containing a total of 21 secured market rental housing units. A height of 12.6 metres (41 feet) and a floor space ratio (FSR) of 1.33 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

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

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

- 302 letters in support;
- 310 letters opposed;
- 12 letters dealing with other aspects of the application.

Staff Opening Comments

Council agreed to postpone staff and applicant opening comments in order to hear from speakers.

Speakers

Mayor Stewart called for speakers for and against the application. Council heard from speakers on June 11, 13, and 20, 2019.

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During the hearing of speakers on June 11, 2019, at 9:55 pm it was

MOVED by Councillor De Genova

SECONDED by Councillor Fry

THAT the length of the meeting be extended to 11 pm.

LOST

*not having received the required majority
(Councillor Swanson opposed)*

Following discussion, there was a

*RECONSIDERATION MOVED by Councillor De Genova
SECONDED by Councillor Dominato*

THAT Council reconsider the previous motion to extend the length of the meeting.

CARRIED UNANIMOUSLY

Subsequently, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Dominato*

THAT the length of the meeting be extended to 11 pm.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

At 10:59 pm on June 11, 2019, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Dominato*

THAT the Public Hearing recess and reconvene at 6 pm on Thursday, June 19, 2019.

*CARRIED UNANIMOUSLY
(Councillors Bligh, Boyle, Kirby-Yung and Swanson absent for the vote)*

*Council recessed at 10:59 pm on June 11, 2019, and
reconvened at 6:04 pm Thursday, June 13, 2019.*

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On June 13, 2019, Council agreed to hear staff and applicant presentations regarding the application prior to hearing from speakers.

Yan Zeng, Senior Planner, Rezoning Centre, introduced the application and responded to questions previously submitted to staff. During the presentation, she noted that the number of signatures on the petition noted on page 10 of the Policy Report dated April 30, 2019, entitled "CD-1 Rezoning: 4575 Granville Street", should be corrected to 598.

Note: staff responses to submitted questions are [available online](#).

Kristen Farquaharson, Interim Director, City Centre, Older Adult and End of Life Care, Vancouver Coastal Health (VCH), responded to questions regarding palliative treatment and the relationship between VCH and the Vancouver Hospice Society, noting there is no effect on VCH funding to the Hospice in the event the development is approved.

Following staff's presentation, members of the applicant team provided opening comments.

Gurveer Pabla, Property Owner, presented a history of the project including changes made to the project in light of concerns raised by the Hospice and supporters.

Brent Toderian, Toderian UrbanWORKS, noted he was asked quite recently to do an independent review of all information related to the development and presented the results of his view, noting that this area is good for higher density due to existing transit infrastructure and that the design is well done in terms of how it interfaces with the area.

Virginia Bird, Pottinger-Bird Community Relations, provided an overview of public outreach done since 2017, noted recent feedback is mostly balanced, and indicated the developer remains committed to working with the Hospice and neighbours to address their concerns.

Neil Robertson, Principal, Stuart Howard Architects Inc., provided a detailed overview of the application, noting the ways in which the original proposal the project had changed due to concerns raised by the Hospice and neighbours. He also noted they are committed to working with the hospice and neighbours to address as many of their concerns as possible.

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On June 13, 2019, at 9:57 pm, it was

*MOVED by Councillor Dominato
SECONDED by Councillor Fry*

THAT the length of the meeting be extended to 11 pm.

LOST

*not having received the required majority
(Councillors Bligh, Carr, Hardwick, Swanson, and Mayor Stewart opposed)
(Councillor Boyle abstained from the vote)*

The Mayor announced the Public Hearing would reconvene at 6 pm on Thursday, June 20, 2019.

Council recessed at 10:01 pm on Thursday, June 13, and reconvened at 6:05 pm on Thursday, June 20, 2019, with Deputy Mayor Bligh in the Chair.

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On June 20, 2019, staff from Planning, Urban Design and Sustainability, Engineering Services, and Arts Culture and Community Services, along with the applicant responded to questions submitted by Council, and concerns raised by speakers.

Note: staff responses to submitted questions are [available online](#).

The Deputy General Manager of Planning, Urban Design and Sustainability, also noted that there had been some discussion regarding the possibility of the owners selling the land to the hospice, and advised that Council does not have the authority to direct the sale of the land, and any discussions to that end are not germane to the application.

The following 20 speakers spoke in support of the application, noting the need for more housing generally in Vancouver, especially for families:

Alexander Wright
Daniel Holloway
David Hutniak, Chief Executive Officer, LandlordBC
Rebecca Hartley
Chris Karu
Sandeep Dhaliwal
Jason Gurm
Robbie Boparai
Devon Hussack
Stuart Smith, Abundant Housing Vancouver
Craig Jorgensen
Adrian Crook
Alan Fetherstonhaugh
Matt Steyer
Rhi Kirkland
Owen Brady
Joelle Calof
Bhagwan Dhir
Norm Bishop
Udaya Mhudhanyka

The following 53 speakers spoke in opposition to the application noting concerns with the effects on the hospice, the possibility that the hospice might have to close, access through the lane and traffic in general, and provided documentation that a local realtor had advertised the units for sale when they are supposed to be rental for the life of the building:

Rebecca Pitfield
Bruce Gregg
Satya Danu
Lolita Aaron
Stephen Roberts, Board Chair, Vancouver Hospice Society
Josephine Baxendale
Randell Moore
Karen Fleischmann
Ronda Tuyp, Vancouver Hospice Society
Chelsea Dill, Vancouver Hospice Society
Rebecca Fry
Graham Heal
Dell Catherine Whelan
Lorisa Schuoela, Vancouver Hospice Society
Thomas Crean, Vice President, Partners in Care Alliance Society
Theresa Juba
Noel Herron
Douglas Knight
Sue Hurd
Jan Alexander
Patrick Gregg
Mary Ann Cummings, President, Shaughnessy Heights' Property Owners' Association
Christina Parsons
Jane Dermer

Alison Cunningham
Susanna Johnston
Melinda Sam
Corry Chaplin
Pamela Martin
Tamara Tang
Cynthia Fulton
Bill Burgess
Deborah Williams, Vancouver Hospice Society
Robert Fortier, Vancouver Hospice Society
Patricia Diewold, Vancouver Hospice Society
Louise Hutchings
Betty Canning
Musa Tryon
Cheryl Banfield
Anne Murnaghan
Susan Wong, Vancouver Hospice Society
Gaby Eirew, Director, RecordMeNow.org
Sandra Crompton
Phillip Long
David Gooderham
Andrea Baxendale
Patricia Richardson
Geraldine Webre
Anna Feglarska
Jane Wong
Anna Holton
Janice Oakley

The speakers list closed at 9:45 pm, and the receipt of public comments closed at 10:00 pm, on June 20, 2019.

Applicant Closing Comments

Neil Robertson, Principal, Stuart Howard Architects, responded to concerns raised by the speakers, including:

- The legal counsel for the applicant has sent a cease and desist letter to the realtor who advertised units for sale and have logged a complaint with the regulator;
- The number of parking spaces was increased due to input by neighbours; the applicant is willing to decrease the amount of parking;
- The scope of work between a 12,000 sq. ft. house and the proposed townhouse complex is not appreciatively more;
- The applicant is prepared to continue to work with the hospice and neighbours to mitigate disruptions.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability noted they did not make the recommendation for the development lightly and overall feel it will be compatible with the hospice when it is built.

* * * * *

At 9:57 pm on June 20, 2019, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Dominato*

THAT the length of the meeting be extended to continue hearing staff and applicant closing submissions.

*LOST
not having received the required majority
(Councillor Hardwick opposed)
(Councillor Carr absent for the vote)*

Subsequently, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Dominato*

THAT the Public Hearing recess and reconvene at 6 pm on June 25, 2019, to continue with questions to staff and make a decision on the application.

*CARRIED
(Councillors Hardwick and Kirby-Yung opposed)
(Councillor Carr absent for the vote)*

Council recessed at 10 pm on June 20, 2019, and reconvened at 6:10 pm on June 25, 2019.

* * * * *

On June 25, 2019, the Deputy City Manager advised that staff would only be responding to questions related to the application, as several questions regarding other matters had been submitted.

Staff and the applicant responded to additional questions submitted by Council, regarding traffic and outreach to the hospital before and during the application process. Staff also noted that discussion with the hospice have informed the application and conditions of approval, and that on balance, mitigations planned during construction and after will result in a development that is a positive addition to the neighbourhood, and provide much needed housing in the area.

Staff and the applicant responded to additional questions.

Council Decision

Prior to the vote, Councillors Bligh, Boyle, De Genova, Carr, Hardwick, Kirby-Yung, Swanson, Wiebe and Mayor Stewart all advised they had reviewed the proceedings of the Public Hearing which they missed and would be voting on the application.

MOVED by Councillor De Genova
SECONDED by Councillor Boyle

- A. THAT the application by Stuart Howard Architects Inc., on behalf of Jagmohan Singh Pabla and Kamlesh Rani Pabla, the registered owners, to rezone 4575 Granville Street [*Lot 13, Block 790, District Lot 526, Plan 6011; PID 011-002-689*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.33 and the height from 10.7 m (35 ft.) to 12.6 m (41 ft.) to permit the development of two residential buildings containing a total of 21 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated April 30, 2019, entitled "CD-1 Rezoning: 4575 Granville Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects Inc. and received on February 16, 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 to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated April 30, 2019, entitled "CD-1 Rezoning: 4575 Granville Street".
- 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 April 30, 2019, entitled "CD-1 Rezoning: 4575 Granville Street", 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 applicant and its mortgagee(s) and prior to enactment of the CD-1 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 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.

amended

* * * * *

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

THAT Council recess for 10 minutes to allow a member to review the proceedings of the Public Hearing which she missed.

CARRIED UNANIMOUSLY

Council recessed at 7:24 pm and reconvened at 7:37 pm

* * * * *

Councillor Dominato advised she had reviewed the proceedings of the Public Hearing which she missed and would be voting on the application.

AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

THAT the following be added to the motion:

THAT Council affirm support for Development and Planning staff to work with the applicant to achieve the best possible communication to support the shortest practical timeline for any permits and construction, within the current process, to minimize the disruption that may be experienced by the Vancouver Hospice Society located at 4615 Granville Street.

amended

AMENDMENT TO THE AMENDMENT MOVED by Councillor Carr
SECONDED by Councillor Fry

THAT the words "to minimize the disruption that may be experienced by the Vancouver Hospice Society located at 4615 Granville Street" be deleted and the following inserted: "with an additional condition of rezoning enactment being added to require that a Good Neighbour Agreement is entered into by the Vancouver Hospice Society and registered owners of 4575 Granville Street to cover the construction period and minimize construction-related impacts on the Hospice."

carried

In discussion, Councillor De Genova rose on a point of information to ask what would happen to the development if one side refused to enter into a Good Neighbour Agreement, if this additional condition was approved. The Mayor also requested some examples of previous Good Neighbour Agreements related to developments. The Deputy City Manager requested a brief recess to confer with Legal Services.

* * * * *

MOVED by Councillor Dominato
SECONDED by Councillor De Genova

THAT Council recess in order to allow staff to consult with Legal Services.

CARRIED
(Councillors Bligh, Hardwick and Swanson opposed)

Council recessed at 7:51 pm and reconvened at 8 pm.

* * * * *

Following the recess, the Deputy City Manager advised that if the two parties cannot agree to a Good Neighbour Agreement as one of the conditions of development, if the developer wished to proceed, staff would have to return to Council with options. The Senior Social Policy Planner provided an example of a previous Good Neighbour Agreement in a development.

Following the advice from the Deputy City Manager, the amendment to the amendment was put and CARRIED UNANIMOUSLY (Vote No. 04640). Subsequently, the amendment as amended was put and CARRIED UNANIMOUSLY (Vote No. 04641).

AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT the following be added to the motion as amended regarding the Good Neighbour Agreement:

AND FURTHER THAT if the terms and conditions of a Good Neighbour Agreement between the owner of the Vancouver Hospice Society and the registered owners of 4574 Granville street cannot reasonably be agreed upon by those parties, that at the discretion of the General Manager of Arts, Culture and Community Services, and on terms and conditions satisfactory to the Director of Legal Services, the City and the registered owners of 4574 Granville street enter into a Good Neighbour Agreement that includes terms and conditions to minimize construction-related impacts on the Hospice.

CARRIED (Vote No. 04642)
(Councillor Fry opposed)

The amendments having carried the motion as amended was put and LOST with Councillors Bligh, Carr, Fry, Hardwick, Kirby-Yung, Swanson and Wiebe opposed (Vote No. 04643).

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:04 pm on June 25, 2019.

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