



PUBLIC HEARING MINUTES

SEPTEMBER 10, 2019

A Public Hearing of the City of Vancouver was held on Tuesday, September 10, 2019, at 6:20 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT:

Mayor Kennedy Stewart
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

ABSENT:

Councillor Rebecca Bligh (Leave of Absence – Civic Business)

CITY MANAGER'S OFFICE:

Sadhu Johnston, City Manager

CITY CLERK'S OFFICE:

Tina Penney, Deputy City Clerk
Tamarra Wong, 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 Carr

THAT this Council resolve itself into Committee of the Whole, The Mayor in the Chair, to consider proposed amendments to Zoning and Development, CD-1 and Heritage By-laws.

LOST

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

(Councillors De Genova and Dominato absent for the vote)

1. TEXT AMENDMENT: 2019 Annual Rate Adjustments to Density Bonus Contributions

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

Summary: To amend the Zoning and Development By-law to implement 2019 inflationary rate adjustments for non-residential density bonus contributions. The inflationary rate adjustment to density bonus contributions are an annual process that allows the City to keep pace with annual changes in property values and construction costs, and helps ensure the continued delivery of necessary growth-related amenities and infrastructure.

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 and receipt of public comments.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability 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 6:30 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT, to implement 2019 inflationary rate adjustments for non-residential density bonus contributions (I-1A, I-1B, and I-3), the application to amend Schedule F of the Zoning and Development By-law effective September 30, 2019, generally in accordance with Appendix A of the Policy Report dated June 26, 2019, entitled "2019 Annual Rate Adjustments to Density Bonus Contributions", be approved.
- B. THAT, in light of the weakening residential market, Council forgo the 2019 inflationary rate adjustments on density bonus contributions related to residential development and carry forward current rates as shown in Schedule A of Appendix A of the Policy Report dated June 26, 2019, entitled "2019 Annual Rate Adjustments to Density Bonus Contributions".

CARRIED UNANIMOUSLY (Vote No. 04848)

2. HERITAGE DESIGNATION: 2441 Trinity Street (David Crawford Residence)

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

Summary: To designate as protected heritage property the structure and exterior of the existing building at 2441 Trinity Street, and to add it to the Vancouver Heritage Register in the 'B' evaluation category.

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 one piece of correspondence dealing with other aspects of the application, since being referred to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 6:32 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Fry

- A. THAT Council add the existing building at 2441 Trinity Street (*PID: 008-691-975; The East ½ of Lot 255 Town of Hastings Plan 100* (the “site”)) known as the David Crawford Residence 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 structure and exterior of the David Crawford Residence (the “heritage building”) as protected heritage property.
- C. THAT A and B 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. 04849)

3. **REZONING: 4500 Oak Street (Children’s & Women’s Health Centre of British Columbia)**

An application by MCMP Architects was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (126) for 4500 Oak Street, to permit a maximum height up to 18.3 metres (60 feet) to allow for a 470 square metre (5,060 square foot) expansion of the existing fourth floor of the Children’s Hospital Research Institute.

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 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 6:35 pm.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Boyle

- A. THAT the application by MCMP Architects, on behalf of Provincial Health Services Authority (“PHSA”), to amend the text of CD-1 (Comprehensive Development) District (126) By-law No. 5091, for 4500 Oak Street [*PID: 009-471-278; Block 1009, Except those in portions in Plans 12393, 12719 and Reference Plan 14318, District Lot 526, Group 1, New Westminster District Plan 10359*] (the “Health Centre Site”), to amend the height as shown in diagram 1 of the CD-1 in order to allow a 470 sq. m (5,060 sq. ft.) expansion of the existing fourth floor of the Children’s Hospital Research Institute located on the Health Centre Site, generally as presented in Appendix A of the Policy Report dated July 23, 2019, entitled “CD-1 Text Amendment: 4500 Oak Street (Children’s & Women’s Health Centre of British Columbia)” be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by MCMP Architects and received on September 17, 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 Policy 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. 04850)

4. TEXT AMENDMENT: Miscellaneous Amendments to 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 (Comprehensive Development) District (255) at 321 Princess Avenue, CD-1 (60) at 3595 Kingsway, and CD-1 (562) at 508 Helmcken Street, to allow Child Day Care Facility as a use, to correct map numbering, and to remove Adult Retail Store as a use.

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 and receipt of public comments.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability 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 6:40 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT Council approve the following applications to:
 - (i) amend CD-1 (255) By-law No. 6713 for 321 Princess Avenue to add Child Day Care Facility, generally as presented in Appendix A of the Policy Report dated July 9, 2019, entitled "Miscellaneous Amendments to CD-1 By-laws"; and
 - (ii) amend CD-1 (60) By-law No. 4491 for 3595 Kingsway to correct map numbering, generally as presented in Appendix B; of the Policy Report dated July 9, 2019, entitled "Miscellaneous Amendments to CD-1 By-laws"; and

- (iii) amend CD-1 (562) By-law No. 10870 for 508 Helmcken Street to correct map numbering and remove Adult Retail Store use, generally as presented in Appendix C of the Policy Report dated July 9, 2019, entitled "Miscellaneous Amendments to CD-1 By-laws".

CARRIED UNANIMOUSLY (Vote No. 0 4851)

5. HERITAGE DESIGNATION: 1517 Comox Street (George Residence)

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

Summary: To designate as protected heritage property the structure and exterior of the existing building at 1517 Comox Street, which is listed on the Vancouver Heritage Register in the 'B' evaluation category.

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 one piece of correspondence dealing with other aspects of 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

Staff from Planning, Urban Design and Sustainability and Arts, Culture and Community Services staff responded to questions.

Speakers

The Mayor called for speakers for and against the application.

James Douglass spoke in opposition of the application.

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

Applicant Closing Comments

W. Neil Robertson, Stuart Howard Architects Inc., provided closing comments.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability and Arts, Culture and Community Services, along with the City Manager, responded to questions.

The City Manager noted that the application relates only to the approval of the property's Heritage Designation and that its development permit application would go before the Development Permit Board.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Kirby-Yung

- 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 1517 Comox Street (the "heritage building") (PID: 015-761-185; The East 1/2 of Lot 14, Block 47, District Lot 185, Plan 92 (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 (Vote No. 04852)
(Councillor Swanson opposed)

6. REZONING: 2499 East 48th Avenue

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

Summary: To rezone 2499 East 48th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey, 100-unit Community Care Facility for seniors. A height of 16.0 metres (52.4 feet) and a floor space ratio (FSR) of 1.91 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 one piece of correspondence in support of the application since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

Speakers

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

The speakers list and receipt of public comments closed at 7:42 pm.

Council Decision

MOVED by Councillor Wiebe

SECONDED by Councillor Dominato

- A. THAT the application by Integra Architecture Inc., on behalf of 2602106 Ontario Limited (Sunrise Senior Living), the registered owner, to rezone 2499 East 48th Avenue [*PID 030-053-609; Lot 2, Block C and D, North West Quarter, District Lot 336, Group 1, New Westminster District Plan EPP65874*], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.91 and the maximum building height from 10.7 m (35.1 ft.) to 16.0 m (52.4 ft.) to permit the development of a four-storey, 100-unit Community Care Facility for seniors, generally as presented in Appendix A of the Policy Report dated July 9, 2019 entitled "CD-1 Rezoning: 2499 East 48th Avenue" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Integra Architecture Inc. and received on September 12, 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 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 July 9, 2019, entitled "CD-1 Rezoning: 2499 East 48th Avenue".
- 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 Parking By-law, generally as set out in Appendix C of the Policy Report dated July 9, 2019, entitled "CD-1 Rezoning: 2499 East 48th 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 UNANIMOUSLY (Vote No. 04853)

7. REZONING: 485 West 35th Avenue

An application by GUD Group was considered as follows:

Summary: To rezone 485 West 35th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 17 strata-titled units. A height of 19.5 metres (63.9 feet) and a floor space ratio (FSR) of 2.48 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 and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 7:47 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Dominato

- A. THAT the application by GUD Group, on behalf of Mao Wei Zhang, the registered owner, to rezone 485 West 35th Avenue [*PID 010-153-845; Amended Lot 11 (Explanatory Plan 8233), Block 840, District Lot 526, Plan 8324*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.48 and the maximum building height from 10.7 m (35.1 ft.) to 19.5 m (63.9 ft.) to permit the development of a six-storey residential building containing 17 strata-titled units generally as presented in Appendix A of the Policy Report dated July 9, 2019, entitled "CD-1 Rezoning: 485 West 35th Avenue" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GUD Group and received on September 12, 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 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 July 9, 2019, entitled "CD-1 Rezoning: 485 West 35th Avenue".
- C. THAT A through 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. 04854)

8. REZONING: 8636-8656 Oak Street

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

Summary: To rezone 8636-8656 Oak Street from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of two six-storey residential buildings with 91 rental housing units. A height of 19.8 metres (65 feet) and an FSR of 2.50 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.

Council also had before it a memorandum dated September 10, 2019, from the General Manager, Planning, Urban Design and Sustainability, which described for Council the updates to Appendix C (Summary of Tenant Relocation Plan Terms). The table in the revised Appendix C, described for Council the applicant's new *Tenant Relocation Plan (the "TRP")* policy requirements, the applicant's original TRP offering from February 2019, and their updated offering as of August 2019.

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:

- One piece of correspondence in support; and
- Forty-nine pieces of correspondence in opposition of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented the application, including the information in the above-noted memo, and along with staff from Arts, Culture and Community Services, responded to questions.

Applicant Comments

The applicant, Wing Ting Leung, W.T. Leung Architects Inc., made opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Scot Sorensen

- Xufeng Li

The following spoke in opposition of the application, noting concerns with affordability and displacement of current tenants:

- Kenneth Skidmore, Organizer – Marpole Chapter, Vancouver Tenants Union
- Meredith Sargent, Member, St Augustine’s Anglican Church
- Bing Conde
- Tsering Dolkar
- Lisa Descary
- Liam McClure
- Maria Sandra Bananal
- Caitlin Beck
- Perla Agdeppa
- Jim Wilson

Drew Weselak spoke to other matters related to the application.

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During the hearing of speakers, the City Manager provided clarification on Councillors’ impartiality during the Public Hearing process.

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REFERRAL MOVED by Councillor Carr
SECONDED by Councillor Fry

THAT the length of the meeting be extended to hear from the remaining list of speakers;

FURTHER THAT Council refer debate and decision on Item 8, entitled “REZONING: 8636-8656 Oak Street”, to the Council Reserve date on Tuesday, September 17, 2019, at 6 pm.

reconsidered

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Council recessed at 9:45 pm and reconvened at 9:49 pm.

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The Mayor called for additional speakers for and against this application.

The following spoke in support:

- Eric Aderneck
- Robert Lee

The following spoke in opposition:

- Craig Jorgensen
- Calvin Webber
- Christine Lomack
- Sarah Sagaii, Organizer, Vancouver Tenants Union

Theresa Dolores Gray spoke to other matters related to the application.

The speakers list and receipt of public comments closed at 10:39 pm.

RECONSIDERATION MOVED by Councillor Carr
SECONDED by Councillor Hardwick

THAT the length of the meeting be extended to hear from the remaining list of speakers;

FURTHER THAT Council refer questions to staff, debate and decision to the Regular Council meeting, immediately following the Standing Committee on Policy and Strategic Priorities, on September 11, 2019, as Unfinished Business.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor Boyle

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:43 pm.

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