



PUBLIC HEARING MINUTES

SEPTEMBER 12 AND 17, 2019

A Public Hearing of the City of Vancouver was held on Thursday, September 12, 2019, at 6:06 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on Tuesday, September 17, 2019, at 6:03 pm.

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 - September 12; Medical Leave - September 17)
Councillor Colleen Hardwick (September 17)

CITY MANAGER'S OFFICE:

Sadhu Johnston, City Manager

CITY CLERK'S OFFICE:

Tina Penney, Deputy City Clerk
Denise Swanston, 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 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 and Development by-laws.

LOST

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

1. REZONING: 768-780 West 27th Avenue

An application by SHAPE Architecture was considered as follows:

Summary: To rezone 768-780 West 27th 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 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 6:13 pm, on September 12, 2019.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by SHAPE Architecture on behalf of Willow and West 27th Properties Ltd., the registered owner, to rezone 768-780 West 27th Avenue [*Lots 3 and 2, both of Block 718, District Lot 526; Plan 6856, PIDs: 008-258-511 and 004-252-896 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 July 9, 2019, entitled "Rezoning: 768-780 West 27th 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 July 9, 2019, entitled "Rezoning: 768-780 West 27th 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. 04883)
(Councillors De Genova and Fry absent for the vote)

2. REZONING: 5507-5521 Columbia Street

An application by SHAPE Architecture was considered as follows:

Summary: To rezone 5507-5521 Columbia Street 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 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 6:15 pm, on September 12, 2019.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Boyle

- A. THAT the application by SHAPE Architecture on behalf of 1171725 B.C. LTD., the registered owner, to rezone 5507-5521 Columbia Street [*Lots 30 and 31, both of Block 848, District Lot 526, Plan 7145; PIDs: 010-701-443 and 010-701-494 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 July 9, 2019, entitled "Rezoning: 5507-5521 Columbia Street" 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 July 9, 2019, entitled "Rezoning: 5507-5521 Columbia 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. 04884)
(Councillor De Genova absent for the vote)

3. REZONING: 6538-6568 Oak Street

An application by Fougere Architecture was considered as follows:

Summary: To rezone 6538-6568 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 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.

Applicant Comments

The applicant 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 6:18 pm, on September 12, 2019.

Council Decision

MOVED by Councillor Wiebe
SECONDED by Councillor Carr

- A. THAT the application by Fougere Architecture on behalf of Western Oakville Project Ltd., the registered owner, to rezone:
- 6538 Oak Street [*PID: 010-038-779; Lot 36, Except Part in Explanatory Plan LMP107, Block 78, District Lot 526, Plan 8550*];
 - 6562 Oak Street [*PID: 010-038-736; Lot 35, Except Part in Explanatory Plan 20391, Block 78, District Lot 526, Plan 8550*]; and
 - 6568 Oak Street [*PID: 010-038-698; Lot 34, Except Part in Explanatory Plan 20389, Block 78, District Lot 526, Plan 8550*];

all from RS-1 (One-Family Dwelling) District to RM-8AN (Multiple Dwelling) District, generally as presented in Appendix A of the Policy Report dated July 9, 2019, entitled "Rezoning: 6538-6568 Oak Street" 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 July 9, 2019, entitled "Rezoning: 6538-6568 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. 04885)
(Councillor De Genova absent for the vote)

4. REZONING: 692 West 29th Avenue

An application by Paramax Homes was considered as follows:

Summary: To rezone 692 West 29th 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 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 6:20 pm, on September 12, 2019.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Boyle

- A. THAT the application by Paramax Homes, on behalf of Upland Developments Ltd., the registered owner, to rezone 692 West 29th Avenue [*PID: 010-730-699, Lot 1, Block 759, District Lot 526, Plan 7115*] from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District, generally as presented in Appendix A of the Policy Report dated July 9, 2019, entitled "Rezoning: 692 West 29th 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 July 9, 2019, entitled "Rezoning: 692 West 29th 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. 04886)
(Councillor De Genova absent for the vote)

5. REZONING: 668-692 West 54th Avenue

An application by Amber Oasis W 54th Ave Limited Partnership was considered as follows:

Summary: To rezone 668-692 West 54th 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 the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

One piece of correspondence in support 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 6:23 pm, on September 12, 2019.

Council Decision

MOVED by Councillor Boyle
SECONDED by Councillor Dominato

- A. THAT the application by Amber Oasis W 54th Ave Limited Partnership on behalf of 1113240 B.C. Ltd., the registered owner, to rezone 668-692 West 54th Avenue [*Lots 3, 2 and 1, all of Block 885, District Lot 526, Plan 9858; PIDs: 009-446-371, 009-446-362, and 009-446-354 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 July 9, 2019, entitled "Rezoning: 668-692 West 54th 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 July 9, 2019, entitled “Rezoning: 668-692 West 54th 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. 04888)
(Councillor De Genova absent for the vote)

6. REZONING: CD-1 Rezoning: 1535-1557 Grant Street

An application by Stuart Howard Architects Inc. was considered as follows:

Summary: To rezone 1535-1557 Grant Street from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a five-storey residential building with 35 rental housing units. A height of 17.3 metres (56.7 feet) and a floor space ratio (FSR) of 2.19 are proposed.

Council also had before it a memo dated September 10, 2019, from the General Manager of Planning, Urban Design and Sustainability, which provided additional information to the draft Tenant Relocation Plan related to the above-noted application.

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:

- 82 pieces of correspondence in support;
- 86 pieces of correspondence in opposition; and
- 1 piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Applicant Comments

The applicant team presented on the application and responded to questions.

Speakers

On September 12, 2019, the Mayor called for speakers for and against the application.

The following spoke in support of the application:

- David Holloway
- Matthew MacLean, Venables street holdings LTD
- Sylvain Celaire, Director of Business Development, Modo
- Rebecca Hartley
- Louise Chapman, Development Manager, The Cultch
- Peer-Daniel Krause, Policy Manager, BC Non-Profit Housing Association

The following spoke in opposition of the application:

- Stephen Bohus
- Anne Worrall
- Rob Fisher
- Doug Remington
- Jackie Ross, Principal, J. Ross Recruiters
- Jodie Stark
- Eleanor Worrall
- Danielle Pepin
- Witmar Abele
- Matthew Crane
- John Richards

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During the hearing of speakers, it was,

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

THAT the meeting be extended to conclude hearing from speakers.

*LOST
not having received the required majority
(Councillor De Genova opposed)*

At 10:00 pm, it was,

*MOVED by Councillor De Genova
SECONDED by Councillor Swanson*

THAT the meeting recess and reconvene on Tuesday, September 17, 2019, at 6 pm.

*CARRIED
(Councillor Dominato opposed)*

*On September 12, 2019, the Public Hearing recessed at 10:01 pm and
reconvened on September 17, 2019, at 6:03 pm.*

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Speakers (continued)

On September 17, 2019, the Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Jarrod Levitan
- Stuart Smith, Board Member, Abundant Housing Vancouver
- Owen Brady
- David Hutniak, CEO, Landlord BC
- Anthony Cotter
- Jason Del Vicario
- Noe Marle
- Sage Brocklebank
- Devon Hussack

The following spoke in opposition of the application:

- Andrea Lum
- Jennifer Harrington
- Edward Stringer
- Ron Clay
- David Dove
- Owen James

The following spoke to other aspects related to the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 7:53 pm, on September 17, 2019.

Applicant Closing Comments

The applicant team responded to concerns and commented that some renderings and comments provided by speakers were incorrect and misleading. The team also advised that all current tenants will have the right of first refusal as well as a 20% discount on the new development.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability, along with Engineering and Arts, Culture and Community Services staff, responded to additional questions and provided closing comments.

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*At 8:30 pm, Mayor Stewart left the meeting and Councillor De Genova assumed the Chair.
At 8:40 pm, Mayor Stewart returned and assumed the Chair for the remainder of the meeting.*

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Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

- A. THAT the application by Stuart Howard Architects Inc., on behalf of 1121613 B.C. Ltd., Gavin Ronald McLeod and Jillian Alexandra McLeod, and Pathfinder Expeditions Ltd. (the registered owners) to rezone 1535-1557 Grant Street [*Lots 9 to 12, all of Block 52, District Lot 264A, Plans 1091 and 1771; PIDs 014-979-667, 014-979-756, 014-979-675, and 014-979-691 respectively*], from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 0.75 to 2.19 and the building height from 10.7 m to 17.3 m to permit the development of a five-storey residential building which would contain 35 rental housing units, generally as presented in Appendix A of the Policy Report dated July 9, 2019, entitled "CD-1 Rezoning: 1535-1557 Grant 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 March 19, 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 Policy Report.

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report dated July 9, 2019,

entitled "CD-1 Rezoning: 1535-1557 Grant Street" the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.

- 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.
- D. THAT the draft Tenant Relocation Plan's right of first refusal section, as described in the yellow memo dated September 10, 2019, be amended to show that the applicant has met the requirement to provide a 20% right of first refusal for all eligible units (2 units);

FURTHER THAT Council acknowledge and support the applicant's offer to extend the 20% right of first refusal to the tenants of the 5 remaining ineligible units, and will provide a unit suitable to current household size or smaller at the direction of the tenant.

CARRIED (Vote No. 04889)
(Councillors Carr, Fry and Swanson opposed)

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:24 pm on September 17, 2019.

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