



## PUBLIC HEARING MINUTES

DECEMBER 10, 2019

A Public Hearing of the City of Vancouver was held on Tuesday, December 10, 2019, at 6:08 pm, in the Council Chamber, Third Floor, City Hall.

**PRESENT:**

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

**CITY MANAGER'S OFFICE:** Sadhu Johnston, City Manager

**CITY CLERK'S OFFICE:** Rosemary Hagiwara, Deputy City Clerk  
Tina Hildebrandt, 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.

### 1. **REZONING: 6161 Cambie Street (Alliance Française)**

An application by McFarland Marceau Architects was considered as follows:

**Summary:** To rezone 6161 Cambie Street from to CD-1 (12) (Comprehensive Development) District to a new CD-1 District, to permit redevelopment with a three-storey building containing the Alliance Française, an existing educational and cultural facility. The proposal also includes commercial uses at grade and leasable office space on the third floor. A building height of 17.2 metres (56.3 feet) is proposed with provision for a skylight enclosure up to 18.7 m. A floor space ratio (FSR) of 2.28 is proposed, which includes added storage and washroom space.

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 received a memorandum dated December 3, 2019, from the General Manager of Planning, Urban Design and Sustainability, which provided an update on changes to the floor space ratio (FSR) and building height in the Draft CD-1 By-law as set out in Appendix A of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”. The memorandum also included a change to the CAC in the Conditions of Approval as set out in Appendix B of the above-noted Policy Report. As the above-noted changes to height and density were made to the draft CD-1 By-law posted for the Public Hearing and as the change to the CAC was contained in the summary and recommendation of the Public Hearing agenda, no further action was required of Council.

### **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:

- 9 pieces of correspondence in support;
- 1 piece of correspondence in opposition; and
- 2 pieces of correspondence regarding other aspects related to the application.

### **Staff Opening Comments**

Planning, Urban Design and Sustainability staff reviewed the application, including the changes outlined in the above-noted memorandum, and along with Arts, Culture and Community Services and Engineering staff, responded to questions.

### **Applicant Comments**

Marie-Claire Howard, Chair, Board of Directors, Alliance Française de Vancouver, provided opening comments in support of the application but raised concerns that the increased development fees could jeopardize the financial stability of the cultural centre and, along with Damien Hubert, Executive Director, Alliance Française de Vancouver, responded to questions in relation to these concerns.

\* \* \* \* \*

*During questions to staff and the applicant, Councillor Carr rose on a point of order regarding the appropriateness of the discussion around costs and sought direction. The Mayor, along with the City Manager, reminded Council of procedures and best practices during the public hearing process.*

\* \* \* \* \*

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Julie Wang
- Lena Sverdlov, Perez Centre

The speakers list and receipt of public comments closed at 7:31 pm.

## Applicant Closing Comments

Marie-Odile Marceau, Principal, McFarland Marceau Architects, provided closing comments.

## Staff Closing Comments

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

## Council Decision

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Fry

- A. THAT the application by McFarland Marceau Architects, on behalf of L'Alliance Française de Vancouver, the registered owner, to rezone 6161 Cambie Street [PID 009 300-996, Lot 3 of Lot B, Block 1008, District Lot 526, Plan 10803] from CD-1 (12) Comprehensive Development) District to a new CD-1 to permit the redevelopment of Alliance Française, an existing educational and cultural facility on site, generally as presented in Appendix A of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 6161 Cambie Street (Alliance Française)", and in the memorandum dated December 3, 2019, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by McFarland Marceau Architects and received on August 20, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development, including consideration of additional floor area for storage and washrooms, and a rooftop skylight element as described in the memorandum dated December 3, 2019; and

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report, except that condition 4 in Part 2 be replaced with the following:

### "Community Amenity Contribution

4. Pay to the City the cash Community Amenity Contribution of \$64,293 which the Owner/Applicant has offered to the City and which is to be allocated to support the delivery of the *Cambie Corridor Public Benefits Strategy*. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services."
- B. THAT the consequential amendment to remove the subject site from the CD-1 District (12) By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 6161 Cambie Street (Alliance Française)", be approved.

- C. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”, be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”.
- E. THAT A through D above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs 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

AMENDMENT MOVED by Councillor Carr  
SECONDED by Councillor De Genova

THAT A of the motion be amended to include clarification on the contents of the memorandum dated December 3, 2019, from the General Manager of Planning, Urban Design and Sustainability.

CARRIED UNANIMOUSLY (Vote No. 05300)

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 05301).

#### **FINAL MOTION AS APPROVED**

- A. THAT the application by McFarland Marceau Architects, on behalf of L’Alliance Française de Vancouver, the registered owner, to rezone 6161 Cambie Street [PID 009 300-996, Lot 3 of Lot B, Block 1008, District Lot 526, Plan 10803] from CD-1 (12 Comprehensive Development) District to a new CD-1 to permit the redevelopment of Alliance Française, an existing educational and cultural facility on site, generally as presented in Appendix A of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”, be approved in principle, with the following amendments

as outlined in the memorandum dated December 3, 2019, from the General Manager of Planning, Urban Design and Sustainability:

- increase in proposed FSR from 1.93 to 2.28; and
- relaxation of proposed building height from 17.2 m to 18.7 m;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by McFarland Marceau Architects and received on August 20, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development, including consideration of additional floor area for storage and washrooms, and a rooftop skylight element as described in the above-noted memorandum dated December 3, 2019; and

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report, except that the condition 4 in Part 2 be replaced with the following:

**“Community Amenity Contribution**

4. Pay to the City the cash Community Amenity Contribution of \$64,293 which the Owner/Applicant has offered to the City and which is to be allocated to support the delivery of the *Cambie Corridor Public Benefits Strategy*. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.”
- B. THAT the consequential amendment to remove the subject site from the CD-1 District (12) By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”, be approved.
- C. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”, be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled “CD-1 Rezoning: 6161 Cambie Street (Alliance Française)”.
- E. THAT A through D above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs 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.

## **2. REZONING: 319-359 West 49th Avenue**

An application by Matthew Cheng Architects Inc. was considered as follows:

Summary: To rezone 319-359 West 49th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a four-and-a-half storey building containing commercial uses at grade and 51 strata residential units. A building height of 18.1 metres (59.4 feet) and a floor space ratio (FSR) of 2.30 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 on this application since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

### **Staff Opening Comments**

Planning, Urban Design and Sustainability staff responded to questions.

### **Speakers**

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

The speakers list and receipt of public comments closed at 8:03 pm.

### **Staff Closing Comments**

Planning, Urban Design and Sustainability staff responded to additional questions.

## Council Decision

MOVED by Councillor Kirby-Yung

SECONDED by Councillor Carr

- A. THAT the application by Matthew Cheng Architects Inc., on behalf of Killarney Enterprises (49th) Ltd., the registered owner, to rezone 319-359 West 49th Avenue [*Lots 13 and 14 and Subdivision 15, all of Lot 4, Block 999, District Lot 526, Plan 5531; PIDs: 011-138-360, 008-268-908, and 002-467-411 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 2.30 and the building height from 10.7 m (35 ft.) to 18.1 m (59.4 ft.) to permit the development of a four-and-a-half storey building containing commercial use and 51 strata residential units, generally as presented in Appendix A of the Policy Report dated October 22, 2019 entitled "CD-1 Rezoning: 319-359 West 49th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Matthew Cheng Architects Inc. and received December 12, 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 Policy Report.

- B. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 22, 2019 entitled "CD-1 Rezoning: 319-359 West 49th Avenue", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 319-359 West 49th Avenue".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 319-359 West 49th Avenue".
- E. THAT A through D above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs 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. 05302)

### **3. REZONING: 1102-1138 East Georgia Street**

An application by Ekistics Architecture was considered as follows:

Summary: To rezone 1102-1138 East Georgia Street from I-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey mixed-use building consisting of commercial and light industrial uses at grade with a mezzanine level, and 10 social housing units and 37 strata-titled residential units. A building height of 15.9 metres (52.2 feet) and a floor space ratio (FSR) of 2.57 are proposed.

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

#### **Summary of Correspondence**

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

- 24 pieces of correspondence in support; and
- 1 piece of correspondence in opposition.

#### **Staff Opening Comments**

Planning, Urban Design and Sustainability staff reviewed the application and, along with Arts, Culture and Community Services staff, responded to questions.

#### **Applicant Comments**

Mark Blackwood, Architect, Ekistics Architecture and James Tod, JTA Development Consultants responded to questions.

#### **Speakers**

The Mayor called for speakers for and against the application.



The following spoke in support of the application:

- Theodora Lamb, Executive Director, Strathcona Business Improvement Association
- Crystal Wiebe, Anhart Community Housing Society
- Ariana Vasconcelos
- Matthew Stier

The speakers list and receipt of public comments closed at 9:05 pm.

### Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to additional questions.

### Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Hardwick

- A. THAT the application by Ekistics Architecture, on behalf of CH (East Georgia) GP Inc., to rezone:
- (i) 1102-1120 East Georgia Street [*Lots 1 to 4, Block 21 of Block A, District Lot 182, Plan 355; PIDs: 015-363-945, 015-363-961, 015-363-970, and 015-363-996 respectively*];
  - (ii) 1128 East Georgia Street [*PID: 015-364-054; The East 19.5 Feet of Lot 5, Block 21 of Block A, District Lot 182, Plan 355; PID: 015-364-003; Lot 5, Except the East 19.5 Feet, Block 21 of Block A, District Lot 182, Plan 355; PID: 015-364-089; Lot 6, Block 21 of Block A, District Lot 182, Plan 355*];  
and
  - (iii) 1134-1138 East Georgia Street [*Lots 7 to 8, Block 21 of Block A, District Lot 182, Plan 355; PIDs: 013-499-459 and 013-499-475 respectively*]

all from I-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit development of a four-storey mixed-use building consisting of commercial and light industrial uses at grade with a mezzanine level, and a total of 47 residential units (37 strata-titled units and 10 social housing units), with a floor space ratio (FSR) of 2.57 and a building height of 15.9 m (52.2 ft.), generally as presented in Appendix A of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 1102-1138 East Georgia Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Ekistics Architecture and received August 14, 2018, with an addendum received July 18, 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 October 22, 2019, entitled "CD-1 Rezoning: 1102-1138 East Georgia 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 the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 1102-1138 East Georgia Street", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 22, 2019, entitled "CD-1 Rezoning: 1102-1138 East Georgia Street".
- E. THAT A through D above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs 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. 05303)

#### **4. REZONING: 1940 Main Street**

An application by Formosis Architecture was considered as follows:

Summary: To rezone 1940 Main Street from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building containing at-grade and below-grade commercial retail space, 49 strata residential units, and a 37-space City-owned childcare facility. A building height of 22.7 metres (74.5 feet) and a floor space ratio (FSR) of 3.75 are proposed.

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

### **Summary of Correspondence**

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

- 22 pieces of correspondence in support; and
- 1 piece of correspondence in opposition.

### **Staff Opening Comments**

Planning, Urban Design and Sustainability staff, along with Arts, Culture and Community Services and Engineering staff, responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Charles Gauthier, President and CEO, Downtown Vancouver BIA

The following spoke in opposition to the application and raised concerns with the proposed hotel use:

- Claire Lomas
- Michelle Travis, Spokesperson, Unite Here Local 40

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*At 9:51 pm, during the hearing of speakers it was*

*MOVED by Councillor Fry  
SECONDED by Councillor Boyle*

*THAT the meeting be extended to complete the business.*

*LOST HAVING NOT RECEIVED  
THE REQUIRED MAJORITY  
(Councillors De Genova, Dominato, Swanson and Wiebe opposed)  
(Councillor Hardwick absent for the vote)*

*Subsequently, it was*

*MOVED by Councillor Carr  
SECONDED by Councillo De Genova*

*THAT the meeting be extended to complete hearing from speakers on Item 4.  
REZONING: 1940 Main Street, and refer debate and decision to the Council meeting  
following the Standing Committee on City Finance and Services on December 11, 2019,  
as Unfinished Business.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY (Vote No. 05304)  
(Councillor Hardwick absent for the vote)*

\* \* \* \* \*

The speakers list and receipt of public comments closed at 10:09 pm.

### **Applicant Closing Comments**

Emma Cahalane, General Manager, Sonder, responded to questions related to concerns raised by some of the foregoing speakers.

### **ADJOURNMENT**

MOVED by Councillor Carr  
SECONDED by Councillor Bligh

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillors De Genova and Hardwick absent for the vote)

The Public Hearing adjourned at 10:12 pm.

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