



PUBLIC HEARING MINUTES

JANUARY 23 AND 30, 2020

A Public Hearing of the City of Vancouver was held on Thursday, January 23, 2020, at 6:16 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on Thursday, January 30, 2020, at 3:04 pm.

PRESENT: Mayor Kennedy Stewart*
Councillor Rebecca Bligh*
Councillor Christine Boyle (Deputy Mayor)* (Item 7)
Councillor Melissa De Genova*
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Colleen Hardwick*
Councillor Sarah Kirby-Yung
Councillor Jean Swanson* (Item 7)
Councillor Michael Wiebe*

ABSENT: Councillor Adriane Carr (Medical Leave – January 23, 2020)

ALSO PRESENT: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Katrina Leckovic, City Clerk
Tina Penney, Deputy City Clerk
Bonnie Kennett, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

Deputy Mayor Boyle 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.

Deputy Mayor Boyle 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. TEXT AMENDMENT: 505 Smithe Street

An application by Sina Pharmacy and Health Centre was considered as follows:

Summary: To amend CD-1 (442) (Comprehensive Development) District to increase the maximum permitted floor area by 50.2 square metres to allow for the addition of mezzanines in a ground-floor retail unit.

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

The speakers list and receipt of public comments closed at 6:22 pm.

Council Decision

MOVED by Councillor Hardwick

SECONDED by Councillor Dominato

- A. THAT the application by Sina Pharmacy and Health Centre, on behalf of Solterra Symphony Place Corp., to amend the text of CD-1 (Comprehensive Development) District (442) By-law No. 9173 for 505 Smithe Street (525 Smithe Street), [*PID 028-240-928, Air Space Parcel 1, Block 64, District Lot 541, Group 1, New Westminster District Air Space Plan BCP44927*] to increase the maximum permitted floor area by 50.2 sq. m to allow for the addition of mezzanines in a ground-floor retail unit, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "CD-1 Text Amendment: 505 Smithe Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Sina Pharmacy and Health Centre and received on August 2, 2019, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of the 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 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. 05460)
(Councillor Bligh and Mayor Stewart absent for the vote)
(Councillors De Genova and Wiebe on Leave of Absence for Personal Reasons)

2. REZONING: 916-926 West 32nd Avenue

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

Summary: To rezone 916-926 West 32nd 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.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability responded to questions.

Speakers

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

The speakers list and receipt of public comments closed at 6:27 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by CitiWest Consulting Ltd. on behalf of Oak32 Holdings Ltd., the registered owner, to rezone 916-926 West 32nd Avenue [*Lots 16 and 17, both of Block 816, District Lot 526, Plan 7334; PIDs: 010-659-447 and 010-659-455 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: 916-926 West 32nd 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 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: 916-926 West 32nd 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. 05461)
(Councillor Bligh and Mayor Stewart absent for the vote)
(Councillors De Genova and Wiebe on Leave of Absence for Personal Reasons)

3. REZONING: 514 West 61st Avenue

An application by Cambie Pacific Holdings was considered as follows:

Summary: To rezone 514 West 61st 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

Since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments, Council received one piece of correspondence in opposition of the application.

Speakers

The Deputy 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 Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by Cambie Pacific Holdings on behalf of Jaswinder Kaur Sidhu and Lianna Mah, the registered owners, to rezone 514 West 61st Avenue [Lot 11, Block M, District Lot 323, Plan 9322; PID: 009-688-463] all from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "Rezoning: 514 West 61st 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 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 Referral Report dated November 26, 2019, entitled "Rezoning: 514 West 61st 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. 05462)
(Councillor Bligh and Mayor Stewart absent for the vote)
(Councillors De Genova and Wiebe on Leave of Absence for Personal Reasons)

4. REZONING: 2209-2249 East Broadway

An application by EPIX Developments Ltd. was considered as follows:

Summary: To rezone 2209-2249 East Broadway from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the

development of a six-storey residential building containing 87 market strata housing units. A building height of 21.5 metres (70.5 feet) and a floor space ratio (FSR) of 2.65 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:

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

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability reviewed the application, and along with Engineering staff, responded to questions.

Applicant Opening Comments

Craig Taylor, Taylor Kurtz Architecture + Design Inc. and Derek DiMartile, Epix Development Ltd., responded to questions.

Speakers

The Deputy Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

- Stephen Bohus

The following provided general comments regarding public transportation:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 7:04 pm.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability and Engineering responded to additional questions.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Bligh

- A. THAT the application by EPIX Developments Ltd., on behalf of Epix Broadway BT Inc., to rezone 2209-2249 East Broadway [*Lot 84F, Block 151, District Lot 264A, Plan 3029, and Lots 85F, 86F, 87F, 88F and 89F, all except the north 5 feet now lane, Block 151, District Lot 264A, Plan 3029; PIDs 013-234-935, 013-234- 978, 013-234-994, 013-235-044, 004-405-021 and 013-235-079, respectively*], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 2.65 and the building height from 10.7 m (35.1 ft.) to 21.5 m (70.5 ft.) to permit the development of a six-storey residential building which would contain 87 market strata housing units, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled “CD-1 Rezoning: 2209-2249 East Broadway” be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Taylor Kurtz Architecture + Design Inc. and received on December 21, 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 Referral Report dated November 26, 2019, entitled “CD-1 Rezoning: 2209-2249 East Broadway”.
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED (Vote No. 05463)
(Councillor Swanson opposed)
(Mayor Stewart absent for the vote)
(Councillor De Genova on Leave of Absence for Personal Reasons)

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At 7:25 pm, prior to the start of item 5, Mayor Stewart assumed the Chair.

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5. REZONING: 8420 Kerr Street and 3104-3130 Southeast Marine Drive

An application by Gracorp Capital Advisors Ltd. was considered as follows:

Summary: To rezone 8420 Kerr Street and 3104-3130 Southeast Marine Drive from M-1B (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a seven-storey residential building containing 83 market strata units on the northern portion of the site and to transfer the southern portion of the site to the City for social housing purposes, to be developed by the City in the future with townhouses. A maximum building height of 24.9 metres (81.7 feet) and a floor space ratio (FSR) of 1.28 are proposed on the northern portion of the site.

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:

- 5 pieces of correspondence in opposition; and
- 11 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

Planning, Urban Design and Sustainability staff responded to questions.

Applicant Comments

Dane Jansen, DYS Architects, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Sean Rogers

The following provided general comments on the application and raised concerns regarding the need for more community amenities including a community centre and improved transportation in the neighbourhood:

- Esther Moreno
- Julio Bello, Executive Director, South Vancouver Family Place Society
- Nathan Davidowicz

The speakers list and receipt of public comments closed at 8:06 pm.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability, and Engineering Services responded to additional questions.

Council Decision

MOVED by Councillor Hardwick

SECONDED by Councillor Kirby-Yung

- A. THAT Council approve in principle the application by Gracorp Capital Advisors Ltd. on behalf of 1096351 B.C. Ltd., the registered owner, to rezone:
- 8420 Kerr Street and 3104 Southeast Marine Drive [*Strata Lots 1, 2 and 3, Districts Lot 330 and 331, Strata Plan VR. 1369, PIDs: 006-539-131,006-539-157 and 006-539-181, respectively*];
 - 3122 Southeast Marine Drive [*PID: 010-745-378; Lot B (Reference Plan 2950) of Lot 3, Block A of Block 8, District Lot 330, Plan 7062*]; and
 - 3130 Southeast Marine Drive [*PID: 010-351-591; Lot C of Lot 3, Block A of Block 8, District Lot 330, Plan 7818*];

all from M-1B (Industrial) District to CD-1 (Comprehensive Development) District, to:

- increase the building height from 12.2 m (40 ft.) to 24.9 m (81.7 ft.) to permit the development of a seven-storey residential building containing 83 market strata units on the northern portion of the site; and
- provide a dirt site (the southern portion of the site) to the City for social housing purposes, to be developed by the City in the future with townhouses at a maximum height of 14 m (45.9 ft.),

generally as presented in Appendix A of the Referral Report dated May 28, 2019, entitled "CD-1 Rezoning: 8420 Kerr Street and 3104-3130 Southeast Marine Drive";

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by DYS Architecture and received on June 26,

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 A 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. 05464)
(Councillor Swanson opposed)
(Councillor De Genova absent for the vote)

6. TEXT AMENDMENT: 1980 Foley Street

An application by Francl Architecture was considered as follows:

Summary: To amend CD-1 (402) (Comprehensive Development) District for 1980 Foley Street to increase the maximum building height from 36.6 metres to 65.6 metres to permit the development of a 13-storey office building. The proposal includes ground-floor retail and restaurant space and a floor area of 48,158 square metres (518,369 square feet).

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:

- 6 pieces of correspondence in support; and
- 15 pieces of correspondence in opposition.

Staff Opening Comments

Planning, Urban Design and Sustainability staff provided an overview of the application and responded to questions.

Applicant Comments

Bill Chandler, Vice President, Global Communications, lululemon athletica and Arne Emerson, Morphosis Architects, provided opening comments and an overview of the project and along with Angela Write, lululemon athletica, Richard Harris, SSC Project Manager and Kelty McKinnon, PFS Studio, responded to questions.

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At 9:54 pm, it was

MOVED by Councillor Boyle
SECONDED by Councillor De Genova

THAT the Public Hearing be extended to hear from speakers for item 6 and refer applicant closing comments, staff closing comments, questions to staff, debate and decision to January 30, 2020, at 3 pm;

FURTHER THAT item 7 be referred to January 30, 2020, at 3 pm, following item 6.

CARRIED AND
BY THE REQUIRED MAJORITY
(Councillor Bligh opposed)
(Councillor Hardwick and Wiebe absent for the vote)

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Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Charles Eyrich
- Tim Grant, Vice-President, PCI Developments

The following spoke in opposition of the application:

- Stephen Bohus
- Ryan Ingram

The following provided general comments on the application noting the need for childcare:

- Sharon Gregsson
- Ellen Woodsworth, Chairperson, Women Transforming Cities
- Tasha Henderson

The speakers list and receipt of public comments closed at 10:43 pm.

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On January 23, 2020, the Public Hearing recessed at 10:44 pm and reconvened on January 30, 2020 at 3:04 pm.

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Applicant Closing Comments

Bill Chandler, Vice President, Global Communications, lululemon athletica and Angela Write, lululemon athletica, provided closing comments.

Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments and addressed possible additional conditions regarding childcare, China Creek and Public Art for the application, and along with Social Policy staff and Engineering staff, responded to additional questions.

Council Decision

Prior to the vote on Item 6, Councillors Carr and De Genova both advised that they had reviewed the proceedings of the public hearing portion that they had missed on January 23, 2020, and would be voting on the application.

MOVED by Councillor De Genova
SECONDED by Councillor Bligh

- A. THAT the application by Francl Architecture, on behalf of 630321 B.C. Ltd, to amend the text of CD-1 (402) (Comprehensive Development) District By-law 8131 for 1980 Foley Street [*PID 025-102-419 Lot 1, District Lots 264A and 2037, Group 1, New Westminster District Plan LMP50588*], to increase the permitted building height from 36.6 m to 65.6 m and to add retail and restaurant as permitted uses, allowing development of a 13-storey office building with ground-floor retail and restaurant, and a floor area of 48,158 sq. m (518,369 sq. ft.), generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "CD-1 Text Amendment: 1980 Foley Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Francl Architecture and received on July 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 report, including the following:

- that the applicant make arrangements, prior to enactment, to the satisfaction of the Director of Legal Services and the General Manager of ACCS, to provide a public benefit cash contribution in the amount of \$3,500,000 to be used by the City at its sole discretion to fund a childcare facility or facilities within the Metro Core and adjacent areas in the City of Vancouver.

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.

amended

AMENDMENT MOVED by Councillor Kirby-Yung
SECONDED by Councillor Fry

THAT Appendix B of the Referral Report dated November 26, 2019, entitled "CD-1 Text Amendment: 1980 Foley Street", be amended by inserting the following text at the end of the recommendation in A:

and that the conditions of approval of form of development 1.2 and 1.7 are struck out and substituted with the following:

- 1.2 Design development to ensure the access from the public plazas on Great Northern Way and Foley Street remain legible. The following should apply:
 - a. Avoid placing heavy columns along the retail and restaurant front;
 - b. Maintain a high degree of visual porosity between the interior and exterior with the use of clear glass; and
 - c. Ensure weather-protection systems and retail layouts at the subsequent development permit stages will not obscure sightlines into the interior.

(Note to Applicant: The intent of this condition is to ensure the public realm around the building can be adequately animated, hence being aligned with the Broadway Plan's broader aims to improve Great Northern Way as a pedestrian-oriented route. In the case of this building, where

there are public plazas and interior atriums, the interior-exterior connection is important.)

- 1.7 Design development to further demonstrate how natural systems and biodiversity can be introduced to the China Creek Greenway.

(Note to Applicant: Work closely with City staff in Landscape Planning and Engineering to refine the China Creek Right of Way design to emulate marshlands historically in that area. Explorations of how the China Creek linear public open space can be more integrated into the building entry design along the east elevation are crucial. This condition should be cross-referenced to the urban design condition on improving the interior-exterior connection on the east façade, as well as the corresponding landscape conditions regarding China Creek.)

CARRIED UNANIMOUSLY (Vote No. 05476)
(Councillor Hardwick absent for the vote)

The amendment having carried unanimously, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 05477) with Councillor Hardwick absent for the vote.

FINAL MOTION AS APPROVED

- A. THAT the application by Francl Architecture, on behalf of 630321 B.C. Ltd, to amend the text of CD-1 (402) (Comprehensive Development) District By-law 8131 for 1980 Foley Street [*PID 025-102-419 Lot 1, District Lots 264A and 2037, Group 1, New Westminster District Plan LMP50588*], to increase the permitted building height from 36.6 m to 65.6 m and to add retail and restaurant as permitted uses, allowing development of a 13-storey office building with ground-floor retail and restaurant, and a floor area of 48,158 sq. m (518,369 sq. ft.), generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "CD-1 Text Amendment: 1980 Foley Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Francl Architecture and received on July 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 report, including the following:

- (i) that the applicant make arrangements, prior to enactment, to the satisfaction of the Director of Legal Services and the General Manager of ACCS, to provide a public benefit cash contribution in the amount of \$3,500,000 to be used by the City at its sole discretion to fund a childcare facility or facilities within the Metro Core and adjacent areas in the City of Vancouver.

- (ii) that the conditions of approval of form of development 1.2 and 1.7 are struck out and substituted with the following:

- 1.2 Design development to ensure the access from the public plazas on Great Northern Way and Foley Street remain legible. The following should apply:
- a. Avoid placing heavy columns along the retail and restaurant front;
 - b. Maintain a high degree of visual porosity between the interior and exterior with the use of clear glass; and
 - c. Ensure weather-protection systems and retail layouts at the subsequent development permit stages will not obscure sightlines into the interior.

(Note to Applicant: The intent of this condition is to ensure the public realm around the building can be adequately animated, hence being aligned with the Broadway Plan's broader aims to improve Great Northern Way as a pedestrian-oriented route. In the case of this building, where there are public plazas and interior atriums, the interior-exterior connection is important.)

- 1.7 Design development to further demonstrate how natural systems and biodiversity can be introduced to the China Creek Greenway.

(Note to Applicant: Work closely with City staff in Landscape Planning and Engineering to refine the China Creek Right of Way design to emulate marshlands historically in that area. Explorations of how the China Creek linear public open space can be more integrated into the building entry design along the east elevation are crucial. This condition should be cross-referenced to the urban design condition on improving the interior-exterior connection on the east façade, as well as the corresponding landscape conditions regarding China Creek.)

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.

7. REZONING: 878-898 West Broadway

An application by Arno Matis Architecture was considered as follows:

Summary: To rezone 878-898 West Broadway from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of two mid-rise commercial towers at 11 storeys and 13 storeys with hotel use and commercial-retail use at grade. A maximum building height of 42.3 metres (138.8 feet) and a floor space ratio (FSR) of 8.96 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:

- 10 pieces of correspondence in support; and
- 3 pieces of correspondence in opposition.

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application and responded to questions.

Applicant Comments

Arno Matis, Arno Matis Architecture, responded to questions.

* * * * *

At 4:55 pm, it was

MOVED by Councillor Boyle
SECONDED by Councillor De Genova

THAT the meeting be extended to hear from speakers and finish item 7.

CARRIED UNANIMOUSLY

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During the hearing speakers, Council recessed at 5:08 pm and reconvened at 5:12 pm.

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Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Gwendal Castellan, Manager, Sustainable Destination Development, Tourism Vancouver
- Nathan Davidowicz

The following spoke in opposition of the application:

- Mari Kane

The following provided general comments on flight safety and air space:

- Denis Donoghue

The speakers list and receipt of public comments closed at 5:38 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

- A. THAT the application by Arno Matis Architecture, on behalf of Centennial Hotel Ltd. (the registered owner of Lots 1, 2 and 3), of 339742 B.C. Ltd. (the registered owner of Lots 4, 5 and 6) and of 339743 B.C. Ltd. (the registered owner of the West ½ of Lot 7), to rezone 878-898 West Broadway [*Lots 1 to 6 and the West ½ of Lot 7, Block 357, District Lot 526, Plan 590; PIDs: 004-184-220, 004-184-254, 004 184 262, 004-184-297, 004-184-343, 004-184-394 and 004-184-459 respectively*] from C 3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 3.00 to 8.96 and the building height to 42.3 m (138.8 ft.), to permit the development of two mid-rise commercial towers at 11 storeys and 13 storeys over a three-storey podium, consisting of commercial-retail use at grade and hotel use, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled “CD-1 Rezoning: 878-898 West Broadway”, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Arno Matis Architecture and received on May 9, 2018, together with an addendum received October 15, 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 the above-noted report.

- B. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 878-898 West Broadway", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 878-898 West Broadway".
- 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

AMENDMENT MOVED by Councillor Kirby-Yung
SECONDED by Councillor Hardwick

THAT the following be added at the end of A:

AND FURTHER that staff continue to work with the applicant to determine the potential to support live music performances on the site prior to enactment, so as not to incur a loss of music performance space in the City of Vancouver.

amended

Councillor De Genova rose on a point of order to inquire if the amendment was in order. The Mayor ruled that the amendment was in order as Council can direct staff to discuss with the applicant about the possibility of retaining a live performance space however Council cannot receive any new information to influence their decision on the next phase of the process, which is enactment of the by-law.

AMENDMENT TO THE AMENDMENT MOVED by Councillor Carr
SECONDED by Councillor Kirby-Yung

THAT the words “prior to enactment” be struck out.

CARRIED (Vote No. 05478)
(Councillor De Genova opposed)
(Councillors Boyle and Swanson absent for the vote)

The amendment to the amendment having carried, the amendment as amended was put and CARRIED (Vote No. 05479) with Councillor De Genova opposed and Councillor Boyle absent for the vote.

The amended amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 05480) with Councillor Boyle absent for the vote.

FINAL MOTION AS APPROVED

- A. THAT the application by Arno Matis Architecture, on behalf of Centennial Hotel Ltd. (the registered owner of Lots 1, 2 and 3), of 339742 B.C. Ltd. (the registered owner of Lots 4, 5 and 6) and of 339743 B.C. Ltd. (the registered owner of the West ½ of Lot 7), to rezone 878-898 West Broadway [*Lots 1 to 6 and the West ½ of Lot 7, Block 357, District Lot 526, Plan 590; PIDs: 004-184-220, 004-184-254, 004 184 262, 004-184-297, 004-184-343, 004-184-394 and 004-184-459 respectively*] from C 3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 3.00 to 8.96 and the building height to 42.3 m (138.8 ft.), to permit the development of two mid-rise commercial towers at 11 storeys and 13 storeys over a three-storey podium, consisting of commercial-retail use at grade and hotel use, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled “CD-1 Rezoning: 878-898 West Broadway”, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Arno Matis Architecture and received on May 9, 2018, together with an addendum received October 15, 2019, 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 the above-noted report;

AND FURTHER THAT staff continue to work with the applicant to determine the potential to support live music performances on the site, so as not to incur a loss of music performance space in the City of Vancouver.

- 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 Referral Report dated November 26, 2019, entitled “CD-1 Rezoning: 878-898 West Broadway”, be approved.

- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 878-898 West Broadway".
- 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.

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 6:21 pm on January 30, 2020.

* * * * *

The foregoing are Minutes of the Public Hearing of January 23 and 30, 2020, adopted by Council on February 11, 2020.

MAYOR

ACTING CITY CLERK