



PUBLIC HEARING MINUTES

MAY 28, 2020

A Public Hearing of the City of Vancouver was held on Thursday, May 28, 2020, at 6:00 pm, in the Council Chamber, Third Floor, City Hall. This Council meeting was convened by electronic means as authorized under the *Order of the Minister of Public Safety and Solicitor General of the Province of British Columbia – Emergency Program Act, Ministerial Order No. M139*.

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 CLERK'S OFFICE:

- Tina Penney, Deputy City Clerk
- Tamarra Wong, Meeting Coordinator

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: 4989-5049 Ash Street**

An application by Pennyfarthing Properties Ash St. North Ltd. was considered as follows:

Summary: To rezone 4989-5049 Ash Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of two four-storey residential buildings with a total of 65 strata residential units. A building height of 14.5 metres (47.6 feet) and a floor space ratio (FSR) of 2.0 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

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.

Staff Opening Comments

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

Applicant Comments

The applicant team responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Monique Choptuik spoke in opposition of the application noting concerns with the fifth floor amenity space.

The speakers list and receipt of public comments closed at 6:30 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Fry

- A. THAT the application by Pennyfarthing Properties Ash St. North Ltd., the registered owner, to rezone 4989-5049 Ash Street [*Lots 42 to 45, Block 839, District Lot 526, Plan 8710; PIDs 007-769-067, 009-956-204, 009-956-808 and 009-956-816 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.7 to 2.0 and the building height from 10.7 m (35 ft.) to 14.5 m (47.6 ft.) to permit the development of two four-storey residential buildings with a total of 65 strata residential units, generally as presented in Appendix A of the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 4989-5049 Ash Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architect 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.

- 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 March 17, 2020, entitled “CD-1 Rezoning: 4989-5049 Ash 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 (Vote No. 05997)
(Councillor Swanson opposed)
(Councillor Hardwick abstained from the vote)

2. REZONING: 105-125 West 49th Avenue

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

Summary: To rezone 105-125 West 49th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey mixed-use building with 35 strata residential units. A building height of 15.4 metres (51 feet) and a floor space ratio (FSR) of 2.35 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

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.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation and along with staff from Engineering Services, responded to questions.

Applicant Comments

Robert Billard, Billard Architecture Inc., 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 6:50 pm.

Council Decision

MOVED by Councillor Wiebe

SECONDED by Councillor Kirby-Yung

- A. THAT the application by Billard Architecture Inc., on behalf of Thinkhome Realty Ltd., the registered owners, to rezone 105-125 West 49th Avenue [*Amended Lot 11 (See 263237L), Amended Lot 13 (See 263238L), and Lot 14, all of Block 1163, District Lot 526, Plan 4757; PIDs: 011-324-309, 011-324-350 and 011-324-384 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 2.35 and the building height from 10.7 m (35 ft.) to 15.4 m (51 ft.) to permit the development of a four-storey mixed-use building with 35 strata residential units, generally as presented in Appendix A of the Referral Report dated April 28, 2020, entitled "CD-1 Rezoning: 105-125 West 49th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Billard Architecture Inc. and received on July 26, 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.

- 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 April 28, 2020, entitled "CD-1 Rezoning: 105-125 West 49th Avenue".
- 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 Referral Report dated

April 28, 2020, entitled "CD-1 Rezoning: 105-125 West 49th Avenue", 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 Referral Report dated April 28, 2020, entitled "CD-1 Rezoning: 105-125 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 (Vote No. 05998)
(Councillor Swanson opposed)
(Councillor Hardwick abstained from the vote)

3. TEXT AMENDMENT: 650 West 41st Avenue

An application by Henriquez Architects was considered as follows:

Summary: To amend the text of CD-1 (Comprehensive Development) District (1) for 650 West 41st Avenue (Oakridge Centre) to update the sub-areas and corresponding height diagrams, add floor area exclusions for structures and amenities, and update the family housing requirements. No changes to land uses, floor area or density are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

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 provided a presentation and 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 7:06 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Henriquez Architects, on behalf of 7503059 Canada Inc., the registered owner, to amend the text of CD-1 (Comprehensive Development) District (1) for 650 West 41st Avenue (Oakridge Centre) [*PID: 003-128-687, Lot 7, Block 892, District Lot 526, Group 1, New Westminster District, Plan 20424, except Air Space Plan 20425 and Plan EPP85694*], generally as presented in Appendix A of the Referral Report dated April 14, 2020, entitled "CD-1 Text Amendment: 650 West 41st Avenue (Oakridge Centre)", be approved in principle.
- 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 Parking By-law, generally as set out in Appendix B of the Referral Report dated April 14, 2020, entitled "CD-1 Text Amendment: 650 West 41st Avenue (Oakridge Centre)".
- C. THAT A through B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or

discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED (Vote No. 05999)
(Councillor Swanson opposed)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:11 pm.

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