



## PUBLIC HEARING MINUTES

JUNE 23, 2020

A Public Hearing of the City of Vancouver was held on Tuesday, June 23, 2020, at 6:04 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. M192*.

**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:**

- Rosemary Hagiwara, Acting City Clerk
- Rowena Choi, 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: 7843-7845 Cambie Street

An application by Giant Union Design Architecture & Planning Ltd. was considered as follows:

Summary: To rezone 7843-7845 Cambie Street from RT-1 (Two-Family Dwelling) to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building. A building height of 18.9 metres (62 feet) and a floor space ratio (FSR) of 2.75 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

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.

## Applicant Comments

Xinmai Li, GUD Group, responded to questions.

## Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application noting concerns with the loss of the canopy of trees and wildlife along the Cambie corridor:

- Marika Piehler

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

## Council Decision

MOVED by Councillor Carr  
SECONDED by Councillor De Genova

- A. THAT the application by Giant Union Design Architecture & Planning Ltd., on behalf of WDG Investment Ltd., the registered owner, to rezone 7843-7845 Cambie Street [*PID: 009-689-044, Lot 13, Block N, District Lot 323, Plan 9322*] from RT-1 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.60 to 2.75 and the building height from 6.1 m (20 ft.) to 18.9 m (62 ft.) to permit the development of a six-storey residential building with 29 strata residential units, generally as presented in Appendix A of the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 7843-7845 Cambie Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Giant Union Design Architecture & Planning Ltd. and received on June 16, 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 Referral 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 (Vote No. 06111)  
(Councillor Swanson opposed)  
(Councillor Hardwick abstained from the vote)

## **2. REZONING: 187-195 West 41st Avenue**

An application by GUD Group was considered as follows:

Summary: To rezone 187-195 West 41st Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey residential building. A building height of 15.0 metres (50 feet) and a floor space ratio (FSR) of 1.80 are proposed.

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

### **Summary of Correspondence**

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

### **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**

Xinmai Li, GUD Group, 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 6:43 pm.

## Council Decision

MOVED by Councillor Carr

SECONDED by Councillor De Genova

- A. THAT the application by GUD Group, on behalf of 1120814 B.C. Ltd., the registered owners, to rezone 187-195 West 41st Avenue [*Amended Lot 3 (see 97480L), Except Part in Explanatory Plan 5870 of Lot 2, and Amended Lot 1 (see 250755L), Except Part in Explanatory Plan 5849 of Lot 2, both of Block 1003A, District Lot 526, Plan 4381; PIDs: 011-572-540 and 011-572-523 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 1.80 and the building height from 10.7 m (35 ft.) to 15 m (50 ft.) to permit the development of a four-storey residential building, containing 23 strata residential units, generally as presented in Appendix A of the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 187-195 West 41st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GUD Group and received on May 28, 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 Referral Report.

- 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 Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 187-195 West 41st Avenue".
- D. 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. 06112)  
(Councillor Swanson opposed)  
(Councillor Hardwick abstained from the vote)

### **3. REZONING: 3220 Cambie Street**

An application by Wesgroup Properties was considered as follows:

Summary: To rezone 3220 Cambie Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building. A building height of 23.2 metres (76 feet) and a floor space ratio (FSR) of 3.75 are proposed.

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

Council received a memorandum dated June 16, 2020, from the Deputy Director, Planning, Urban Design and Sustainability, which provided information on a typographic error in the proposed Sign By-law amendment in Appendix C of the Referral Report dated March 17, 2020. The amendment incorrectly references the zone "B(C-2)" when it should be "C-2". The amendment to the Sign By-law posted for the public hearing has been prepared with the correct zone. There are no changes to the rezoning application or to the draft CD-1 By-law, no action was required by 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:

- 1 piece of correspondence in support;
- 3 pieces of correspondence in opposition; and
- 2 pieces of correspondence addressing other aspects 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.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in favour of the application:

- Conrad Welti

The following spoke in opposition of the application noting concerns towards the building height and loss of community:

- Allan Buium

The speakers list and receipt of public comments closed at 7:09 pm.

### **Council Decision**

MOVED by Councillor Kirby-Yung

SECONDED by Councillor De Genova

- A. THAT the application by Wesgroup Properties, on behalf of West 16th Avenue & Cambie Street Investments Ltd., the registered owners, to rezone 3220 Cambie Street [*PID: 007-945-795 Lot E, Block 501, District Lot 526, Plan 21317*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 2.50 to 3.75 and the building height from 13.8 m (45 ft.) to 23.2 m (76 ft.) to permit the development of a six-storey mixed-use building, containing 48 strata residential units, generally as presented in Appendix A of the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 3220 Cambie Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Olson Kundig and IBI Group and received on June 6, 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 Referral 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 March 17, 2020, entitled "CD-1 Rezoning: 3220 Cambie Street", 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 March 17, 2020, entitled "CD-1 Rezoning: 3220 Cambie Street".
- D. THAT A through C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED (Vote No. 06113)  
(Councillor Swanson opposed)  
(Councillor Hardwick abstained from the vote)

#### **4. REZONING: 445 Kingsway and 2935 St. George Street**

*Prior to the start of the agenda item, Councillor Fry declared a conflict of interest as he may have family members involved with the project. Councillor Fry left the meeting at 7:31 pm and did not return for the conclusion of the hearing.*

An application by Acton Ostry Architects Inc. was considered as follows:

Summary: To rezone 445 Kingsway and 2935 St. George Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use building. A building height of 47.65 metres (156.4 feet) and a floor space ratio (FSR) of 7.22 are proposed.

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

Council received two memorandums both dated June 23, 2020, from the General Manager, planning, Urban Design and Sustainability.

The first memorandum provided information subsequent to the 2016 Public Hearing, the owner chose not to proceed with satisfying the rezoning conditions required for enactment of the draft CD-1 By-law. Instead, the owner chose to submit the proposal currently under consideration for additional development potential under the Moderate Income Rental Housing Pilot Program (the MIRHP Program). The two different Council approvals in principle in effect for this site, as the previously approved rezoning of July 12, 2016 are still valid.

To address the potential of two different approvals in principle being in effect on the same property, staff proposed an additional recommendation be added to the staff report for this application - Referral report dated February 25, 2020, entitled 'CD-1 Rezoning: 445 Kingsway and 2935 St. George Street. This additional recommendation would immediately "rescind" the previous approval in principle from July 12, 2016.

The second memorandum recommended additional conditions of approval which were erroneously omitted from the staff report at the time of referral of this item to public hearing. Staff proposed additional enactment conditions be added to the Engineering section of Appendix B Part 2 of the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George Street". This additional condition would secure funding for the signal upgrades on Kingsway as a condition of By-law enactment.

The additional recommendations as contained in the two above-noted memorandums both dated June 23, 2020, required approval by 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:

- 30 pieces of correspondence in support; and
- 11 pieces of correspondence in opposition.

## Staff Opening Comments

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

## Speakers

The Mayor called for speakers for and against the application.

The following speakers spoke in support of the application:

- Neil Wyles
- Esar Cheema
- Hugh Dolloway
- Marissa Chan-Kent
- Mira Oreck
- Evan Davies
- Lesli Boldt
- Jennifer Bradshaw
- Peter Cheung

The following spoke in opposition to the application noting concerns with social capital and segregation of the community:

- Clara Alan

The speakers list and receipt of public comments closed at 8:36 pm.

## Council Decision

MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

- A. THAT the application, by Acton Ostry Architects Inc., on behalf of Razgul Holdings Ltd. (Inc. No. BC689424) and Azizamalco Holdings Canada Ltd. (Inc. No. BC1124915), to rezone 445 Kingsway and 2935 St. George Street [*PID: 011-726-598; Lot L, Block 132, District Lot 264A, Plan 21842; and PID: 009-994-131; Lot 2, Except Part in Explanatory Plan 6822, of Lot A, Block 132, District Lot 264A, Plan 7272; and PID: 010-671-919; Lot 1 of Lot A, Block 132, District Lot 264A, Plan 7272*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50



to 7.22 and the building height from 13.80 m (45.0 ft.) to 47.65 m (156.4 ft.) to permit the development of a 14-storey mixed-use building with commercial uses at grade and 215 secured rental housing units, with 20% of the residential floor area being secured as moderate income units, generally as presented in Appendix A of the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Acton Ostry Architects Inc. and received on July 23, 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 Referral Report.

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George 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 Planning, Urban Design and Sustainability.

FURTHER THAT the following conditions be added to the end of clause 5 of Appendix B, Part 2 entitled "Conditions of By-law Enactment" of the above-noted Referral Report:

- (o) Provision of improvements at the intersection of the parking access and Kingsway, including:
- Design and installation of a new traffic signal; and
  - Any required geometric changes to accommodate the signal including associated enabling works to modify or relocate existing infrastructure.
- (p) Provision of improvements at the intersection of St. George Street and Kingsway including:
- Upgrades to the existing traffic signal including accessible pedestrian signal; and
  - Signal modifications required to accommodate the proposed geometric changes for the closure of St. George Street, including associated enabling works to modify or relocate existing infrastructure.
- 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 February 25, 2020, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George 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 above-noted Referral Report, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George Street".

- E. THAT, if Council approves in principle this rezoning application and the draft CD-1 By-law generally as set out in Appendix A (the "MIRHP Program Rezoning Application") of the above-noted Referral Report, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St George Street"; Council approves effective concurrently the rescission of the previous rezoning approval in principle approved on July 12, 2016."
- F. THAT, A through E 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 bylaw 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. 06114)  
(Councillor Hardwick abstained from the vote)  
(Councillor Fry absent for the vote due to conflict of interest)

## **ADJOURNMENT**

MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillor Fry absent for the vote)

The Public Hearing adjourned at 8:54 pm.

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