



PUBLIC HEARING MINUTES

SEPTEMBER 15, 2020

A Public Hearing of the City of Vancouver was held on Tuesday, September 15, 2020, at 6:01 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: Tina Penney, 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. 2020 Annual Inflationary Rate Adjustments to Density Bonus Contributions

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To amend the Zoning and Development By-law to implement 2020 inflationary rate adjustments to Density Bonus Contributions. Density bonusing is a zoning tool that permits additional floor space in exchange for amenities and affordable housing. These fees help pay for amenities such as parks, affordable housing, childcare centres, libraries, community centres, transportation and other infrastructure that meet the needs of our growing city. Council approved a similar report on implementing 2020 inflationary rate adjustments to Development Cost Levies (DCLs) and CAC Targets on July 23, 2020.

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 reviewed the application 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 6:37 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT the application to implement 2020 inflationary rate adjustments for density bonus contributions by amending Schedule F of the Zoning and Development By-law to be effective September 30, 2020, generally as presented in Appendix A of the Referral Report dated June 23, 2020 entitled "2020 Annual Inflationary Rate Adjustments to Density Bonus Contributions" be approved.

CARRIED UNANIMOUSLY (Vote No. 06351)

BY-LAWS

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

THAT Council enact By-law 1 entitled "A By-law to amend Zoning and Development By-law No. 3575 regarding 2020 Annual Inflationary Adjustments to Density Bonus Contributions available in certain zoning districts", and authorize the Mayor and City Clerk to sign and seal the enacted by-law. (By-law No. 12796)

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 regarding 2020 Annual Inflationary Adjustments to Density Bonus Contributions available in certain zoning districts (By-law No. 12796)

2. CD-1 Rezoning: 1247 Kingsway

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

Summary: To rezone 1247 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with commercial uses at grade and 31 secured rental residential units. A height of 21.9 m (71.9 ft.) and a floor space ratio (FSR) of 3.61 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:

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

Staff Opening Comments

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

Applicant Comments

Neil Robertson, Principal, Stuart Howard Architects Inc., provided opening comments.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Crag Paterson

The following provided general comments on the application:

- Kelly Talayco

The speakers list and receipt of public comments closed at 7:24 pm.

Applicant Closing Comments

Neil Robertson, Principal, Stuart Howard Architects Inc., and Kuldeep Tatla, Principal, Tatla Developments, provided closing comments.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor De Genova

- A. THAT the application by Tatla Developments Ltd. on behalf of Da Hua Investment Holdings Ltd., the registered owners, to rezone 1247 Kingsway [*Parcel Identifier: 029-602-530; Lot 1, Block 38, District Lot 301, Group 1, NWD, Plan EPP47836*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.5 FSR to 3.61 FSR and the building height from 13.8 m (45.3 ft.) to 21.9 m (71.9 ft.) to permit the development of a six-storey, mixed use building with 31 secured rental residential units, generally as presented in Appendix A of the Referral Report dated July 16, 2020, entitled “CD-1 Rezoning: 1247 Kingsway” be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects and received on December 20, 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 July 16, 2020, entitled “CD-1 Rezoning: 1247 Kingsway”, 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.
- 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 July 16, 2020, entitled “CD-1 Rezoning: 1247 Kingsway”, 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 July 16, 2020, entitled “CD-1 Rezoning: 1247 Kingsway”.
- 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. 06352)
(Councillors Hardwick and Swanson abstained for the vote)

3. CD-1 (715) Amendment: 1649 East Broadway (formerly 1619-1651 East Broadway)

An application by IBI Group Architects was considered as follows:

Summary: To amend CD-1 (715) (Comprehensive Development) District for 1649 East Broadway to increase the floor space ratio (FSR) from 4.0 to 5.0 and to increase the maximum building height from 33.2 m (108.9 ft.) to 36.5 m (119.8 ft.), allowing for two additional storeys to permit the development of a 12-storey mixed-use building with 114 secured rental residential units, including 91 market rental units and 23 below-market rental units, and commercial uses at grade.

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:

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

Staff Opening Comments

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

Speakers

The Mayor called for speakers for and against the application.

The following provided general comments on the application:

- Stephen Bohus

The speakers list and receipt of public comments closed at 7:51 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Fry

SECONDED by Councillor Bligh

- A. THAT the application by IBI Group Architects, on behalf 0923172 B.C. Ltd., the registered owner, a company related to the developer, Jameson Development Corp., to amend the text of CD-1 (Comprehensive Development) District (715) By-law No. 12299 for 1649 East Broadway [*PID: 030-467-365, Lot 1 Block 154 District Lot 264A Group 1 New Westminster District Plan EPP82462*], to increase the floor space ratio (FSR) from 4.0 to 5.0 and to increase the maximum building height from 33.2 m (108.9 ft.) to 36.5 m (119.8 ft.) thereby adding an additional two floors to permit a 12-storey mixed-use building consisting of commercial uses at grade and 114 secured rental residential units, of which not less than 20% of the residential floor area that is counted in the calculation of the floor space ratio (23 residential units) will be secured as below-market rental units and the remaining 91 residential units will be secured market rental units, generally as presented in Appendix A of the Referral Report dated July 7, 2020, entitled "CD-1 (715) Amendment: 1649 East Broadway (formerly 1619-1651 East Broadway)", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects and received on March 9, 2020, 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 July 7, 2020, entitled "CD-1 (715) Amendment: 1649 East Broadway (formerly 1619-1651 East Broadway)", 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.
- 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. 06353)
(Councillor Hardwick abstained for the vote)

4. CD-1 Rezoning: 2336-2366 Charles Street

An application by Human Studio Architecture + Urban Design was considered as follows:

Summary: To rezone 2336-2366 Charles Street from C-1 (Commercial) District and RT-5 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with commercial uses at grade and 62 secured rental residential units. A height of 22.0 m (72.2 ft.) and a floor space ratio (FSR) of 3.2 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:

- 57 pieces of correspondence in support;
- 33 pieces of correspondence in opposition; and
- 4 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Applicant Comments

Bruce Haden, Architect, Human Studio Architecture and Urban Design Ltd., provided opening comments.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Trevor Shumka
- Owen Brady

The following spoke in opposition to the application:

- Marisa Genovese
- Greg Miller
- Dave Pasin
- Lisa Sorensen

The speakers list and receipt of public comments closed at 8:48 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Boyle

- A. THAT the application by Human Studio Architecture + Urban Design, on behalf of 2366 Charles St Properties GP Ltd., the registered owner, to rezone 2336-2366 Charles Street [*Lots 9 to 12 of Lot C, Block 134, District Lot 264A, Plan 5712; PIDs 011-085-614, 011-085-622, 011-085-631, and 004-172-973 respectively*], from C-1 (Commercial) District and RT-5 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 1.2 (C-1) and 0.7 (RT-5) to 3.2 and the building height from 10.7 m (35.1 ft.) to 22.0 m (72.2 ft.) to permit the development of a six-storey mixed-use building containing commercial spaces at-grade and secured market rental residential units, generally as presented in Appendix A of the Referral Report dated July 7, 2020, entitled "CD-1 Rezoning: 2336-2366 Charles Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Human Studio Architecture + Urban Design and received on December 12, 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 July 7, 2020, entitled "CD-1 Rezoning: 2336-2366 Charles 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.

- 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 July 7, 2020, entitled "CD-1 Rezoning: 2336-2366 Charles 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 Referral Report dated July 7, 2020, entitled "CD-1 Rezoning: 2336-2366 Charles Street".
- E. 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 C of the Referral Report dated July 7, 2020, entitled "CD-1 Rezoning: 2336-2366 Charles Street".
- 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 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. 06354)
(Councillors Hardwick and Swanson abstained for the vote)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:11 pm.

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