



PUBLIC HEARING MINUTES

JANUARY 19, 2021

A Public Hearing of the City of Vancouver was held on Tuesday, January 19, 2021, at 6:01 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*, updated 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 MANAGER'S OFFICE: Paul Mochrie, Acting City Manager

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
Irina Dragnea, 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. CD-1 REZONING: 810 Kingsway

An application by Rize Alliance Lands Ltd. was considered as follows:

Summary: To rezone 810 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey, mixed-use building containing 108 secured market rental housing units

and commercial spaces at grade. A height of 22 m (72.2 ft.) and a floor space ratio (FSR) of 3.65 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:

- eight pieces of correspondence in support; and
- two pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Lucas Berube, Director of Development, Rize Alliance, provided a brief presentation, and along with Taizo Yamamoto, Principal, Yamamoto Architecture Inc., responded questions.

Speakers

The Mayor called for speakers for and against the application.

Karim Winsor spoke in support of the application.

The speakers list and receipt of public comments closed at 6:57 pm.

Council Decision

MOVED by Councillor Boyle

SECONDED by Councillor Kirby-Yung

- A. THAT the application, by Rize Alliance Lands Ltd. on behalf of Sammy's Carpets & Hardwood Ltd., the registered owner of the lands at 810 Kingsway [*PID 015-622-738, Lot A (Reference Plan 1671) of Lots 1 and 2, Block 79 District Lot 301 Plan 187; PID 015-622-771, Lot B (Reference Plan 1282) of Lots 1 and 2, Block 79 District Lot 301 Plan 187; PID 015-622-819, Lot 3, Block 79 District Lot 301 Plan 187 and PID 015-622-835, Lot 4, Block 79 District Lot 301 Plan 187*] to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive

Development) District to increase the permitted floor space ratio (FSR) from 2.50 FSR to 3.65 FSR and the building height from 13.8 m (45.3 ft.) to 22 m (72.2 ft.) to permit the development of a six-storey, mixed-use building with 108 secured market rental residential units, generally as presented in Appendix A of the Referral Report dated November 24, 2020, entitled "CD-1 Rezoning: 810 Kingsway" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Yamamoto Architecture Inc. and received on August 10, 2020, 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 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 November 24, 2020, entitled "CD-1 Rezoning: 810 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 November 24, 2020, entitled "CD-1 Rezoning: 810 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 November 24, 2020, entitled "CD-1 Rezoning: 810 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 (Vote No. 06851)
(Councillor Swanson opposed)
(Councillor Hardwick abstained from the vote)

2. CD-1 REZONING: 2246-2268 East Broadway

An application by Omicron AEC Ltd. was considered as follows:

Summary: To rezone 2246-2268 East Broadway from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 57 strata-titled residential units. A height of 19.7 m (65 ft.) 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:

- fifteen pieces of correspondence in opposition; and
- one piece of correspondence dealing with other aspects of the application.

* * * * *

At 7:18 pm, it was

*MOVED by Councillor Carr
SECONDED by Councillor De Genova*

THAT Council waive the staff presentation for Item 2 – CD-1 Rezoning: 2246-2268 East Broadway.

*CARRIED (Vote No. 06852) (reconsidered)
(Councillors Boyle, Dominato, Hardwick and Wiebe opposed)
(Councillors Bligh, Fry and Kirby-Yung abstained from the vote)*

*RECONSIDERATION MOVED by Councillor Carr
SECONDED by Councillor Kirby-Yung*

THAT Council reconsider Vote No. 06852.

*CARRIED (Vote No. 06853)
(Councillor De Genova opposed)*

Subsequently, it was

*MOVED by Councillor Carr
SECONDED by Councillor De Genova*

*THAT Council waive the staff presentation for Item 2 – CD-1 Rezoning: 2246-2268 East
Broadway.*

*LOST (Vote No. 06854)
(Councillors Bligh, Boyle, Carr, Dominato, Fry, Hardwick, Kirby-Yung, Swanson and Wiebe
opposed)*

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Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Kevin Hanvey, Principal, Omicron, 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 7:38 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Wiebe

- A. THAT the application by Omicron AEC Ltd. on behalf of 1159613 B.C. Ltd. (Lotus Capital), the registered owner of the lands located at 2246-2268 East Broadway [Lots 6 to 9, except the south 10 feet, now lane of lot B, Block 164, District Lot 264A, Plans 304 and 1771; PIDs: 015-397-335, 013-615-297, 011-299-223 and

015-265-030 respectively] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 2.65 and the maximum building height from 10.7 m (35 ft.) to 19.7 m (65 ft.), to permit the development of a six-storey residential building containing 57 strata-titled residential units, generally as presented in Appendix A of the Referral Report dated November 24, 2020, entitled “CD-1 Rezoning: 2246-2268 East Broadway” be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as represented in drawings by Omicron AEC Ltd. received February 24, 2020 and supplemental drawings received October 14, 2020, 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 above noted Referral 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 24, 2020, entitled “CD-1 Rezoning: 2246-2268 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. 06855)
(Councillor Swanson opposed)
(Councillor Hardwick abstained from the vote)

3. CD-1 REZONING: 441-475 West 42nd Avenue

An application by Urban Solutions Architecture Ltd. was considered as follows:

Summary: To rezone 441-475 West 42nd Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of an 18-

storey residential building with a four-storey podium and a partial rooftop storey for a common amenity space, containing 124 secured rental units, of which not less than 20% of the total floor area will be secured at below-market rates. A building height of 57.7 m (189 ft.) to the top of the parapet, with additional height for a rooftop amenity and a floor space ratio (FSR) of 6.70 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:

- two pieces of correspondence in support;
- three pieces of correspondence in opposition; and
- one piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Donald Yen, Lead Architect, Urban Solutions Architecture Ltd., responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Tracey Moir, Chair, Oakridge Langara Area Residents (OLAR)

The following provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 8:37 pm.

Applicant Closing Comments

Donald Yen, Lead Architect, Urban Solutions Architecture Ltd., provided brief closing comments.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Dominato

- A. THAT the application by Urban Solutions Architecture Ltd., on behalf of GEC Oakridge Holdings Inc., the registered owner of the lands located at 441-475 West 42nd Avenue [*Lots 5 to 7, all of Block 857, District Lot 526, Plan 7737; PIDs 010-337-253, 010-337-296 and 010-337-300 respectively*], to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 6.70 and the building height from 10.7 m (35 ft.) to 57.7 m (189 ft.) and to 61.0 m (200 ft.) for the portion with rooftop amenity, to permit the development of an 18-storey residential building with a four-storey podium, consisting of 124 secured rental residential units of which 20% of the residential floor area (approximately 29 residential units) would be secured as below-market rental units, generally as presented in Appendix A of the Referral Report dated November 24, 2020, entitled "CD-1 Rezoning: 441-475 West 42nd Avenue" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Urban Solutions Architecture Ltd. and received on September 16, 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 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 November 24, 2020, entitled "CD-1 Rezoning: 441-475 West 42nd Avenue", 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, 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 24, 2020, entitled "CD-1 Rezoning: 441-475 West 42nd Avenue".
- 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 UNANIMOUSLY (Vote No. 06856)
(Councillor Hardwick abstained from the vote)
(Councillor De Genova absent for the vote)

4. CD-1 REZONING: 5740 Cambie Street

An application by Polygon Oakridge Development Ltd. was considered as follows:

Summary: To rezone 5740 Cambie Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit a mixed-use development including a 14-storey residential tower containing 80 secured market rental units and a 27-storey residential tower containing 133 strata units, both with partial rooftop storeys for common amenity spaces. The two towers are situated atop a shared four-storey podium containing ground-floor commercial space, commercial office space, and 1,347.1 sq. m (14,500 sq. ft.) of non-profit organization (NPO) hub space which is to be delivered turnkey to the City. A maximum building height of 84.8 m (278 ft.) and a floor space ratio (FSR) of 8.33 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:

- eleven pieces of correspondence in support; and
- two pieces of correspondence in opposition.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application.

Applicant Comments

Brady Dunlop, Architect, Dialog, along with Chris Ho, Vice President, Polygon, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Tracey Moir, Chair, Oakridge Langara Area Residents (OLAR)

The following provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 9:28 pm.

Applicant Closing Comments

Chris Ho, Vice President, Polygon, provided brief closing comments.

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 Polygon Oakridge Development Ltd, the registered owner of the lands located at 5740 Cambie Street [*Lots 1 to 4, all of Block 857, District Lot 526, Plan 7737; PIDs 010-337-156, 010-337-181, 010-337-211 and 010-337-229, respectively*], to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.50 to 8.33 and the building height from 13.8 m (45 ft.) to 84.8 m (278 ft.) to permit a mixed-use development with a 14-storey rental residential tower and a 27-storey strata residential tower, each with a rooftop amenity space, generally as presented in Appendix A of the Referral Report dated November 24, 2020, entitled "CD-1 Rezoning: 5740 Cambie Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Dialog Architecture and received on April 24, 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 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 November 24, 2020, entitled "CD-1 Rezoning: 5740 Cambie 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 November 24, 2020, entitled "CD-1 Rezoning: 5740 Cambie 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 November 24, 2020, entitled "CD-1 Rezoning: 5740 Cambie Street".
- E. THAT A through D above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

carried

REFERRAL MOVED by Councillor Swanson
SECONDED by Councillor Hardwick

THAT Council refer Item 4 - CD-1 Rezoning: 5740 Cambie Street, back to staff until after the staff report on increasing affordability in the Cambie Corridor is presented to Council.

LOST (Vote No. 06857)
(Councillors Bligh, Boyle, De Genova, Dominato, Fry, Kirby-Yung, Wiebe and Mayor Stewart opposed)

The referral having lost, the motion was put and CARRIED (Vote No. 06858) with Councillors Carr, Hardwick and Swanson opposed.

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:50 pm.

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