



PUBLIC HEARING MINUTES

FEBRUARY 9, 2021

A Public Hearing of the City of Vancouver was held on Tuesday, February 9, 2021, at 6:02 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:

Deputy Mayor Adriane Carr
Councillor Rebecca Bligh
Councillor Christine Boyle
Councillor Melissa De Genova
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Colleen Hardwick
Councillor Sarah Kirby-Yung
Councillor Jean Swanson
Councillor Michael Wiebe

ABSENT:

Mayor Kennedy Stewart, Leave of Absence – Civic Business

CITY MANAGER'S OFFICE:

Paul Mochrie, Acting City Manager

CITY CLERK'S OFFICE:

Tina Penney, Deputy City Clerk
David Yim, Meeting Coordinator

WELCOME

The Deputy 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 Deputy 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. Miscellaneous Amendments - Zoning and Development By-law and Sign By-law

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

Summary: To make miscellaneous amendments to the Zoning and Development By-law and Sign By-law to improve clarity, update references, correct inadvertent errors or omissions, and improve the administration of the by-laws.

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 6:15 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Fry

- A. THAT Council approve the application to amend the Zoning and Development By-law, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled "Miscellaneous Amendments - Zoning and Development By-law and Sign By-law", to:
 - (i) correct numbering errors in Section 11.17;
 - (ii) insert reserved sections 4.11 to 4.14 in the C-1 and C-3A District Schedules to allow for consistent numbering;
 - (iii) remove a duplicate reference to retail store in section 3.2.1.R in the FC-2 District Schedule;
 - (iv) correct numbering errors in sections 4.4.2(a) and 4.7.5 in the I-2 District Schedule;
 - (v) update references to entries, porches and verandahs and covered porches in various District Schedules that were inadvertently missed in amending by-law no. 12731;
 - (vi) clarify the floor area exclusion for parking spaces in an accessory building in section 4.7.6(c)(ii) of the RT-5 and RT-5N District Schedules and section 4.7.6(d)(ii) of the RT-6 District Schedule;
 - (vii) correct a section reference error in section 4.7.7 in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule;

- (viii) correct a grammatical error in section 3.2.DW in the RM-10 and RM-10N Districts Schedule; and
 - (ix) update a section reference within the text of section 3.2.DW in the RM-2, the RM3 and RM-3A, the RM-4 and RM-4N and FM-1 District Schedules.
- B. THAT Council approve the application to amend Section 4 of the Sign By-law, generally as presented in Appendix B of the Referral Report, dated January 5, 2021, entitled “Miscellaneous Amendments - Zoning and Development By-law and Sign By-law”, to correct an omission by including an additional reference for the removal or alteration of signs.

CARRIED UNANIMOUSLY (Vote No. 6945)

2. Zoning and Development By-law Amendments for Mass Timber Construction

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

Summary: To amend the Zoning and Development By-law to support mass timber construction in new buildings that are seven storeys or higher. The proposed amendments would define mass timber buildings, allow a variance for maximum building height of up to 18 centimetres per floor, and allow design flexibility for mass timber buildings in all zones.

The General Manager, 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:

- five pieces of correspondence in support; and
- one 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.

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 6:37 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Fry

- A. THAT Council approve the application to amend the Zoning and Development By-law to introduce a definition for mass timber building, and variances to regulations for height, yards, setbacks, site coverage, building depth, and external design, to provide more flexibility to enable mass timber projects, generally as presented in Appendix A of the Referral Report dated October 26, 2020, entitled "Zoning and Development By-law Amendments for Mass Timber Construction".

CARRIED UNANIMOUSLY (Vote No. 6946)

3. REZONING: 607-621 West 28th Avenue

An application by SHAPE Architecture was considered as follows:

Summary: To rezone 607-621 West 28th Avenue from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, to permit a townhouse development with a floor space ratio (FSR) of up to 1.20. If rezoning is approved, a subsequent development permit process would entail review of a proposed form of development.

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

Summary of Correspondence

Two pieces of correspondence in support of the application 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 6:54 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

- A. THAT the application by SHAPE Architecture on behalf of King Ho So and Esther Lai Ming Lau, the registered owners of the lands located at 607 West 28th Avenue [*PID 010-720-898; Lot 8, Block 719 District Lot 526 Plan 7090*], and on behalf of Noel Pawlett and Jane Elizabeth Wilcox, the registered owners of the lands located at 621 West 28th Avenue [*PID 007-492-057; Lot 9, Block 719 District Lot 526 Plan 7090*], to rezone the consolidated lands from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled "Rezoning: 607-621 West 28th Avenue", be approved in principle;

FURTHER THAT the above approval be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT, subject to 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 January 5, 2021, entitled "Rezoning: 607-621 West 28th Avenue".
- C. THAT A and B 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 Page 2 of 2
 - (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. 6947)
(Councillor Hardwick abstained from the vote)

4. CD-1 REZONING: 728-796 Main Street

An application by Studio One Architecture Inc. 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 support; and
- seven pieces of correspondence in opposition; 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

Dan Watson, planner, Pooni Group, provided a brief presentation, and along with Kerry Bonnis, owner, Bonnis Properties, and Shoghig Tutunjian, Principal, Studio One Architecture, responded to questions.

Speakers

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

The following spoke in support of the application:

- Adrian Sinclair
- Randy Clark
- Leo Chow
- Charly Caproff
- King-Mong Chan

The following spoke in opposition of the application:

- Divine Ndemeye
- Jacqueline Lowe
- Chang Ong
- Cheryl-Lee Madden
- Chang Zhi Li

- Sheng Lung Lee

The following provided general comments on the application:

- Krystal Paraboo

The speakers list and receipt of public comments closed at 8:56 pm.

Applicant Closing Comments

Dan Watson, planner, Pooni Group, provided brief closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Fry

- A. THAT the application by Studio One Architecture Inc. on behalf of Bonnis Development Main Inc., the registered owner of the lands located at 728-796 Main Street [*PID 007- 762-267, Lot 7 Block 20 District Lot 196 Plan 184; PID 024-208-086, Lot H Block 20 District Lot 196 Group 1 New Westminster District Plan LMP38786; and PID 015-644- 316, Lot 10 Block 20 District Lot 196 Plan 184*], to rezone the lands from HA-1A (Chinatown South) to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 5.35 to 6.79 and the building height from 27.4 m (90 ft.) to 35.5 m (116.5 ft.) to permit the development of a mixed-use building containing 19 social housing units and 75 strata residential units, with at-grade commercial uses, generally as presented in Appendix A of the Referral Report dated November 5, 2020, entitled “CD-1 Rezoning: 728-796 Main Street”, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Studio One Architecture Inc. and received on January 2, 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 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 5, 2020, entitled “CD-1 Rezoning: 728-796 Main 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 November 5, 2020, entitled "CD-1 Rezoning: 728-796 Main Street".

- D. THAT, if the rezoning is approved, Council approves a Single Room Accommodation (SRA) Conversion/Demolition Permit to allow for the demolition of 24-SRA-designated rooms at 796 Main Street, subject to enactment of the CD-1 By-law and issuance of the associated development permit, on the condition that, prior to the issuance of the SRA Conversion or Demolition Permit, subject to the terms set out in Appendix H of the Referral Report dated November 5, 2020, entitled "CD-1 Rezoning: 728-796 Main Street", the owner enter into the following:

- (i) Housing Agreement that restricts the tenure of 19 housing units to social housing for the life of the building or 60 years whichever is greater; and
- (ii) Section 219 Covenant prohibiting both stratification and separate sale of any of the 19 social housing units;

FURTHER THAT if Council approves in principle this rezoning and the Housing Agreement described in Part 2 of Appendix B of the above-noted report, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 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 Arts, Culture and Community Services.

- E. THAT A through D 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. 6948)
(Councillors Boyle, Hardwick, Swanson opposed)

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:31 pm.

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