



## **PUBLIC HEARING MINUTES**

**FEBRUARY 11, 16, 23, 24, MARCH 2 AND 4, 2021**

A Public Hearing of the City of Vancouver was held on Thursday, February 11, 2021, at 6 pm, in the Council Chamber, Third Floor, City Hall. Subsequently the meeting reconvened on Tuesday, February 16, 2021, at 6 pm; Tuesday, February 23, 2021, at 7 pm; Wednesday, February 24, 2021, at 6:22 pm; Tuesday, March 2, 2021, at 6:27 pm; and Thursday, March 4, at 3 pm. This 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  
Denise Swanston, Meeting Coordinator (February 11, 16 and March 2 and 4, 2021)  
Terri Burke, Meeting Coordinator (February 23, 2021)  
Tina Hildebrandt, Meeting Coordinator (February 24, 2021)

\* 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: 1766 Frances Street**

An application by M'akola Development Services was considered as follows:

**Summary:** To rezone 1766 Frances Street from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a nine-storey, mixed-use building with 84 social housing units and a childcare facility. A height of 29.28 m (96.06 ft.) is recommended and a floor space ratio (FSR) of 4.06 is 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:

- 47 pieces of correspondence in support;
- 26 pieces of correspondence in opposition; and
- five pieces of correspondence dealing with other aspects of the application.

### **Staff Opening Comments**

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

### **Applicant Comments**

The applicant team provided a summary of the application and responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- John Fuerst
- Nathan Hawkins
- Lilian Chau, Director, Community Real Estate, Brightside Community Homes Foundation
- Jill Atkey, CEO, BC Non-Profit Housing Association
- Margaret A Boudreau
- Alexandra Christian, Manager, Housing Operations, Aboriginal Housing Management Association
- Zoe Luba
- Stuart Smith
- Owen Brady
- Kirsten Bevelander, Manager Aboriginal Child Care Resource and Referral Program, BC Aboriginal Child Care Society
- Matthew Norris, President, Aboriginal Native Youth Association

The following spoke in opposition of the application:

- Alexandra Kanderka
- Ariela Friedmann
- Jak R King
- Stephen Bohus
- Thaddeus McIlroy
- Larry Benge, Coalition of Vancouver Neighbourhoods
- Jenny Cheng

On February 11, 2021, the speakers list and receipt of public comments closed at 8:45 pm.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor Fry

SECONDED by Councillor Boyle

- A. THAT the application by M'akola Development Services on behalf of the Vancouver Native Housing Society, the registered owner of the lands located at 1766 Frances Street [*PID: 003-683-648, Lot F Block 7 of Block D District Lot 183 Plan 20542*] to rezone the lands from RM-4 (Residential) to a new CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.45 to 4.06 and building height from 10.7 m (35.1 ft.) to 29.28 m (96.06 ft.) for a residential building with 84 social housing units and childcare use, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled "CD-1 Rezoning: 1766 Frances Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GBL Architects and received on June 1, 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 January 5, 2021, entitled "CD-1 Rezoning: 1766 Frances 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 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. 06991)  
(Councillor Kirby-Yung absent for the vote)

## **2. CD-1 Rezoning: 1015 East Hastings Street**

An application by Low Hammond Rowe Architects Inc. was considered as follows:

Summary: To rezone 1015 East Hastings Street from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit a 15-storey mixed-use building containing 110 social housing units, of which 25 would have support services, 53 secured market rental units, an 80-bed shelter, and a social enterprise space. A building height of 51.0 m (167.3 ft.) and a floor space ratio (FSR) of 6.90 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:

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

### **Staff Opening Comments**

On February 11, 2021, staff from Planning, Urban Design and Sustainability presented an overview of the application.

Following staff's presentation, it was,

MOVED by Councillor De Genova  
SECONDED by Councillor Bligh

THAT the Public Hearing recess until February 16, 2021, at 6 pm.

CARRIED UNANIMOUSLY

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*On February 11, 2021, the Public Hearing recessed at 9:46 pm and reconvened on February 16, 2021, at 6 pm to continue with opening comments to Item 2.*

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### **Staff Opening Comments (continued)**

Staff from Planning, Urban Design and Sustainability, and Arts, Culture, and Community Services, responded to questions.

### **Applicant Comments**

The applicant team provided a summary of the application and responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Marc White, Seniors Advisory Committee
- William Azaroff, CEO, Brightside Community Homes Foundation
- Nathan Hawkins
- Liam Griffin
- Jill Atkey, CEO, BC Non-Profit Housing Association
- David Eddy, CEO, Vancouver Native Housing Society
- Sandra Eatmon, Portfolio Manager, Aboriginal Housing Management Association

The following spoke in opposition of the application:

- Stephanie Farenhorst
- Suzanne Spencer

The following provided general comments on the application:

- Wai Ling Leung

On February 16, 2021, the speakers list and receipt of public comments closed at 7:48 pm.

## Applicant Closing Comments

The applicant team provided brief closing comments.

## Council Decision

MOVED by Councillor Boyle

SECONDED by Councillor Kirby-Yung

- A. THAT the application by Low Hammond Rowe Architects Inc. on behalf of the City of Vancouver, the registered owner of the lands located at 1015 East Hastings Street [*PID: 009-392-815, Lot C Block 63 District Lot 181 PLAN 21524*], to rezone the lands from M-1 (Industrial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 5.0 to 6.9 and building height from 30.5 m (100.1 ft.) to 51.0 m (167.3 ft.) to allow construction of a 15-storey mixed-use building containing 163 residential units in the form of 110 social housing units (25 with support services) and 53 secured market rental units, in addition to an 80-bed shelter with associated services and a social enterprise space, all with a focus on urban Indigenous peoples and families, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled "CD-1 Rezoning: 1015 East Hastings Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Low Hammond Rowe Architects Inc. and received on June 26, 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 January 5, 2021, entitled "CD-1 Rezoning: 1015 East Hastings 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 January 5, 2021, entitled "CD-1 Rezoning: 1015 East Hastings 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 January 5, 2021, entitled "CD-1 Rezoning: 1015 East Hastings 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 UNANIMOUSLY (Vote No. 06992)  
(Councillor Carr absent for the vote)

### **3. CD-1 Rezoning: 3084 West 4th Avenue and 2010 Balaclava Street**

An application by James Evans was considered as follows:

Summary: To rezone 3084 West 4th Avenue and 2010 Balaclava Street from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 35 secured rental housing units, of which 20% of the residential floor area would be secured as moderate income units, under the Moderate Income Rental Housing Pilot Program. A height of 19.3 m (63.4 ft.) is recommended and a floor space ratio (FSR) of 2.95 is 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:

- 155 pieces of correspondence in support;
- 513 pieces of correspondence in opposition, including one petition with 277 signatures; and
- five 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**

The applicant team provided introductory remarks, presented a summary of the application and responded to questions.

## **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Davis Austerberry, Property Development Manager, Affordable Housing Societies
- Jane McFadden, Executive Director, Kitsilano Business Association
- Michael Mortensen, Director, Livable City Planning
- Shawnessy Luke
- Larry Yatkowsky
- Timothy Ankenman
- Nathan Hawkins
- Devon Hussack
- Harald Leppanen
- Chris Bardon
- Richard Wittstock
- Miles Timmis
- Carla Ladeira
- Tyler Norman
- Peter Colenbrander
- Karene Luu
- Rebecca Hartley
- Wendy Waters
- Jenny Tan
- Stuart Smith
- Zack Valesco
- Jarred Anderson
- Michael Penalosa
- Peter Walters
- Owen Brady
- Dr. Inga Andreen

The following spoke in opposition of the application:

- Mary Downe
- Cameron Zubko, Founder, We Love Kits
- Simon Jacobs
- Rob Sawatzky
- Claire Anne Lidstone
- Sarah D. Hansen
- Leila Harris
- Jan Pierce
- John Prittie
- Suzanna Munson



- Cynthia Lewis
- Zoe Younger
- Holly Hilborn
- Brita Cloghesy-Devereux
- Rick Harris
- Sheryl Webster
- Stuart Rush
- Christina De Marco
- Andrew Brown
- Carol Anne Zhong
- Wenhui Zhong
- Anne Zhong
- Virag Sheila Vizi
- David Gardiner
- Yvonne Grohmuller
- Michael Silmont
- Jeff Gerelus
- Eric Patel
- Eleanor Roberts
- Kelly Talayco
- Michael Wu
- Jenny Chen
- Sarah Steele
- Larry Benge
- Mark Werner

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*On February 16, 2021, during hearing from speakers, the Public Hearing recessed at 9:56 pm and reconvened on February 23, 2021, at 7 pm to continue hearing from speakers to Item 3.*

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*On February 23, 2021, during hearing from speakers, the Public Hearing recessed at 9:56 pm and reconvened on February 24, 2021, at 6:22 pm to continue hearing from speakers to Item 3.*

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On February 24, 2021, the speakers list and receipt of public comments closed at 8:56 pm.

### **Applicant Closing Comments**

The applicant team provided closing comments.

## Staff Closing Comments

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

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During the first round of questions, it was,

MOVED by Councillor Hardwick  
SECONDED by Councillor Dominato

THAT following the first round, Council enter into a second round of questions to staff.

CARRIED UNANIMOUSLY

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## Council Decision

MOVED by Councillor Boyle  
SECONDED by Councillor Fry

- A. THAT the application by James Evans on behalf of Retna Investments Inc., the registered owner of the lands at 3084 West 4th Avenue and 2010 Balaclava Street [*PID 005-215-943, Lot 21 Block 29 District Lot 192 Plan 4561 and PID 005-215-951, Lot 22 Block 29 District Lot 192 Plan 4561*] to rezone the lands from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 1.45 to 2.95 and building height from 10.7 m (35.1 ft.) to 19.3 m (63.4 ft.) to allow construction of a new development containing 35 secured rental housing units, of which 20% of the residential floor area will be secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled "CD-1 Rezoning: 3084 West 4th Avenue and 2010 Balaclava Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Ekistics Architecture and received on January 23, 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 January 5, 2021, entitled "CD-1 Rezoning: 3084 West 4th Avenue and 2010 Balaclava 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 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.

amended

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*On February 24, 2021, the Public Hearing recessed at 9:49 pm and reconvened on March 2, 2021, at 6:27 pm.*

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*On March 2, 2021, subsequent to reconvening and due to technical difficulties, Council took no action other than declaring the reconvene date as set out below:*

*MOVED by Councillor Wiebe  
SECONDED by Councillor Carr*

*THAT the Public Hearing recess until Thursday, March 4, 2021, at 3 pm.*

*CARRIED UNANIMOUSLY*

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*On March 2, 2021, the Public Hearing recessed at 6:29 pm and reconvened on March 4, 2021, at 3 pm to continue with debate on Item 3.*

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AMENDMENT MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

THAT Council refer back to staff the proposed CD-1 Rezoning report of 3084 West 4th Ave and 2010 Balaclava Street;

FURTHER THAT Council direct staff to work with the applicant, in consultation with the community, to explore a revised alternative proposal for a MIRHPP rental project that allows some flexibility regarding unit mix, including 35% Missing Middle family-suitable units, in order to consider contextual reductions in building scale from the current proposal through an innovative building form with higher building efficiency, a height of approximately 40 ft., uses further incentives such as parking relaxations to maximize number of MIRHPP units, and that respects neighbourhood character and livability;

AND FURTHER THAT Council direct staff to prepare a referral report for the revised proposal as soon as possible. In the event that Council approves in principle the rezoning application and enacts the rezoning by-law, seek to expedite the development permit and building permit timeline.

LOST (Vote No. 07029)

(Councillors Bligh, Boyle, Carr, De Genova, Dominato, Fry, Kirby-Yung, Swanson, Wiebe and Mayor Stewart opposed)

AMENDMENT MOVED by Councillor Dominato  
SECONDED by Councillor De Genova

THAT the following be added to the end of A:

FURTHER THAT the above approvals be subject to the Conditions of the Approval of the Form of Development in Appendix B , Part 1 be amended to include:

- implement the Urban Design Panel's suggestion to pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its current context; and
- explore changes to massing and bulk of the building, and make improvements for the transition to the south and the lanes along the single family zone by using landscape screening and buffers through the Development Permit Process.

CARRIED UNANIMOUSLY (Vote No. 07030)

(Councillors Boyle, Hardwick and Swanson abstained from the vote)

At 4:28 pm, the Mayor relinquished the Chair to Deputy Mayor Wiebe. Following his comments, the Mayor resumed the role of Chair.

Following closing comments, with the amendment having carried, the motion as amended was put and CARRIED with Councillor Hardwick opposed (Vote No. 07031).

## FINAL MOTION AS APPROVED

- A. THAT the application by James Evans on behalf of Retna Investments Inc., the registered owner of the lands at 3084 West 4th Avenue and 2010 Balaclava Street [*PID 005-215-943, Lot 21 Block 29 District Lot 192 Plan 4561 and PID 005-215-951, Lot 22 Block 29 District Lot 192 Plan 4561*] to rezone the lands from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 1.45 to 2.95 and building height from 10.7 m (35.1 ft.) to 19.3 m (63.4 ft.) to allow construction of a new development containing 35 secured rental housing units, of which 20% of the residential floor area will be secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled “CD-1 Rezoning: 3084 West 4th Avenue and 2010 Balaclava Street”, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Ekistics Architecture and received on January 23, 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;

AND FURTHER THAT the above approvals be subject to the Conditions of the Approval of the Form of Development in Appendix B of the above-noted Referral Report, Part 1 be amended to include:

- implement the Urban Design Panel’s suggestion to pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its current context; and
  - explore changes to massing and bulk of the building, and make improvements for the transition to the south and the lanes along the single family zone by using landscape screening and buffers through the Development Permit Process.
- 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 January 5, 2021, entitled “CD-1 Rezoning: 3084 West 4th Avenue and 2010 Balaclava 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 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.

## **ADJOURNMENT**

MOVED by Councillor Boyle  
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned on March 4, 2021, at 4:31 pm.

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