



PUBLIC HEARING MINUTES

MARCH 9, 2021

A Public Hearing of the City of Vancouver was held on Tuesday, March 9, 2021, at 6:00 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 Adriane Carr
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:

Councillor Rebecca Bligh (Leave of Absence – Civic Business)

CITY CLERK'S OFFICE:

Tina Penney, Deputy City Clerk
David Yim, Meeting Coordinator

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: 183 West King Edward Avenue and 4088 Columbia Street

An application by Forme Development was considered as follows:

Summary: To rezone 183 West King Edward Avenue and 4088 Columbia Street from RS-1 (Single-detached Houses and Duplexes) District to RM-8AN (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 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 presented an overview of the application.

Speakers

The Mayor called for speakers for and against the application.

Lindze Roy provided general comments on the application.

The speakers list and receipt of public comments closed at 6:28 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Carr

- A. THAT the application by Forme Development on behalf of 4088 Columbia Properties Inc., the registered owner of the lands located at 183 West King Edward Avenue and 4088 Columbia Street [*Lots 26 and 27, Block 663 District Lot 526 Plan 2913; PIDs 011- 429-666, 013-341-600, respectively*], to rezone the lands from RS-1 (Single-detached Houses and Duplexes) District to RM-8AN (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated January 26, 2021, entitled "Rezoning: 183 West King Edward Avenue and 4088 Columbia Street", 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 26, 2021, entitled "Rezoning: 183 West King Edward Avenue and 4088 Columbia Street".

- 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. 07069)
(Councillors Hardwick and Swanson abstained from the vote)

2. CD-1 REZONING: 4118-4138 Cambie Street

An application by Pennyfarthing Hillcrest Developments Ltd. was considered as follows:

Summary: To rezone 4118-4138 Cambie Street from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 90 secured market rental units. A height of 22.0 m (72 ft.) with additional height for a rooftop amenity space and a floor space ratio (FSR) of 2.94 are proposed.

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:

- 1 piece 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 presented an overview of the application.

Applicant Comments

Matt Kolec, Development Manager, Pennyfarthing Properties Grayson North Ltd, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Monique Choptuik spoke in opposition of the application.

The speakers list and receipt of public comments closed at 6:59 pm.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Boyle

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd., on behalf of Pennyfarthing Properties Grayson North Ltd., the registered owner, to rezone 4118-4138 Cambie Street [*PID 030-954-894; Lot 1, Block 681, District Lot 526, New Westminster District, Plan EPP92886*] from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.94 and the height from 10.7 m (35 ft.) to 22.0 m (72 ft.) and 25.0 m (82 ft.) for the portion with rooftop amenity, to permit the development of a six-storey building containing 90 secured market rental units, generally as presented in Appendix A of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 4118-4138 Cambie Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as represented in plans prepared by Raymond Letkeman Architects Inc. received October 17, 2018 and in supplemental plans received August 4, 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, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 4118-4138 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, subject to approval of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 4118-4138 Cambie Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

- 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. 07070)
(Councillors Hardwick and Swanson opposed)
(Councillor Fry abstained from the vote)

3. CD-1 REZONING: 1943-1999 East Hastings Street

An application by Boniface Oleksiuk Politano Architects was considered as follows:

Summary: To rezone 1943-1999 East Hastings Street from MC-2 (Industrial, Commercial and Residential) District to CD-1 (Comprehensive Development) District, to permit the development of an eight-storey, mixed-use building containing at-grade commercial space, 131 strata residential units and two live-work units. A building height of 31.5 m (103 ft.) and a floor space ratio (FSR) of 4.0 are proposed.

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

The following correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- 18 pieces of correspondence in support;
- 9 pieces 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 presented an overview of the application and responded to questions.

Applicant Comments

Jon Stovell, President, Reliance Properties, and along with Juan Pereira, Project Manager, Reliance Properties, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Patricia Barnes
- Sylvain Cellaire
- Dustin LaPraire
- Andraya Avison
- Marc Saul
- Charles Edward Kiers

Stephen Bohus spoke in opposition of the application.

The speakers list and receipt of public comments closed at 8:18 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Carr

- A. THAT the application by Boniface Oleksiuk Politano Architects on behalf of

- Reliance Properties Ltd., the registered owner of the lands located at 1967-1999 East Hastings Street [*PID 002-469-898; Lot H, Block 38, District Lot 184, Plan 20337*],
- East Hastings Holdings Ltd., the registered owner of the lands located at 1955 East Hastings Street [*PID 015-679-454; Lot 12, except the north 10 feet now lane, Block 38 District Lot 184 Plan 178*], and
- 1150985 B.C Ltd., the registered owner of the lands located at 1943-1945 East Hastings Street [*PID 005-411-530; Lot 13 except the north 10 feet now lane, Block 38 District Lot 184 Plan 178*],

to rezone all of the lands from MC-2 (Industrial, Commercial and Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.5 to 4.0 and the building height from 13.8 m (45.3 ft.) to 31.5 m (103 ft.) to permit the development of an eight-storey mixed-use building which would contain at-grade commercial space, 131 strata residential units, and two live-work units, generally as presented in Appendix A of the Referral Report dated January 26, 2021 entitled "CD-1 Rezoning: 1943-1999 East Hastings Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as represented in plans prepared by Boniface Oleksiuk Politano Architects received July 5, 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 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 January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings 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 January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings 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.

amended

AMENDMENT MOVED by Councillor Dominato
SECONDED by Councillor Carr

THAT the following be added as E:

THAT the Conditions of Approval in Appendix B, Condition 2.8 Public Art, of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings Street", be amended to include the following language:

Council direct staff to work with the applicant to explore incorporating art by X'pey Elementary School students into the public art contribution.

CARRIED (Vote No. 07071)
(Councillor Kirby-Yung opposed)

The amendment having carried, the motion as amended was put and CARRIED (Vote No. 07072) with Councillors Hardwick and Swanson opposed.

FINAL MOTION AS APPROVED

A. THAT the application by Boniface Oleksiuk Politano Architects on behalf of

- Reliance Properties Ltd., the registered owner of the lands located at 1967-1999 East Hastings Street [*PID 002-469-898; Lot H, Block 38, District Lot 184, Plan 20337*],
- East Hastings Holdings Ltd., the registered owner of the lands located at 1955 East Hastings Street [*PID 015-679-454; Lot 12, except the north 10 feet now lane, Block 38 District Lot 184 Plan 178*], and
- 1150985 B.C Ltd., the registered owner of the lands located at 1943-1945 East Hastings Street [*PID 005-411-530; Lot 13 except the north 10 feet now lane, Block 38 District Lot 184 Plan 178*],

to rezone all of the lands from MC-2 (Industrial, Commercial and Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.5 to 4.0 and the building height from 13.8 m (45.3 ft.) to 31.5 m (103 ft.) to permit the development of an eight-storey mixed-use building which would contain at-grade commercial space, 131 strata residential units, and two live-work units, generally as presented in Appendix A of the Referral Report

dated January 26, 2021 entitled "CD-1 Rezoning: 1943-1999 East Hastings Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as represented in plans prepared by Boniface Oleksiuk Politano Architects received July 5, 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 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 January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings 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 January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings 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.
- E THAT the Conditions of Approval in Appendix B, Condition 2.8 Public Art, of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings Street", be amended to include the following language:

Council direct staff to work with the applicant to explore incorporating art by X'pey Elementary School students into the public art contribution.

4. CD-1 REZONING: 5910-5998 Cambie Street

An application by Perkins&Will Canada Architects Co. was considered as follows:

Summary: To rezone 5910-5998 Cambie Street from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to permit a mixed-use development including a 15-storey hotel tower containing 270 hotel units and a 29-storey residential tower containing 168 strata units. The two towers sit atop a podium containing ground-floor commercial space, hotel space, and nine live-work artist studios which are to be delivered turnkey to the City. The podium height is 23.1 m (75.8 ft.) for five storeys plus partial sixth and seventh floors. The maximum tower height is 85.7 m (281 ft.) with additional height for a rooftop amenity space. The floor space ratio (FSR) is 10.41.

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:

- 1 piece of correspondence in support; and
- 2 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

Bruno Wall, President, Wall Financial Corporation, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Tracey Moir
- Nathan Davidowicz

The speakers list and receipt of public comments closed at 9:26 pm.

Applicant Closing Comments

Bruno Wall, President, Wall Financial Corporation, provided brief closing comments.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

- A. THAT the application by Perkins&Will Canada Architects Co. on behalf of Cambie and 43rd Nominee Ltd., the registered owner, to rezone 5910-5998 Cambie Street [*Lots 1-4, Block 860, District Lot 526, Plan 7737; PIDs 010-547-053, 010-548-041, 005-221-790, and 005-221-811, respectively*], from RT-2 (Residential) District to CD-1 (Comprehensive Development) District to permit a mixed-use development with a 15-storey hotel tower, a 29-storey market strata tower and live-work artist studios, generally as presented in Appendix A of the Referral Report dated January 28, 2021, entitled "CD-1 Rezoning: 5910-5998 Cambie Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as represented in plans prepared by Perkins&Will Canada Architects Co. received December 20, 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 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 January 28, 2021, entitled "CD-1 Rezoning: 5910-5998 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 January 28, 2021, entitled "CD-1 Rezoning: 5910-5998 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. 07073)
(Councillors Hardwick and Swansion opposed)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor Wiebe

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:44 pm.

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