



PUBLIC HEARING MINUTES

APRIL 13, 2021

A Public Hearing of the City of Vancouver was held on Tuesday, April 13, 2021, at 6 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 CLERK'S OFFICE:

- Katrina Leckovic, City Clerk
- Bonnie Kennett, 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. Miscellaneous Amendments to Various CD-1 By-laws

An application by Acting 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 Acting 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 Mayor called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 6:11 pm.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Hardwick

THAT Council approves the application to:

- (i) amend CD-1 (758) By-law No. 12869 for 1956-1990 Stainsbury Avenue to correct an inconsistency in the computation of floor area, and to correct the maximum building height, generally as presented in Appendix A of the Referral Report dated February 23, 2021, entitled "Miscellaneous Amendments to Various CD-1 By-laws";
- (ii) amend CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue to correct map labelling, generally as presented in Appendix B of the above-noted report;
- (iii) amend Schedule A of Sign By-law No. 11879 by adding CD-1 (521) By-law No. 10413 for 7299 Granville Street, generally as presented in Appendix C of the above-noted report; and
- (iv) amend CD-1 (620) By-law No. 11374 for 1412-1424 East 41st Avenue to permit a wider range of commercial uses, creating consistency with more recently approved and comparable CD-1 by-laws, generally as presented in Appendix D of the above-noted report.

CARRIED UNANIMOUSLY (Vote No. 07178)
(Councillor Bligh absent for the vote)

2. CD-1 REZONING: 325-341 West 42nd Avenue

An application by Marcon Properties Ltd. was considered as follows:

Summary: To rezone 325-341 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, containing approximately 215 secured rental units of which 20% of the residential floor area would be secured as below-market rental units (approximately 40 units). A height of 56.3 m (185 ft.) with additional height for a rooftop amenity space and a floor space ratio (FSR) of 6.84 are proposed.

The Acting 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 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.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in general support of the application:

- Tracey Moir, Chair, Oakridge Langara Area Resident

The following spoke to other aspects of the application:

- Nathan Davidowicz

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

Applicant Closing Comments

Bryce Rositch, Principal, RH Architects Inc., 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 Boyle

- A. THAT the application by Marcon Properties Ltd. on behalf of Wei Chun Wu, Thomas and Margaret Wong, and William and Barbara Marshall, the registered owners of the lands located at 325-341 West 42nd Avenue [*Lots 20-22, Block 858, District Lot 526 Plan 7737; PIDs: 008-275-807, 010-336-583, and 010-336-591 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 6.84 and the maximum building height from 10.7 m (35 ft.) to 56.3 m (185 ft.) and to 60.3 m (198 ft.) for the portion with rooftop amenity, to permit the development of an 18-storey residential building with a four-storey podium, consisting of approximately 215 secured rental residential units of which 20% of the residential floor area (approximately 40 residential units) would be secured as below-market rental units, generally as presented in Appendix A of the Referral Report dated February 23, 2021, entitled "CD-1 Rezoning: 325-341 West 42nd Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Rositch Hemphill Architects received June 8, 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 February 23, 2021, entitled "CD-1 Rezoning: 325-341 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 February 23, 2021, entitled "CD-1 Rezoning: 325-341 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 (Vote No. 07179)
(Councillor Swanson opposed)
(Councillor Hardwick abstained from the vote)

3. CD-1 REZONING: 485 West 28th Avenue

An application by Giant Union Design Architecture and Planning Ltd. was considered as follows:

Summary: To rezone 485 West 28th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 27 strata-titled units. A height of 21.0 m (69 ft.) with additional height for a rooftop amenity space and a floor space ratio (FSR) of 2.54 are proposed.

The Acting 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:

- 5 pieces of correspondence in opposition; and
- 3 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.

Speakers

The Mayor called for speakers for and against the application.

The following provided general comments of concern on the application:

- Naomi Steinberg

The speakers list and receipt of public comments closed at 7:44 pm.

Applicant Closing Comments

Xinmai Li, Principal, Giant Union Design Architecture & Planning, provided brief closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

- A. THAT the application by Giant Union Design Architecture and Planning Ltd., on behalf of 1098428 BC Ltd., the registered owner of the lands located at 485 West 28th Avenue [*PID 010-869-662; Lot 4 Block 721 District Lot 526 Plan 6539*] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 0.7 to 2.54 and the building height from 10.7 m (35 ft.) to 21.0 m (69 ft.) and to 24.0 m (79 ft.) for the portion with rooftop amenity, to permit the development of a six-storey building containing 27 strata-titled residential units, generally as presented in Appendix A of the Referral Report dated February 23, 2021, entitled "CD-1 Rezoning: 485 West 28th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Giant Union Design Architecture and Planning Ltd. received June 8, 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, 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 February 23, 2021, entitled "CD-1 Rezoning: 485 West 28th Avenue".
- 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. 07180)
(Councillors Hardwick and Swanson opposed)

4. CD-1 REZONING: 1616-1698 West Georgia Street

An application by Anthem Properties was considered as follows:

Summary: To rezone 1616-1698 West Georgia Street from RM-6 (Residential) District to CD-1 (Comprehensive Development) District to permit the development of a 33-storey residential building containing 127 strata-titled units. A height of 99.3 m (326 ft.) and a floor space ratio (FSR) of 9.39 are proposed.

The Acting 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:

- 18 pieces of correspondence in support; 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

Paul Faibish, Senior Vice President, Development, Anthem Properties provided a presentation on 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:

- Thomas Palmer
- Corey Colville

The following provided general comments on the application:

- Thomas Adair
- Rolando Vallarino

The speakers list and receipt of public comments closed at 8:47 pm.

Staff Closing Comments

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

During debate, Mayor Stewart relinquished the Chair to Deputy Mayor Fry, in order to provide comments and resumed the Chair when completed.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor De Genova

- A. THAT the application by Anthem Properties, on behalf of Anthem 1698 West Georgia Developments Ltd., the registered owner of the lands located at 1698 West Georgia Street [*PID 018-886-124; Lot M Block 55 District Lot 185 Plan LMP18253*], of Jim Pattison Industries Ltd., the registered owner of the lands located at 1670 West Georgia Street [*PID 008-800-120; Lot B (Explanatory Plan 2559) of Lots 5 and 6 Block 55 District Lot 185 Plan 92*] and of Alberni Street Holdings Ltd., the registered owner of Lot A of 1616 West Georgia Street [*PID 005-444-853; Lot A (Reference Plan 1653) of Lots 5 and 6 Block 55 District Lot 185 Plan 92*] to rezone a consolidation of 1698 West Georgia Street with subdivided portions of 1670 West Georgia Street and Lot A of 1616 West Georgia Street from RM-6 (Residential) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50 to 9.39 and the building height from 64.0 m to 99.3 m to permit the development of a 33-storey residential building with 127 strata-titled units, generally as presented in Appendix A of the Referral Report dated March 1, 2021, entitled "CD-1 Rezoning: 1616-1698 West Georgia Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Chris Dikeakos Architects received December 21, 2018, 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;

FURTHER THAT the approval in principle includes a deviation and exception to the existing CAC Policy as it relates to CAC deferral.

- B. THAT, subject to approval of the rezoning application, Council approves the consequential amendment to Schedule E of the Zoning and Development By-law regarding building lines, generally in accordance with Appendix C of the Referral Report dated March 1, 2021, entitled "CD-1 Rezoning: 1616-1698 West Georgia Street".
- C. THAT A through 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. 07181)
(Councillors Hardwick and Swanson abstained from the vote)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:04 pm.

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