



PUBLIC HEARING MINUTES

OCTOBER 5, 2021

A Public Hearing of the City of Vancouver was held on Tuesday, October 5, 2021, at 6:14 pm, in the Council Chamber, Third Floor, City Hall. This Council meeting was convened by electronic means as authorized under updated Section 566 of the *Vancouver Charter*.

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, City Manager

CITY CLERK'S OFFICE: Katrina Leckovic, 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. **Minor Amendments to FC-2 Zoning District Schedule, Sub-Area E Intensification of Employment Space in Mixed-Use Buildings (False Creek Flats Area Plan)**

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

Summary: To amend the FC-2 District Schedule of the Zoning and Development By-law to optimize the use of employment floor space, while retaining ground floor spaces for light industrial activities in Sub-area E. The amendments also include the addition of 'Health Care Office' Use to be consistent with Sub-area

A of the FC-2 District Schedule and the I-1 District Schedule.

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

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

Sean Martinez, Planner, City-wide and Regional Planning, provided a brief presentation and along with Matt Bourke, Senior Policy Planner, City-wide and Regional Planning, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Alex Dembinski, Development Manager, QuadReal
- Jon Leugner, Director, Leasing and Sales, Hungerford Properties

The speakers list and receipt of public comments closed at 6:50 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT Council approve the amendment to the FC-2 District Schedule of the Zoning and Development By-law, generally in accordance with Appendix A, of the Referral Report dated June 22, 2021, entitled "Minor Amendments to FC-2 Zoning District Schedule, Sub-Area E Intensification of Employment Space in Mixed-Use Buildings (False Creek Flats Area Plan)", to:
 - (i) add Health Care Office as a Conditional Approval Use in Sub-Area E as part of the permitted density for Office uses;
 - (ii) amend allocation of the floor area and density in Sub-Area E to maximize intensification and increase flexibility for employment uses as described in this report;

- B. THAT Council approve the General Manager of Planning, Urban Design and Sustainability to prepare an update to the False Creek Flats Area Plan at the time of enactment of the zoning by-law, generally as set out in Appendix C, of the Referral Report dated June 22, 2021, entitled “Minor Amendments to FC-2 Zoning District Schedule, Sub-Area E Intensification of Employment Space in Mixed-Use Buildings (False Creek Flats Area Plan)”.

CARRIED UNANIMOUSLY (Vote No. 07667)

2. Removal of the Alma Street West Side Building Line North of West Fourth Avenue

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 remove the building line on the west side of Alma Street north of West 4th Avenue (1400 to 1900-blocks of Alma Street). The building line on Alma Street was originally intended to provide wider street right-of-way for transportation and surface utility purposes. As Point Grey Road west of MacDonald Street has been reclassified as a local street, this section of Alma Street north of West 4th Avenue no longer functions as an arterial. Council directed staff to review this particular building line, and City staff have determined that the building line can be removed.

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:

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

Staff Opening Comments

Paul Storer, Director, Transportation Division, Engineering Services, 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 7:06 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Bligh

THAT Council approve the application to amend the Zoning and Development By-law to remove the Alma Street, West Side Building Line north of West Fourth Avenue, generally in accordance with Appendix E, of the Referral Report dated April 26, 2021, entitled "Removal of the Alma Street West Side Building Line North of West Fourth Avenue".

CARRIED UNANIMOUSLY (Vote No. 07668)

3. CD-1 REZONING: 357-475 West 41st Avenue

An application by Coromandel Properties was considered as follows:

Summary: To rezone 357-475 West 41st Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey and 22-storey mixed-use building with a rooftop amenity floor, containing 419 secured market rental units, with 18% of the residential floor area being secured as moderate income units. A height of 72.6 m (238 ft.) and a floor space ratio (FSR) of 6.32 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:

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

Staff Opening Comments

Scott Erdman, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, provided a presentation and along with Dan Garrison, Assistant Director, Housing Policy and Regulation, and Mario Lee, Property Development Office, Real Estate Services, responded to questions.

Applicant Comments

Mark Kopinya, Coromandel Properties, provided opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Maximillian Lepur
- Arsalan Schaigan
- Tasha Latek
- Izzetcan Guremel
- Rachel Jang
- Tuba Sonmez

The speakers list and receipt of public comments closed at 8:05 pm.

Staff Closing Comments

Scott Erdman, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, Dan Garrison, Assistant Director, Housing Policy and Regulation, and Mario Lee, Property Development Office, Real Estate Services, responded to additional questions.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

- A. THAT the application, by Coromandel Properties, on behalf of Coromandel Oakridge Developments Ltd., the registered owner, to rezone 357-475 West 41st Avenue [*Lots 5-12 Block 856 District Lot 526 Plan 7240; PIDs 010-680-980, 002-877-881, 010-680-110, 010-680-144, 010-680-187, 010-680-217, 010-680-250 and 010-680-284, respectively*], from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 6.32 and the maximum building height from 10.7 m (35 ft.) to 72.6 m (238 ft.) to permit a mixed-use development with 14-storey and 22-storey buildings, with ground-floor commercial-retail space and 419 secured rental residential units, of which 18% of the residential floor area (approximately 64 residential units) would be secured as Moderate Income Rental Units, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by IBI group received July 22, 2019, and supplemental drawings received May 11, 2021, 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 approve in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st 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 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 July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue", 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 July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue".
- E. 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 July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue".
- F. THAT A through E 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

AMENDMENT MOVED by Councillor Kirby-Yung
SECONDED by Clouncillor Bligh

THAT the following be added in addition to A:

FURTHER THAT Condition 2.12(f) of Appendix B Part 2 be amended to read as follows:

- (f) That the average initial starting monthly rents for each moderate income rental housing unit, which comprise at least 18% of the residential floor area that is counted in the calculation of the floor space ratio, will be at or below the following rents, subject to adjustment, as set out in section 3.1A (d) of the Vancouver Development Cost Levy By-law and section 2a of the Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives Administration Bulletin.

Unit Type	Proposed Average Starting Rents
Studio	\$950
1-bed	\$1,200
2-bed	\$1,600
3-bed	\$2,000

LOST (Vote No. 07669)

(Councillors Bligh, Boyle, Carr, De Genova, Fry, Hardwick, Swanson and Wiebe opposed)
(Councillor Dominato ineligible for the vote due to absence)

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At 8:40 pm, during discussion on the motion, it was

*MOVED by Councillor Dominato
SECONDED by Councillor De Genova*

THAT, per section 13.24 of the Procedure By-law, Council recess for ten minutes in order for Councillor Dominato to review the proceedings of the meeting for Item 3 and be able to vote on the motion.

CARRIED UNANIMOUSLY

Council recessed at 8:42 pm and reconvened at 9:42 pm.

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Councillor Dominato advised to have reviewed the proceedings of the meeting related to Item 3, and would therefore be voting on the motion.

The amendment having lost, the motion was put and CARRIED (Vote No. 07670) with Councillors Hardwick and Swanson opposed.

4. CD-1 REZONING: 325-343 West 41st Avenue

An application by Coromandel Properties was considered as follows:

Summary: To rezone 325-343 West 41st Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 10-storey residential building with a rooftop amenity floor, containing 95 secured market rental units, with 10% of the residential floor area being secured as moderate income units. A height of 37.9 m (124 ft.) and a floor space ratio (FSR) of 5.43 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

One piece of correspondence dealing with other aspects of the application was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

Staff Opening Comments

Scott Erdman, Rezoning Planner, Rezoning Centre, provided a presentation and along with Mario Lee, Property Development Office, Real Estate Services, and Omar Aljebouri, Development Planner, Development Planning, responded to questions.

Applicant Comments

Mark Kopinya, Coromandel Properties, provided opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Maximillian Lepur
- Arsalan Schaigan
- Izzetcan Guremel
- Rachel Jang
- Tuba Sonmez

The speakers list and receipt of public comments closed at 9:34 pm.

Staff Closing Comments

Scott Erdman, Rezoning Planner, Rezoning Centre, and Dan Garrison, Assistant Director, Housing Policy and Regulation, responded to additional questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Boyle

- A. THAT the application by Coromandel Properties, on behalf of CM Bay Alberta St. Holdings Ltd., the registered owner, to rezone 325-343 West 41st Avenue [*Lots 10 and 11 Block 849 District Lot 52 Plan 7240; PIDs 010-685-341 and 010-685-367, respectively*], from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 5.43 and the building height from 10.7 m (35 ft.) to 34.2 m (112 ft.) and to 37.9 m (124 ft.) for the portion with rooftop amenity, to permit a 10-storey residential building, consisting of 95 secured rental residential units, of which 10% of the residential floor area (approximately nine units) would be secured as Moderate Income Rental Units, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 325-343 West 41st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by IBI Group received July 22, 2019 and supplemental drawings received May 12, 2021, 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 approve in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 325-343 West 41st 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 July 6, 2021, entitled "CD-1 Rezoning: 325-343 West 41st 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. 07671)
(Councillor Swanson opposed)
(Councillors Carr, Fry, Hardwick and Wiebe 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 9:48 pm.

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