



## **PUBLIC HEARING MINUTES**

**JANUARY 18, 2022**

A Public Hearing of the City of Vancouver was held on Tuesday, January 18, 2022, at 6:02 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means as authorized under Section 566 of the *Vancouver Charter*.

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

**ABSENT:** Mayor Kennedy Stewart

**CITY CLERK'S OFFICE:** Lesley Matthews, Chief, External Relations and Protocol  
Rowena Choi, Meeting Coordinator

### **WELCOME**

The Deputy Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. 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.

### **CONDOLENCES – Loss of a City Staff Member**

The Deputy Mayor, on behalf of Council, offered sincere condolences to the family, friends and colleagues of Gord Dolyniuk, a City Streets' team member in Engineering for 32 years, who on January 7, 2022, had lost his life due to a workplace accident at National Yard.

## **1. CD-1 REZONING: 1369-1381 Kingsway**

An application by Yamamoto Architecture Inc. was considered as follows:

Summary: To rezone 1369-1381 Kingsway C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 49 secured market rental residential units and commercial space at-grade. A height of 24.1 metres (79 feet) and a floor space ratio (FSR) of 3.80 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:

- 3 pieces of correspondence in support of the application; and
- 2 pieces of correspondence in opposition to the application.

### **Staff Opening Comments**

Carly Rosenblat, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, presented an overview of the application and responded to questions.

### **Applicant Comments**

Taizo Yamamoto, Principal, Yamamoto Architecture and Timothy Yeung, Director, Development, Peterson, responded to questions.

### **Speakers**

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

The following spoke in support of the application:

- Celine McRae-Hamdy
- Alvin Lok

The following spoke in opposition of the application:

- Jack Indadioff

The following provided general comments on the application regarding transit:

- Nathan Davidowicz
- Alexander Hayden Stein

The speaker's list and receipt of public comments closed at 6:55 pm.

### Staff Closing Comments

Carly Rosenblat, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, responded to questions.

### Council Decision

MOVED by Councillor Kirby-Yung

SECONDED by Councillor Boyle

- A. THAT the application by Yamamoto Architecture Inc. on behalf of Peterson Cedar Cottage BT Inc. the registered owner of the lands located at:

- 1369 and 1375 Kingsway [*Lots I and H Block 36 District Lot 301 Plan 3451; PIDs 012-886-254 and 012-886-238 respectively*]; and
- 1377, 1379 and 1381 Kingsway [*PID 005-174-481; Lot G Except Part in Plan LMP51635, of Lots 8 and 9 Block 36 District Lot 301 Group 1 New Westminster District Plan 3451*];

to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.5 FSR to 3.80 FSR and the maximum building height from 13.8 m (45.3 ft.) to 24.1 m (79 ft.), to permit the development of a six-storey, mixed-use building with 49 secured market rental residential units and commercial space at-grade, generally as presented in the Referral Report dated November 2, 2021, entitled "CD-1 Rezoning: 1369-1381 Kingsway", be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Yamamoto Architecture Inc., received November 30, 2020, provide 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 report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 2, 2021, entitled "CD-1 Rezoning: 1369-1381 Kingsway", 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 Planning, Urban Design, and Sustainability.

- C. THAT subject to approval of the CD-1 By-law, 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 2, 2021, entitled “CD-1 Rezoning: 1369-1381 Kingsway”, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated November 2, 2021, entitled “CD-1 Rezoning: 1369-1381 Kingsway”;

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

- 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. 07975)  
(Councillors Hardwick and Swanson opposed)

## **2. CD-1 REZONING: 3304 Kingsway**

An application by Yamamoto Architecture Inc. was considered as follows:

Summary: To rezone 3304 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building, with commercial at grade and 79 secured market rental residential units. A height of 24 m (78.7 ft.) and a floor space ratio (FSR) of 3.93 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:

- 56 pieces of correspondence in support of the application;
- 9 pieces of correspondence in opposition to the application; and
- 2 pieces of correspondence dealing with other aspects of the application.

## Staff Opening Comments

Carly Rosenblat, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, presented an overview of the application and responded to questions.

At 7:06 pm, during the presentation, staff provided clarification on an error contained in Figure 6 on page 9 of the [Referral Report dated November 2, 2021](#), entitled “CD-1 Rezoning: 3304 Kingsway” with respect to the proposed average unit sizes. The correct proposed average unit sizes can be found on page 7 of the [Staff Presentation dated January 18, 2022](#), entitled “CD-1 Rezoning: 3304 Kingsway”, and are as follows:

- Studio at 363 sq. ft.;
- 1-bed at 414 sq. ft.; and
- 2-bed at 606 sq. ft.

This discrepancy did not alter the recommendations being sought in the Referral Report dated November 2, 2021, entitled “CD-1 Rezoning: 3304 Kingsway”.

## Applicant Comments

Taizo Yamamoto, Principal, Yamamoto Architecture and Jeremy Waldman, Principal, Hudson Projects Corp., provided a presentation and responded to questions.

## Speakers

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

The following spoke in support of the application:

- Celine McRae-Hamdy
- Matt DeMark

The following spoke in opposition of the application:

- Rick Hurlbut

The following provided general comments on the application regarding transit:

- Nathan Davidowicz

The speaker’s list and receipt of public comments closed at 8:01 pm.

## Staff Closing Comments

Carly Rosenblat, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, along with Anne Mauboules, Senior Housing Planner, Housing Policy, Planning, Urban Design and Sustainability, and Grace Jiang, Development Planner, Planning, Urban Design and Sustainability, responded to questions.

## Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Kirby-Yung

- A. THAT the application, by Yamamoto Architecture on behalf of Jam (3304 Kingsway) Holdings Inc., to rezone 3304 Kingsway [*PID 010-929-193; Lot A, Except Portions in Reference Plans 2447 and 8858, Block 36 District Lot 37 Plan 6270*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.5 FSR to 3.93 FSR and the building height from 13.8 m (45.3 ft.) to 24 m (78.7 ft.), to permit the development of a six-storey, mixed-use building with 79 secured market rental residential units, generally as presented in the Referral Report dated November 2, 2021, entitled “CD-1 Rezoning: 3304 Kingsway”, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development be approved in principle, generally as prepared by Yamamoto Architecture Inc., received January 14, 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 report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 2, 2021, entitled “CD-1 Rezoning: 3304 Kingsway”, 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 Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, 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 2, 2021, entitled “CD-1 Rezoning: 3304 Kingsway”, be approved.

- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated November 2, 2021, entitled "CD-1 Rezoning: 3304 Kingsway";

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

- 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. 07976)  
(Councillors Bligh, Hardwick and Swanson opposed)

### **3. CD-1 REZONING: 185-193 Southwest Marine Drive**

An application by Matthew Cheng Architects Inc. was considered as follows:

Summary: To rezone 185-193 Southwest Marine Drive from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of one six-storey residential building and one three-storey townhouse for a total of 46 secured market rental residential units. A height of 17.4 metres (57 feet) is proposed and a floor space ratio (FSR) of 2.4 is recommended.

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 speaker's list and receipt of public comments.

## Staff Opening Comments

Lex Dominiak, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, presented an overview of the application.

## Speakers

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

The following spoke in support of the application:

- Celine McRae-Hamdy

The following provided general comments on the application regarding transit:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 9:12 pm.

## Staff Closing Comments

Lex Dominiak, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, responded to questions.

## Council Decision

MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of 1034903 B.C. LTD., the registered owner of the lands located at:
- 185 Southwest Marine Drive [*PID 010-252-266; Lot 25 of Lot E Blocks 6 and 7 District Lot 322 Plan 3354*]; and
  - 193 Southwest Marine Drive [*PID 012-994-324; Lot 26, Except Part in Explanatory Plan 6887 of Lot E Blocks 6 and 7 District Lot 322 Plan 3354*];

to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.7 to 2.4 and the building height from 10.7 m (35 ft.) to 17.4 m (57 ft.), to permit a residential development with one six storey secured market rental building and one three-storey secured market rental townhouse building for a total of 46 secured market rental residential units, generally as presented in the Referral Report dated November 2, 2021, entitled "CD-1 Rezoning: 185-193 Southwest Marine Drive", be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;



FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Matthew Cheng Architect Inc., received January 27, 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 report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 2, 2021, entitled "CD-1 Rezoning: 185-193 Southwest Marine Drive", 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 Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, the Subdivision By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Referral Report dated November 2, 2021, entitled "CD-1 Rezoning: 185-193 Southwest Marine Drive";

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 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. 07977)  
(Councillor Swanson opposed)  
(Councillor Hardwick abstained from the vote)

**ADJOURNMENT**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:16 pm.

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