



PUBLIC HEARING MINUTES

MARCH 1, 2022

A Public Hearing of the City of Vancouver was held on Tuesday, March 1, 2022, at 6:20 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:

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
Alyse Stewart, Meeting Coordinator
David Yim, Meeting Coordinator

WELCOME

The 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 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 Concerning Various CD-1 By-laws

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

Summary: To make miscellaneous amendments to the Zoning and Development By-law to improve clarity, update references, correct inadvertent errors or omissions, and improve the administration of the by-laws.

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.

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 6:33 pm.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor De Genova

THAT Council approves the application to:

- (i) amend CD-1 (803) By-law No. 13257 for 150 West 4th Avenue to apply the floor space restriction currently placed on all service uses to restaurant use only, generally as presented in Appendix A of the Referral Report dated January 25, 2022, entitled "Miscellaneous Amendments Concerning Various CD-1 By-laws"; and
- (ii) amend CD-1 (684) By-law No. 11944 for 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Avenue (180 East 2nd 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 B of the above-noted report.

CARRIED UNANIMOUSLY (Vote No. 8153)

2. REZONING: 877-887 West 28th Avenue

An application by PSquare Engineering and Construction Ltd. was considered as follows:

Summary: To rezone 877-887 West 28th Avenue from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, to allow for a townhouse or rowhouse development with a maximum floor space ratio (FSR) of 1.20.

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

Allison Smith, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability responded to questions.

Applicant Comments

Payman Hosseini, Project Manager, PSquare Engineering and Construction Ltd responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Naomi Steinberg spoke in opposition of the application:

The speakers list and receipt of public comments closed at 6:48 pm.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Boyle

- A. THAT the application, by PSquare Engineering and Construction Ltd., on behalf of 1314617 BC Ltd.1, the registered owner of the lands located at 877-887 West 28th Avenue [*Lots 15 and 16, Block 717 District Lot 526 Plan 5377; PIDs: 011-166-436 and 011-166-444, respectively*], to rezone the consolidated lands

from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District be approved in principle;

FURTHER THAT the draft zoning by-law, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "Rezoning: 877-887 West 28th Avenue", 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 approval of the zoning by-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated January 25, 2022, entitled "Rezoning: 877-887 West 28th Avenue";

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 zoning by-law.

- 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. 8154)
(Councillors Swanson and Hardwick opposed)

3. REZONING: 5327-5477 Oak Street 1006-1008 West 37th Avenue

An application by Formwerks Architectural Inc. was considered as follows:

Summary: To rezone 5327-5477 Oak Street and 1006-1008 West 37th Avenue from RT-1 (Two-family dwelling) District to RM-8AN (Multiple Dwelling) District, to allow for a townhouse or rowhouse development with a maximum floor space ratio (FSR) of 1.20.

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:

- 15 pieces of correspondence in support of the application;
- 17 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Austin Norrie, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability provided a presentation and responded to questions.

Applicant Comments

Michael Burak, Vice President, Grosvenor and Rebecca Nguyen, Director of Development, Citimark, responded to questions.

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During questions to the applicant, Council recessed at 7:06 pm and reconvened at 7:11 pm due to audio issues.

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Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Kenneth Ing
- Jonathan Sun
- Christie Matis

The following spoke in opposition of the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 7:47 pm.

Applicant Closing Comments

Rebecca Nguyen, Director of Development, Citimark provided brief closing comments.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Kirby-Yung

- A. THAT the application by Formwerks Architectural Inc., on behalf of Oak 37 BT Limited, the registered owner of the lands located at:
- 5475, 5423, 5387, 5347, and 5327 Oak Street and 1006 West 37th Avenue [*Lots 1-3 and 5-7, Block 915 District Lot 526 Plan 11811; PIDs: 009-003-592, 004 076-621, 005-264-511, 009-003-622, 009-003-631 and 009-003-649 respectively*] and;
 - 5367 and 5369 Oak Street [*Strata Lots 1 and 2, District Lot 526 Strata Plan VAS2829; PIDs: 016-914-368 and 016-914-376; and PID: NPA; Common Property, Strata Plan VAS2829*];

to rezone the lands from RT-1 (Two-family Dwelling) District to RM-8AN (Multiple Dwelling) District, be approved in principle;

FURTHER THAT the draft zoning by-law, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "Rezoning: 5327-5477 Oak Street 1006-1008 West 37th Avenue", 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, A 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. 8155)
(Councillors Swanson and Hardwick opposed)

4. CD-1 TEXT AMENDMENT: 650 West 41st Avenue

An application by Henriquez Partners Architects was considered as follows:

Summary: To amend CD-1 (1) (Comprehensive Development) District for 650 West 41st Avenue (Oakridge Centre). The proposed amendment would increase permitted floor area from 424,600.7 sq. m (4,570,356 sq. ft.) to 468,938.9 sq. m (5,047,617 sq. ft.); increase the maximum FSR from 3.71 to 4.10; and increase maximum building heights to allow the additional development of 283 market rental units, 130 moderate income rental units and additional office space.

The General Manager of Planning, Urban Design and Sustainability in consultation with the Director of Legal Services 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:

- 24 pieces of correspondence in support of the application;
- 7 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Tiffany Rougeau, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability provided a presentation and responded to questions.

Applicant Comments

Gregory Henriquez, Managing Principle, Henriquez Partners Architects provided a presentation and along with Rhiannon Maberley, Representative of Westbank Corp, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Richard Littlemore
- Gerry Jobin
- Katherine Robidoux
- Doaa Thabet

- Jaisveen Kaur
- Gavin Duffus
- Tracy Beshara
- Erin Samuda

The following spoke in opposition of the application:

- Nathan Davidowicz
- Tracy Moir

The speakers list and receipt of public comments closed at 9:39 pm.

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At 9:46 pm, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Boyle*

THAT the meeting extend passed 10 pm in order to complete item 4.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

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Applicant Closing Comments

Gregory Henriquez, Managing Principle, Henriquez Partners Architects and Rhiannon Maberley, Representative of Westbank Corp responded to questions.

Staff Closing Comments

Cynthia Lau, Senior Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability responded to additional questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Henriquez Partners Architects, on behalf of 7503059 Canada Inc., the registered owner of the lands located at 650 West 41st Avenue [PID 003-128-687; Lot 7 Block 892 District Lot 526 Group 1 New Westminster District Plan 20424 Except Air Space Plan 20425 and Plan EPP85694], to amend CD-1 (1) By-law No. 3568 to increase the permitted floor area from 424,600.7 sq. m (4,570,356 sq. ft.) to 468,938.9 sq. m

(5,047,617 sq. ft.); increase the maximum floor space ratio (FSR) from 3.71 to 4.10; and increase maximum building heights to allow the additional development of 283 market rental units, 130 moderate income rental units and additional office space, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft CD-1 By-law amendment, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "CD-1 Text Amendment: 650 West 41st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Henriquez Architects, received September 4, 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 Report.

- B. THAT, if after the Public Hearing, Council approves in principle the rezoning and the Housing Agreements (Social Housing, Secured Rental Housing and Moderate Income Rental) described in Part 2 of Appendix B, of the Referral Report dated January 25, 2022, entitled "CD-1 Text Amendment: 650 West 41st Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws and amendments to the necessary Housing Agreement By-laws for enactment prior to enactment of the amended 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, at the time of enactment of the amended CD-1 By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for the updated Oakridge Centre Design Guidelines for adoption.
- 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. 8156)
(Councillor Hardwick opposed)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:57 pm.

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