



PUBLIC HEARING MINUTES

MARCH 3, 2022

A Public Hearing of the City of Vancouver was held on Thursday, March 3, 2022, at 6:05 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 Michael Wiebe
Councillor Rebecca Bligh
Councillor Christine Boyle
Councillor Melissa De Genova*
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Colleen Hardwick
Councillor Sarah Kirby-Yung
Councillor Jean Swanson

ABSENT:

Mayor Kennedy Stewart – Leave of Absence for Civic Business
Councillor Adriane Carr – Leave of Absence for Personal Reasons

CITY CLERK'S OFFICE:

Tina Penney, Deputy City Clerk
Kirsty Colquhoun, Meeting Coordinator
Denise Swanston, Meeting Coordinator

* Denotes absence for a portion of the meeting.

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.

1. CD-1 Rezoning: 277-291 West 42nd Avenue

An application by Marcon Properties Ltd was considered as follows:

Summary: To rezone 277-291 West 42nd Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of an 18-storey building, with 211 secured rental residential units, of which 20% of the residential floor area will be secured below-market rental units. A height of 57 m (187 ft.) and a floor space ratio (FSR) of 6.73 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

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:

- one piece of correspondence in support to the application; and
- two pieces of correspondence in opposition to the application.

Staff Opening Comments

Tess Munro, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability presented an overview of the application and along with additional staff from Planning, Urban Design and Sustainability, responded to questions.

Applicant Comments

Bryce Rositch, Principal, RH Architects and Tim Schmitt, Senior Development Manager, of Marcon Properties Ltd. responded to questions.

Speakers

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

The following provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 6:34 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application, by Marcon Properties Ltd. on behalf of W 42 Properties E Nominee Corp., to rezone 277-291 West 42nd Avenue [*Lots 17-19, Block 858 District Lot 526 Plan 7737; PIDs 004-232-119, 010-336-559 and 010-336-567 respectively*] from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 6.73 and the building height from 10.7 m (35 ft.) to 57 m (187 ft.), to permit an 18-storey residential building with 211 secured rental residential units, of which 20% of the residential floor area will be secured below market rental units, generally as presented in the Referral Report, dated January 25, 2022 entitled "CD-1 Rezoning: 277-291 West 42nd Avenue" 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 Rositch Hemphill Architects, received May 5, 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 January 25, 2022 entitled "CD-1 Rezoning: 277-291 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 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 January 25, 2022 entitled "CD-1 Rezoning: 277-291 West 42nd 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 new 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 UNANIMOUSLY (Vote No. 08170)
(Councillor Hardwick abstained from the vote)
(Councillor De Genova absent for the vote)

2. CD-1 Text Amendment: 1002 Station Street and 250-310 Prior Street

An application by Providence Health Care Society was considered as follows:

Summary: To amend CD-1 (761) (Comprehensive Development) for 1002 Station Street and 250-310 Prior Street. The amendments would permit elevator overruns and stair enclosures extending 13.1 m (43 ft.) above the approved maximum height and protruding approximately 9.5 m (31.2 ft.) into Council-approved protected public view 22 (Main Street). The application also proposes to permit floor area exclusions for mechanical uses to a maximum of 22,891 sq. m (246,397 sq. ft.).

Council also had before it a memorandum from the General Manager of Planning, Urban Design and Sustainability, dated March 3, 2022, entitled “CD-1 (761) Text Amendment: 1002 Station Street and 250-310 Prior Street – Amendment to draft by-law to amend CD-1 (761) – Section 8.1 (Building Height)”, which presented changes to the recommendations to correct the building height from 73.7 m to 76.22 m, due to an error in the original calculation of the geodetic grade. No changes to the form of development are contemplated in the memo. As per the original amendment, the height would only be considered to facilitate rooftop helipad access necessary for air ambulance services for the New St. Paul’s Hospital. The height of the proposal as submitted has not changed.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

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:

- one piece of correspondence in support of the application.

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 provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 6:54 pm.

Council Decision

MOVED by Councillor Boyle
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Providence Health Care Society, the registered owner of the lands located at 1002 Station Street [Lots 1, 3 and 4 District Lot 2037 Group 1 New Westminster District Plan EPP105034; PIDs 031-266-932, 031-266-959 and 031-266-967 respectively; and PID 031-266-941; Lot 2 District Lots 196 and 2037 Group 1 New Westminster District Plan EPP105034] to amend CD-1 (761) By-law No. 12883 to permit elevator overruns and stair enclosures extending 13.1 m (43.0 ft.) above the approved maximum height and to permit floor area exclusions for mechanical uses directly associated with the energy centre up to 22,891 sq. m (246,397 sq. ft.) be approved in principle;

FURTHER THAT that the draft amending by-law, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "CD-1 (761) Text Amendment: 1002 Station Street and 250-310 Prior Street", be approved in principle, with the change in height referenced in the memo to Council;

AND FURTHER THAT the above approvals 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; 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. 08171)
(Councillor De Genova absent for the vote)

3. Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan

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

Summary: This report recommends miscellaneous housekeeping amendments to the Zoning and Development By-law and East Fraser Lands Official Development Plan. The proposed amendments would achieve the intent of the by-laws and correct inadvertent errors, update references, and improve administration.

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 opposition to the application.

Staff Opening Comments

Chris Robertson, Assistant Director, City-Wide & Regional Planning, Planning, Urban Design and Sustainability provided a brief overview of the item, and along with Theresa O'Donnell, General Manager, Planning, Urban Design and Sustainability, responded to questions.

Speakers

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

The following provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 7:11 pm.

Staff Closing Comments

Theresa O'Donnell, General Manager of Planning, Urban Design and Sustainability, along with Chris Robertson, Assistant Director, City-Wide & Regional Planning, Planning, Urban Design and Sustainability, responded to additional questions.

Council Decision

MOVED by Councillor Dominato
SECONDED by Councillor Boyle

- A. THAT Council approves the application to amend the Zoning and Development By-law, generally in accordance to Appendix A of the Referral Report, dated November 29, 2021, entitled "Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan", to:
 - (i) update bullet formatting in section 4.7 to match the existing template;

- (ii) re-insert a clause in section 10.18 permitting additional height for mid-rise residential buildings with more roof insulation that was inadvertently omitted by amending By-law No. 12865;
- (iii) clarify intent in section 10.29.1;
- (iv) include regulations for basements and exemptions for window wells in the RS-7 District Schedule that were inadvertently omitted in amending By-law No. 12719;
- (v) correct an omission in section 4.7.7 in the RM-11 and RM-11N Districts Schedule by including reference to two additional sections for which more density for multiple dwellings can be achieved through the purchase of amenity or affordable housing shares;
- (vi) correct an omission in sections 4.1.1. and 4.1.3 in the RM-3A District Schedule and section 4.1.1 in the RM-4 and RM-4N Districts Schedule to include seniors supportive or assisted housing as a use for which minimum site area requirements can be reduced;
- (vii) replace an incorrect term for covered porches in the RS-1, RS-1A, RS-1B, RS-2, RS-5, RS-6, RS-7, RT-5 and RT-5N, RT-11 and RT-11N, RM-7, RM-7N and RM-7AN and RM-8, RM-8A, RM-8N and RM-8AN District Schedules;
- (viii) correct a typographical error in section 4.6.2 in the RM-1 and RM-1N Districts Schedule; and
- (ix) correct the minimum site area allowance for multiple dwellings to align with unit density in sections 4.1.2 and 4.1.3 in the RT-5 and RT-5N Districts Schedule and the RT-6 District Schedule;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix A of the above-noted Report.

- B. THAT Council approves the application to amend the East Fraser Lands Official Development Plan, generally as presented in Appendix B of the above-noted Report, to correct typographical errors in sections 6.1.3 (b) and 6.1.6;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending By-law, generally in accordance with Appendix B of the above-noted Report.

- C. THAT, subject to the enactment of the amending by-law described in A above, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, at the time of enactment of such amending by-law, consequential amendments to the "RT-4, RT-4A, RT-4N, RT-4AN, RT-5, RT-5N and RT-6 Guidelines", generally in accordance with Appendix C of the

Referral Report dated November 29, 2021, entitled “Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan”, to: for Council adoption.

CARRIED (Vote No. 08172)
(Councillor Hardwick opposed)
(Councillor De Genova absent for the vote)

4. Heritage Designation: 510 West Hastings Street (Standard Building)

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

Summary: To amend the classification of the heritage building located at 510 West Hastings Street, known as the Standard Building, in the Vancouver Heritage Register from the ‘B’ evaluation category to the ‘A’ evaluation category, and to designate its structure and exterior as protected heritage property.

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.

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

Eli Sabadlan, Heritage Planner, Planning, Urban Design and Sustainability presented an overview of the application.

Speakers

The Deputy Mayor called for speakers for and against the application and none were present.

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

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Kirby-Yung

- A. THAT the classification of the building known as the Standard Building, located at 510 West Hastings Street [*Lots 8-10 Block 24 District Lot 541 Plan 210; PIDs 009-180-109, 009-180-117 and 009-180-133 respectively*] in the Vancouver

Heritage Register be amended from the 'B' evaluation category to the 'A' evaluation category;

- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the structure and exterior of the building known as the Standard Building as protected heritage property;
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted 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. 08175)
(Councillor De Genova absent for the vote)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor Boyle

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:49 pm.

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