



PUBLIC HEARING MINUTES

MAY 17, 2022

A Public Hearing of the City of Vancouver was held on Tuesday, May 17, 2022, at 6:27 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 Adriane Carr
Councillor Rebecca Bligh
Councillor Melissa De Genova
Councillor Lisa Dominato
Councillor Colleen Hardwick
Councillor Sarah Kirby-Yung
Councillor Jean Swanson* – Leave of Absence for Personal Business from 6 to 7 pm
Councillor Michael Wiebe

ABSENT: Mayor Kennedy Stewart – Leave of Absence - Personal Business
Councillor Christine Boyle – Leave of Absence - Personal Business
Councillor Pete Fry – Leave of Absence - Civic Business

CITY CLERK'S OFFICE: Katrina Leckovic, City Clerk
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. Miscellaneous Amendments Concerning Various CD-1 By-laws

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

Summary: To make miscellaneous amendments to: CD-1 (801) at 1636 Clark Drive and 1321 1395 East 1st Avenue; CD-1 (792) at 445 Kingsway and 2935 St. George Street; CD-1 (804) at 6825 West Boulevard; and CD-1 (386) at

1001 Hornby Street, 1050 and 1088 Burrard Street; to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

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

The speakers list and receipt of public comments closed at 6:41 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

THAT Council approves the application to:

- (i) amend CD-1 (801) By-law No. 13221 for 1636 Clark Drive and 1321-1395 East 1st Avenue to correct floor area exemptions, generally as presented in Appendix A of the Referral Report dated March 29, 2022, entitled Miscellaneous Amendments Concerning Various CD-1 By-laws
- (ii) amend CD-1 (792) By-law No. 13144 for 445 Kingsway and 2935 St. George Street to correct a reference to floor area exclusions, generally as presented in Appendix B of the above-noted Report;
- (iii) amend CD-1 (804) By-law No. 13260 for 6825 West Boulevard to correct floor area exemptions, generally as presented in Appendix C of the above-noted Report; and
- (iv) amend CD-1 (386) By-law No. 7971 for 1001 Hornby Street, 1050 and 1088 Burrard Street to permit a wider range of commercial uses, generally as presented in Appendix D of the above-noted Report.

CARRIED UNANIMOUSLY (Vote No. 08392)
(Councillor Swanson absent for the vote)

2. REZONING: 160 West 44th Avenue

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

Summary: To rezone 160 West 44th 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.

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

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

Speakers

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

Ektaa Singh provided general comments on the application.

The speakers list and receipt of public comments closed at 7:02 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of 1289499 B.C. Ltd.¹, the registered owners of the land located at 160 West 44th Avenue [*PID: 010-645-411; Lot 5 Block 1083 District Lot 526 Plan 7386*], to rezone the land from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, generally as presented in the Referral Report dated March 29, 2022, entitled "Rezoning: 160 West 44th Avenue", be approved in principle;

¹ Beneficially owned and controlled by Irene Fung Yee Fong, Eddy Leung and John Chilung Yu

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted Report, be approved in principle;

AND 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 amendment by-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated March 29, 2022, entitled “Rezoning: 160 West 44th 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 amendment 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. 08393)
(Councillor Hardwick opposed)
(Councillor Swanson absent for the vote)

3. CD-1 REZONING: 7969-7989 Cambie Street

An application by Gud Group was considered as follows:

Summary: To rezone 7969-7989 Cambie Street from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building, with 27 strata-titled residential units. A building height of 20.5 m (67.3 ft) with additional height for a rooftop amenity and the mechanical appurtenance and a floor space ratio (FSR) of 2.4 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

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

The speakers list and receipt of public comments closed at 7:21 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Bligh

- A. THAT the application by Gud Group, on behalf of South Cambie Holdings Ltd., the registered owner of the lands located at 7969-7989 Cambie Street [*Lots 4 and 5 Centre Portion of District Lot 323 Plan 9707; PIDs 005-529-301 and 002-738-724, respectively*] to rezone from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 0.7 to 2.4 and the maximum building height from 10.7 m (35.1 ft.) to 20.5 m (67.3 ft.) to the top of the roof parapet and 22.8 m (74.8 ft.) to the top of the rooftop amenity space and the mechanical appurtenance to permit the development of a six-storey residential building with 27 strata-titled residential units, generally as presented in the Referral Report dated March 29, 2022, entitled "CD-1 Rezoning: 7969-7989 Cambie Street", 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 Gud Group received July 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 enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated March 29, 2022, entitled "CD-1 Rezoning: 7969-7989 Cambie Street";

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.

- 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. 08394)
(Councillors Hardwick and Swanson opposed)

4. CD-1 Rezoning: 1668-1684 Alberni Street

An application by Bing Thom Architects was considered as follows:

Summary: To rezone 1668-1684 Alberni Street from RM-5C (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a 40-storey residential building with 128 strata-titled residential units. A height of 117.30 m (385 ft.) and a floor space ratio (FSR) of 10.81 are proposed.

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

Council also had before it a memorandum dated May 12, 2022, from the General Manager of Planning, Urban Design and Sustainability outlining two changes to the recommendations, as outlined below:

THAT section 5.5 of the draft CD-1 By-law in Appendix A of the Referral Report dated March 29, 2022, entitled "CD-1 Rezoning: 1668-1684 Alberni Street", be amended as follows:

- (a) strike out section 5.5:

~~5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, unenclosed outdoor areas at grade underneath tower building overhangs, except that they must remain unenclosed for the life of the building.~~

(b) substitute with:

5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

a) unenclosed outdoor areas at grade underneath tower building overhangs, except that they must remain unenclosed for the life of the building;

b) residential amenity areas, except that the exclusion must not exceed 10% of the permitted floor area of the residential floor area.

FURTHER THAT the following additional condition of enactment be included with Part 2: Conditions of By-law Enactment of Appendix B of the above-noted Report

“Public Art

2.11 Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City’s Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Karen.Henry@vancouver.ca, Public Art Planner, 604.673.8282, to discuss your application.”

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:

- 12 pieces of correspondence in support of the application; and
- seven pieces of correspondence in opposition to the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

The applicant team responded to questions.

Speakers

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

The following spoke in support of the application:

- Terry Dhanoa
- Tia Brar

The speakers list and receipt of public comments closed at 7:51 pm.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Kirby-Yung

- A. THAT the application by Bing Thom Architects Inc., on behalf of 700 Bidwell Property Inc., the registered owner of the lands located at:
- 1668 Alberni Street [*Strata lots 1 to 11 District Lot 185 Strata Plan VR2688; PIDs 016-140-133, 016-140-141, 016-140-150, 016-140-168, 016-140-176, 016-140-184, 016-140-206, 016-140-214, 016-140-222, 016-140-231 and 016-140-249, respectively*]; and
 - 1684 Alberni Street [*Strata Lots 1 to 12 District Lot 185 Strata Plan VR705; PIDs 005-646-715, 005-646-731, 005-646-758, 003-146-821, 005-646-766, 002-494-680, 005-646-804, 005-646-812, 005-646-821, 005-646-839, 005-646-855 and 002-860-902, respectively*];

to rezone the lands from RM-5C (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.20 to 10.81 and the building height from 18.3 m (60 ft.) to 117.3 m (385 ft.) to permit the development of a 40-storey building containing 128 strata-titled residential units generally as presented in the Referral Report dated March 29, 2022, entitled "CD-1 Rezoning: 1668-1684 Alberni Street", be approved in principle;

FURTHER THAT the updated draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted Report and Memorandum dated May 12, 2022, from the General Manager of Planning, Urban Design and Sustainability, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Bing Thom Architects received August 17, 2017, and supplemental plans received July 19, 2021, provided that 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 and Memorandum dated May 12, 2022, from the General Manager of Planning, Urban Design and Sustainability, be approved in principle.

- 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. 08395)
(Councillor Hardwick opposed)

ADJOURNMENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Hardwick

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:58 pm.

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