



PUBLIC HEARING MINUTES

JUNE 14, 2022

A Public Hearing of the City of Vancouver was held on Tuesday, June 14, 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 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

ABSENT: Mayor Kennedy Stewart - Leave of Absence for
Personal Business

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
David Yim, 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: 1515 West 49th Avenue**

An application by Stuart Howard Architects Inc. was considered as follows:

Summary: To rezone 1515 West 49th Avenue from RS-3 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of two three-and-a-half storey residential townhomes with eight secured market rental residential units. A height of 13.5 m (44.3 ft.), and a floor space ratio (FSR) of 1.51 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:

- 19 pieces of correspondence in support of the application;
- Two pieces of correspondence in opposition to the application; and
- One piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation on the application and responded to questions.

Applicant Comments

Neil Robertson, Principal, Stuart Howard Architects Inc., provided an overview of the application and responded to questions.

Speakers

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

The following spoke in support of the application:

- Andraya Avison
- Ray Lan
- Shawn Goyal
- Aarti Goyal
- Regina Chandra

The following spoke in opposition of the application:

- James Annex

The speakers list and receipt of public comments closed at 6:56 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by Stuart Howard Architects Inc., on behalf of Bhagwan Dhir, the registered owner of the land located at 1515 West 49th Avenue [*PID 018-090-273; Lot G of Lot 6 Block 3 District Lot 526 Plan LMP8588*], to rezone the lands from RS-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.16 plus 130 sq. m (1,400 sq. ft.) to 1.51 FSR and the maximum building height from 10.7 m (35 ft.) to 13.5 m (44.3 ft.), to permit the development of two three-and-a-half storey residential townhome buildings containing a total of eight secured market rental housing units, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 1515 West 49th 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 Referral Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects Inc., received on March 13, 2020, with revisions submitted February 24, 2022, 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 Referral 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 May 3, 2022, entitled "CD-1 Rezoning: 1515 West 49th 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 generally as set out below:

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following property from the RS-1, RS-3, RS-3A, RS-5 and RS-6 maps forming part of Schedule A of the Subdivision By-law:

- (a) *PID 018-090-273; Lot G of Lot 6 Block 3 District Lot 526 Plan LMP8588*

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 to 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. 08498)
(Councillor Hardwick abstained from the vote)

2. CD-1 Rezoning: 4310 Slocan Street

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

Summary: To rezone 4310 Slocan Street from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of four-storey mixed-use building with eight secured market rental residential units and commercial space on the ground floor. A building height of 17.0 m (55.8 ft.) with additional height for a rooftop amenity and a floor space ratio (FSR) of 2.77 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.

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At 7:20 pm, it was

*MOVED by Councillor Carr
SECONDED by Councillor Dominato*

THAT Council waive to hear the staff presentation on item 2.

CARRIED (Vote No. 08499)

(Councillor De Genova opposed)
(Deputy Mayor Bligh abstained from the vote)

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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:

- Three pieces of correspondence in support 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 7:39 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of Rong Li, the registered owner of the lands located at 4310 Slocan Street [*PID 005-986-273; Lot 1 Block 2 South West 1/4 of Section 47 Town of Hastings Suburban Lands Plan 4272*], to rezone the lands from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.20 to 2.77 and the maximum building height from 10.7 m (35.1 ft.) to 17.0 m (55.8 ft.) to permit the development of a four-storey mixed-use building with a partial fifth storey amenity level, containing eight secured market rental residential units, with at-grade commercial space, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4310 Slocan 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 Referral 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 November 30, 2020, with further drawings received February 10, 2022,

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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4310 Slocan Street", 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 the CD-1, generally as set out in Appendix C of the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4310 Slocan Street", be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally as set out in Appendix C of the Referral Report dated May 3, 2022 entitled "CD-1 Rezoning: 4310 Slocan Street";

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 to D 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. 08500)
(Councillor Hardwick abstained from the vote)

3. CD-1 Rezoning: 4408-4488 Fraser Street and 707-709 East 29th Avenue

An application by Strand and Locarno Development was considered as follows:

Summary: To rezone 4408-4488 Fraser Street & 707-709 East 29th Avenue from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building, with 100 secured market rental housing units and commercial space on the ground floor. A building height of 21.6 m (70.9 ft.) and a floor space ratio (FSR) of 3.65 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:

- 32 pieces of correspondence in support of the application;
- Two pieces of correspondence in opposition to the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation on the application and responded to questions.

Applicant Comments

Riley Mari, Director, Locarno Legacy, responded to questions.

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At 8:18 pm, during questions to speaker, Councillor Kirby-Yung rose on a point of order under Section 6.1(a) of the *Procedure By-law*, noting that Councillor De Genova interrupted Deputy Mayor Bligh who is speaking. The Chair ruled in favour of Councillor Kirby-Yung's point of order and cautioned Councillor De Genova to ask questions pertaining to the current application.

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Speakers

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

The following spoke in support of the application:

- Mike Klassen

- Kemp Edmonds
- Karim Winsor
- Nick Calogeros
- James Potter

The following provided general comments on the application:

- Tara Laker

The speakers list and receipt of public comments closed at 8:39 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung

SECONDED by Councillor De Genova

- A. THAT, the application by Strand and Locarno Development, on behalf of Fraser Street II Nominee Inc., the registered owner of the lands located at:
- 4408-4488 Fraser Street [*Lots 1 to 6, Except the West 7 Feet, Now Road, all of Block 14 District Lots 391 And 392 Plan 2357; PIDs 004-257-740, 013-832-638, 013-832-662, 011-116-005, 013-832-697 and 013-832-719 respectively*], and
 - 707-709 East 29th Avenue [*Strata Lots 1 and 2 District Lots 391 and 392 Group 1 New Westminster District Strata Plan LMS2401 together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1; PIDs: 023-424-168 and 023-424-176*],

to rezone the lands from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 3.65 and the building height from 9.2 m (30.2 ft.) to 21.6 m (70.9 ft.), to permit the development of a six-storey mixed-use building, with 100 secured rental housing units and commercial space on the ground floor, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4408-4488 Fraser Street and 707-709 East 29th 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 Referral Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Integra Architecture Inc., received July 26, 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4408-4488 Fraser Street and 707-709 East 29th 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 application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C of the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4408-4488 Fraser Street and 707-709 East 29th Avenue", be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally set out in Appendix C of the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 4408-4488 Fraser Street and 707-709 East 29th Avenue";

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 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. 08501)
(Councillor Swanson opposed)

(Councillor Hardwick abstained from the vote)

4. CD-1 Rezoning: 1406-1410 East King Edward Avenue

An application by Vancouver Affordable Housing Agency was considered as follows:

Summary: To rezone 1406-1410 East King Edward Avenue from RM-1N (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 13-storey mixed-use building, with 109 social housing units. A building height of 51.0 m (167 ft.) with additional height for a rooftop amenity and a floor space ratio (FSR) of 11.07 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:

- 52 pieces of correspondence in support of the application;
- 24 pieces of correspondence in opposition to the application; and
- four pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation on the application and responded to questions.

Applicant Comments

The applicant team from BC Housing, Vancouver Native Housing Society, and Vancouver Aboriginal Friendship Centre, provided a presentation on the application and responded to questions.

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At 9:36 pm, it was

*MOVED by Councillor Kirby-Yung
SECONDED by Councillor Boyle*

THAT the meeting extend past 10 pm in order to complete the remaining agenda item.

CARRIED UNANIMOUSLY AND

BY THE REQUIRED MAJORITY

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Speakers

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

The following spoke in support of the application:

- Vicki Potter
- Kathleen Potter
- Jill Atkey
- William Azaroff
- Anna Hofmarks
- Kasimir Kish
- Ana Mateescu
- Kit Sauder
- Simon Davie

The following spoke in opposition of the application:

- Matthew Nguyen
- Manuel Reyes
- Briana Brocks
- Nathan Davidowicz
- Aaron Ko
- Mannie
- Grace Kennedy

The following provided general comments on the application:

- M Wickham
- Mark Maretic

The speakers list and receipt of public comments closed at 11:20 pm.

Council Decision

MOVED by Councillor Swanson
SECONDED by Councillor Boyle

- A. THAT the application by the Vancouver Affordable Housing Agency, on behalf of the City of Vancouver, the registered owners of the lands located at:
- 1406 East King Edward Avenue [*PID 019-138-725; Lot X North Part of Blocks 1 and 3 District Lot 352 Plan LMP21362*], and
 - 1410 East King Edward Avenue [*PID 019-138-733; Lot Y North Part of Blocks 1 and 3 District Lot 352 Plan LMP21362*],

to rezone the lands from RM-1N (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 1.20 to 11.07 and increase the maximum building height from 10.7 m (35 ft.) to 51.0 m (167 ft.), and to 54.0 m (177 ft.) for a partial 14th-floor rooftop amenity area, to permit the development of a 13-storey residential building containing 109 social housing units, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 1406-1410 East King Edward 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 Referral Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stantec Consulting Inc., received October 19, 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 1406-1410 East King Edward 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 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 UNANIMOUSLY (Vote No. 08503)
(Councillors De Genova and Hardwick absent for the vote)

ADJOURNMENT

MOVED by Councillor Boyle
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 11:31 pm.

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