



PUBLIC HEARING MINUTES

JUNE 21, 2022

A Public Hearing of the City of Vancouver was held on Tuesday, June 21, 2022, at 6:01 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 Sarah Kirby-Yung
Councillor Jean Swanson
Councillor Michael Wiebe

ABSENT: Councillor Colleen Hardwick

CITY CLERK'S OFFICE: Katrina Leckovic, City Clerk
Alyse Stewart, Meeting Coordinator

* Denotes absence for a portion of the meeting

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. Heritage Designation – 347 West Pender Street. Hartney Chambers

This item was withdrawn by staff from Planning, Urban Design and Sustainability on June 14, 2022, and will be presented to Council at the Public Hearing on July 5, 2022.

2. CD-1 Rezoning: 1332 Thurlow Street and 1065 Harwood Street

An application by Henriquez Partners Architects was considered as follows:

Summary: To rezone 1332 Thurlow Street and 1065 Harwood Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 33-storey residential building, with 279 secured rental units, of which 20% of the floor area is secured as below-market rental units. A height of 91.4 m (300 ft.) and a floor space ratio (FSR) of 12.61 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:

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

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application and, along with staff from Real Estate and Facilities Management, responded to questions.

Applicant Comments

Jeff Skinner, Senior Vice President – Development, Bosa Properties, provided an overview of the application and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- J.B. Hudson
- Reverend Dale Wood
- Madison Desbiens
- Luanna Bernard
- Beverley Shepansky
- Tomas Jeck

- Brenden Carriere

The following spoke in opposition of the application:

- S.G. Borda
- B. MacLeod
- Salem Butnaru

The following provided general comments on the application:

- Parveen Khtaria

The speakers list and receipt of public comments closed at 7:34 pm.

Applicant Closing Comments

James Tod, Director – Engagement, Sommerville Community Relations, and Jeff Skinner, Senior Vice President – Development, Bosa Properties, provided clarification on the application and responded to questions.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability provided clarification, closing remarks and responded to questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Henriquez Partners Architects on behalf of BOSA4RENT 1332 THURLOW INC., the registered owner of the lands located at 1332 Thurlow Street and 1065 Harwood Street [*Lots 10 and 11, Block 12 District Lot 185 Plan 92; PIDs 007-679-033 and 004-712-455 respectively*], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.20 to 12.61 and the building height from 58.0 m (190.3 ft.) to 91.44 m (300 ft.), to permit the development of a 33-storey residential building with 279 secured rental units, of which 20% of the units are secured at below-market rental units, generally as presented in the Referral Report dated May 3, 2022, entitled “CD-1 Rezoning: 1332 Thurlow Street and 1065 Harwood Street”, be approved in principle;

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

FURTHER THAT the proposed form of development be approved in principle, generally as prepared by Henriquez Partners Architects, received April 7, 2021, with revisions submitted October 21, 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: 1332 Thurlow Street and 1065 Harwood 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 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. 08544)

3. CD-1 Rezoning: 1066-1078 Harwood Street

An application by Henriquez Partners Architects was considered as follows:

Summary: To rezone 1066-1078 Harwood Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 33-storey residential building, with 278 secured rental units, of which 20% of the floor area is secured as below-market rental units. A height of 91.4 m (300 ft.) and a floor space ratio (FSR) of 12.55 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:

- 8 pieces of correspondence in support of the application; and
- 5 pieces of correspondence in opposition to the application.

Applicant Comments

James Todd, Director – Engagement, Sommerville Community Relations, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- M. Soriano
- Zachary Johnson
- Alana Kelly

The following spoke in opposition of the application:

- Grace

The following provided general comments on the application:

- Parveen Khtaria

The speakers list and receipt of public comments closed at 8:27 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Boyle

- A. THAT the application by Henriquez Partners Architects on behalf of BOSA4RENT 1066-1078 HARWOOD INC., the registered owner of the lands located at 1066-1078 Harwood Street [*Lots 8 to 9, Block 13 District Lot 185 Plan 92; PIDs 004-345-410 and 015-749-053, respectively*], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.20 to 12.55 and the building height from 58.0 m (190.3 ft.) to 91.44 m (300 ft.), to permit the development of a 33-storey residential building with 278 secured rental units, of which 20% of the units are secured at below-market rental units, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 1066-1078 Harwood Street", be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for 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 Henriquez Partners Architects, received April 7, 2021, with revisions submitted October 21, 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: 1066-1078 Harwood 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 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. 08545)

4. CD-1 Rezoning: 495 West 41st Avenue

An application by PCI Developments Corp. was considered as follows:

Summary: To rezone 495 West 41st Avenue from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use building, with 99 secured-rental units and commercial space, over three levels of underground parking. A height of 45.7 m (150 ft.), with additional height for a rooftop amenity, and a floor space ratio (FSR) of 6.37 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:

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

Staff Opening Comments

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

Applicant Comments

Tim Grant, President, PCI Development, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Tracy Beshara
- Margareta Dovgal
- S. Holwill

The speakers list and receipt of public comments closed at 9:08 pm.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Carr

- A. THAT the application, by PCI Developments Corp. on behalf of Cambie & 41st Holdings Ltd., the registered owner of the lands located at 495 West 41st Avenue [*PID: 030-820-529; Lot A Block 856 District Lot 526 Group 1 New Westminster District Plan EPP74464*], to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.50 to 6.37 and the building height from 13.8 m (45 ft.) to 45.7 m (150 ft.) and 50.0 m (164 ft.) for the rooftop indoor amenity, to permit the development of a 14-storey mixed-use building with 99 secured-rental units and commercial space, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Rezoning: 495 West 41st 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 in plans by Perkins + Will, received December 17, 2020, with addendum received on December 3, 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: 495 West 41st 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: 495 West 41st Avenue", 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 May 3, 2022, entitled "CD-1 Rezoning: 495 West 41st 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 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 (Vote No. 08546)
(Councillor Swanson opposed)
(Councillor Bligh absent for the vote)

5. CD-1 Amendment: 809 West 41st Avenue

An application by Arno Matis Architecture was considered as follows:

Summary: To amend the existing CD-1 (34) (Comprehensive Development) District at 809 West 41st Avenue to permit the development of an 18-storey mixed-use building, with ground-floor commercial space and 131 secured-rental residential units, with 20% of the residential floor area secured as Moderate Income Rental Housing Units, over three levels of underground parking. A height of 60.6 m (199 ft.), with additional height for a rooftop amenity, and a floor space ratio (FSR) of 7.11 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:

- 10 pieces of correspondence in support of the application;
- 8 pieces of correspondence in opposition to the application; and
- 3 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Alan Tam
- P. Zhou
- N. White

The speakers list and receipt of public comments closed at 9:47 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

- A. THAT the application by Arno Matis Architecture, on behalf of 809 Projects Holdings Ltd. (Inc. No. BC1137012), the registered owner of the lands located at 809 West 41st Avenue [*PID 010-075-909; Lot A Block 867 District Lot 526 Plan 8454*] to amend CD-1 (34) (Comprehensive Development) District, to increase the floor space ratio (FSR) to 7.11 and the building height to 60.6 m (199 ft.) and 64.3 m (211 ft.) for the portion with a rooftop indoor amenity, to permit the development of an 18-storey mixed-use building with ground-floor commercial space and 131 secured-rental residential units, of which 20% of the residential floor area would be secured as Moderate Income Rental Housing Units, generally as presented in the Referral Report dated May 3, 2022, entitled "CD-1 Amendment: 809 West 41st Avenue", be approved in principle;

FURTHER THAT the draft amendments to the 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 Arno Matis Architecture, received

March 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 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 Amendment: 809 West 41st Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the amendments to 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 amendments to 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 May 3, 2022, entitled "CD-1 Amendment: 809 West 41st Avenue", be approved.
- 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
 - (ii) 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. 08547)

ADJOURNMENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:48 pm.

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