



PUBLIC HEARING MINUTES

JULY 7, 2022

A Public Hearing of the City of Vancouver was held on Thursday, July 7, 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: Deputy Mayor, Sarah Kirby-Yung
Councillor Rebecca Bligh
Councillor Christine Boyle* (Leave of Absence 6 – 7:30 pm)
Councillor Adriane Carr
Councillor Lisa Dominato
Councillor Pete Fry*
Councillor Jean Swanson
Councillor Michael Wiebe

ABSENT: Mayor Kennedy Stewart (Leave of Absence)
Councillor Melissa De Genova (Leave of Absence)
Councillor Colleen Hardwick (Leave of Absence)

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
Bonnie Kennett, 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. 2022 Annual Inflationary Rate Adjustments to Density Bonus Contributions

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

Summary: To adopt an inflationary rate adjustment to density bonus contributions (i.e. "affordable housing shares" and "amenity shares" in the Zoning and Development By-law) with new rates becoming effective September 30, 2022.

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 6:18 pm.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability clarified that Recommendation B of the summary and recommendation was approved at the Council meeting on June 7, 2022 and would therefore not need to be approved again.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Dominato

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to implement the 2022 inflationary rate adjustments for density bonus contributions by amending Schedule F of the Zoning and Development By-law to be effective September 30, 2022, as shown in Appendix A of the Referral Report dated May 24, 2022, entitled "2022 Annual Inflationary Rate Adjustments to Density Bonus Contributions".

CARRIED UNANIMOUSLY (Vote No. 08663)
(Councillors Boyle and Fry absent for the vote)

2. CD-1 Rezoning: 5589-5661 Baillie Street

An application by Integra Architecture Inc. was considered as follows:

Summary: To rezone 5589-5661 Baillie Street from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit two six-storey residential buildings with 120 secured-market rental units. A building height of 19.65 m (64.5 ft.), with additional height for a rooftop amenity, and a floor space ratio (FSR) of 2.5 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 of the application; and
- 16 pieces of correspondence in opposition to the application.

Applicant Comments

The applicant team responded to questions.

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 6:33 pm.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Bligh

- A. THAT, the application by Integra Architecture Inc. on behalf of Baillie 40 Street Ventures BT Ltd., the registered owner of the lands located at 5589-5661 Baillie Street [*Lots 15 to 18 of Lot 2 Block 998 District Lot 526 Plan 9894; PIDs 009-396-675, 009-430-504, 004-513-070 and 009-430-521 respectively*], to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.7 to 2.5 and the maximum building height from 10.7 m (35 ft.) to 19.65 m (64.5 ft.) to permit the development of two six-storey residential buildings, consisting of 120 secured-market rental residential units, generally as presented in the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 5589-5661 Baillie 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 by Integra Architecture Inc., received October 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, if after Public Hearing, Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 5589-5661 Baillie 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 the approval of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 5589-5661 Baillie 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 new 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. 08664)
(Councillor Boyle absent for the vote)

3. CD-1 Rezoning: 1290 Hornby Street

An application by the Buttjes Architecture was considered as follows:

Summary: To rezone 1290 Hornby Street from DD (Downtown District) District to CD-1 (Comprehensive Development) District, to permit the development of a 35-storey mixed-use building with 211 strata-titled residential units and a cultural amenity space. A building height of 106.11 m (348.13 ft.) and a floor space ratio (FSR) of 11.96 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:

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

Staff Opening Comments

Staff from Arts, Culture and Community Services 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 opposition of the application:

- Ehsan Hajipour Jafroudi

The speakers list and receipt of public comments closed at 6:57 pm.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Bligh

- A. THAT the application by Buttjes Architecture on behalf of W.F.C. Properties Inc., the registered owner of the lands located at 1290 Hornby Street [*Lots 15 to 19, all of Block 101 District Lot 541 Plan 210; PIDs 008-206-899, 008-206-937, 008-206-953, 008-206-970 and 008-206-988, respectively*] to rezone the lands from DD (Downtown District) to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 5.00 to 11.96 and the maximum building height from 91.4 m (300 ft.) to 106.11 m (348.13 ft.), to permit the development of a 35-storey mixed-use building containing 211 strata-titled residential units and a cultural amenity space, generally as presented in the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 1290 Hornby Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Merrick Architecture, received December 13, 2018, with addendums received November 27, 2019 and addendums by Buttjes Architecture received March 11, 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 report.

- B. 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 24, 2022, entitled "CD-1 Rezoning: 1290 Hornby Street", be approved.
- C. THAT, subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C of the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 1290 Hornby 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.

- 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. 08665)
(Councillor Swanson abstained from the vote)
(Councillor Boyle absent for the vote)

4. CD-1 Rezoning: 131-163 West 49th Avenue

An application by Yamamoto Architecture was considered as follows:

Summary: To rezone 131-163 West 49th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey mixed-use building with ground-floor commercial space, office space and 68 strata-titled residential units. A building height of 17.7 m (58 ft.),

with additional height for rooftop amenity, and a floor space ratio (FSR) of 2.5 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:

- 16 pieces of correspondence in support of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation.

Applicant Comments

The applicant team responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Ariane Colenbrander

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

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Bligh

- A. THAT the application by Yamamoto Architecture, on behalf of 1327278 B.C. Ltd.¹, the registered owner of the lands located at:
 - 131-161 West 49th Avenue [*Lots 15 to 20, all of Block 1163 District Lot 526 Plan 4757; PIDs 007-472-528, 011-324-414, 011-324-431, 011-324-449, 011-324-481 and 011-324-503, respectively*]; and
 - 163 West 49th Avenue [*PID 011-602-546; Lot A of Lot 7 Block 1000 District Lot 526 Plan 21840*];

¹ Represented by Alabaster Developments Ltd.

to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.7 to 2.5 and the maximum building height from 10.7 m (35 ft.) to 17.7 m (58 ft.) to permit the development of a four-storey mixed-use building containing 68 strata-titled residential units with commercial space on the ground floor, generally as presented in the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 131-163 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 report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Yamamoto Architecture, received July 27, 2021 and supplemental plans received September 9, 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.

- 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 May 24, 2022, entitled "CD-1 Rezoning: 131-163 West 49th 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 CD-1 By-law.

- 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 24, 2022, entitled "CD-1 Rezoning: 131-163 West 49th 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 24, 2022, entitled "CD-1 Rezoning: 131-163 West 49th 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. 08668)
(Councillor Swanson opposed)
(Councillor Boyle absent for the vote)

5. CD-1 (313) TEXT AMENDMENT: 2010 Harrison Drive

An application by DYS Architecture was considered as follows:

Summary: To amend CD-1 (313) (Comprehensive Development) District for 2010 Harrison Drive to replace the existing care facility with two six-storey buildings, including a seniors care facility with 187 beds and a residential building containing 76 secured-market rental units with 20% of floor area secured at below-market rental rates. Building heights of 23.4 metres (77 feet) for the care facility and 18.1 metres (59 feet) for the rental building are proposed. A total floor space ratio (FSR) of 2.02 is proposed for the site.

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:

- 30 pieces of correspondence in support of the application;
- one piece 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-

Applicant Comments

The applicant team provided opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Patrick von Hahn

The following spoke in opposition of the application:

- Nicky Dhugga

The following provided general comments regarding transit:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 8:00 pm.

Council Decision

MOVED by Councillor Dominato

SECONDED by Councillor Swanson

- A. THAT the application by DYS Architecture, on behalf of German-Canadian Benevolent Society of British Columbia (Inc. No. S0007115), the registered owner of the lands located at 2010 Harrison Drive [*PID: 007-701-004; Lot A Blocks 23 and 29A Fraserview Plan 14913*], to amend the text of CD-1 (313) (Comprehensive Development) District By-law No. 7196 to increase the maximum floor space ratio (FSR) from 0.85 to 2.02 and the maximum building heights from 12.0 m (39 ft.) to 23.4 m (77 ft.) and 18.1 m (59 ft.) to permit the development of a six-storey seniors care facility and a six-storey secured-market rental building, of which 20% of the residential floor area will be secured as below-market rental units, generally as presented in the Referral Report dated May 24, 2022, entitled "CD-1 (313) Text Amendment: 2010 Harrison Drive", 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 DYS Architecture, received October 27, 2021 and supplemental plans received January 4, 2022 and March 10, 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 report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Appendix B of the Referral Report dated May 24, 2022, entitled "CD-1 (313) Text Amendment: 2010 Harrison Drive", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law 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 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.08669)

6. CD-1 Rezoning: 1780 East Broadway - WITHDRAWN

ADJOURNMENT

MOVED by Councillor Wiebe
SECONDED by Councillor Dominato

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:05 pm.

* * * * *