



## PUBLIC HEARING MINUTES

**JULY 28, 2022**

A Public Hearing of the City of Vancouver was held on Thursday, July 28, 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 Colleen Hardwick  
Councillor Sarah Kirby-Yung  
Councillor Jean Swanson  
Councillor Michael Wiebe

**ABSENT:**

Councillor Pete Fry (Leave of Absence from 6 pm onwards)

**CITY MANAGER'S OFFICE**

Paul Mochrie, City Manager

**CITY CLERK'S OFFICE:**

Tina Penney, Deputy City Clerk  
David Yim, 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. 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 (818) at 720 Beatty Street and 701 Expo Boulevard and CD-1 (563) at 1396 Richards Street (1388 Richards Street) to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

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, provided a presentation.

### **Speakers**

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

The speakers list and receipt of public comments closed at 6:16 pm.

### **Council Decision**

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT Council approves the application to:

- (i) amend CD-1 (818) By-law No. 13399 for 720 Beatty Street and 701 Expo Boulevard to correct the maximum overall discretionary building height in sub-area A, generally as presented in Appendix A of the Referral Report dated June 21, 2022, entitled "Miscellaneous Amendments Concerning Various CD-1 By-laws";
- (ii) amend CD-1 (563) By-law No. 10874 for 1396 Richards Street (1388 Richards Street) to permit a wider range of commercial uses, generally as presented in Appendix B of the above-noted report.

CARRIED UNANIMOUSLY (Vote No. 08777)

## **2. CD-1 REZONING: 2009-2037 Stainsbury Avenue**

An application by Public: Architecture + Communication was considered as follows:

Summary: To rezone 2009-2037 Stainsbury Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a seven-storey residential building with 123 social housing units. A building

height of 23.4 metres (76.8 feet), with additional height for rooftop mechanical appurtenances, and a floor space ratio (FSR) of 3.53 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:

- 31 pieces of correspondence in support of the application;
- 29 pieces of correspondence in opposition to the application; and
- 14 pieces of correspondence dealing with other aspects of the application.

### **Staff Opening Comments**

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

### **Applicant Comments**

The applicant team provided a presentation and responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Blair Smith

The following spoke in opposition of the application:

- Jay Hamburger
- Grace Mackenzie

The following provided general comments of the application:

- Andrew Walker, Director, Cedar Cottage Community Garden
- Nathan Davidowicz
- Yiman Jiang
- Cylia Wong

The speakers list and receipt of public comments closed at 7:59 pm.

## Staff Closing Comments

Staff from Planning, Urban Design and Sustainability, and along with staff from Arts, Culture and Community Services, responded to questions.

## Council Decision

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor De Genova

A. THAT the application by Public: Architecture + Communication on behalf of the City of Vancouver, the registered owner of the lands located at:

- 2009 Stainsbury Avenue [*PID 013-756-834; Lot A Block 6 District Lot 195 Plan 22230*],
- 2015 Stainsbury Avenue [*PID 013-755-501; Lot 5 Block 6 District Lot 195 Plan 1976*],
- 2021 Stainsbury Avenue [*PID 013-755-510; Lot 6 Block 7 District Lot 195 Plan 1976*], and
- 2031-2037 Stainsbury Avenue [*Lots 7 and 8 Blocks 6 to 8 District Lot 195 Plan 1976; PIDs 014-138-301 and 004-763-114 respectively*],

to rezone the lands from RS-1 (Residential) to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 3.53 and the building height from 10.7 m (35 ft.) to 23.4 m (76.8 ft.) to permit the development of a seven-storey residential building containing 123 social housing units, generally as presented in the Referral Report dated May 24, 2022, entitled “CD-1 Rezoning: 2009-2037 Stainsbury 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 Public: Architecture + Communication, received December 2, 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 May 24, 2022, entitled “CD-1 Rezoning: 2009-2037 Stainsbury 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 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: 2009-2037 Stainsbury 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 to C 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.

amended

AMENDMENT MOVED by Councillor Boyle  
SECONDED by Councillor Kirby-Yung

THAT the following be added as D:

THAT Council direct staff to continue to work with the Cedar Cottage Community Garden (CCCG):

- a) To assist them in finding a new site for the garden;
- b) To provide some discretion in the Community Garden License Agreement in the event that the volunteer-run CCCG is not able to fully restore the leased land to its original condition; and
- c) To strive to provide the longest possible utilization of the land for community gardening before the development is ready to begin.

amended

AMENDMENT TO THE AMENDMENT MOVED by Councillor Carr  
SECONDED by Councillor Boyle

THAT the following be added at the end of D:

- d) To explore reallocating street space as part of the reallocation of 11 percent of streets for community use that are Council directives in the Broadway and Vancouver Plans;
- e) To explore with Vancouver School District staff the potential of relocating the Cedar Cottage Community Garden to a nearby school.

CARRIED UNANIMOUSLY (Vote No. 08778).

The amendment to the amendment having carried, the amended amendment was put and CARRIED UNANIMOUSLY (Vote No.08779). Subsequently, the amended motion was put and CARRIED UNANIMOUSLY (Vote No. 08780).

**FINAL MOTION AS APPROVED** (letter changed to reflect approved amendment)

A. THAT the application by Public: Architecture + Communication on behalf of the City of Vancouver, the registered owner of the lands located at:

- 2009 Stainsbury Avenue [*PID 013-756-834; Lot A Block 6 District Lot 195 Plan 22230*],
- 2015 Stainsbury Avenue [*PID 013-755-501; Lot 5 Block 6 District Lot 195 Plan 1976*],
- 2021 Stainsbury Avenue [*PID 013-755-510; Lot 6 Block 7 District Lot 195 Plan 1976*], and
- 2031-2037 Stainsbury Avenue [*Lots 7 and 8 Blocks 6 to 8 District Lot 195 Plan 1976; PIDs 014-138-301 and 004-763-114 respectively*],

to rezone the lands from RS-1 (Residential) to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 3.53 and the building height from 10.7 m (35 ft.) to 23.4 m (76.8 ft.) to permit the development of a seven-storey residential building containing 123 social housing units, generally as presented in the Referral Report dated May 24, 2022, entitled "CD-1 Rezoning: 2009-2037 Stainsbury 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 Public: Architecture + Communication, received December 2, 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 May 24, 2022, entitled "CD-1 Rezoning: 2009-2037 Stainsbury 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 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: 2009-2037 Stainsbury 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 Council direct staff to continue to work with the Cedar Cottage Community Garden (CCCG):

- a) To assist them in finding a new site for the garden;
- b) To provide some discretion in the Community Garden License Agreement in the event that the volunteer-run CCCG is not able to fully restore the leased land to its original condition;
- c) To strive to provide the longest possible utilization of the land for community gardening before the development is ready to begin;
- d) To explore reallocating street space as part of the reallocation of 11 percent of streets for community use that are Council directives in the Broadway and Vancouver Plans; and
- e) To explore with Vancouver School District staff the potential of relocating the Cedar Cottage Community Garden to a nearby school.

- E. THAT A to D 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.

**ADJOURNMENT**

MOVED by Councillor Hardwick  
SECONDED by Councillor Dominato

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:30 pm.

\* \* \* \* \*