



PUBLIC HEARING MINUTES

FEBRUARY 16, 2023

A Public Hearing of the City of Vancouver was held on Thursday, February 16, 2023, at 6:04 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 Ken Sim
Councillor Rebecca Bligh
Councillor Christine Boyle
Councillor Adriane Carr*
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Sarah Kirby-Yung
Councillor Mike Klassen
Councillor Peter Meiszner
Councillor Brian Montague
Councillor Lenny Zhou

CITY CLERK'S OFFICE:

Lesley Matthews, Acting Deputy City Clerk
Cassia Nasralla, Meeting Coordinator
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 team members who work hard every day to help make our city an incredible place to live, work, and play.

1. Rezoning: 691 West 28th Avenue

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

Summary: To rezone 691 West 28th Avenue from RS-1 (Residential) District to RM-8A (Residential) District, to permit the development of townhouse or rowhouse. A building height of 11.5 m (37.5 ft.) and a floor space ratio (FSR) of 1.20 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommends 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 Mayor called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 6:21 pm.

Council Decision

MOVED by Councillor Klassen
SECONDED by Councillor Dominato

- A. THAT the application by Stuart Howard Architects Inc., on behalf of Extraordinary Homes Ltd., Inc., the registered owner of 691 West 28th Avenue [*PID: 010-721-001; Lot 14 Block 719 District Lot 526 Plan 7090*] to rezone the land from RS-1 (Residential) District to RM-8A (Residential) District, generally as presented in the Report dated December 20, 2022, entitled "Rezoning: 691 West 28th Avenue", be approved in principle;

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 approvals 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 Report dated December 20, 2022, entitled "Rezoning: 691 West 28th 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; 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. 09046)

2. CD-1 Rezoning: 8029-8225 Oak Street and 1012 West 64th Avenue

An application by Arno Matis Architecture was considered as follows:

Summary: To rezone 8029-8225 Oak Street and 1012 West 64th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of two residential buildings and two mixed-use buildings containing a total of 200 strata-titled residential units. A building height of 28.5 m (94 ft.) and a floor space ratio (FSR) of 3.25 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommends 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;
- one piece 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.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Declan Hodgins

The speakers list and receipt of public comments closed at 6:42 pm.

Council Decision

MOVED by Councillor Kirby-Yung

SECONDED by Councillor Bligh

- A. THAT the application by Arno Matis Architecture, on behalf of:
- 1123197 B.C. Ltd., the registered owner of the lands located at 1012 West 64th Avenue and 8029-8109 Oak Street [*Lots 1 to 6, except the east 7 feet and the west 10 feet now highways, all of Lot 14 Block B District Lots 319, 323 and 324, Plan 1685; PIDs 014-446-006, 014-446-022, 014-446-049, 014-446-065, 013-152-041, and 014-446-090, respectively*] and
 - 1119903 B.C. Ltd., the registered owner of the lands located at 8129-8225 Oak Street [*Lots 7 to 12 except the east 7 feet and the west 10 feet now highways, all of Lot 14 Block B District Lots 319, 323 and 324, Plan 1685; PIDs 008-629-927, 008-354-448, 014-446-111, 014-446-162, 011-435-224, and 007-972-288, respectively*] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.60 to 3.25 and the building height from 10.7 m (35 ft.) to a maximum of 28.5 m (94 ft.), to permit two residential buildings and two mixed-use buildings with a maximum height of eight storeys, generally as presented in the Report dated December 20, 2022, entitled "CD-1 Rezoning: 8029-8225 Oak Street and 1012 West 64th 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 Arno Matis Architecture received June 7, 2021, with revisions received November 29, 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 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 Report dated December 20, 2022, entitled "CD-1 Rezoning: 8029-8225 Oak Street and 1012 West 64th Avenue", 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, generally as set out in Appendix C of the Report dated December 20, 2022, entitled "CD-1 Rezoning: 8029-8225 Oak Street and 1012 West 64th 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.

- D. THAT subject to approval of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Report dated December 20, 2022, entitled "CD-1 Rezoning: 8029-8225 Oak Street and 1012 West 64th 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.

- 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 anyway 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. 09047)

3. CD-1 Rezoning: 396 Southwest Marine Drive

An application by HDR Architecture Associates Inc. was considered as follows:

Summary: To rezone 396 Southwest Marine Drive from I-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of permit two towers above a three-storey podium, containing a mix of industrial and commercial uses, along with a turn-key 37-space childcare facility for City ownership. A building height up to 79 m (259 ft.) and a floor space ratio (FSR) of 4.63 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommends 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.

Staff Opening Comments

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

Applicant Comments

The applicant team responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Charlotte Lewthwaite, Manager of Community Benefits and Partnerships, Buy Social Canada
- Michelle Lackie, Executive Director, Exchange Inner City

The following spoke in opposition of the application:

- Sol Hashemi

The speakers list and receipt of public comments closed at 7:28 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Bligh

- A. THAT the application by HDR Architecture Associates Inc., on behalf of 396 SW Marine Drive Properties GP Ltd. , the registered owner of the lands located at 396 Southwest Marine Drive [*PID 007-866-623; Lot E Block 14 District Lot 311 Plan 14313*], to rezone the lands from I-2 (Industrial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.00 to 4.63 and the maximum building height from 30.5 m (100 ft.) to 79 m (259 ft.) to permit an 11-storey building and a 19-storey building containing light industrial, commercial, and a child day care facility, generally as presented in the Report dated December 20, 2022, entitled “CD-1 Rezoning: 396 Southwest Marine 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 HDR Architecture Associates Inc., received September 13, 2021, with an addendum received on June 8, 2022, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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, a consequential amendment to Schedule E of the Zoning and Development By-law regarding landscape setbacks, generally as set out in Appendix C, of the Report dated December 20, 2022, entitled “CD-1 Rezoning: 396 Southwest Marine Drive”, be approved.
- 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 Report dated December 20, 2022, entitled “CD-1 Rezoning: 396 Southwest Marine Drive”, 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 Report dated December 20, 2022, entitled “CD-1 Rezoning: 396 Southwest Marine Drive”;

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 UNANIMOUSLY (Vote No. 09048)

4. Rezoning: 1977 West 41st Avenue and 5688 Maple Street

An application by Sightline Properties (Maple Street) Ltd. was considered as follows:

Summary: To rezone 1977 West 41st Avenue and 5688 Maple Street from RS-3A (Residential) District to RR-3B (Residential Rental) District, to permit the development of a six-storey mixed-use rental building of which 20% of the residential floor area is secured as below-market rental units. A building height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 3.50 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommends 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:

- 13 pieces of correspondence in support of the application;
- one piece of correspondence in opposition to the application.

Staff Opening Comments

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

Applicant Comments

The applicant team responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Carl Wood
- Kibi O'Reilly
- Benjamin Sampson
- Alison Harbidge
- Parm Nijjar

The following spoke in opposition of the application:

- Shawn Gallacher

The speakers list and receipt of public comments closed at 8:20 pm.

Applicant Closing Comments

The applicant team provided closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Bligh
SECONDED by Councillor Montague

- A. THAT the application by Sightline Properties (Maple Street) Ltd., the registered owners of the lands located at:
 - 1977 West 41st Avenue [PID 011-144-378; Lot 8 of Lot 6 Block 5 District Lot 526 Plan 5482]; and

- 5688 Maple Street [*PID 011-144-351; Lot 7 of Lot 6 Block 5 District Lot 526 Plan 5482*];

to rezone the lands from RS-3A (Residential) to RR-3B (Residential Rental) District, generally as presented in the Report dated December 20, 2022, entitled "Rezoning: 1977 West 41st Avenue and 5688 Maple Street", be approved in principle;

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 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 Report dated December 20, 2022, entitled "Rezoning: 1977 West 41st Avenue and 5688 Maple Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 zoning amendment by-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Report dated December 20, 2022, entitled "Rezoning: 1977 West 41st Avenue and 5688 Maple 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 zoning amendment 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. 09049)

5. Rezoning: 807-847 East 33rd Avenue

An application by Yamamoto Architecture was considered as follows:

Summary: To rezone 807-847 East 33rd Avenue from RS-1 (Residential) District to RR-2B (Residential Rental) District, to permit the development a five-storey rental building. A building height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 2.40 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommends 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:

- 21 pieces of correspondence in support of the application;
- 22 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 and responded to questions.

Applicant Comments

The applicant team responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Julia Lockhart
- Blair Smith

The following spoke in opposition of the application:

- Jonathan Desbarats
- Jonathan Horovitz
- Mark Chilvers
- Dr. Jennifer Kong
- Michael Lightstone

The following provided general comments on the application:

- Jonathan Waller

The speakers list and receipt of public comments closed at 9:28 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Klassen
SECONDED by Councillor Zhou

- A. THAT the application by Yamamoto Architecture on behalf of 1327287 B.C. Ltd., the registered owners of the lands located at:
- 807 East 33rd Avenue [*PID: 015-645-151; Lot 1 of Lot 5 Block 3 District Lots 391 and 392 Plan 344*];
 - 821 East 33rd Avenue [*PID: 015-645-177; Lot 2 of Lot 5 Block 3 District Lots 391 and 392 Plan 344*];
 - 833 East 33rd Avenue [*PID: 002-999-595; Lot 3, Except the South 7 Feet, Now Road Block 5 of Block 3 District Lots 391 and 392 Plan 344*]; and
 - 847 East 33rd Avenue [*PID: 015-645-185; Lot 4, Except the South 7 Feet Now Road, of Lot 5 Block 3 District Lots 391 and 392 Plan 344*];

to rezone the lands from RS-1 (Residential) to RR-2B (Residential Rental) District, generally as presented in the Report dated December 20, 2022, entitled "Rezoning: 807-847 East 33rd Avenue", be approved in principle;

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 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 Report dated December 20, 2022, entitled "Rezoning: 807-847 East 33rd Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Report dated December 20, 2022, entitled "Rezoning: 807-847 East 33rd 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.

- 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; 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. 09050)

ADJOURNMENT

MOVED by Councillor Zhou
SECONDED by Councillor Klassen

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:47 pm.

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