

**PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law - Oppose**

Date Received	Time Created	Subject	Position	Content	Author Name	Neighborhood	Attachment
2023-09-13	07:14	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>The West Point Grey Residents Association (WPGRA) has many unaddressed concerns and therefore we cannot support the proposed rezoning of up to 6 units/lot without significant amendments and a better more collaborative consultation process that involves the community.</p> <p>We are part of the Coalition of Vancouver Neighbourhoods (CVN) and we support their letter from a citywide perspective here:  <a href="https://coalitionvan.org/posts/20230912-rs-rezoning-multiplexes-public-hearing/">https://coalitionvan.org/posts/20230912-rs-rezoning-multiplexes-public-hearing/</a>                      Attached is an Appendix from the CVN letter that also applies to West Point Grey for reference.</p> <p>From a West Point Grey perspective we have a number of concerns beyond those citywide issues in the CVN letter.</p> <ul style="list-style-type: none"> <li>• There is the major development of the Jericho Lands that is proposed to triple the current neighbourhood population without the infrastructure to support it. The proposed multiplexes would strain WPG infrastructure even further beyond the limits of growth for schools, community centre, daycare, sewers, electrical supply, healthcare, etc.</li> <li>• The WPG Community Vision, approved by Council in 2010 for thirty years, showed strong support for character and heritage house retention through adaptive reuse including multiple conversion dwellings and suites. This proposed rezoning would undermine character house and heritage retention incentives that were only put in place a few years ago rather than supporting this and making it easier to do.</li> <li>• WPG has a number of properties listed on the Vancouver Heritage Registry that multiplexes would put more development pressure on. Instead, they should be exempted from new multiplexes and provide viable retention options through conversions and infill.</li> <li>• WPG has a lot of mature large onsite trees, gardens and street trees that would be lost under this plan, contrary to climate objectives to support and expand the urban forest canopy.</li> <li>• Lack of planning &amp; design guidelines, no required onsite parking, or EV charging, etc.</li> </ul> <p>Yours truly,                      West Point Grey Residents Association Board of Directors</p> <p>Appendix attached</p>	organization West Point Grey Residents Association (WPGRA)	West Point Grey	Appendix A

2023-09-13	01:50	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>Concept is good but this proposal is not:</p> <ul style="list-style-type: none"> <li>- such poorly conceived city-wide rezoning simply guarantees that the most affordable existing smaller houses (often with affordable suites) will be replaced by more expensive units</li> <li>- too much impact on adjacent properties from raising height of lane houses or rear principal residences to 8.5m</li> <li>- too much impact on livability (which now attracts footloose new economy workers) from reduced street and on site trees, degraded streetscapes, increased on street parking conflicts, and increased pressure on hard and soft services</li> <li>- units will not be affordable and rezoning will increase land prices further</li> <li>- dispersed units will NOT increase walking and rolling</li> <li>- many strata units will be bought by investors, empty units will be impossible to identify</li> <li>- if you are serious about new housing types create new zones that allow some assemblies, fee simple row houses with suites, zero lot line, small scale 4-6 storey wood frame apartments, etc located around existing commercial areas on streets with frequent transit and nearby schools so people can make linked trips without cars and new City services can be provided efficiently.</li> </ul>	Ted Sebastian	West Point Grey	
2023-09-12	23:13	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>Dear Mayor and City Council,</p> <p>It seems that many people that support the proposals are under the impression that they will provide more affordable housing options in Vancouver.</p> <p>However, there is a new 5-plex that was recently constructed on a 66x130ft lot by Crescent Legacy. The smallest unit in that 5-plex is 2 bedroom home of 1349 square feet that is currently listed for \$1.738 million dollars. This price point does not seem to be helping affordability. It is quite probable that multiplexes will only serve to drive up land values which in turn will drive up per unit and per square footage costs for housing. In the end, the proposed changes may result in home owners paying more for smaller units in more crowded neighbourhoods.</p> <p>Additionally, the proposed restrictions on FSR will make it difficult for multi-family households because the constraints will make it harder to find homes of suitable size for a larger family to share. This could put upwards price pressure on available housing stock that is suitable for this purpose.</p>	C Lee	Kerrisdale	
				<p>My previously submitted comments have been truncated as presented under "Correspondence". Therefore, I am resubmitting here the omitted serious negative concerns which lead me to oppose this missing middle plan as proposed.</p> <p>These concerning issues include:</p>			

2023-09-12	21:05	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	<p>Oppose</p> <ul style="list-style-type: none"> <li>- Collapse of all nine RS zones into just one, hugely impacting Vancouver’s cherished legacy as a city with distinct neighbourhoods. This loss of neighbourhood character was a frequent concern noted by city staff in its limited engagement with citizens.</li> <li>- Negative impacts on neighbouring houses as bigger, bulkier multiplex buildings with reduced yards and setbacks will create shadows and reduce privacy, concerns listed as a “trade-off” in a January 2023 staff presentation to Council but totally missing from the July 2023 report.</li> <li>- Lack of any major contribution (if any) to affordability. The staff report indicates that multiplex sites will lead to increased land values. This will, of course, increase development pressures and reduce affordability in comparison to the existing homes that will be demolished. What is the point of subjecting Vancouverites to the above negative impacts when there is so little to be gained? Surely this is NOT what Council wants or intends.</li> <li>- No pilot program to assess the impacts of this major plan even though a limited pilot program was part of previous work such as Council’s 2022 motion and the Vancouver Plan. It is irresponsible to proceed with this plan across all single family lots when its massive changes and repercussions have not been properly evaluated with a test drive. And a similar plan should not be extended to RM and other zoned areas until all the issues above and others have not been addressed.</li> </ul> <p>I urge Council in the strongest possible terms to say NO to this missing middle plan as it stands and hold off on it until such time as the many issues associated with it have been resolved. These issues simply cannot be properly addressed with a hodgepodge of amendments. Send it back to the drawing board.</p> <p>When the plan has been appropriately refined to address the many concerns it raises (and after the revised plan has been subjected to full, fair and transparent public scrutiny and comment), it should then most definitely be implemented first as a limited pilot program through which any unforeseen and unintended consequences can be detected and addressed before the entire city is impacted.</p> <p>Thank you for your consideration of my concerns.</p> <p>ALSO: It seems as though comments from a number of other people have also been truncated and that is unacceptable. There is no notification of a word/character limit on the comment form online.</p>	Robertta Olenick	West Point Grey	
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Date Received	Time Created	Subject	Position	Content	Author Name	Neighborhood	Attachment
2023-09-12	20:55	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	At a very minimum one would assume that City Hall would try a small experimental project. By now they should have learned that that there are always "unintended consequences" with any grand new scheme.	Wayne Meadows	Kitsilano	
2023-09-13	09:53	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	I totally agree with the letter sent by WPGRA to you about opposing this development as is proposed . The high rises will be totally out of place and shading many of the existing homes here, the traffic here is already very congested with people going to the beach and UBC . the density of this project is out of place . the loss of green space and trees is a disappointment	linda mari		

2023-09-13	09:20	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>Opposed to this level of density in RS zoning:</p> <p>There is the major development of the Jericho Lands that is proposed to triple the current neighbourhood population without the infrastructure to support it. The proposed multiplexes would strain WPG infrastructure even further beyond the limits of growth for schools, community centre, daycare, sewers, electrical supply, healthcare, etc.</p> <p>Almost all 60,000 current RS lots citywide are proposed for up to 4 units on standard lots, 5 units on mid-sized, 6 units of strata on large lots, or up to 8 units on large lots for rental.</p> <p>No required on-site parking that puts more pressure on street parking and undermines the shift to electric vehicles with no place to park for charging</p> <p>Loss of trees and green space, both onsite and for street trees due to reduced front yards that impacts street tree roots Lack of infrastructure to serve growth including sewers, water supply, electrical grid, schools, daycare, community centres, recreation facilities, medical services, social services, etc.</p> <p>This proposed plan will undermine character house and heritage building retention incentives and should be revised to be equal to or greater than new construction to be an incentive.</p> <p>Properties listed on the Vancouver Heritage Register should be exempt from new multiplexes, and instead have viable incentives for increasing density and multifamily through retention options.</p> <p>For character house retention, with a renovated addition or suite, density is reduced from the current 0.75 to proposed 0.65. The current 0.75 FSR should be retained.</p> <p>Character houses with infill only are at 0.85 FSR while multiplexes are proposed at 1.0 FSR. Make character house and heritage incentives equal to or greater than new construction.</p>	Andrew Webb	West Point Grey	
				<p>Dear Mayor Ken Sim and, 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 :</p> <p>Re: The Referral Report July 7, 2023 on Missing Middle Plan, now discussed</p>			

2023-09-13	09:17	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>in CITY MEETING September 14, 2023, to which I greatly disagree with the Missing Middle Plan, because ,1) not having 1 to 1 car parking for each 6 Multiplex unit, 2) removing the Tree Canopy in large amounts, 3) changing the name of Single Detached Homes to “Residential Inclusive Homes” and making all RS- 1 zones into one zone, 4) making the Missing Middle Plan “all over”, 5) not being piloted, and, 6) driving up housing prices to 6 million per SFH lot across city, whereby I respectfully request Mayor and Council, not to pass the Missing Middle Plan</p> <p>REFERRAL REPORT          Report Date: July 7, 2023          Contact: Theresa O’Donnell Contact No.: 604.673.8434          RTS No.: 15854          VanRIMS No.: 08-2000-20          Meeting Date: July 25, 2023          TO: Vancouver City Council          FROM: General Manager of Planning, Urban Design and Sustainability          SUBJECT: Adding Missing Middle Housing and Simplifying Regulations – Amendments          to the Zoning and Development By-law</p> <p>This letter is to ask Mayor and Council, 1.) to ask City Staff the following 15 - 20 critical questions of the Missing Middle Plan Referral Report July 7, 2023 , now discussed in Council Meeting September 14, 2023, 2 ) to make 11 amendments to the Plan, and ideally, for Mayor and Council not pass the Missing Middle Plan, because it is greatly “flawed” - not enough density, “unworkable”- no car parking, “unrealistic” - removes Tree Canopy, and not the best density option, moving forwards.</p> <p>This Missing Middle Plan does not have enough bang for the buck, as they say in big business: this Plan makes no 'common sense' for cars, for trees, for affordable housing.</p> <p>Let's get real, EVERY City Plan should put affordable housing FRONT and CENTER. Period.          K van Drager “ Missing Middle should not remove trees, not remove 1 to 1 car parking” Sept 7, 2023 p 1 of 11          Ultimately and realistically, there are far better housing density plans, moving forwards, including densification of, 1.) many more main arterial streets, 2.) Downtown on Robson Street, 3) Downtown heading east along Hastings Street, 3 ) the False Creek Flats ( Main / Terminal ) and, 4 ) along South West Marine Drive heading east from Oak or Granville Street.</p> <p>Ten Main Amendment request, for Mayor and Council before passing the Missing Middle Plan, are:          1) Can Council pass an amendment that the Tree Canopy will not be greatly nor moderately reduced by the Missing Middle – ie because the City needs to not only protect the Tree Canopy but increase it from its current 19% up to</p>	K van Drager	Kitsilano
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				<p>25%?</p> <p>2) Can the CITY directly CONSULT – i.e. LEGAL DUTY TO CONSULT ALL INDIGENOUS BASED ON THE VAN- DRIP, WHICH THE CITY SIGNED ONTO IN 2022, all Indigenous Nations associated with Vancouver – ie the xʷməθkʷəy̓əm (Musqueam Indian Band), Skwxwú7mesh (Squamish Nation), and səlilwətaʔ (Tseil-Waututh Nation) , and ask them if removing “a lot” of trees in the city is acceptable to all the animal and tree spirits and Indigenous Cultural and Indigenous Identity on this sacred land?</p> <p>3) If the Missing Middle is passed, can council pass a motion or amendment, that Missing Middle will exclude AREA - A, ( from report) – i.e. the West Side of Vancouver, because it has more tree canopy than AREA- B ( middle Vancouver) or AREA -C, ( East Van) ?</p> <p>4) Can Mayor and Council pass an amendments that no trees greater than 10 inch in diameter will be removed in the Missing Middle Plan?</p> <p>5) Can Council pass a motion that the Missing Middle will be piloted in AREA – C first?</p> <p>6) Can Council pass an amendment that the Missing Middle must have 1 to 1 car parking for every unit?</p> <p>7) Can</p>			
2023-09-13	08:39	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	We oppose this plan. See attached letter.	organization Upper Kitsilano Residents Association	Kitsilano	Appendix B

**PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law - Oppose**

Date Received	Time Created	Subject	Position	Content	Author Name	Neighborhood	Attachment
2023-09-12	14:08	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>Contrary to the Neighbourhood Visioning accepted in 2010 for 30 years...</p> <p>Do a test area and assess the value of rezoning.</p> <p>More detail: RS Rezoning for Multiplexes Public Hearing Thursday September 14, 2023 at 1:00 pm.</p> <p>This upcoming public hearing will cover all RS zones and is in direct conflict with the Community Visions approved by City Council in 2010 for thirty years.</p> <p>Some of the many concerns are as follows:</p> <p>Almost all 60,000 current RS lots citywide are proposed for up to 4 units on standard lots, 5 units on mid-sized, 6 units of strata on large lots, or up to 8 units on large lots for rental.</p> <p>No required on-site parking that puts more pressure on street parking and undermines the shift to electric vehicles with no place to park for charging</p> <p>Loss of trees and green space, both onsite and for street trees due to reduced front yards that impacts street tree roots</p> <p>Lack of infrastructure to serve growth including sewers, water supply, electrical grid, schools, daycare, community centres, recreation facilities, medical services, social services, etc.</p> <p>This proposed plan will undermine character house and heritage building retention incentives and should be revised to be equal to or greater than new construction to be an incentive.</p> <p>Properties listed on the Vancouver Heritage Register should be exempt from new multiplexes, and instead have viable incentives for increasing density and multifamily through retention options.</p> <p>For character house retention, with a renovated addition or suite, density is reduced from the current 0.75 to proposed 0.65. The current 0.75 FSR should be retained.</p> <p>Character houses with infill only are at 0.85 FSR while multiplexes are proposed at 1.0 FSR. Make character house and heritage incentives equal to or greater than new construction.</p>	Marjorie Schurman	Dunbar-Southlands	



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2023-09-12	14:03	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>We are asking that you reconsider the upcoming City-wide rezoning of the RS zones for the following reasons:</p> <ul style="list-style-type: none"> <li>- You appear not to have considered the environmental and aesthetic harm that would be done by getting rid of trees and shrubs to make extra room for more dwellings on each lot.</li> <li>- You appear not to have considered the effect on infrastructure, including sewers, water, schools, daycare, electricity, and parks in your rezoning plans. The Olympic Village is still waiting for its promised school.</li> <li>- You appear not to have considered that up-zoning lots increases the cost of land and therefore will not improve the affordability.</li> <li>- The lack of parking requirements on site will be a major drawback for many renters and purchasers, especially people with children, people with disabilities, seniors and others who cannot jump on a bike or scooter to do errands and go to appointments. Streets are already crowded with parked cars. Governments persuaded people to purchase electric vehicles but where will people park their vehicles after buying them? Moreover, where will they charge their batteries?</li> <li>- What happened to neighbourhoods? The new zoning will bring a bland uniformity to the city with no input from neighbourhoods. Have you tested the rezoning on one neighbourhood to ensure that it is successful before proceeding with all of the RS zones? There is a reason why past councils had separate zoning plans for each neighbourhood.</li> </ul> <p>Shirley and Frederick Irvine</p>	No Name No Name	West Point Grey	


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2023-09-12	13:36	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>I support the changes that positively impact affordability in our city.</p> <p>I do not support the proposed increase in the height of the main house and laneway buildings.</p> <p>We bought our house partly because of the view of the north shore mountains. Allowing up to 10 additional feet to the height of a laneway house and 6 feet to the main promises to very negatively impact us.</p> <p>Adding 10 feet to the height of a laneway house does not increase the living space (they are still limited to two floors) and it seems that 10 more feet would make it more expensive, not more affordable.</p> <p>I am not opposed to larger lane houses, i am opposed to taller lane houses - 10 feet taller.</p> <p>I kindly ask council to re-consider the benefits and appropriateness of the new proposed height limits.</p>	No Name No Name	Arbutus Ridge	
2023-09-12	12:28	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	Oppose rezoning of single family areas in Van BC	Tatiana Kadantseva	Marpole	
2023-09-12	12:26	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	Oppose rezoning of single family areas in Van BC	Serguei Kadantsev	Marpole	
2023-09-12	12:03	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	I do not believe that rezoning the entire city to allow cheaply and poorly made multiple family housing will actually address the housing crisis. It is merely a means of keeping the developers happy. We have seen a lot of housing being built in our city and yet the housing crisis continues. A better solution would be to insist that future development include affordable housing especially for front-line workers.	Linda Walley	Hastings-Sunrise	

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2023-09-12	18:50	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	I am a designer who has been engaged in detached house design in Vancouver for more than 10 years. I am opposed to the Missing Middle Housing plan. I think this is a big step backward in urban planning. It is very backward urban planning and will bring irreversible consequences to Vancouver. harm. This plan will affect the development of Vancouver in the next few decades. I think if it is to be implemented, it must be voted by all Vancouverites and all Vancouverites must decide their own future.	Riky li	Arbutus Ridge	
2023-09-12	17:36	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	I support the overall recommendation in order to increase housing supply, however I oppose the density reduction from FSR of 0.7 to 0.6 for single house dwelling, we should not discriminate any type of new build proposal from land owners. It is very important to provide more housing options. However I believe that land owner should have freedom to choose whichever best option for them, and 0.6 FSR is way underused for each parcel. Thank you so much for your attention!	Bijun Wu	Dunbar-Southlands	
2023-09-12	17:02	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>I OPPOSE this proposal concerning multiplexes.</p> <p>Although the idea of providing affordable “missing-middle” housing is worthwhile, my underlying concern is that insufficient consideration has gone into the ramifications of this proposal. A more comprehensive approach is needed to achieve the goals of providing affordable housing and a walkable neighbourhood.</p> <p>Detailed consideration is needed to deal with issues, such as the following:</p> <ol style="list-style-type: none"> <li>1) increased density will place a strain on existing infrastructure (e.g., sewers; parking spaces, etc.);</li> <li>2) reducing dependence on cars (esp. for errands) would require that LOCAL amenities (retail stores, communities centres, parks, etc.) within walking distance are provided;</li> <li>3) if missing-middle housing is for families, families mean children, whose needs must be met. Where are the plans for daycare, schools, and recreational facilities?; and</li> <li>4) new traffic lights and fire halls will be needed for public safety.</li> </ol> <p>For public hearings to be truly public and to receive a wide range of opinions, notice of the hearing date and topic should be given well in advance and though all forms of media, including print.</p>	Veronica Yakoleff	South Cambie	

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2023-09-12	16:46	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>It seems our current city council is hellbent on lining developers pockets in the name of making our city “affordable”, but at the cost of ruining it. The charm and character of our neighborhoods will be lost. Who will want to come to an overcrowded soulless jungle of mid-rises ? Already our neighbourhood streets are effectively one lane roads with all the 2, 3, and 4 car households lining the street with their cars. What will happen when there are 4 to 6 times more families living there ? Give your heads a shake. Vancouver is unaffordable due to supply and demand. The demand is from people who want to live in a city with vibrant charming neighbourhoods close to all the wonderful amenities our city offers. The supply is limited, thus the price goes up. If you turn those neighbourhoods into streets lined with 4, 6, and 8 unit multiplexes, the charm will be gone. Maybe the units will be a bit more affordable, but who will want to live here ?</p> <p>Tom Clements  </p>	Tom Clements	Dunbar-Southlands	

2023-09-12	16:42	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>"Missing Middle" Plan isn't a Plan and shouldn't go anywhere before it is thoroughly studied</p> <p>Honorable Vancouver Mayor and Councillors,</p> <p>I support city planning that involves neighbourhoods. The Missing Middle Housing Plan is mis stillborn because it doesn't address the middle nor the needs of a liveable city. It changes Vancouver into an alienating monster city.</p> <p>From Renfrew Heights to West Point Grey, from Hastings-Sunrise to Marpole, the proposed blanket rezoning of residential neighbourhoods will allow an unlimited number of 4- to 8-unit multiplexes on blocks that are presently "RS" zoned without consideration to:</p> <ul style="list-style-type: none"> <li>- Water, sewers, electricity... Where are the studies that show how much density each neighbourhood's infrastructure can take? Is it the same in Killarney as in Southlands?</li> <li>- Green assets on private and public land... Trees and gardens will be chopped down, dug up and built on; street trees will be sacrificed for utility connections.</li> <li>- Is there space in the local school?</li> <li>- A nearby park for dogs to run in?</li> <li>- Do all neighbourhoods have these amenities to spare?</li> <li>- How many more cars can a block accommodate? This plan eliminates the requirement for on-site parking.</li> <li>- Have the planners considered education needs? Health care needs? Policing needs?</li> </ul> <p>No test case for viability; no pilot project - just some 60,000 lots rezoned in one fell swoop. What could possibly go wrong?</p> <p>Thank you for taking the above into consideration.</p>	Noemi Gal-Or	Dunbar-Southlands	
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2023-09-12	16:11	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>We oppose the Missing Middle Housing Plan. The proposed blanket rezoning of residential neighbourhoods will allow an unlimited number of 4- to 8-unit multiplexes on blocks that are presently “RS” zoned. However, there has been no test case for viability; no pilot project - just some 60,000 lots rezoned in one fell swoop. What can go wrong: Water, sewers, electricity... Where are the studies that show how much density each neighbourhood’s infrastructure can take? Is it the same in Killarney as in Southlands? Green assets on private and public land... Trees and gardens will be chopped down, dug up and built on; street trees will be sacrificed for utility connections. Is there space in the local school? A nearby park for dogs to run in? Do all neighbourhoods have these amenities to spare? How many more cars can a block accommodate? This plan eliminates the requirement for on-site parking.</p>	Daniel Kasowitz		
2023-09-12	16:05	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>I speak as a property owner in Kitsilano, an elder, a grandparent and parent and a psychologist with 4 decades of experience serving children and youth. I am writing to give voice to the young citizens of Vancouver who will be the direct participants of the impact of a city wide, one size fits all, policy approach to improving density. This policy has known negative impacts on the well-being of citizens.</p> <p>Detailed planning on infrastructure for schools, hospitals, water, waste, community recreation and parks. The loss of trees and green spaces diminish the livability of our city and needs attention.</p> <p>I ask the mayor and council to consider their conscience and the oath they swore to serve all the citizens before imposing a one-size fits all policy on all the people of our city, especially the young.</p>	Geraldine Schwartz	Kitsilano	Appendix C
2023-09-12	15:52	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>West Pt. Grey is a community where the owners have all worked hard all their lives to be able to have quiet single family neighbourhood for their retirement. By rezoning the area for much higher density you are completely destroying the neighbourhood and the community. Please respect the wishes of the community, by maintaining its existing character. Also Jericho Lands should house less than 10,000 people in low rise, no towers and not 28,000.</p>	Walter Raepple	West Point Grey	

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2023-09-12	15:16	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	I oppose the Missing Middle Housing plan because it is an excessive, over-the-top strategy developed without proper input from residents. I urge council to reduce the scale of the plan, consult with residents and require a meaningful pilot project before it is unleashed on the entire city. (See full letter attached)	Carol Volkart	Dunbar-Southlands	Appendix D
2023-09-13	11:28	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	Given that existing RS-1 bylaws allow for an additional suite within a house as well as a lane infill for a total of 3 dwelling units, and given that there are many existing neighbourhoods with buildings of slightly under and sometimes above an FSR of 1.0, this is an ineffectual attempt to address the need for significantly more housing and in fact may increase its cost. The City should instead be looking at an FSR of 3.0 which is quite doable on single corner lots or combining two mid-block lots with 5-6 storey buildings facing the street with no front yard setback and 3-4 storey buildings on the lane some of which could be re-positioned heritage houses. (see attachment) The passage of this short-sighted rezoning will squander an opportunity to effectively address this issue and more likely aggravate our housing problem.	Rob Grant	West End	Appendix E

**PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law - Oppose**

Date Received	Time Created	Subject	Position	Content	Author Name	Neighborhood	Attachment
2023-09-13	12:10	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>In addition to my previous comments, I would like to add the following.</p> <p>As a resident of West Point Grey, I am extremely concerned that the proposed multiplexes added to the major development proposed for the Jericho Lands will put an extreme and excessive strain on WPG infrastructure beyond what can be provided for schools, community centres, day care, sewer, water, electrical supply, healthcare etc. The Jericho proposal just by itself would triple the current neighbourhood population without sufficient supporting infrastructure. This is beyond WPG's fair share of increased density.</p> <p>I strongly support the submission of the Coalition of Vancouver Neighbourhoods. This submission raised a number of important points I had not considered and which I urge council to recognize and take into account. These points are:</p> <ol style="list-style-type: none"> <li>1. Why rezone 60,000 RS lots for up to 6 units each when the target is only 10,000 more units?: Rather than completely overloading the city's infrastructure, the city should take a more targeted approach. Look at how each neighbourhood can take their fair share of the 10,000 unit target and ensure that it is done in parallel with the required infrastructure. Note that the 10,000 unit target is for all missing middle units, not just multiplexes, including duplexes, suites, infill and character house retention incentive projects.</li> <li>2. A more selective approach could produce more units while putting less pressure on services and land values. At an average of only one added unit per lot. that could produce 60,000 units. For example, by making multiplexes a bit more moderate, it could actually be easier to build while not undermining the other opportunities such as for more suites, character house retention incentives, or overloading services. For example, allowing multiplexes at up to 0.85 FSR for 3 units on standard 33'x120' lots, 4 units on 50'x120' lots and 6 units on corners with 60' or more width would provide for bigger family units, more yard, trees and permeability, and a better fit for services.</li> <li>3. Lack of data for planning: City Council and the public continue to lack the much-needed data to determine how many units are actually required for anticipated growth in our communities. Also needed is data on how many units have already been planned or approved broken down by neighbourhood and how much impact that will have on services. This data should also inform ho</li> </ol>	Roberta Olenick	West Point Grey	



**PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law - Oppose**

Date Received	Time Created	Subject	Position	Content	Author Name	Neighborhood	Attachment
2023-09-13	12:14	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>Many longer comments under the Correspondence table here <a href="https://council.vancouver.ca/20230914/phea20230914ag.htm">https://council.vancouver.ca/20230914/phea20230914ag.htm</a> are truncated, completely omitting the last portion of what citizens have to say, including me.</p> <p>The online form does not indicate any word limit for comments. Why are comments being truncated? And how can I be sure Mayor and Council have had full and easy access to my entire comment and the entire comments of other citizens?</p>	Roberta Olenick	West Point Grey	
2023-09-13	12:23	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>While I strongly welcome and support the concept of addressing affordable housing through increasing density through RS zones that cover the vast majority of Vancouver land mass, I am urgently concerned about the negative impacts on our Vancouver's green canopy, vital to mitigating the effects of climate change, and making Vancouver a physical and psychologically more LIVEABLE CITY.</p> <p>I don't believe enough awareness has been taken about the extreme negative climatic impacts this level of density will have. With radically increased site coverage, mature trees will have to come down, impacting our bird and wildlife populations, and reducing the cooling effects that our mature trees create.</p> <p>I am in favour of density being spread through ALL residential areas of Vancouver. This is a better solution than the Broadway Plan and Vancouver Plan, that concentrate residential along high air and noise pollution major arteries.</p> <p>The affordable housing solution needs a more nuanced approach than the sledgehammer approach of the plans referenced here.</p>	Joan Jaccard	West Point Grey	
2023-09-13	12:40	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	See attached PDF. Please include this on the website under the "Opposed" category.	Robin Tavender on behalf of Standing Water Nation		Appendix F

2023-09-13	12:48	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>The current proposals for ""Adding Missing Middle Housing and Simplifying Regulations." needs major reform. If you allow up to eight homes on each single-family lot, you must require a 1:1 ratio of parking spots to units. Parking spots should be wide enough to accommodate trucks or SUVs. If not, there will be a lot of neighbour conflicts.</p> <p>I also would not support decreasing Floor Area Ratio for detached houses to 0.6. This loss of about 15% is unacceptable. Keep the ratio at 0.7 for detached house and allow for larger laneway houses. Some of us live in multi-generational detached house and we need enough space.</p>	John Wong	Kensington-Cedar Cottage	
2023-09-13	12:56	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>Submitting letter and Petition.</p> <p>The Character House Network has significant concerns about this proposed plan and how this rezoning has been implemented without meaningful inclusion of key stakeholders such as our group or the public. The proposed zoning changes completely undermine the character house retention incentives that were established only a few years ago. There has been a lack of involvement except by a very few building industry representatives who have been engaged for over a year and a half. The process for public engagement has been inadequate for meaningful discussion or input. We cannot support this proposed rezoning and request substantial modification to address our concerns.</p> <p>We have a petition on Change.org that calls for, among other things, "...to take immediate action to remove from zoning and building code bylaws any biases favouring demolition and new construction over retention..." and is now over 9,650 plus paper signers at the time of writing.  <a href="https://www.change.org/p/city-of-vancouver-mayor-and-council-save-vancouver-s-character-houses">https://www.change.org/p/city-of-vancouver-mayor-and-council-save-vancouver-s-character-houses</a>            And the Vancouver Vanishes Facebook has over 13,000 likes, also as a form of support for retention. <a href="https://www.facebook.com/VancouverVanishes/">https://www.facebook.com/VancouverVanishes/</a></p> <p>Clearly the public wants to see policies that encourage heritage and character house retention, and the city has programs and policies to encourage this through heritage and character house incentives. The greenest building is the one that already exists so doing more with what we have through adaptive reuse needs to be a central part of policy and planning.</p> <p>Therefore we request at minimum that the City:</p> <ul style="list-style-type: none"> <li>• Exclude from new multiplexes any houses on the Vancouver Heritage Registry, either listed or registered, and instead direct multiple units on these properties through heritage and character retention incentive options;</li> <li>• For lots with qualified character houses (pre-1940), ensure incentives for retention of the character houses are better than new construction options to make them viable, such as ensuring the FSR for character house retention is higher than for new multiplexes;</li> </ul>	organization Vancouver Character House Network		Appendix G

				<ul style="list-style-type: none"> <li>• For character house retention, with a renovated addition or suite, retain current density of 0.75 FSR rather than reducing to the proposed 0.65 FSR.</li> <li>• Character houses with infill should be the same or higher than multiplexes that are proposed at 1.0 FSR, well above the retention options at a maximum of 0.85 FSR.</li> <li>• Since character house retention projects are being used as learning examples for multiplexes, provide the data on how many have been approved in RS zones so far, what the outcomes are and how they can be made easier and faster to implement;</li> <li>• Zone for multiplexes in a form and scale that maximizes retention of mature trees, and permeable green surfaces within neighbourhood context and streetscapes; and</li> <li>• Ensure new development is within the city's infrastructure capacity in each neighbourhood for a sustainable future.</li> </ul> <p>Please see attached file for the full letter.</p>			
2023-09-13	14:46	PH 2 - 1. Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law	Oppose	<p>The July 7 staff report warns that “the cost of new multiplex units will still be out of reach of many households.” The 2021 census counted more than 20,000 unoccupied dwellings in our city. Building more of what people can’t afford gives more options to those with the financial means to choose, but leaves moderate and lower income households with no relief. I support the flexibility of renovations, infill and laneway homes where neighbourhood character is respected, but worry that adoption of this plan will distract from the urgent problem of affordability, which it does little to solve.</p> <p>I am troubled that people living in the areas to be rezoned have had such minimal opportunity to be informed or engaged in the process of conceiving a plan that could profoundly affect their homes and neighbourhoods.</p> <p>Do not rezone most of the city until a completed pilot project in each neighbourhood clearly demonstrates how the perceived benefit of increased density balances the adverse impact on its environment, infrastructure and civic amenities.</p> <p>There must exist some compromise between removal of roadblocks from owner-developed additional housing and wholesale upzoning for industry-driven development. Please reject this plan and look for it.</p>	Sal Robinson	Kitsilano	



West Point Grey Residents Association  
Info@wpgra.ca  
www.wpgra.ca

September 13, 2023

City of Vancouver  
Dear Mayor Sim and Councillors,

**Re: Public Hearing - Multiplex RS Rezoning**

Public Hearing Agenda - Thurs. Sept. 14 at 1:00 pm: <https://council.vancouver.ca/20230914/phea20230914ag.htm>  
CoV Report: <https://council.vancouver.ca/20230725/documents/rr2.pdf>

The West Point Grey Residents Association (WPGRA) has many unaddressed concerns and therefore we **cannot support the proposed rezoning** of up to 6 units/lot without significant amendments and a better more collaborative consultation process that involves the community.

We are part of the Coalition of Vancouver Neighbourhoods (CVN) and we support their letter from a citywide perspective here:

<https://coalitionvan.org/posts/20230912-rs-rezoning-multiplexes-public-hearing/>

Attached is an Appendix from the CVN letter that also applies to West Point Grey for reference.

From a West Point Grey perspective we have a number of concerns beyond those citywide issues in the CVN letter.

- There is the major development of the **Jericho Lands that is proposed to triple the current neighbourhood population without the infrastructure to support it.** The proposed multiplexes would strain WPG infrastructure even further beyond the limits of growth for schools, community centre, daycare, sewers, electrical supply, healthcare, etc.
- **The WPG Community Vision, approved by Council in 2010 for thirty years, showed strong support for character and heritage house retention through adaptive reuse including multiple conversion dwellings and suites.** This proposed rezoning would undermine character house and heritage retention incentives that were only put in place a few years ago rather than supporting this and making it easier to do.
- **WPG has a number of properties listed on the Vancouver Heritage Registry that multiplexes would put more development pressure on.** Instead, they should be exempted from new multiplexes and provide viable retention options through conversions and infill.
- **WPG has a lot of mature large onsite trees, gardens and street trees that would be lost** under this plan, contrary to climate objectives to support and expand the urban forest canopy.
- **Lack of planning & design guidelines, no required onsite parking,** or EV charging, etc.

Yours truly,  
West Point Grey Residents Association Board of Directors

Appendix attached

**APPENDIX - RS Rezoning and Multiplex Public Hearing (CVN September 11, 2023)**

Below are just some of the many unaddressed comments, concerns and questions we have about the proposals:

**Lack of planning and resources for amenities and infrastructure for growth:** Of particular concern is the lack of neighbourhood-based planning for adequate amenities and infrastructure for approved growth. The accumulative affects of multiplexes will be substantial, so therefore it is critical that planning includes the resources for schools, health care, daycare, community facilities, amenities and infrastructure in every neighbourhood. As we know CACs and DCLs do not begin to cover these costs for growth and there is no reason to believe that new additional proposed CACs will be any different. Many neighbourhoods are already underserved for amenities and infrastructure.

**Basic electrical and sewer infrastructure insufficient:** Requiring every RS lot to have its own electrical transformer (PMT) with a 12 ft x 12 ft easement at the lane and a huge underground water holding tank to prevent overflowing the sewer system illustrates how the current proposal is beyond the capacity of city infrastructure. These costs of approximately **\$100,000 for a transformer PMT and \$25,000 for a water tank are prohibitive**, as well as taking up valuable land area that makes this unfeasible.

**Loss of existing affordable rental suites:** The RS zones currently have a very large number of rental suites, as well as whole houses that are rented, that would be lost through this initiative.

**Why rezone 60,000 RS lots for up to 6 units each when the target is only 10,000 more units?:** Rather than completely overloading the city's infrastructure, the city should take a more targeted approach. Look at how each neighbourhood can take their fair share of the 10,000 unit target and ensure that it is done in parallel with the required infrastructure. **Note that the 10,000 unit target is for all missing middle units, not just multiplexes**, including duplexes, suites, infill and character house retention incentive projects.

**A more selective approach could produce more units while putting less pressure on services and land values:** At an average of only one added unit per lot **that could produce 60,000 units**. For example, by making multiplexes a bit more moderate, it could actually be easier to build while not undermining the other opportunities such as for more suites, character house retention incentives, or overloading services. For example, allowing multiplexes at up to 0.85 FSR for 3 units on standard 33'x120' lots, 4 units on 50'x120' lots and 6 units on corners with 60' or more width would provide for bigger family units, more yard, trees and permeability, and a better fit for services.

**Properties listed on the Vancouver Heritage Register should be exempted:** To be consistent with Heritage retention policies, increasing development pressure from multiplexes should be avoided. Instead, properties listed on the Heritage register can increase development through retention incentives in a Heritage Retention Agreement (HRA).

**Undermining character retention incentives - 0.85 FSR vs 1.0 FSR:** The current character house retention incentives of 0.85 FSR would be undermined by allowing 1.0 FSR for multiplexes. This will lead to more demolition and lost rental affordability. The retention incentives need to be more than new construction or they will not work. This is unbalanced as proposed.

**Existing character house retention incentives should remain at 0.75 FSR rather than reducing to 0.65 FSR as proposed:** The proposed reduced sizes of new houses to 0.6 FSR with increased laneway house is reasonable. While avoiding very big new houses is a good idea, the existing incentives for character house retention of 0.75 FSR should not be lowered to 0.65 FSR which is inadequate.

**Undermining climate policy objectives for more trees and less embodied carbon:** To meet climate objectives, the need for growth should be balanced with climate objectives to increase the tree canopy. Current proposals of 1.0 FSR will leave little yard space for retaining existing trees or planting new. The higher the new FSR and larger site coverage, the more embodied carbon is produced to build a bigger building and more demolition.

**Minimum unit sizes and bedroom sizes should be specified:** Multiplexes in other areas have shown that some bedrooms are only 7'x8' and some units too small for families so minimum sizes are required.

**Lack of data for planning:** City Council and the public continue to lack the much-needed data to determine how many units are actually required for anticipated growth in our communities. Also needed is data on how many units have already been planned or approved broken down by neighbourhood and how much impact that will have on services. This data should also inform how multiplexes are implemented.

**Reduced front yard setbacks:** Almost no front yards or permeable surfaces are proposed with little green space provided. Loss of trees, even large street trees where front yard setbacks are so narrow that it isn't enough room for root systems. Instead, front yards should be retained to provide for outside space for the ground floor or front unit, to avoid putting all the outdoor space in the rear yard with little privacy between units. Front yards should continue to be a factor of the depth of the lot, as well as consideration of adjacent properties and streetscapes. Where front yards are reduced, consider stepping back the second floor to avoid cutting off all light to adjacent properties. It is unclear in the presentation materials what the proposed front yard setback would be.

**Combining RS Zones:** While there may be some rationale for simplifying and combining some RS zones, some zones such as RS3 and RS3A were specifically designed for the existing lot sizes, configurations and building forms of the area. These should be treated differently and retained. There should be some consideration of local area conditions and influences.

**Design Guidelines should be retained and improved:** The Design Guidelines help to clarify the intent of the zoning and provide important guidance to designers, builders and staff. Having this level of clarity actually helps to speed up approvals rather than leaving it open to misinterpretation that requires many revisions. To remove Design Guidelines is not practical and makes the zoning less transparent.

**No required onsite parking or EV charging:** No required onsite parking for up to 6 units, will overload street parking and not have electric car charging that is a disincentive to convert to an EV.

**Require all new single family houses to have a secondary suite:** There is no reason to be building new houses without at least one secondary suite to help offset the many suites that will be lost through demolition.

**Allow 2 secondary suites through the Secondary Suite Program:** Traditionally, it is common to find houses made up of 3 suites, ground level, main floor and top floor suites. Usually at least one of these suites are unauthorized. Rather than shutting down good suites, they could be legalized and made safe through the Secondary Suite Program. Code staff are reluctant to do so, but now even the province is incentivizing more secondary suites so this should be reconsidered through direction by Council.

**Landscape irrigation should be required to ensure trees and shrubs survive:** There is very little landscaping so to ensure it survives it is essential that there is irrigation, especially with multiple strata owners.



Sept. 12, 2023

Dear Mayor Sim and Council members:

We represent the Upper Kitsilano Residents Association (UKRA) and are writing to you today to express our strong opposition to the Missing Middle Housing Plan (MMHP).

From a resident's perspective, UKRA has many misgivings about the short-sighted plan, including loss of trees, gardens, and permeable yard surfaces which will be replaced by concrete. We are concerned about the destruction of 100-year-old boulevard trees' root systems, which the Planning department admits will be sacrificed during construction. Neighbourhood residents count on the shade provided by the big trees, and it will be desperately missed and even dangerous as temperatures continue to rise.

From an environmental perspective, the MMHP flies in the face of the City's own Climate Emergency Action Plan, which seeks to increase greenspace, not cover it with concrete.

### **Building the future we want**

In a city where land-based and aquatic NCS projects are implemented, residents, visitors, and ecosystems alike will benefit from:

- Increased urban greenspace, canopy cover, and access to streams and creeks
- Protection from the urban heat island effect and resilience to flooding
- Flourishing biodiversity and habitats for native species
- Healthy and protected forests, wetlands, meadows, shorelines, and streams

With wildfires and extreme weather events increasing every year, we must look at the long term. It is therefore incumbent upon Council to consider the negative environmental effects the MMHP will create for future generations.

Meanwhile, many problems with the MMHP remain, including:

- Lack of infrastructure to serve growth including sewers, water supply, electrical grid, schools, daycare, community centres, recreation facilities, medical services, and social services
- Protections for character houses and retention incentives for heritage buildings need to be incorporated in the MMHP
- For character house retention, with a renovated addition or suite, density will be reduced from the current 0.75 to a proposed 0.65. The current 0.75 FSR should be retained.
- The loss of existing secondary suites and truly affordable housing when the bulldozers move in. Where will people living in these houses go?

Compared with developers, who helped City planners shape the MMHP, the public was scarcely consulted. The only form of public input was a Shape Your City survey — and it was hardly an indicator of public support for the MMHP when fewer than 1,900 participated.

Beyond what's in the plan, we, as a city, need to improve how consultation is conducted among all stakeholders. We need to find a way to ensure every stakeholder group has its say from the outset of any significant rezoning. Groups like ours and the public should not be presented with a plan that is already a fait accompli.

UKRA is a member of the Coalition of Vancouver Neighbourhoods, and we strongly support their [letter](#) to Council dated Sept. 12, 2023.

Sincerely,  
The directors  
UKRA



Petition Against City wide rezoning RS policy

I write to you as a long term property owner, resident of Kitsilano, an elder, a grandparent, parent and a psychologist in active practice for 4 decades with children and youth.

I speak to you directly on behalf of every child, young person and parent who will have to live with your decision. I give voice to those who have no way to give this voice to ask the question beyond the rezoning ratios you propose directly

**to the actual real life impact of your city wide rezoning proposal**

**on their lives in the present and the future.**

How is it, as the elected representatives of all of us, you feel entitled to make a decision that impacts known negative outcomes on the health, wellbeing, safety and education of every citizen you swore to work on behalf of when elected?

Here are just some problems your decision needs to consider:

- lack of planning for infrastructure to including water supply, schools, community centres, recreation facilities, playgrounds and hospitals as well overcrowded street parking.
- loss of green spaces
- loss of trees that cool a warming planet
- loss of beautiful homes we have lived in for our lifetimes and the history of each family that they represent.
- loss of the culture of neighbourhoods
- lack of planning for the overcrowding of classrooms
- and lack of planning for all other social and medical services.

You must be aware that there are alternatives to a city wide, one solution fits all, **that is emboldening developers especially unscrupulous ones** who put greed for maximum profit before good sense in what and how they build.

**What restraints are you putting in place for this?**

**I ask you on behalf of every child and youth who have to live with the consequences of your decision, to consider other known 'proven' alternative ways to address the need to increase density.**

**I ask you on behalf of the children to consider your conscience.**

Others will write to you about ratios and rezoning. I ask you to imagine the following real scenario multiplied many times by the city wide policy decision you propose,

At 7<sup>th</sup> and 8<sup>th</sup> Avenues on Arbutus, you proceed to override the community's concerns of putting an at risk population across the street from what has been a safe school for all the decades it has been here. Remember that if anything untoward happens to a child, it will be because of a decision you made against the better interests of every child attending that school now, and in the future, multiplied by the thousands of new at risk places you propose to create.

Today, Sept 12<sup>th</sup>, 2023, in the Vancouver Sun, Vancouver was reported the 2nd best city in the world to live after Switzerland on 73 indices. You are putting all this at risk.

**I ask you as a grandparent, parent and elder on behalf of the children to check whether this policy that puts their wellbeing of this incredible privilege at risk.**

With respect and deep concern

Geraldine Schwartz Ph.D.

Sept. 12, 2023

City of Vancouver

Dear Mayor Sim and Councillors,

**Re: Public Hearing - Multiplexes and RS Zoning Changes**

Public Hearing Agenda - Sept.14 at 1:00 pm:

<https://council.vancouver.ca/20230914/phea20230914ag.htm>

Report: <https://council.vancouver.ca/20230725/documents/rr2.pdf>

I oppose the Missing Middle Housing plan because it is an excessive, over-the-top strategy developed without proper input from residents. I urge council to reduce the scale of the plan, consult with residents and require a meaningful pilot project before it is unleashed on the entire city.

Your own staff report lists some of the problems it will cause, including increased destruction of trees and green space in the midst of a climate crisis, just as we're learning that Metro has lost six Stanley Parks' worth of natural habitat in a decade. The plan will also stress parking and infrastructure and raise land values, all in return for very limited affordability.

It will also incentivize demolition of character homes, many of which include affordable suites, to make room for higher-density multiplexes. The new higher, bulkier buildings will cause shadowing and privacy problems. Neighbourhood character will disappear because of the one-size-fits-all rules throughout much of the city.

How different the plan would have been if there had been meaningful consultation with the people and communities affected!

Many residents would have welcomed new rules allowing them to add housing to their property, and would gladly have taken part in workshops to develop them. We all have stories about homeowners wanting to add suites or laneway houses and being defeated by the delays and costs of the city's rules, processes and permit fees. My retired neighbour, for instance, was told it would cost her \$1 million to add a laneway house because of the upgrades she'd also be forced to do on her existing older house.

Instead of consulting residents and neighbourhood associations about changes that would enable homeowners to add small amounts of reasonably priced housing to their own lots, the city sidelined them.

Five workshops were held for architects, builders and other members of the housing industry while this plan was being developed over a 16-month period. For community groups, residents' groups or interested individuals? Not even one.

It was only AFTER the plan had been created that a four-month public information blitz was held earlier this year. The public's role was to comment on it, not help develop it.

And public involvement, especially direct engagement, was pathetically low. Of Vancouver's approximately 662,000 residents, only 1,895 completed the city's survey. A total of 385 showed up at seven in-person information sessions, and 145 at two online information sessions.

It's clear that the city's process favoured the housing industry over the citizens whose homes and neighbourhoods will be dramatically affected. This is a plan for the industry, by the industry, not for, or by, the people of the city.

This is a great loss, as citizens have much to contribute. In my area of Dunbar, I know many who would have appreciated the chance of working toward positive change. As our area loses older homes and affordable suites to often-vacant mini-mansions, people talk about the loss of neighbourhood children, stores and vibrancy. But this proposal, developed without locals' knowledge or involvement, will overwhelm residents with its scope and its many negative impacts.

Given that council is under intense pressure to approve this plan, with the premier threatening to impose it anyway, I urge you to do what is possible to improve it.

Begin with a limited pilot project, and in the meantime, launch a consultation process with residents. Enabling them to add housing at a scale that fits their lots and the neighbourhood will achieve far more positive, livable results than turning our communities over to those whose main motive is making money.

Yours truly,

Carol Volkart

## Mixing Middle Competition

The premise of the “Grand Bargain” which has informed Vancouver’s planning policies for several decades is that our single family neighbourhoods remain relatively untouched while increased density occurs along major transit routes and in other designated areas.

This approach is no longer tenable as we face a major housing affordability crisis where a minority of the privileged is overhoused in low density areas.

Some calculations based on “gentle” density increases in these neighbourhoods such as fourplexes on single lots or sixplexes on double lots. At 1.2-1.4 FSR these are not significant density increases given that the existing zoning allows for two units in a house and a third unit in the form of a laneway, and that there are many lots with up to five suites often in the form of substandard basement or attic suites which often violate the building code. New townhouses will more likely result in a new expensive monoculture of suites ranging in size from 900-1,200 Sq. Ft. while smaller more affordable suites are confined to denser buildings on major streets.

Also, in a time of climate crisis most houses are poorly insulated and will require significant expensive improvements called for in our Climate Emergency Action Plan.



Figure 1

Iceberg buildings such as shown in Figures 1 and 2 have greater densities in the range of 2.5-3.0 FSR, but have questionable economic and environmental appeal in that 20-25% of construction costs go into housing automobiles with significant greenhouse gases released during construction. The internally double-loaded corridors that lead to subterranean garages favour vehicular coming

and going, furthering car dependency and social isolation.

These are not the typologies that lead to rich and diverse neighbourhoods with social mixing along with a mix of uses, as is the premise of this competition.

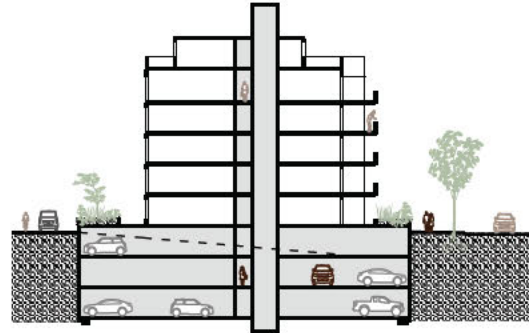


Figure 2

### Vancouver needs new building typologies:

- that house a wide spectrum of people ranging from extended families, cohousing, “traditional” families to various iterations of two and single occupancy suites.
- that allow for aging in place in suites that can expand and contract as life’s circumstances change.
- that favour social interaction and connection with community over privacy and views.
- in which a suite opens directly onto a sequence of outdoor spaces to encourage social mixing and a sense of being.
- that accommodates a mix of uses that are allowed in the building code, with a special emphasis on ground-level spaces that give directly onto streets and lanes.
- that respects the pattern and scale of single family lots.
- that minimize below-grade construction and the greenhouse gases expended in excavation, soil removal and concrete construction.
- that allow for a small-scale, step-by-step transition from a suburban car culture to a walking urban and mixing culture.
- that incorporates strategies to provide additional infrastructure needed for increased densities.
- that treats existing buildings as a resource to be reused in new construction along with construction materials such as mycelium, bio-char and hybrid materials from our great pools of waste. In particular we could explore the possibilities of using wood frame and hempcrete such as in this recently constructed building in Paris (Figure 3) in which the materials sequester CO2 gases. Our current

construction techniques are responsible for creating significant greenhouse gases.



Figure 3

### Vancouver needs streets and urban spaces:

- that goes beyond the storage of automobiles but still provide access to emergency vehicles and short-term parking for vehicles used for delivery, trades, visitors and people with disabilities.
- that is more welcoming to other mobility modes.
- that is more suitable as play spaces for children.
- that has reduced hard surfaced areas in favour of landscapes that mitigate storm water runoff.
- that expands our tree canopy.

### Vancouver needs new ways of accommodating automobiles:

- by expanding the use of car share
- by creating district parkades
- by including strategies to accommodate change-resistant people who are concerned about losing their privileges to park on the street

Three new typologies that respond to these concerns are illustrated in the following pages.

#### Typology A - Starting at the Corner

Provides 9,000-10,800 square feet of floor area on a single corner lot.

#### Typology B - Street-side Villas with Lane Houses

Provides 18,000-21,600 square feet of floor area on two lots.

#### Typology C - High Street Reinvention

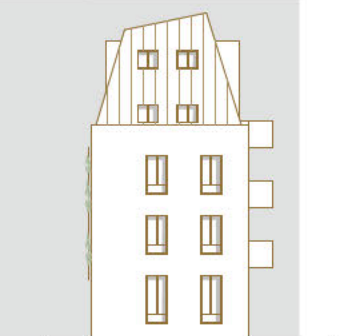
Provides an alternative to the existing high street typology.

# Typology A - Starting at the Corner

At 3.0 FSR, on a single 120'x30' corner of a 5 storey building can accommodate 10-16 suites in sizes ranging from 350-1,320 Sq Ft for a total area of 10,800 Sq Ft.

This typology and the two others shown on subsequent pages have a particular architectural expression. These typologies will be rendered in a variety of styles.

Appendix E

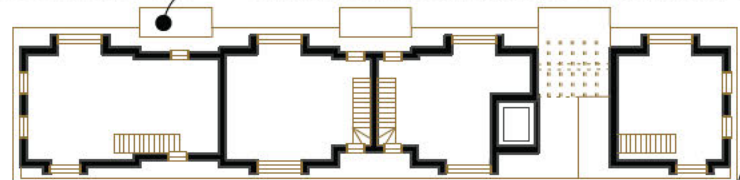


Side Street Elevation

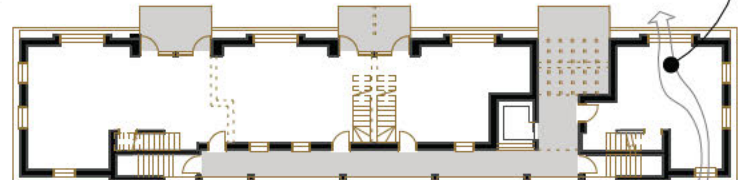
Generous sized balconies project 4' past property line

Rear Elevation

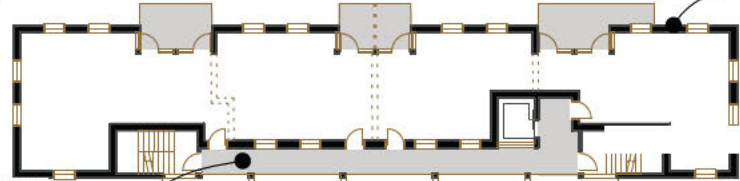
Street Elevation



Level 5



Level 4



Levels 2&3

Common circulation is through exterior corridors and a breezeway

Convivial outdoor walkways with patios and attics

All spaces have good cross ventilation

Wood framing with 14" hempcrete provide well insulated fireproof walls that sequester CO2 gases

Primarily a residential building but ground floor can contain commercial uses

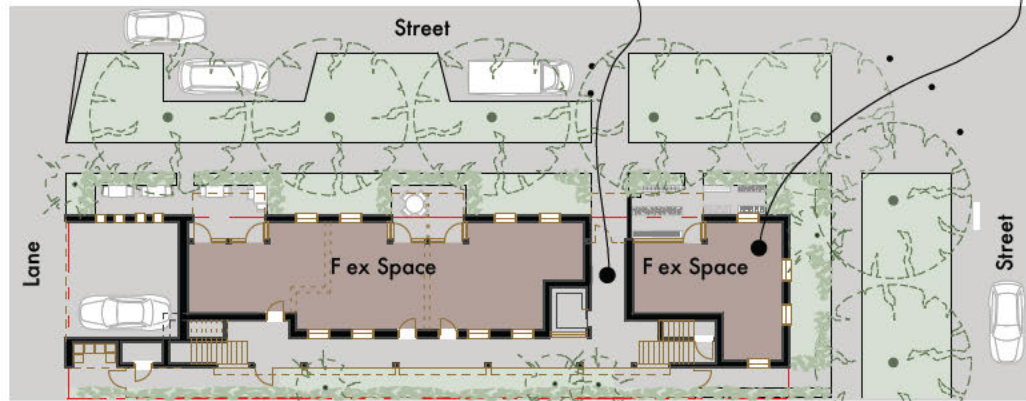
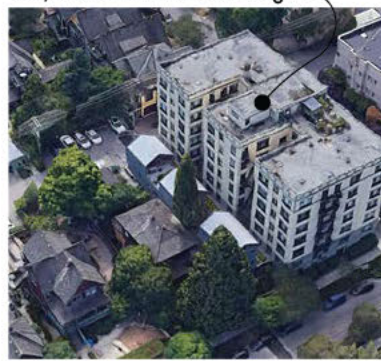


Street Section

Reduce pavement width and parking while increasing boulevard widths to form bioswales

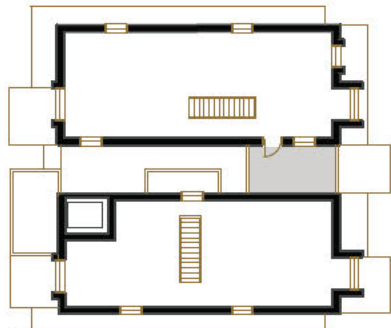
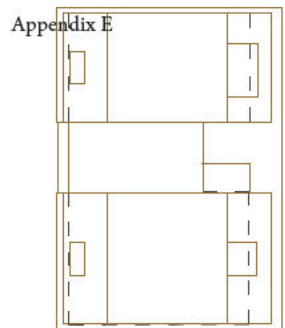
New buildings have no basement except for required service corridor for sewer, plumbing, electrical and communications

Precedent: Most buildings in the early 20th century West End were houses but 3-7 storey apartment buildings occupied many corners. Note also how one of the most livable neighbourhoods in the country is a mix of houses along with low, mid and high rise buildings.



Level 1 - Site Plan

# Typology B - Street-side Villas with Lane Houses



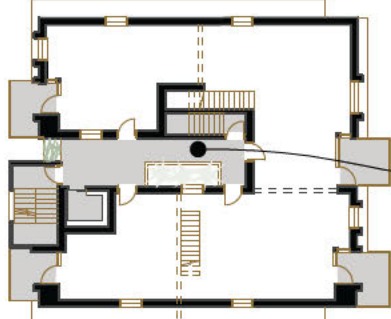
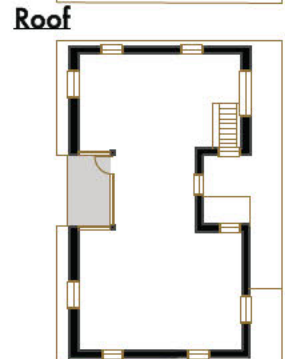
At 2.5 FSR, on two 120'x30' lots a 3-4 storey lane house and a 5-6 storey villa can accommodate 13-21 suites in sizes ranging from 450-2,100 Sq Ft for a total area of 18,000 Sq Ft

Buildings are scaled to the street or lane



Street Elevation

Courtyard Elevation



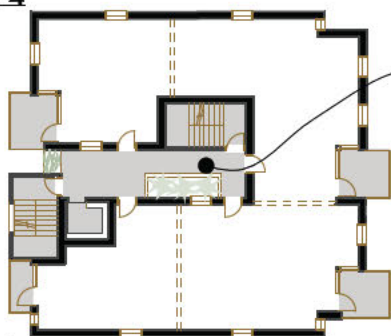
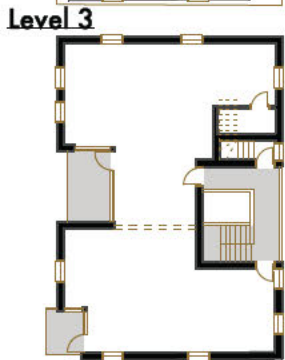
A suites open on to convivia social spaces in the form of exterior corridors



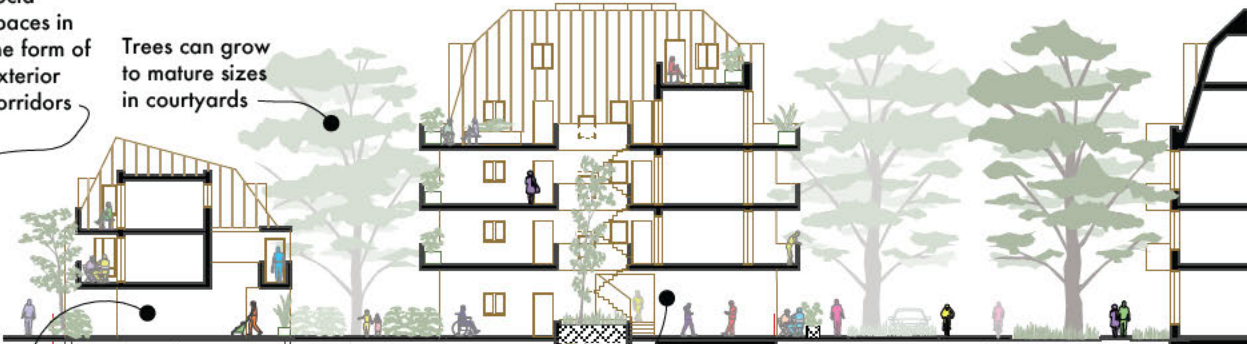
Side Elevation

Lane Elevation

Courtyard Elevation



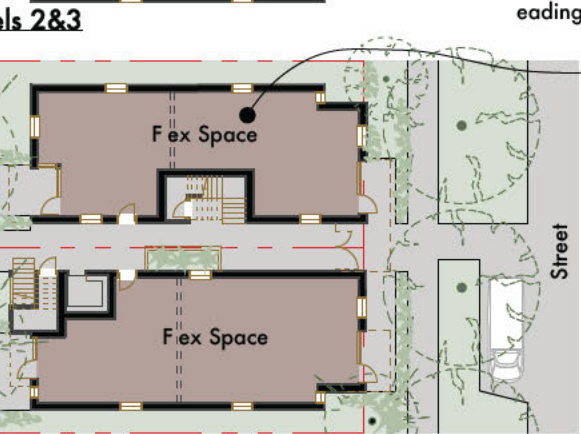
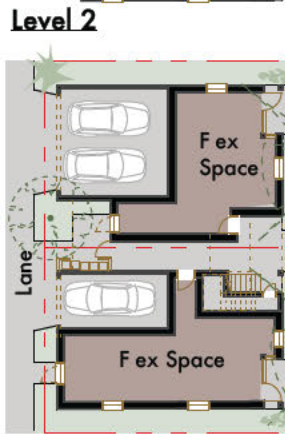
Trees can grow to mature sizes in courtyards



A central breezeway connects the street to the lane, providing fire fighting access but is also the primary social circulation spine leading to stairs and exterior corridors

Section

Pavement is reduced to 10' x 12' with parking pockets carved from wider boulevard sidewalks. The 7' between the sidewalk and property line has a 2' wide raised planter and 5' of patio.



A spaces can be residential, but ground floor flex spaces have direct access to the street or lane allowing for individual decisions about their uses. The ongoing mix of the neighbourhood evolves free of central decisions from City Hall.

Continuous service corridor and utility room are the only below-grade spaces



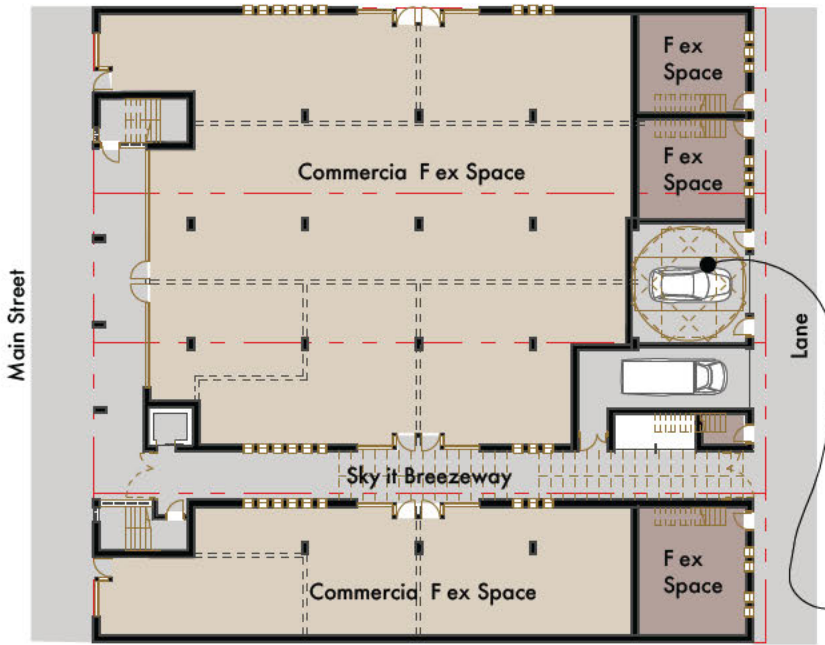


Why not technically part of the Missing Middle Competition, we include this third type for a number of reasons:

## New Parking Strategies

Perhaps the greatest concern for residents resistant to change is that they will have to fight to park in front of their houses. We suggest that parking rights on existing residential streets are grandfathered. On any existing streets where it will be eligible to purchase a parking decal for the neighbourhood, where the residents of new buildings will have to share limited spaces on their property with car share vehicles. The reduced street parking in front of new buildings will be for deliveries, trades and visitors. For those who require private automobiles, they can store them in district parkades on high streets as illustrated here.

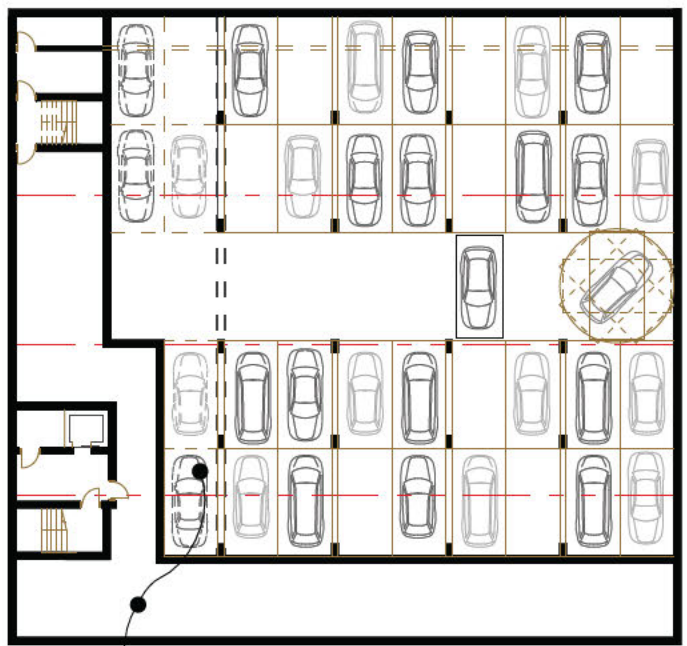
The required ventilation for conventional parkades requires bank walls. The landscaping of these walls does not compensate for not having doors and windows to businesses or residences that would make this a richer and friendlier place.



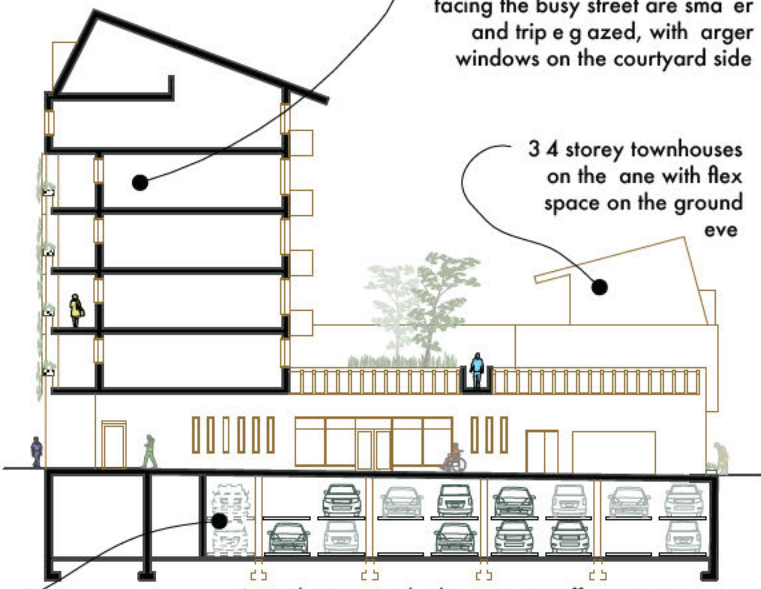
**Level 1** As with typologies 1 & 2, spaces including commercial open onto outdoor spaces whether street, lane or breezeway; no internal corridors

Use your smart phone to have your vehicle, whether private or car share, brought to this secure pick up point. Instead of taking an elevator to a parkade, you will have the pleasure of walking through your neighbourhood mixing with your neighbours.

Half the suites of most buildings on high streets face noisy and polluted streets. The approach here is create taller (6-8 storeys) buildings along wider commercial streets with a single loaded corridor with planted trees as a buffer. Windows facing the busy street are smaller and trip glazed, with larger windows on the courtyard side



**Basement** Residual below grade spaces and spaces created if a parkade is reduced in size can be repurposed for workshops, sound studios, nightclubs...



### Section

A mechanical parkade is a more efficient use of space, does not need lighting or ventilation and is more secure for person and vehicle



Standard parkades take up much space, require significant amounts of fossil fuels in excavation and soil removal, and the required concrete construction has a high level of embodied CO2 gases. The spaces produced, require lighting and ventilation 24/7 for the life of the building. They are unattractive and can be dangerous, and they are difficult to repurpose to other uses.

# A Neighbourhood Evolves

Step by step, from the corners to the centres of each individual block the neighbourhood evolves from a mono-cultured suburb to a truly walkable green urban space with building types that accommodate a dynamic mix of activities and people. Shown is the progression of a few blocks in the neighbourhood to illustrate how this might take place.

Appendix E

## 2022



## 2025



### Legend

- A- Single corner lot typology of 5-6 storey buildings
- B- Double lots with 5-6 storey vias; 3-4 storey lane houses
- C- High street lots with public breezeway; district parking; townhouses off the lane
- D- Corner lot with existing house retained on the lane
- E- Hybrid corner/double lot modified to retain large tree

- F- Church lot developed with new lane dedication; parking below 3-4 storey lane buildings; 5-6 storey vias on street; new church cloister
- G- Three lot re-axation with lane dedication; existing house retained
- H- Three lot re-axation with lane dedication
- I- Double lot variation; vias on both sides; dedicated pedestrian path (sottopassaggio) Wa den to 32nd

- J- Double lot variation; existing house retained
- K- Corner lot/ high street variation
- L- Mid block trip lot re-axation; dedicated pedestrian path Wa den to lane; existing house retained
- M- Streets narrowed to 10' 12"; parking pockets; bioswales
- N- Streets narrowed to 10' 12"; community gardens
- O- New park; stormwater retention pond

## 2030



## 2035



2022



2025



## Business Plan

The private sector or various government and social agencies could, easily develop the prototypes put forward. We will leave that decision to others.

The use of rezonings and comprehensive developments for much of Vancouver's new housing stock has produced mixed results in terms of housing affordability and environmental performance, and would be problematic for small developments. It has also created high levels of distrust in local government.

In lieu of a typical business plan, Team Otter are proposing a road map for the City's implementation of the ideas put forward in this submission.

**Build Prototypes** - On City owned land construct typologies A & B, while encouraging a private developer to build typology C on nearby C-2 zoned land. These buildings will provide a public introduction and experience of the new typologies, and help to refine their design.

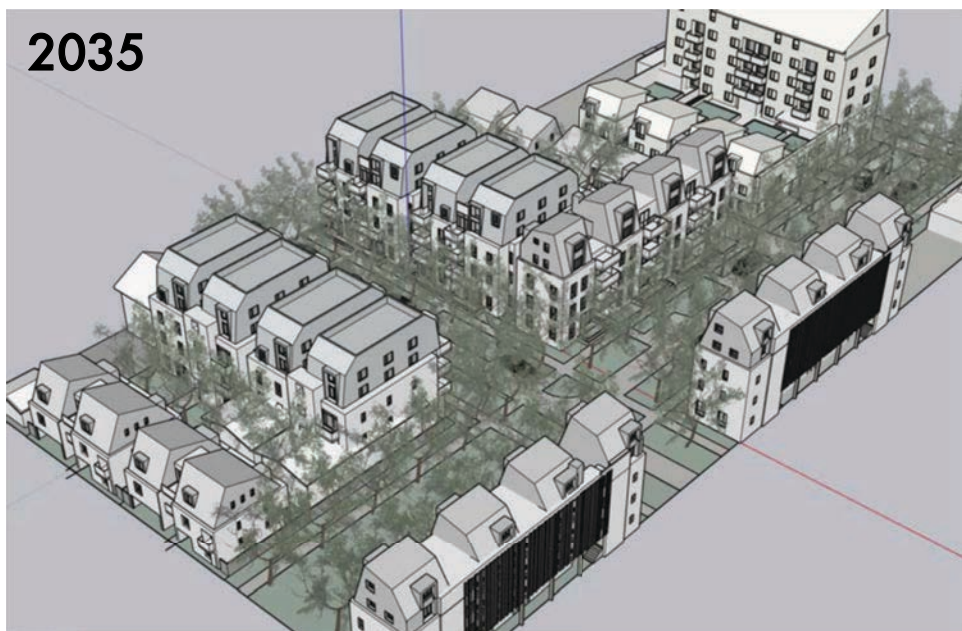
**Bylaw Development** - At the same time convene a team of architects, planners, engineers and others to establish clear, elegant rules and regulations for small scale developments, along with criteria where relaxations could be permitted to achieve social, heritage and other neighbourhood goals.

**New Processes** - We also suggest that the City establish a Plan Data Base that contains pre-approved plans produced by architects on speculation for typical sites of different sizes. These would be subject to technical review as well as design panel review. Would-be developers could peruse these approved plans online, and then engage the architect of their chosen scheme to make any amendments, and provide services for the completion of the building.

2030



2035



Robin Tavender  
[REDACTED]  
[REDACTED]  
[REDACTED]

September 13, 2023

Mayor and Council  
City of Vancouver  
City Hall 453 West 12th Ave  
Vancouver, BC  
V5Y 1V4

Dear Mayor and Council,

I am writing on behalf of Standing Water Nation concerning the mass rezoning of Vancouver. We have two general comments. The first is that, pursuant to our inherent rights, which stem from our political, economic and social structures, and our history, philosophy, culture and spiritual traditions, we have development rights on lands acquired within what the Crown calls City of Vancouver. City of Vancouver is a conceptual entity created by Act of the Legislative Assembly of British Columbia. Attached to this letter, please find a recent submission to the Standing Committee on Indigenous and Northern Affairs of the House of Commons of Canada. It clarifies our position concerning our international legal personality. If City of Vancouver or any other level of Canadian Government is going to obstruct or interfere with our development rights, this should trigger compensation.

The UNDRIP says, in Article 26(2) that (emphasis added)

**Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.**

Now, “otherwise acquired” is ambiguous—in your law, one does not so much

acquire the land itself as an enforceable interest in land that gives the right to ownership, use and control:

Brooke JCP: Et sir, ceux sount lez estatez quex nous avomus en nostre ley: s. fee symple, fee tayle, pur terme de vie, pur terme d aunz et a volunte; Et sir, chescun leez a volounte est a volounte d ambideux partiez

Brooke JCP: and Sir, these are the estates that we have in our law, that is, fee simple, fee tail, for a term of life, for a term of years, and at will; every lease at will is at the will of both parties<sup>1</sup>

So, if one has a fee simple, or for a term of life, or a term of years, those lands must be considered “otherwise acquired” under a literal and grammatical reading of the UNDRIP, which we point out merely *declares* a view of inherent indigenous rights, as a *minimum standard*:

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.<sup>2</sup>

Our view is that it is clear that we have inherent rights in what the Crown calls “Vancouver,” which we see as a subdivision of where we live, which we call “the light.” Our inherent right includes our own zoning and development power over lands “otherwise acquired.” These are powers we have traditionally enjoyed, in our form or another, under our ancestral oral law, forever.

Another question: why is it that an indigenous people, such as ourselves, cannot acquire lands from others, zone them, and regrant them under our own system of tenures? The Crown’s business, or a big part of it, is monopolizing land tenures and selling those tenures to people, as we state in our brief:

In your law the crown grants fee simple estates and enforces them in its courts. We might say that part of Canada’s business is granting fee simple estates and enforcing them. These crown estates have destroyed our ability to live according to our ancient

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<sup>1</sup>Mich. 14 Hen. 8 plea 6

<sup>2</sup>UNDRIP, Art. 43

oral law.<sup>3</sup>

Whatever development rights we have, we are very concerned about your proposed alterations to Vancouver's zoning because it will impact where many of our members live. Creating bigger buildings will create more shadows. Construction creates dust. Also, the Report does not seem to mention much indigenous consultation, though maybe it is in one of the many documents, but I could not find it.

And then there is the issue of which indigenous peoples (or nations/communities) are consulted. It is our public position, stated in various ways, that we are an indigenous people with international juridical personality. We have a right to be consulted about developments that will impact us, including the ongoing Crown land registry, which, as stated above, has totally destroyed our capacity to live according to our ancestral oral law. Due to the radical nature of the proposed changes, the impact on garden space and the increase in density, we are opposed to the proposed alterations.

King Regards,

Robin Tavender for Standing Water  
Nation

cc:

encl: Standing Water Nation brief to the Standing Committee on Indigenous and Northern Affairs Committee of the House of Commons of Canada, RESTITUTION OF LAND TO FIRST NATIONS, INUIT, AND METIS COMMUNITIES study. August 1, 2023. French and English.

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<sup>3</sup>Standing Water Nation brief to the Standing Committee on Indigenous and Northern Affairs Committee of the House of Commons of Canada, RESTITUTION OF LAND TO FIRST NATIONS, INUIT, AND METIS COMMUNITIES study. August 1, 2023.

## Standing Water Nation

Brief to the Standing Committee on Indigenous and Northern Affairs Committee of the House of Commons of Canada  
RESTITUTION OF LAND TO FIRST NATIONS, INUIT,  
AND METIS COMMUNITIES study.

August 1, 2023.

English version, 3 pages<sup>4</sup>

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<sup>4</sup><https://www.ourcommons.ca/Content/Committee/441/INAN/Brief/BR12564005/br-external/StandingWaterNation-e.pdf>

Good Day,

My name is Robin Tavender and I am one of the Standing Water People. I am recoding this audio brief at one of our houses on behalf of the Standing Water Nation. I am the first in the nation to obtain a university degree and I have been duly appointed to speak on our behalf.

We are a sovereign indigenous nation. In our cosmology we live in the light. We are governed by our ancient oral law which is our sovereign and our inheritance. We are a nomadic people so we have a relationship to time and to space that is different than many peoples. When your study talks about restitution of lands what we think you really mean is restitution of some sort of interest in lands. In your law, for example, you say fee simple which means lawful inheritance. An estate is a time in the land and a fee simple is time in the land without end. In your law the crown grants fee simple estates and enforces them in its courts. We might say that part of Canada's business is granting fee simple estates and enforcing them. These crown estates have destroyed our ability to live according to our ancient oral law. Consider the Nisga'a final agreement. It says that fee simple is the highest estate known in law but it also defines law to exclude Nisga'a Ayuuk or Nisga'a traditional law.

If we look at UNDRIP, or its implementation in Canada, we find that while UNDRIP does not define the term indigenous peoples for a variety of reasons the Canadian and British Columbian statutory implementations define indigenous peoples in terms of Canada's positive constitutional law, the Constitution Act, Section 35(2). It is a very tricky thing to require indigenous peoples to define themselves in terms of Canada's positive law in order to secure their international juridical personality and the rights that attach to that personality. If that personality is a brand of Canada's positive law then this is not self-determination. It is akin to domestic incorporation into Canadian law where the right to hold property collectively, to sue and be sued, and to make treaties or contracts, is effectively a statutory franchise granted by the King on the same legal basis corporations exist in Canadian law. La Roi est l'original de tous franchises, the King is the original of all franchises. If the King, or the King's law, is going to be the basis for the juridical personality to which rights under international law attach, that is not self-determination, that is the crown exercising imperial control over the attainment of international personality by indigenous peoples. This means that indigenous peoples are treated as subjects of domestic Canadian law, not truly international personalities with the rights of all nations under international law. We, therefore, view recognition of us as a subject of international law as a precondition to restitution of lands.

Standing Water Nation is an international juridical subject. We do not exist as a crown franchisee like a joint stock company registered under an act of Parliament. We are greatly concerned that the domestic interpretation of UNDRIP pays mere lip service to the international juridical existence of indigenous peoples by recognizing them within the framework of positive Canadian law and Supreme Court determinations concerning aboriginal and treaty rights. Section 35(2) of the Constitution Act recognizes three taxa of indigenous peoples, Indian, Métis, and Inuit. Our autonym is Standing Water and our self-determination is that we are Standing Water. We are not voluntarily a subject of the Canadian constitution. Standing Water Nation's interpretation of UNDRIP is that we have international juridical personality and this cannot, in good faith, be subordinated to Canada's domestic or positive law. The Law of Nations has been developed primarily by European peoples. Indigenous peoples are now regaining their ancient international personality but much of the European conception is about dividing up space into fixed settlements with a landlord.



Standing Water people are nomadic. We identify as Standing Water because we are water that has taken on a permanent form. We are able to flow, to build, and to climb through the light. We understand the light to be what gives us our power for without light, as in the winter, water freezes. The light, therefore, is the substance in which we move and dwell within our cosmology.

We think restitution of lands is one thing but what about restitution of law? According to our ancient oral law we have never concluded any treaty with the crown or any other state or nation. We have not ceded our aboriginal right to hunt, to camp, and to fish, in the light. We have not ceded the right to take timber to build fires and to erect structures, both physical and conceptual, including corporations, sole and aggregate, especially universities and indigenous degree granting institutions of higher education. We have not ceded the right to use waters, plants, and minerals.

Prior to the crown's assertion of sovereignty over the light we were free to travel. If we were stopped that was an act of war. This never extended to entering another nation's camp except to engage in specific activities like free trade. We would build our own camps as we traversed the light. Sometimes, some of our nation would remain in a camp they liked while others moved on to find a new camp. There was no notion of a box within which we were confined. Rather, there were areas occupied by other individuals and nations and we would respect that.

Grotius, in his *The Rights of War and Peace*, quotes Cicero who defines war as contention by force whether between individuals or nations. The purpose of war, Grotius says, is to reduce a duality to a unity. For example, one nation, entity, or individual, believes a tract of land is theirs to govern exclusively and they use force to reduce all who entered that self-asserted tract of land to unity with their belief. Whatever arguments might be made about the justice of such endeavors, in defence of such belligerence, this way of life is fundamentally war-like and martial in nature.

We want to make clear that Standing Water is a pacific nation. When confronted by belligerent individuals or nations our practice has always been to flee and to hide, if possible, rather than to fight. If we are unable to flee and to hide our law has always said that it is better to be taken prisoner than to fight.

As a sovereign nation we have the right to self-government. Many nations, including the French, British, and the United States of America, have drawn lines all over the maps of our traditional territory which includes, without limitation, the continent of North America and its adjacent waters. The nation's view is that we have the right to self-government within the light.

Traditional territories may overlap and this doesn't pose a problem. Here, for international relations purposes, we have used the term, traditional territory, but in our cosmology we say we live in the light and we flow through it. By traditional territory we don't mean an exclusive dominion. We say 'without limitation' because our ancient oral law has always guided us as we have moved from place to place. Our ancient oral law has never confined us. Some peoples have developed a violent territoriality over vast tracts of land, many of which are identified by drawing lines onto maps. Canada was not even seen or we might say, surveyed completely, until the advent of airplanes but it was claimed by treaties with, for example, the United States of America in 1846. This case is mentioned in Delgamuukw as establishing British sovereignty over British Columbia but as Standing Water has international juridical personality and we are not a party to that treaty how does it bind us?

We do not propose to answer these questions in this oral brief. All we want to do is claim our international juridical personality as an indigenous people and sovereign nation and all that entails. In our view, as an indigenous nation, if Canada denies us the right to self-government under our ancient oral law that is an act of war. As I say, we are pacific so we are not going to fight with Canada. Your Canadian forces are legendary for their military prowess and we could not hope to win the victory militarily so, in that sense, we surrender. However, if we are under military occupation then we think that compensation is owed for the loss of our ancient oral law which is our sovereign and our inheritance. It is our most precious possession that we are governed by our ancient oral law.

For many indigenous peoples the crown may be able to grant them a fee simple absolute over their traditional territory along with a legislative assembly to deal with some matters but Canada, based on the United Nations principles of territorial integrity and political unity, will retain control over some things like nuclear substances, labour law, and human rights, for example. Whereas Canada, as a UN member state, or as a matter of domestic policy, is committed to retaining control over a subject matter, compensation may be owed for the loss, for example, of nuclear development rights. For Standing Water, if we are to be confined to some parcel of land and deprived our nomadic way of life that in itself should trigger compensation.

We recognize our ancient way of life may be incompatible with the current political reality enforced by United Nations' member states but as a subject of international law this reality is subject to negotiation with Canada and other UN member states.

Going forward, we look toward a respectful relationship with Canada that recognizes our international juridical personality.

Thank you for listening to our brief and writing it down for us. We take this to be a recognition that we have the indigenous right to speak for ourselves collectively through our appointed speakers. The right to speak for ourselves is one of the primary indigenous rights, if not the primary right.

We look forward to continue good-faith conversations, nation to nation, with Canada and other subjects of international law.

## Standing Water Nation

Brief to the Standing Committee on Indigenous and Northern Affairs Committee of the House of Commons of Canada  
RESTITUTION OF LAND TO FIRST NATIONS, INUIT,  
AND METIS COMMUNITIES study.

August 1, 2023.

French version, 4 pages.<sup>5</sup>

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<sup>5</sup><https://www.ourcommons.ca/Content/Committee/441/INAN/Brief/BR12564005/br-external/StandingWaterNation-10785749-f.pdf>

Bonjour,

Je m'appelle Robin Tavender. Je suis membre de la Nation de l'eau permanente. J'enregistre cet exposé oral dans l'une de nos maisons au nom de la Nation de l'eau permanente. Je suis la première personne de ma nation à avoir obtenu un diplôme universitaire. On m'a confié en bonne et due forme le mandat de parler au nom de notre nation.

Nous formons une nation autochtone souveraine. Selon notre cosmologie, nous vivons dans la lumière. Nous sommes gouvernés par nos lois orales ancestrales; elles nous dirigent et font partie de notre patrimoine. Comme nous sommes un peuple nomade, notre rapport au temps et à l'espace diffère de celui de bien d'autres peuples. Lorsque vous parlez, dans le cadre de votre étude, de restitution des terres, nous croyons que vous faites plutôt allusion à la restitution d'une sorte d'intérêt dans les terres. Par exemple, dans vos lois, vous parlez de domaine en fief simple, ce qui se rapporte à un héritage accordé légalement. Un domaine est un territoire occupé pour un certain temps, alors que le domaine en fief simple est un territoire occupé indéfiniment. Selon vos lois, la Couronne accorde des domaines en fief simple et fait appliquer les dispositions qui s'y rattachent par ses tribunaux. Nous pourrions dire qu'une partie des activités du Canada consiste à accorder des domaines en fief simple et à faire respecter les dispositions qui s'y rattachent. Or, ces domaines de la Couronne ont anéanti notre capacité de vivre selon nos lois orales ancestrales. Prenons l'exemple de l'Accord définitif nisga'a. Il dit que le domaine en fief simple est le domaine le plus étendu en droit, mais sa définition du terme « loi » ne comprend pas les lois traditionnelles des Nisga'a Aiyuuk ou des Nisga'a.

En ce qui concerne la Déclaration des Nations Unies sur les droits des peuples autochtones ou sa mise en œuvre au Canada, nous considérons que, même si, pour diverses raisons, la Déclaration ne définit pas ce qui constitue un « peuple autochtone », les dispositions législatives du Canada et de la Colombie-Britannique définissent les peuples autochtones en fonction des dispositions du droit constitutionnel positif du Canada, notamment le paragraphe 35(2) de la Loi constitutionnelle. Il est très difficile de demander aux peuples autochtones de se définir en fonction du droit positif du Canada afin d'obtenir leur personnalité juridique internationale et les droits qui s'y rattachent. Si cette personnalité n'est reconnue que dans les limites du droit positif du Canada, alors ce n'est pas de l'autodétermination. Cela ressemble plutôt à une incorporation dans le droit national du Canada, où le droit de posséder collectivement des biens, d'intenter des poursuites et d'être poursuivi, et de conclure des traités ou des contrats est, dans les faits, une franchise juridique qui est accordée par le roi et qui repose sur le même fondement juridique que les sociétés en droit canadien. Le roi est l'original de toutes franchises. Si le roi ou la loi du roi doit servir de fondement à la personnalité juridique et aux droits qui s'y rattachent selon le droit international, alors ce n'est pas de l'autodétermination, mais plutôt une situation où la Couronne exerce son contrôle impérial sur l'obtention d'une personnalité juridique internationale par les peuples autochtones. Cela signifie que les peuples autochtones sont traités comme des peuples assujettis aux lois nationales du Canada, et non comme des peuples ayant véritablement une personnalité juridique et les droits conférés à toutes les nations en droit international. Par conséquent, nous considérons que la reconnaissance de notre nation en tant que sujet de droit international doit être une condition préalable à la restitution des terres.

La Nation de l'eau permanente est un sujet de droit international. Nous ne sommes pas des franchisés de la Couronne au même titre qu'une société à responsabilité limitée enregistrée au titre d'une loi du Parlement. En ce qui a trait à l'interprétation de la Déclaration à l'échelle nationale, nous craignons

vivement que l'on n'aille pas au-delà des beaux discours et que le statut juridique des peuples autochtones, reconnu en droit international, ne soit reconnu au Canada que dans les limites établies par le cadre juridique positif du Canada et les arrêts de la Cour suprême en ce qui a trait aux droits ancestraux ou issus de traités. Le paragraphe 35(2) de la Loi constitutionnelle reconnaît trois groupes de peuples autochtones, soit les Indiens, les Métis et les Inuits. Notre autonome est la Nation de l'eau permanente; c'est ainsi que nous nous désignons. Nous ne sommes pas volontairement assujettis à la Constitution du Canada. Selon la façon dont la Nation de l'eau permanente interprète la Déclaration, notre nation a une personnalité juridique internationale, et celle-ci ne peut pas, en toute bonne foi, être subordonnée au droit national ou positif du Canada. Le droit des nations a été établi principalement par des peuples européens. Les peuples autochtones recouvrent maintenant leur personnalité ancestrale en droit international, mais l'approche européenne consiste à diviser l'espace en établissements permanents avec un propriétaire.

Or, la Nation de l'eau permanente est un peuple nomade. Nous nous désignons comme le peuple de l'eau permanente puisque nous nous voyons comme de l'eau ayant pris une forme permanente. Nous sommes un peuple capable de circuler, de bâtir et de s'élever dans la lumière. Nous considérons que c'est la lumière qui nous donne notre force, car, sans elle, l'eau gèle, comme en hiver. La lumière est donc, selon notre cosmologie, la substance dans laquelle nous pouvons vivre et nous mouvoir.

La restitution des terres est une chose, mais qu'en est-il de la restitution des lois? Selon nos lois orales ancestrales, nous n'avons jamais conclu de traité avec la Couronne ni avec un autre État ou une autre nation. Nous n'avons pas cédé notre droit ancestral de chasser, de camper et de pêcher dans la lumière. Nous n'avons pas cédé le droit de prendre du bois pour faire des feux et d'ériger des structures, physiques ou conceptuelles, y compris des sociétés, qu'elles soient constituées en personne morale individuelle ou composée, et en particulier des universités et des établissements autochtones qui décernent des diplômes d'études supérieures. Nous n'avons pas cédé le droit d'utiliser les eaux, les plantes et les minéraux.

Avant que la Couronne affirme sa souveraineté sur la lumière, nous étions libres de voyager. Nous en empêcher était un acte de guerre. Cette liberté n'allait jamais jusqu'à nous permettre d'entrer dans le camp d'une autre nation, sauf pour certaines activités comme le libre-échange. Nous établissions nos propres camps en voyageant dans la lumière. Il arrivait parfois que des membres de notre nation restent dans un camp qui leur plaisait pendant que d'autres poursuivaient leur route pour trouver un autre camp. Nous n'avions aucune idée de ce que c'était que d'être confiné dans un espace limité. Cependant, nous savions que certains espaces étaient occupés par d'autres personnes et nations, et nous respections cela.

Dans son ouvrage intitulé « Le Droit de la guerre et de la paix », Grotius cite Cicéron, qui définit la guerre comme un débat qui se vide par la force, qu'il se livre entre des individus ou entre des nations. Selon Grotius, le but de la guerre est de réduire une dualité à l'unité. Cela s'applique, par exemple, à une nation, une entité ou une personne qui croit qu'elle devrait régner sans partage sur un territoire et qui emploie donc la force pour que tous ceux qui sont entrés sur le territoire qu'elle réclame s'unissent autour de cette croyance. Quels que soient les arguments avancés pour justifier une telle entreprise et une telle belligérance, c'est un mode de vie fondamentalement guerrier et martial.

Nous tenons à indiquer clairement que la Nation de l'eau permanente est une nation pacifique. Lorsque confrontée à des personnes ou des nations belligérantes, notre nation a toujours eu comme pratique de

prendre la fuite ou de se cacher, si possible, au lieu de se battre; si cela nous est impossible, nos lois disent depuis toujours qu'il est préférable d'être fait prisonnier que de se battre.

En tant que nation souveraine, nous avons droit à l'autonomie gouvernementale. Bon nombre de nations, y compris les Français, les Britanniques et les Étatsuniens, ont tracé toutes sortes de frontières sur les cartes de notre territoire traditionnel, qui comprend, sans s'y limiter, le continent nord-américain et ses eaux adjacentes. Notre nation considère qu'elle a le droit de s'autogouverner dans la lumière.

Plusieurs territoires traditionnels peuvent se chevaucher, et cela ne pose aucun problème. Aux fins des relations internationales, nous employons ici le terme « territoire traditionnel », mais selon notre cosmologie, nous vivons dans la lumière et nous nous déplaçons à travers elle. Lorsque nous parlons de territoire traditionnel, nous ne faisons pas allusion à un domaine exclusif. Nous disons que nous ne nous limitons pas à un territoire donné parce que nous nous sommes toujours déplacés d'un endroit à l'autre en étant guidés par nos lois orales ancestrales. Nos lois orales ancestrales ne nous ont jamais confinés. Certains peuples ont acquis une violente territorialité à l'égard de vastes territoires, dont un grand nombre sont délimités par des lignes tracées sur des cartes. Le territoire canadien n'avait même pas encore été découvert – ou disons cartographié – en entier jusqu'à l'apparition des avions, mais il a quand même été revendiqué par des traités, notamment celui conclu avec les États-Unis d'Amérique, en 1846. L'arrêt *Delgamuukw* parle de ce traité comme d'un document affirmant la souveraineté britannique sur la Colombie-Britannique, mais puisque la Nation de l'eau permanente a une personnalité juridique internationale, et qu'elle n'est pas partie à ce traité, comment peut-elle y être assujettie?

Nous ne proposons pas de répondre à ces questions dans cet exposé oral. Tout ce que nous voulons, c'est revendiquer notre personnalité juridique internationale en tant que peuple autochtone et nation souveraine, ainsi que tout ce qui en découle. En tant que nation autochtone nous considérons que, si le Canada nous refuse le droit de nous gouverner nous-mêmes selon nos lois orales ancestrales, cela constitue un acte de guerre. Comme je l'ai dit, puisque nous sommes pacifiques, nous n'allons pas nous battre contre le Canada. Les prouesses militaires des Forces canadiennes sont légendaires, et nous n'avons aucun espoir de remporter une victoire sur le plan militaire; en ce sens, nous capitulons. Cependant, si nous devons faire face à une occupation militaire, alors nous jugeons que nous avons le droit d'être indemnisés pour la perte de notre capacité de suivre les lois orales ancestrales qui nous gouvernent et qui font partie de notre patrimoine. Les lois orales ancestrales qui nous gouvernent sont notre bien le plus précieux.

La Couronne peut accorder à bon nombre de peuples autochtones un fief simple absolu sur leur territoire traditionnel, ainsi qu'une assemblée législative pour régler certaines questions, mais le Canada, qui s'appuie sur les principes onusiens d'intégrité territoriale et d'unité politique, continuera d'exercer un contrôle sur certaines choses comme les substances nucléaires, le droit du travail et les droits de la personne, par exemple. Même si, en vertu de son appartenance aux Nations Unies ou de sa politique nationale, le Canada tient à exercer un contrôle dans certains dossiers, il peut accorder une indemnisation, par exemple, pour la perte des droits de développement nucléaire. En ce qui concerne la Nation de l'eau permanente, nous jugeons que le seul fait de nous confiner à une parcelle de terrain et de nous priver de notre mode de vie nomade devrait nous donner droit à une indemnisation.

Nous sommes conscients que notre mode de vie ancestral est incompatible avec la réalité politique qui est actuellement imposée par les États membres des Nations Unies. Cependant, selon le droit

international, cette réalité devrait pouvoir faire l'objet de négociations avec le Canada et d'autres États membres des Nations Unies.

Nous espérons que nous pourrions entretenir avec le Canada une relation respectueuse fondée sur la reconnaissance de notre personnalité juridique internationale.

Je vous remercie d'avoir écouté notre bref exposé et de l'avoir transcrit pour nous. Nous voyons cela comme la reconnaissance du droit que nous avons, en tant qu'Autochtones, de parler en notre nom collectif par l'entremise de nos porte-parole désignés. Le droit de parler en notre nom est un droit des peuples autochtones des plus fondamentaux, sinon le plus fondamental.

Nous espérons pouvoir entretenir des conversations de bonne foi, de nation à nation, avec le Canada et d'autres sujets de droit international.

# Vancouver Character House Network

September 13, 2023

City of Vancouver

Dear Mayor Sim and Councillors,

**Re: Public Hearing - Multiplexes and RS Zoning Changes**

Public Hearing Agenda - Sept. 14 at 1:00 pm: <https://council.vancouver.ca/20230914/phea20230914ag.htm>

Report: <https://council.vancouver.ca/20230725/documents/rr2.pdf>

The Character House Network has significant concerns about this proposed plan and how this rezoning has been implemented without meaningful inclusion of key stakeholders such as our group or the public. **The proposed zoning changes completely undermine the character house retention incentives that were established only a few years ago.** There has been a lack of involvement except by a very few building industry representatives who have been engaged for over a year and a half. The process for public engagement has been inadequate for meaningful discussion or input. **We cannot support this proposed rezoning and request substantial modification to address our concerns.**

We have a **petition on Change.org** that calls for, among other things, "...to take immediate action to remove from zoning and building code bylaws any biases favouring demolition and new construction over retention..." and is now over **9,650 plus paper signers** at the time of writing.

<https://www.change.org/p/city-of-vancouver-mayor-and-council-save-vancouver-s-character-houses>

And the Vancouver Vanishes Facebook has over **13,000 likes**, also as a form of support for retention. <https://www.facebook.com/VancouverVanishes/>

Clearly the public wants to see policies that encourage heritage and character house retention, and the city has programs and policies to encourage this through heritage and character house incentives. The greenest building is the one that already exists so doing more with what we have through adaptive reuse needs to be a central part of policy and planning.

**Therefore we request at minimum that the City:**

- **Exclude from new multiplexes any houses on the Vancouver Heritage Registry**, either listed or registered, and instead direct multiple units on these properties through heritage and character retention incentive options;
- **For lots with qualified character houses (pre-1940), ensure incentives for retention of the character houses are better than new construction options to make them viable**, such as ensuring the FSR for character house retention is higher than for new multiplexes;
- **For character house retention, with a renovated addition or suite, retain current density of 0.75 FSR rather than reducing to the proposed 0.65 FSR.**
- **Character houses with infill should be the same or higher than multiplexes** that are proposed at 1.0 FSR, well above the retention options at a maximum of 0.85 FSR.
- Since character house retention projects are being used as learning examples for multiplexes, **provide the data on how many have been approved in RS zones so far, what the outcomes are and how they can be made easier and faster to implement;**
- Zone for multiplexes in a form and scale that **maximizes retention of mature trees, and permeable green surfaces** within neighbourhood context and streetscapes; and
- **Ensure new development is within the city's infrastructure capacity** in each neighbourhood for a sustainable future.



RS zoning changes should **remove the bias which favours new construction and instead make character house retention more viable.**

**We do not see why it is necessary to upzone 60,000 RS lots to up to 6 units each lot, in order to achieve the targeted 10,000 units of missing middle ground oriented housing for families.**

This would add redevelopment pressure on existing affordable rentals of both older suites and houses. The additional new 10,000 units targeted, and even larger numbers of units, could easily be accommodated in RS zones through a focused approach that is more sustainable within the current infrastructure and easier to achieve.

**Development is hitting the infrastructure limits of growth.** While we agree that more ground oriented housing for families is required, this needs to be done carefully to ensure it is sustainable and supported by infrastructure. The current upzoning of 60,000 lots for up to 6 units each is in no way justified by census data for required growth of about 1% per year, especially given the huge amount of development already in the pipeline.

**We agree with reduced sizes of new single family houses to 0.6 FSR, but we would go further and require every new house to have at least one secondary suite.** However, for renovations of existing houses there should still be a larger 0.75 FSR allowance for additions and more secondary suites. Don't build more new single family houses, just make better use of the ones we have.

**Expand the Secondary Suite Program to allow 2 secondary suites.** The advantage to this is that it allows code alternatives that improve the safety of suites while not requiring an existing house to go through a Multifamily Conversion Dwelling (MCD) where the whole house is upgraded to current codes when it is not financially feasible for just another suite. Many existing houses have been divided into three units with one on the basement, main floor and upper floors. Usually one suite is unauthorized and **the city currently will shut down these suites without an option for the homeowner to go through the Secondary Suite Program to make the 2 secondary suites safe and legal.** Code staff are very resistant to this and **it requires direction from Council.** The original Secondary Suite Program in the 1990s and updates in 2004, also required direction from Council.

A few examples of the many additional questions about this proposal are as follows:

- **How can this all sustainably fit onsite?** Parking for family sized units & EVs. The amount of electrical requires \$100,000 transformer PMT easement of 12'x12' and \$25,000 underground water tank to mitigate the lack of storm sewer capacity. This is not sustainable or affordable.
- **How would eliminating basements reduce the use of concrete** when concrete foundations still have to go to undisturbed soil for bearing, usually at the depth of the previously demolished building's foundation? No basements means even bigger buildings with more site coverage.
- **Why is the city not acknowledging the embodied carbon advantages of character house retention?** Character houses can also become electrified and more energy efficient while retaining more of the existing embodied carbon if the city made it easier to do. **Staff have yet to fulfill the 2020 Council direction to include us as a stakeholder in the completion to update the Bulletin 2014-007 "Conservation of Heritage Buildings and Compliance with Vancouver's Building By-Law",** to ensure that there is flexibility in the requirements, for modest renovations and additions for heritage and character homes that achieve retention goals, enabling approaches that are compatible with a historic building.
- **Why reduce front yard setbacks instead of making them into usable yard space for front ground units?** Outdoor space is best broken up between units rather than all units competing for the same back yard space. The standard 20% depth of lot for front yards is ideal for a front patio, while also providing needed green space for large street trees and onsite landscaping.
- **How will the intent of the zoning be provided to designers, builders and city staff if there are no design guidelines?** With clear directions on the intent of the zoning it provides needed information to ensure understanding of what should be included in applications. Providing design guidelines actually can save time and money both for the City and applicant.

## **The process is flawed.**

- There has been no publically released options analysis to ensure that the required number of new units are allowed, including for multiplexes, while also ensuring a balance so that heritage and character house retention incentives remain viable.
- The survey was not framed to allow proper feedback and cannot be relied upon and few completed the survey since most found it confusing and frustrating.
- We should have been included as a stakeholder in this RS rezoning process, which we were not. Only a select number of the development industry were given workshops and meetings.
- Little published notice was given and no mailed card notices were sent to the affected properties for the public hearing.
- Having the public hearing in the second week of September when people are just getting back from summer holidays, at 1:00 pm when people are at work, means few people are aware of this citywide rezoning and even fewer are able to attend or respond.
- There has been no neighbourhood-based planning to assess the infrastructure capacity or impacts of this proposal, that undermines decades of community planning.

**We cannot support this proposed rezoning and request substantial modification to address our concerns above.**

Yours truly,

Elizabeth Murphy, Jan Pierce, and Carol Volkart

On behalf of Vancouver Character House Network