



PUBLIC HEARING MINUTES

SEPTEMBER 14, 2023

A Public Hearing of the City of Vancouver was held on Thursday, September 14, 2023, at 1:03 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means as authorized under Section 566 of the *Vancouver Charter*.

PRESENT:

Mayor Ken Sim
Councillor Rebecca Bligh* (Leave of Absence – Civic Business – 4 pm to 6 pm)
Councillor Christine Boyle
Councillor Adriane Carr* (Leave of Absence – Civic Business – 6 pm to 7 pm)
Councillor Lisa Dominato
Councillor Pete Fry* (Leave of Absence – Civic Business – 1 pm to 2 pm and from 2:45 pm to 3:45 pm)
Councillor Mike Klassen
Councillor Sarah Kirby-Yung* (Leave of Absence – Civic Business – 1 pm to 2 pm)
Councillor Peter Meiszner* (Leave of Absence – Civic Business – 2:45 pm to 5 pm)
Councillor Brian Montague
Councillor Lenny Zhou

CITY MANAGER'S OFFICE: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager

CITY CLERK'S OFFICE: Lesley Matthews, Acting Deputy City Clerk
Cassia Nasralla, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Mayor acknowledged that we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. We thank them for having cared for this land and look forward to working with them in partnership as we continue to build this great city together.

The Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

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

An application by the City of Vancouver was considered as follows:

Summary: Amendments to the Zoning and Development By-law to allow multiple dwelling (multiplex) in low density (RS) residential zones as a new housing option with additional units and density, subject to density bonus payment provisions. Floor area incentives for passive house construction are also included.

Amendments to the Zoning and Development By-law to reduce the maximum size of new single-detached houses; increase the maximum size of new laneway houses; simplify and reduce the number of zoning regulations that apply to low density (RS) residential zones; and to consolidate the nine RS residential zones (RS 1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6 and RS-7) into a single new R1-1 Residential Inclusive zone.

Amendments to the Parking By-law and Zoning and Development Fee By-law related to the changes proposed above and to repeal certain RS-related design and other guidelines. Consequential amendments to the Subdivision By-law, Street and Traffic By-law, Sign By-law and various land use documents are also proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

Council also had before it a memorandum from the General Manager, Planning, Urban Design and Sustainability dated September 1, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Draft By-law to Amend the Subdivision By-law No. 5208”. The memorandum provided a correction to reflect two additions required to the draft Subdivision By-law: amendments in Appendix C to the Subdivision By-law of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”; and a new section 7 of the above-noted by-law which provided instructions to amend the maps attached to Schedule A of the above-noted report.

The above-noted memorandum was intended for information only as the posted draft by-law contained the correction identified.

Summary of Correspondence

The following correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- 349 pieces of correspondence in support of the application;
- 137 pieces of correspondence in opposition to the application; and
- 35 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

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During questions to staff, it was

*MOVED by Councillor Carr
SECONDED by Councillor Klassen*

THAT under section 5.4(d) of the Procedure By-law, Council ask a second round of questions to staff.

*CARRIED UNANIMOUSLY
(Councillors Fry and Kirby-Yung absent for the vote)*

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Following the staff presentation, Council recessed at 2:34 pm and reconvened at 2:46 pm.

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Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- D Jake Fry
- Owen Brady
- Peter Waldkirch
- Richard Bell
- Russil Wvong
- Bruce Haden
- Peter Dowdy
- Bel Dadwal
- Ron Rapp
- Marcus Weber
- Julian Mentasti Meza
- Emily Tsang
- Zoe Selena Mabry
- Helen Lui
- Monte Paulsen
- Inge Roecker
- Bryn Davidson
- Vicki Potter
- George Fedoroff
- Akashdeep Singh

- Carman Kwan
- Jim Bussey
- Kaiwen Yu
- Dan Rothwell
- Ken Nguyen
- Charles Eyrich
- Mo Zatar
- Marcus Lalande
- Dedon Hussack

The following spoke in opposition of the application:

- Robin Tavender
- Reilly Wood
- Tillie Kwan
- Barbara May
- Randy Helten
- Sal Robinson
- Chris Flerlage
- Maureen Charron
- Carol Volkart
- Richard Nantel
- M Wickham
- Larry A. Bengé
- Elizabeth Murphy

The following provided general comments on the application:

- Ryan Campbell
- Laura Carey
- Colin Chan
- James Evans
- Ian Robertson

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During the hearing of speakers, it was

*MOVED by Councillor Boyle
SECONDED by Council Klassen*

THAT Council extend the meeting past 5 pm in order to complete hearing from speaker number 35.

*CARRIED UNANIMOUSLY
(Councillors Bligh and Meiszner absent for the vote)*

Subsequently, Council recessed at 5:01 pm and reconvened at 6:03 pm.

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The speakers list closed at 7:37 pm. Following the close of the speakers list, due to the volume of public comments received after 12 pm, the mayor announced that public comments will be accepted for a further 15 minutes. Subsequently, the receipt of public comments closed at 7:52 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Klassen

- A. THAT Council approve, in principle, an application to amend the Zoning and Development By-law to add missing middle housing, simplify regulations in RS residential zones and make miscellaneous amendments generally as presented in Appendix A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, generally as presented in the above-noted Report, and including the following changes:
- Add multiple dwelling as a permitted use to allow the construction of multiplexes as a new housing option with additional units and density;
 - Require either a set-rate density bonus payment, a below-market homeownership unit, or secured rental housing for the opportunity to access additional density with a multiplex application;
 - Extend passive house incentives to the new multiplex option and simplify the existing passive house regulations;
 - Reduce the maximum size of new single-detached houses;
 - Increase the maximum size of new laneway houses, and simplify the laneway house regulations;
 - Reduce the number of zoning regulations that apply to RS residential zones; and
 - Consolidate the nine RS residential zones by rezoning areas zoned RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6 and RS-7 to a new R1-1 Residential Inclusive zone;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Zoning and Development By-law generally as presented in Appendix A of the above-noted Report.

- B. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Parking By-law to reflect vehicle and bike parking

requirements for multiplex projects and update references to RS zones generally as presented in Appendix B of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Parking By-law generally as presented in Appendix B of the above-noted Report.

- C. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Subdivision By-law to update references to RS zones, and consolidate the RS zone requirements into one R1-1 Residential Inclusive zone in Schedule A, generally as presented in Appendix C of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Subdivision By-law generally as presented in Appendix C of the above-noted Report.

- D. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Building By-law to modify entrance lighting regulations for laneway houses, generally as presented in Appendix D of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Building By-law generally as presented in Appendix D of the above-noted Report.

- E. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Zoning and Development Fee By-law to update references to RS zones and delete obsolete fees generally as presented in Appendix E of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Zoning and Development Fee By-law generally as presented in Appendix E of the above-noted Report.

- F. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Street and Traffic By-law to update references to RS zones generally as presented in Appendix F of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Street and Traffic By-law generally as presented in Appendix F of the above-noted Report.

- G. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Sign By-law to update references to RS zones generally as presented in Appendix G of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Sign By-law generally as presented in Appendix G of the above-noted Report.

- H. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the repeal of related land use documents and other consequential amendments to land use documents generally as presented in Appendix H of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”.

- I. THAT Council instruct staff to bring forward an amendment to the Building By-law as early as possible in 2024 to require simple and prescriptive on-site rainwater management requirements for multiplex projects generally as noted in Appendix J of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”.

- J. THAT Council, subject to enactment of the amended Zoning and Development By-law, authorize the Director of Legal Services to enter into Project Partnering Agreements with applicants and BC Housing for multiplex developments securing a below-market homeownership unit in accordance with the terms of the Master Partnering Agreement with BC Housing for a City of Vancouver Below-Market Homeownership in Multiplexes Program approved in principle by Council on June 27, 2023, should such Master Partnering Agreement be approved by BC Housing and executed.

- K. THAT A through J above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any rezoning by-law; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or

discretion, regardless of when they are called upon to exercise such authority or discretion.

amended

AMENDMENT MOVED by Councillor Boyle
SECONDED by Councillor Dominato

THAT the following be added as L:

THAT Council direct staff to undertake additional work to explore options and report back to Council on floor space exclusions for elevators and for the additional space required for a fully accessible washroom, or similar alternatives, to improve accessibility across all low density residential building types.

CARRIED UNANIMOUSLY (Vote No. 09495)
(Councillor Bligh absent for the vote)

AMENDMENT MOVED by Councillor Dominato
SECONDED by Councillor Carr

THAT the following be added as M:

THAT Council direct staff to report back in Q2 2024 on options to update the City's heritage/character retention policies to align with the allowable 1.0 FSR in the missing middle housing framework, in an effort to incentivize character retention and increased density in neighbourhoods.

CARRIED UNANIMOUSLY (Vote No. 09496)

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At 8:43 pm, the Mayor relinquished the Chair to Acting Mayor Kirby-Yung in order to provide comments and resumed the Chair at 8:46 pm.

Prior to the vote on the motion as amended, Councillors Bligh, Carr, Fry, Kirby-Yung and Meiszner advised they had reviewed the proceedings.

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The amendments having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 09497).

FINAL MOTION AS APPROVED

- A. THAT Council approve, in principle, an application to amend the Zoning and Development By-law to add missing middle housing, simplify regulations in RS residential zones and make miscellaneous amendments generally as presented in Appendix A of the Report dated July 7, 2023, entitled "Adding Missing Middle

Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, generally as presented in the above-noted Report, and including the following changes:

- Add multiple dwelling as a permitted use to allow the construction of multiplexes as a new housing option with additional units and density;
- Require either a set-rate density bonus payment, a below-market homeownership unit, or secured rental housing for the opportunity to access additional density with a multiplex application;
- Extend passive house incentives to the new multiplex option and simplify the existing passive house regulations;
- Reduce the maximum size of new single-detached houses;
- Increase the maximum size of new laneway houses, and simplify the laneway house regulations;
- Reduce the number of zoning regulations that apply to RS residential zones; and
- Consolidate the nine RS residential zones by rezoning areas zoned RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6 and RS-7 to a new R1-1 Residential Inclusive zone;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Zoning and Development By-law generally as presented in Appendix A of the above-noted Report.

- B. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Parking By-law to reflect vehicle and bike parking requirements for multiplex projects and update references to RS zones generally as presented in Appendix B of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Parking By-law generally as presented in Appendix B of the above-noted Report.

- C. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Subdivision By-law to update references to RS zones, and consolidate the RS zone requirements into one R1-1 Residential Inclusive zone in Schedule A, generally as presented in Appendix C of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Subdivision By-law generally as presented in Appendix C of the above-noted Report.

- D. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the

Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Building By-law to modify entrance lighting regulations for laneway houses, generally as presented in Appendix D of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Building By-law generally as presented in Appendix D of the above-noted Report.

- E. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Zoning and Development Fee By-law to update references to RS zones and delete obsolete fees generally as presented in Appendix E of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Zoning and Development Fee By-law generally as presented in Appendix E of the above-noted Report.

- F. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Street and Traffic By-law to update references to RS zones generally as presented in Appendix F of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Street and Traffic By-law generally as presented in Appendix F of the above-noted Report.

- G. THAT subject to approval of A of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council an amendment to the Sign By-law to update references to RS zones generally as presented in Appendix G of the above-noted Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the Sign By-law generally as presented in Appendix G of the above-noted Report.

- H. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the repeal of related land use documents and other consequential amendments to land use documents generally as presented in Appendix H of the Report dated July 7, 2023, entitled “Adding

Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law’.

- I. THAT Council instruct staff to bring forward an amendment to the Building By-law as early as possible in 2024 to require simple and prescriptive on-site rainwater management requirements for multiplex projects generally as noted in Appendix J of the Report dated July 7, 2023, entitled “Adding Missing Middle Housing and Simplifying Regulations – Amendments to the Zoning and Development By-law”.
- J. THAT Council, subject to enactment of the amended Zoning and Development By-law, authorize the Director of Legal Services to enter into Project Partnering Agreements with applicants and BC Housing for multiplex developments securing a below-market homeownership unit in accordance with the terms of the Master Partnering Agreement with BC Housing for a City of Vancouver Below-Market Homeownership in Multiplexes Program approved in principle by Council on June 27, 2023, should such Master Partnering Agreement be approved by BC Housing and executed.
- K. THAT A through J above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any rezoning by-law; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.
- L. THAT Council direct staff to undertake additional work to explore options and report back to Council on floor space exclusions for elevators and for the additional space required for a fully accessible washroom, or similar alternatives, to improve accessibility across all low density residential building types.
- M. THAT Council direct staff to report back in Q2 2024 on options to update the City’s heritage/character retention policies to align with the allowable 1.0 FSR in the missing middle housing framework, in an effort to incentivize character retention and increased density in neighbourhoods.

ADJOURNMENT

MOVED by Councillor Dominato
SECONDED by Councillor Klassen

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:48 pm.

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