



PUBLIC HEARING MINUTES

FEBRUARY 27, 2024

A Public Hearing of the City of Vancouver was held on Tuesday, February 27, 2024, at 6:03 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means with in-person attendance available as authorized under Section 566 of the *Vancouver Charter*.

PRESENT: Councillor Peter Meiszner, Acting Mayor
Councillor Rebecca Bligh* (Leave of Absence – Civic Business – 6 pm to 7 pm)
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Sarah Kirby-Yung
Councillor Mike Klassen
Councillor Brian Montague
Councillor Lenny Zhou

ABSENT: Mayor Ken Sim (Leave of Absence for Personal Reasons from 6 pm to 10 pm)

CITY CLERK'S OFFICE: Lesley Matthews, Acting Deputy City Clerk
Olivia Kam, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

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

The Acting 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. Tools and Incentives to Encourage Mass Timber Construction

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

Summary: To amend Section 10 of the Zoning and Development By-law and to propose a rezoning policy to accelerate mass timber construction in new buildings taller than six storeys. The changes seek to:

- Increase height and density for mass timber in rezoning applications;
- To provide extra height in district schedule areas.

The Acting General Manager of Planning, Urban Design and Sustainability recommended approval.

Summary of Correspondence

One piece of correspondence in support of the application was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Staff Opening Comments

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

Speakers

The Acting Mayor called three times for speakers for and against the application.

The following spoke in support of the application:

- Marc White
- Shawn Keyes
- Graham Brewster

The speakers list and receipt of public comments closed at 7:07 pm.

Staff Closing Comments

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

* * * * *

Prior to the vote, Acting Mayor Meiszner relinquished the Chair to Deputy Mayor Montague in order to participate in debate on Item 1.

* * * * *

Council Decision

MOVED by Councillor Dominato
SECONDED by Councillor Carr

- A. THAT Council approve the application to amend the Zoning and Development By-law to allow for increased height of a mass timber building generally as presented in Appendix A of the Referral Report dated December 20, 2023, entitled “Tools and Incentives to Encourage Mass Timber Construction”;

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

- B. THAT at the time of enactment of the Zoning and Development By-law amendments, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the Mass Timber Policy for Rezoning, generally as presented in Appendix B of the Referral Report dated December 20, 2023, entitled “Tools and Incentives to Encourage Mass Timber Construction”.

CARRIED UNANIMOUSLY (Vote No. 09813)

2. CD-1 Rezoning: 1002-1052 Seymour Street and 550 Nelson Street

An application by Onni Development (Seymour Street) Corp. was considered as follows:

Summary: To rezone 1002-1052 Seymour Street and 550 Nelson Street from DD (Downtown) District to CD-1 (Comprehensive Development) District, to change 12,548.7 sq. m (135,073 sq. ft.) of residential floor area to commercial floor area resulting in an increase of floor space ratio (FSR) from 5.5 to 6.17. No form of development changes to the building are proposed.

The Acting 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 Interim Director of Planning, Planning, Urban Design and Sustainability, dated February 9, 2024, entitled “CD-1 Rezoning: 1002-1052 Seymour Street and 550 Nelson Street – Additional Condition of Rezoning Approval for Community Amenity Contributions”, which noted an additional condition of approval in Appendix B required to secure the Community Amenity Contribution (CAC) which was inadvertently not included in the Referral Report dated January 9, 2024, entitled “CD-1 Rezoning: 1002-1052 Seymour Street and 550 Nelson Street”.

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:

- three pieces of correspondence in support of the application;
- two pieces of correspondence in opposition to the application; and
- two pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Applicant Comments

The applicant responded to questions.

Speakers

The Acting Mayor called three times for speakers for and against the application.

The following spoke in opposition of the application:

- Wayne Ryan

The speakers list and receipt of public comments closed at 7:41 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 Montague

- A. THAT the application by Onni Development (Seymour Street) Corp., the registered owner of all of the strata lots in Strata Corporation BCS3727 (and associated common property) located at 1002-1052 Seymour Street and 550 Nelson Street as listed in Schedule 1 of the Referral Report dated January 8, 2024, entitled "CD-1 Rezoning: 1002-1052 Seymour Street and 550 Nelson Street" with corresponding lot Parcel Identifiers (PIDs) and legal descriptions, to rezone the lands from Downtown District (DD) to CD-1 (Comprehensive Development) District, to increase the density from 5.5 FSR to 6.17 FSR and change the use from residential to commercial in this existing mixed-use building, generally as presented in the above noted-report, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report, with the addition of the following condition of approval as 2.3:

“Community Amenity Contribution

2.3 Pay to the City a contribution of \$379,349, which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City, and in a form and on terms and conditions satisfactory to the Director of Legal Services. The contribution is to be allocated to support the delivery of public benefits in and around the Metro Core area.”

- B. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C of the Referral Report dated January 8, 2024, entitled “CD-1 Rezoning: 1002-1052 Seymour Street and 550 Nelson Street”, be approved.
- C. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated January 8, 2024, entitled “CD-1 Rezoning: 1002-1052 Seymour Street and 550 Nelson Street”;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09814)
(Councillor Bligh absent for the vote)

3. CD-1 Rezoning: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue

An application by Peterson Group was considered as follows:

Summary: To rezone two, non-contiguous sites at 5392-5472 Manson Street (referred to as the “Manson Street site”) and at 5250-5270 Ash Street and 595 West 37th Avenue (referred to as the “Ash Street site”) from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of two 18-storey buildings with 248 strata-titled residential units on the Manson Street site and a six-storey residential building with approximately 77 social housing units on the Ash Street site. A floor space ratio (FSR) of 5.62 and a height of 59.9 m (197 ft.) (Manson Street site) and a FSR of 3.10 and a height of 21.5 m (71 ft.) (Ash Street site) with additional height for a rooftop amenity or mechanical appurtenances, are proposed. mend Section 10 of the Zoning and Development By-law and to propose a rezoning policy to accelerate mass timber construction in new buildings taller than six storeys.

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

Summary of Correspondence

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

- one piece of correspondence in support of the application; and
- two pieces of correspondence dealing with other aspects of the application.

* * * * *

Prior to hearing the staff presentation, it was,

MOVED by Councillor Montague
SECONDED by Councillor Fry

THAT Council waive the presentation for Item 3. CD-1 Rezoning: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue.

CARRIED UNANIMOUSLY

* * * * *

Speakers

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

The speakers list and receipt of public comments closed at 7:56 pm.

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Klassen

- A. THAT the application by Peterson Group on behalf of:
- (i) Manson Street Development Ltd., the registered owner of the lands at 5472-5434 Manson Street [*Lots 12 to 14 Block 876 District Lot 526 Plan 8838; PIDs 008-337-390, 009-918-647, and 009-918-655 respectively*], and 1321952¹ B.C. Ltd., the registered owners of the lands at 5408-5392 Manson Street [*Lots 15 and 16 Block 876 District Lot 526 Plan 8838; PIDs 009-918-663 and 009-918-671 respectively*], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 5.62 and the building height from 11.5 m (38 ft.) to 59.9 m (197 ft.), to permit the development of two 18-storey residential buildings containing 248 strata-titled residential units; and
 - (ii) Ash 37 Development BT Ltd., the registered owner of the lands located at 595 West 37th Avenue and 5250-5270 Ash Street [*Lots 21 to 23 Block 839 District Lot 526 Plan 8710; PIDs 009-954-759, 009-954-783, and 009-954-821 respectively*], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 3.10 and the building height from 11.5 m (38 ft.) to 21.5 m (71 ft.), to permit the development of a six-storey residential building containing 77 social housing units, generally as presented in the Report, be approved in principle as one application together for both non-contiguous sites;

FURTHER THAT both of the draft CD-1 By-laws, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 9, 2024, entitled "CD-1 Rezoning: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue", be approved in principle;

FURTHER THAT the proposed forms of development also be approved in principle, generally as prepared by:

- (i) IBI Architects, received September 28, 2022; and
- (ii) NSDA Architects, received September 28, 2022, and revised plans received April 12, 2023;

provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

¹ Represented by Peterson Group subsidiaries

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendices B1 and B2 of the above-noted report;

AND FURTHER THAT the Director of Legal Services be instructed to bring forward the draft CD-1 By-laws together for enactment on the same day under one omnibus By-law that will enact both CD-1 By-laws at the same time.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreements described in Part 2 of Appendix B1 and B2 of the Referral Report dated January 9, 2024, entitled "CD-1 Rezoning: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws for enactment prior to enactment of both of the CD-1 By-laws, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of both of the CD-1 By-laws, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated January 9, 2024, entitled "CD-1 Rezoning: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of both of the CD-1 By-laws.

- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City, and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09815)

ADJOURNMENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:57 pm.

* * * * *